

11 DECEMBER 2018 PLANNING COMMITTEE

6i 18/0518 Reg'd: 29.08.18 Expires: 24.10.18 Ward: BWB
Nei. 16.10.18 BVPI Minor Number 15 On Yes
Con. Target dwellings -13 of Weeks Target?
Exp: on Cttee'
Day:

LOCATION: 101 & 101A Oyster Lane, Byfleet, West Byfleet, Surrey, KT14 7JF

PROPOSAL: Change of use from 2x 3 bedroom dwellings (Class C3) to Offices (B1[a]) and the erection of a single storey rear extension, porch and alterations to hardstanding and access arrangement (retrospective).

TYPE: Full Planning Application

APPLICANT: Mr Colagero Paolino Piazza

OFFICER: William Flaherty

REASON FOR REFERRAL TO COMMITTEE:

The decision on whether to take enforcement action falls outside the scope of delegated powers.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the change of use from 2x 3 bedroom dwellings (Class C3) to Offices (B1[a]) and the erection of a single storey rear extension, porch and alterations to hardstanding and access arrangement. The planning application is retrospective.

Site area:	0.04 ha
Number of units:	2 (2x 3 bedroom)
Number of proposed parking spaces:	4
Existing density on site:	25 dph (dwellings per hectare)
Proposed density on site:	0 dph

PLANNING STATUS

- Urban Area
- Thames Basin Heaths Special Protection Area (TBH SPA) Zone B (400m-5km)

RECOMMENDATION

REFUSE planning permission and authorise formal enforcement proceedings.

SITE DESCRIPTION

The application site is situated on the west side of Oyster Lane in the Byfleet area of the Borough. The area immediately surrounding the site is characterised by residential

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development comprising primarily of two-storey detached and semi-detached dwellings. Further to the north of the site are industrial units and office developments.

The application site is not situated within a Conservation Area and does not concern a Listed Building. No trees subject to Tree Preservation Orders (TPOs) are situated on site and the site is not located within Fluvial Flood Zones 2 or 3. The site is situated within 20m of areas identified as being at medium (1 in 1000 year) and high (1 in 100 year) surface water flood risk.

The application site has an extensive planning history. The site was originally host to a detached Bungalow with planning permission granted for the demolition of the Bungalow and the erection of 2x 3 bedroom semi-detached dwellings in 2008 (ref: PLAN/2008/0305). Most recently, planning permission ref: PLAN/2011/0582 extended the time limit for the implementation of PLAN/2008/0305. The dwellings were constructed in accordance with planning permission ref: PLAN/2011/0582 and subsequent discharge of condition applications in 2016 with the change of use to Offices occurring in 2017.

PLANNING HISTORY

- COND/2015/0125 - Approval of details pursuant to conditions 05 (Code Level 4), 06 (landscaping), 09 (method of construction statement) and 11 (materials for hard landscaping) of planning permission PLAN/2011/0582 dated 14.05.2015 (for an application to extend the time limit for the implementation of PLAN/2008/0305, approved 31 July 2008 for the demolition of existing chalet bungalow and erection of two semi-detached three bedroom houses). – Discharged 05.01.2018
- COND/2015/0066 - Discharge of condition 02 (External Materials) of PLAN/2011/0582 dated 14.05.2015 (Application to extend the time limit for the implementation of PLAN/2008/0305, approved 31 July 2008 for the demolition of existing chalet bungalow and erection of two semi-detached three bedroom houses). – Discharged - 27.08.2015
- PLAN/2011/0582 - Application to extend the time limit for the implementation of PLAN/2008/0305, approved 31 July 2008 for the demolition of existing chalet bungalow and erection of two semi-detached three bedroom houses. – Permit – 14.05.2015
- PLAN/2014/0651 - Demolition of existing dwelling and erection of a 2 storey detached house (with basement level) – Refuse – 13.10.2014
- PLAN/2012/0796 - Demolition of existing dwelling and erection of a 3 storey building (with basement level) comprising 1 x retail unit (with office, rest room and WC), garage, 2 x 2 bed flats and 1 x 1 bed flat and associated car parking, bin and cycle store. – Refuse – 22.03.2013
- PLAN/2008/0305 - Demolition of existing chalet bungalow and erection of two semi-detached three bedroom houses – Permit – 31.07.2008
- WOK/2713 – Erection of bungalow - Permit

CONSULTATIONS

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Environmental Health Officer: No objection

County Highway Authority: No objection subject to planning conditions

Arboricultural Officer: No objection as there are no arboricultural implications associated with this application.

