

Planning Committee



Application Address	2 Watermead 23 Willow Way Christchurch BH23 1JJ
Proposal	First Floor Extension including south facing balcony.
Application Number	8/21/1147/HOU
Applicant	K Slater
Agent	CL Planning
Ward and Ward Member(s)	Christchurch Town
Report status	Public
Meeting date	18 August 2022
Summary of Recommendation	Grant in accordance with the details set out below
Reason for Referral to Planning Committee	Call in request from Councillor Peter Hall on the basis the proposals may be contrary to Policies HE2, H12, ENV20 and BE4 of the Core Strategy and also as 70 letters of objection have been received.
Case Officer	Greg Lester

EXECUTIVE SUMMARY

Summary of Key Issues

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Representations received

Objections were received from 70 individual addresses objecting to the proposal. A summary of the objections has been provided within the consultation section of the report.

Principle of Development

The proposal is for a householder development to allow for the addition of a first-floor extension to the existing property to provide for additional habitable accommodation. In addition a balcony is proposed to the south facing (riverside) elevation. The property is located within an urban area and is not located within any designated areas, although the Wick Village Conservation Area is located on the opposite bank of the river Stour. Overall, there is no in principle objection to the development.

Design, Scale and Appearance

The proposal would see the addition of a first floor to the existing contemporary style single storey dwelling in complimentary materials. The property would be viewed in the context of other 1 ½ and 2 storey properties in the vicinity, with additional contemporary buildings located further to the east of the site.

It is not considered the proposals would adversely impact on the character and appearance of the area.

Impact on adjoining Conservation Area

The property is not located within a Conservation Area. On the opposite riverbank is the Wick Village Conservation Area, the boundary of which runs along the middle of the river, approximately 45m from the dwelling itself.

It is notable that whilst a number of properties within the Watermead development, especially fronting the river, are modest single storey properties, the existing property is located against 1 ½ and 2 storey properties. Whilst the designs of those properties are more conventional pitched roof designs, the existing property is of a contemporary design and thus the acceptability of such a design at this location is considered acceptable. Whilst the proposals will add bulk to the existing property by increasing the eaves line, and overall height, given the context of immediately adjacent properties, it is not considered harm would result to the setting of the Conservation Area.

Impact on Residential Amenity

The proposal will feature a first-floor addition, which has no openings on its north or west elevations. Two openings are shown on the east elevation along with a balcony to the rear/south (river facing) elevation. Given the location of windows within the east elevation, it is considered unlikely there would be any significant overlooking to the neighbouring property. Similarly, the proposed balcony includes privacy screens to the west and east elevations, restricting views across the rear of the neighbouring properties to oblique views to lower areas of the gardens, with both the host dwelling and property to the east having open plan rear gardens. Impacts on daylight and sunlight to neighbouring properties, and overshadowing to neighbouring external amenity spaces, have been assessed and considered acceptable.

Transport Considerations

No impact is anticipated as adequate parking provision is retained, and the site is in close proximity to the Town Centre.

Impact on Wildlife

No impact is anticipated due to the development being wholly contained within the existing built footprint of the property.

Flood Risk and Drainage

The site is located in Flood Zones 2 and 3. The submitted Householder Flood Risk Assessment states that floor levels will be no lower than existing and that flood risk will not be displaced elsewhere. This is considered acceptable.

Description of Proposal

1. Full planning