Woking Borough Council Revenues Team: The property with the description of 'Offices and Premises' only came into the business rating list on 01.04.2017 and has been paid in full.

REPRESENTATIONS

1 letter of objection has been received from the Byfleet, West Byfleet & Pyrford Residents' Association raising the following points:

- The change of use would result in a marked rise in traffic and people calling;
- The business involves activities unusual in a residential area;
- The business would disturb neighbours and create nuisance through additional noise of customer visits and workers;
- The home would no longer be used as a private residence.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) 2018:

Section 2 - Achieving sustainable development

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Woking Core Strategy 2012:

CS1 - A Spatial strategy for Woking Borough

CS8 - Thames Basin Heaths Special Protection Areas

CS9 - Flooding and water management

CS10 - Housing provision and distribution

CS11 - Housing Mix

CS12 - Affordable housing

CS18 - Transport and accessibility

CS21 - Design

CS22 - Sustainable construction

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

Development Management Policies Development Plan Document (DMP DPD) (2016)

DM2 - Trees and landscaping

DM11 - Sub-divisions, specialist housing, conversions and loss of housing

Supplementary Planning Documents (SPDs):

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

Parking Standards (2018)

Climate Change (2013)

Other Material Considerations:

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Planning Practice Guidance (PPG)
Woking Borough Council Strategic Flood Risk Assessment (November 2015)
Community Infrastructure Levy (CIL) Charging Schedule (2015)

PLANNING ISSUES

1. The main issues to consider in determining this application are: the principle of the proposed change of use and the acceptability of the unauthorised operational development.

Background

2. The revised National Planning Policy Framework (NPPF) was published on 24 July 2018 and is a material consideration in the determination of this application. However, the starting point for decision making remains the Development Plan, and the revised NPPF (2018) is clear at Paragraph 213 that existing Development Plan policies should not be considered out-of-date simply because they were adopted or made prior to 24 July 2018. The degree to which relevant Development Plan policies are consistent with the revised NPPF (2018) has been considered in this instance, and it is concluded that they should be afforded significant weight, with the exception of Policy CS12 which concerns affordable housing provision.

Principle of Development

3. The NPPF (2018) and Policy CS25 of the Woking Core Strategy (2012) promote a presumption in favour of sustainable development. Policy CS10 of the Woking Core Strategy (2012) identifies that the Council will make provision for an additional 4,964 net additional dwellings in the Borough between 2010 and 2027. The reasoned justification text to Policy CS10 states that new residential development within the Urban Area will be provided through redevelopment, change of use, conversion and refurbishment of existing properties or through infilling.
4. Policy CS11 of the Woking Core Strategy (2012) sets out that the Council will not permit the loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss.
5. Policy DM11 (Sub-divisions, specialist housing, conversions and loss of housing) of the Development Management Policies Development Plan Document (DPD) October 2016 sets out that development which would lead to the net loss of dwellings, in particular, of a family home, will be resisted unless: the proposal is granted under permitted development rights; or the applicant can demonstrate to the satisfaction of the Council that the dwelling to be lost is in an unsustainable location and/or the benefits of the proposed use to the objectives of the Core Strategy will significantly outweigh the use of the building as a dwelling. All proposals must meet the requirements of Policy CS21 and other relevant policies of the Development Plan and have regard to the criteria in supplementary planning guidance including the Woking Design SPD, Parking Standards SPD and Outlook, Amenity, Privacy and Daylight SPD.
6. The proposed change of use from C3 (residential) to B1(a) (Offices) would result in the loss of 2x 3 bedroom semi-detached family market dwellings. The West Surrey Strategic Housing Market Assessment (2015) identifies housing need by number of bedrooms for the 2013 – 2033 period with the following demand indicated:

Type	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Market	10.9%	28.1%	38.3%	22.7%

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Housing				
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7. The application site is not situated in a designated employment area and is considered to be sustainable for residential development with its close proximity to transport links and amenities. The change of use is not permitted through the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The accompanying text to Policy CS15 (Sustainable Economic Development) sets out that future office development can be accommodated within Woking Town Centre and to a limited degree West Byfleet District Centre with future office development to be focused within these areas and designated employment areas. Accordingly, it is considered that the benefits of additional office accommodation on this site would not significantly outweigh the use of the buildings as family dwellings.
8. The proposed loss of family dwellings, for which there is a clear identified need, within an established residential area, and their replacement with B1(a) Office space would not be acceptable in principle. The proposal would result in the loss of family homes in the urban area and within a sustainable location and there are no overriding policy considerations to justify this loss. The proposed change of use is therefore contrary to Policies CS10 (Housing provision and distribution) and CS11 (Housing mix) of the Woking Core Strategy (2012), Policy DM11 (Sub-divisions, specialist housing, conversions and loss of housing) of the Development Management Policies Development Plan Document (DPD) (October 2016) and the provisions of the National Planning Policy Framework (2018) and is unacceptable in principle.
9. As the change of use is unacceptable in principle and the application has been submitted retrospectively with the change of use having already occurred on site, it is recommended that enforcement action is taken to ensure that the properties revert to the authorised residential use.

Unauthorised Operational Development

10. As set out above, the principle of the change of use is unacceptable. It now falls to be determined whether the operational development on site is acceptable within the context of the authorised residential use. The acceptability of the unauthorised development on site shall be considered in terms of its: character and design; highway safety and parking; standard of accommodation; and impact on neighbouring residential amenity.
11. Permitted development rights for both dwellings were removed with respect to extensions, additions, windows, dormer windows or other openings. The unauthorised extensions and external alterations comprise of a single storey rear extension which spans the width of both properties, an open-sided porch which spans both properties, and alterations to hardstanding and access arrangements. The impact of these extensions and alterations on the authorised residential development shall be considered below.
12. The NPPF (2018) sets out that one of the fundamental functions of the planning and development process is to achieve the creation of high quality buildings and places and that good design is a key aspect of sustainable development. Policy CS21 of the Woking Core Strategy (2012) states that development should respect and make a positive contribution to the street scene and the character of the area paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land. Policy CS24 of the Woking Core Strategy 2012 states that *'development will be expected to...respect the setting of, and*

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relationship between, settlements and individual buildings within the landscape’ and to ‘conserve, and where possible, enhance townscape character’.

13. The single storey rear conservatory spans the width of both properties and provides a physical link between them. The existing conservatory would appear to be in use as a showroom associated with the Roman Pools business. The conservatory has a depth of 3.2m, a width of 9.35m along the rear elevation and a maximum height of 2.9m. The conservatory has dark grey fenestration to match that of the existing dwelling and brick walls to match those of the existing buildings also.
14. The character and appearance of the conservatory is generally considered to be acceptable in terms of visual amenity, however, the conservatory spans the width of both properties and precludes the use of the site as 2x separate dwellings. Condition 4 of planning permission ref: 2011/0582 states that no further extensions or additions to the dwelling houses shall be constructed in the interests of the amenities of the occupiers of the adjoining residential properties and to comply with Policy CS21 of the Woking Core Strategy and guidance in the NPPF.
15. Policy CS21 (Design) of the Woking Core Strategy (2012) sets out that schemes must provide appropriate levels of private amenity space. The Outlook, Amenity, Privacy & Daylight SPD (2008) sets out that for family dwelling houses with two bedrooms or more and over 65sqm gross floorspace, a suitable area of private garden amenity in scale with the building but always greater than the building footprint should be provided. The table below shows that the authorised dwellings had an acceptable amount of private amenity space in relation to building footprint with both private amenity areas exceeding the footprint of each dwelling. The area shaded grey in the table below shows that the private amenity space for each dwelling is reduced by approximately 15sqm, falling nearly 30sqm below the footprint of each extended dwelling.
16. The levels of private amenity space for each dwelling would fall significantly below the recommendations of the Outlook, Amenity, Privacy & Daylight SPD (2008) and would not be compatible with the character of neighbouring properties in the surrounding area which tend to have relatively large gardens in relation to building footprint. The amount of private amenity space would not be sufficient for the dwellings and would therefore be contrary to Policy CS21 of the Core Strategy (2012).

	101 Oyster Lane	101a Oyster Lane
Existing House Footprint (as authorised by PLAN/2011/0582)	43sqm	43sqm
Existing House Area Existing House Footprint (as authorised by PLAN/2011/0582)	87sqm	87sqm
Private Amenity Space Existing House Footprint (as authorised by PLAN/2011/0582)	46sqm	43.8sqm
Existing House Footprint (including unauthorised development)	59.7sqm	59.7sqm
Existing House Area (including unauthorised development)	103.5sqm	103.5sqm
Private Amenity Space (including unauthorised development)	30.5sqm	28.3sqm

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17. As the single storey rear conservatory reduces the amount of private amenity space available for each individual dwelling significantly below what is recommended in the Outlook, Amenity, Privacy & Daylight SPD (2008) and what is characteristic of the area, enforcement action is recommended for the removal of the conservatory so that the properties can revert to their authorised use with a good standard of accommodation and appropriate levels of private amenity space. Even if the single storey rear conservatory extension were considered to be acceptable in terms of private amenity space, enforcement proceedings would be needed to ensure that the conservatory is divided so that each dwelling can function separately.
18. With reference to the front porch, the authorised development included a small open-sided porch on the front elevation of each dwelling with a dual pitched roof and a Gable fronting Oyster Lane. What has been built on site is a large, open-sided porch which spans both dwellings with a maximum height of 2.9m, a width of 4.25m and a depth of 1.15m. The open-sided porch has been constructed using materials to match those of the existing dwelling. Minor alterations to the ground floor fenestration have also been undertaken with the removal of each front WC window and the relocation of the entrance doors for each property.
19. In terms of visual amenity, it is considered that the front porch is of an acceptable character and appearance with the materials matching those of the existing dwelling. While the flat roof design would not strictly relate well to the main roof of the dwellings, it is considered that this, along with the minor alterations to the arrangement of fenestration, do not cause any significant harm and would remain subservient to the main dwellings within the street scene. The porch does not preclude the use of the buildings as 2x separate residential units. In light of the above, it is considered unnecessary for any enforcement proceedings to be undertaken in relation to the porch.
20. Regarding alterations to the hardstanding and access arrangements, the Site Plan submitted as part of discharge of condition ref: COND/2015/0125 shows the landscaping schemes for the authorised dwellings while subsequent planning permissions secure the modified access arrangements to Oyster Lane by way of planning conditions.
21. With the exception of a small bed of planting of approximately 0.2m high immediately behind the front boundary railings of the site, there is no soft landscaping at the front of the site. The authorised development included shrub planting along the boundaries, a 2.5m high tree to the front of each dwelling and areas of grass. A Lapboard fence of 1.2m in height was approved to denote the boundary between the properties.
22. The County Highway Authority has raised no objection to the amended access arrangements in highway safety terms. The development as constructed would continue to provide the 2x on-site car parking spaces per dwelling which would accord with the Woking Parking Standards SPD (2018). The lack of soft landscaping, extended area of hardstanding and modified access is harmful to the street scene in terms of visual amenity when compared to what was authorised. However, considering that the existing development does not adversely impact on-site car parking provision or highway safety, is not visually intrusive and similar development could have been carried out under permitted development, it is considered that it would not be expedient to enter into enforcement proceedings to seek removal of the unauthorised works to the front of the site as the operational development does not preclude the use of the properties as 2x separate dwellings. While the authorised development would have enhanced the street scene, it is not considered that the unauthorised works carried out on site cause any significant harm.

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Impact on Residential Amenity

23. Policy CS21 of the Woking Core Strategy 2012 advises that proposals for new development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or an overbearing effect due to bulk, proximity or outlook. Due to the scale and nature of the unauthorised operational development to the front of the properties, it is considered that this would pose no significant adverse impact to the residential amenities of the owner/occupiers of neighbouring properties.
24. With reference to Cortes to the immediate south of the application site, it is noted that Cortes has a single storey rear extension. The unauthorised extension results in some loss of outlook, however, this is not considered to be significant considering the depth and height of the proposal along with the high degree of glazing which softens its visual impact. Existing boundary treatment comprises of fencing to a height of approximately 1.8m – 2m which is considered sufficient to ensure no significant adverse impact in terms of loss of privacy as a result of the extension. The application properties are situated to the north of Cortes and this, along with the scale of the proposal, is considered sufficient in ensuring no significant loss of daylight/sunlight to Cortes to the south.
25. In terms of No. 103 Oyster Lane to the north, the side elevation of the existing single storey rear extension is set away from the closest habitable room window, a lounge, (as shown on the 'Existing Plans' and site photographs for application ref: PLAN/2017/0014) by approximately 12m and approximately 3.5m from the site boundary. This separation distance would exceed the minimum requirements set out in the Outlook, Amenity, Privacy & Daylight SPD (2008) which sets out that side windows should be set back 1m from the boundary. The north facing side window of the conservatory is considered to be a secondary window in relation to its outlook and this, along with the existing boundary treatment on site and the separation distance, is considered to be sufficient in ensuring no significant loss of privacy to No. 103. The separation distance between the application site and No. 103 is considered sufficient in ensuring no other significant adverse impact.
26. Regarding those properties to the rear, the unauthorised conservatory would not look directly into any habitable rooms of properties to the rear with the main outlook being to the existing boundary fence of approximately 1.8m – 2m in height and the rear gardens of properties accessed off Chertsey Road beyond this. Considering that the authorised development has habitable room windows at the first floor level and at the ground floor level also, it is considered that the ground floor rear facing conservatory windows would not result in any significant adverse impact on levels of privacy when compared to the authorised development.
27. For the reasons set out above, it is considered that the unauthorised single storey rear extension would not result in any significant adverse impact to the amenities of the owner/occupiers of neighbouring properties and would accord with Policy CS21 of the Woking Core Strategy (2012) and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight (2008)'.

LOCAL FINANCE CONSIDERATIONS

28. As planning permission ref: PLAN/2011/0582 dated 14.05.2015 sought only to extend the time limit for the implementation of planning permission ref: PLAN/2008/0305 dated 31.07.2008 with no external additions proposed, the proposed dwellings were Community Infrastructure Levy (CIL) exempt. Where a planning application was for a

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new time limit under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 128B(4) of the Community Infrastructure Levy (Amendment) Regulations 2012 (as amended) states that CIL regulations do not apply in relation to that development.

29. If the application properties are reverted back to their authorised use and authorised operational development, the development would continue to be CIL exempt. However, if the single storey rear extension were to be retained, additional floorspace would have been created and the development in its entirety would be CIL liable for any net increase in floorspace when compared to the original bungalow on site.
30. No CIL forms have been submitted for the current planning application or previous planning permissions on site, therefore any measurements are scaled from the plans submitted for the current planning application and application ref: PLAN/2014/0651 which has the most accurate plans depicting the original bungalow. The floor area of the original bungalow, including ancillary buildings such as a garage and summer house, was approximately 100.5sqm. The combined Gross Internal Area (GIA) of the dwellings including the unauthorised development is approximately 183sqm. If the unauthorised extension were to be retained, the development would be CIL liable for 83sqm. When charged at a rate of £125 per square metre and, when indexed for inflation, a sum of £12,809 would be payable.

CONCLUSION

31. The proposed change of use from Class C3 (Residential) to Class B1(a) (Offices) would result in the loss of 2x 3 bedroom family dwellings for which there is an identified need. The application site is within the urban area and within a sustainable location with no overriding policy considerations to justify this loss of these family dwellings. The proposed change of use would therefore be contrary to Policies CS10 (Housing provision and distribution) and CS11 (Housing mix) of the Woking Core Strategy (2012), Policy DM11 (Sub-divisions, specialist housing, conversions and loss of housing) of the Development Management Policies Development Plan Document (DPD) (October 2016) and the provisions of the National Planning Policy Framework (2018).
32. The unauthorised single storey rear conservatory extension spans the width of both properties and precludes the use of the buildings as 2x separate dwellings. The extension significantly reduces the private amenity space available for each dwelling with the resultant private amenity space inappropriate in size for each family dwelling. Furthermore, the resultant private amenity space would be uncharacteristic of the pattern and grain of development in the wider area with neighboring properties generally having large rear garden in relation to building footprint. The single storey rear extension would therefore be contrary to the Outlook, Amenity, Privacy and Daylight SPD (2008) and Policy CS21 (Design) of the Woking Core Strategy (2012).

BACKGROUND PAPERS

1. Site Visit Photographs – 15.10.2018
2. Response from County Highway Authority – 05.10.2018
3. Response from Arboricultural Officer – 10.10.2018
4. Environmental Health Officer – 26.09.2018
5. Final response from Woking Borough Council Revenues Team: 18.10.2018
6. Planning permission ref: PLAN/2008/0305
7. Planning application ref: PLAN/2012/0796

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8. Planning application ref: PLAN/2014/0651
9. Planning permission ref: PLAN/2911/0582
10. Discharge of condition ref: COND/2015/0066
11. Discharge of condition ref: COND/2015/0125
12. Planning application ref: PLAN/2017/0014 at No. 103 Oyster Lane

RECOMMENDATION

Refuse planning permission for the follow reasons:

1. The proposed change of use from Class C3 (Residential) to Class B1(a) (Offices) would result in the loss of 2x 3 bedroom family dwellings for which there is an identified need. No overriding policy considerations exist to justify the replacement of these family dwellings with offices in this sustainable location within the urban area. The change of use is therefore contrary to Policies CS10 (Housing provision and distribution) and CS11 (Housing mix) of the Woking Core Strategy (2012), Policy DM11 (Sub-divisions, specialist housing, conversions and loss of housing) of the Development Management Policies Development Plan Document (DPD) (October 2016) and the provisions of the National Planning Policy Framework (2018).
2. The single storey rear conservatory spans the width of both properties and precludes the use of the buildings as 2 x separate family dwellings. The conservatory significantly reduces the amount of private amenity space available for each dwelling with the resultant private amenity space inappropriate in size for family dwellings of this type. The resultant private amenity space would be uncharacteristic of the pattern and grain of development in the wider area with neighboring properties generally having large rear garden in relation to building footprint. The single storey rear extension would therefore be contrary to the Outlook, Amenity, Privacy and Daylight SPD (2008) and Policy CS21 (Design) of the Woking Core Strategy (2012).

It is further recommended:

- a) The Head of Legal Services be instructed to issue a Planning Enforcement Notice under section 172 of the Town and Country Planning Act 1990 (as amended) and officers be authorised in the event of non-compliance to prosecute under section 179 of the Town and Country Planning Act 1990 (as amended) or appropriate power and/or take direct action under section 178 of the Town and Country Planning Act 1990 (as amended) in the event of non-compliance with the Notice in respect of the above land requiring the remedy of the breach of planning control to be achieved through the cessation of the B1 office use and removal of the single storey rear conservatory extension and restoration of the buildings to 2x separate 3x bedroom dwellings as permitted by planning permission ref: PLAN/2011/0582 dated 14.05.2018 within (3) months of the Enforcement Notice taking effect.

Informatives

1. The plans relating to the retrospective planning application hereby refused are number/titled:

CP-101-L100 – Site and Block Plan, dated 28.07.2018, received 28.08.2018
CP-101-L101 – Roof Plan, dated 27.08.2018, received 28.08.2018

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CP-101-L102 – Design and Current Plan Layout, dated 27.07.2018, received 28.08.2018

CP-101-L103 – Original Elevations, dated 27.07.2018, received 28.08.2018

CP-101-L104 – Current Elevations, dated 27.07.2018, received 28.08.2018

CP-101-L101 – Roof Plan, dated 27.08.2018, received 28.08.2018

2. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the NPPF (2018). However, the proposal is unacceptable in principle and no amendments could be made to make the application acceptable.
3. The applicant is advised that the development hereby permitted is subject to a Community Infrastructure Levy (CIL) liability. The Local Planning Authority will issue a Liability Notice as soon as practical after the granting of this permission.

For full information on this please see the guidance and legislation here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

<http://www.legislation.gov.uk/all?title=The%20Community%20Infrastructure%20Levy%20Regulations%20>

Please note this informative provides general advice and is without prejudice to the Local Planning Authority's role as Consenting, Charging and Collecting Authority under the Community Infrastructure Levy Regulations 2010 (as amended).

4. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
5. The applicant's attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and the associated British Standard Code of Practice BS 5228: 1984 "Noise Control on Construction and Open Sites" (with respect to the statutory provision relating to the control of noise on construction and demolition sites). If work is to be carried out outside normal working hours, (i.e. 8 am to 6 p.m. Monday to Friday, 8 am to 1 p.m. Saturday and not at all on Sundays or Bank Holidays) prior consent should be obtained from the Council's Environmental Health Service prior to commencement of works.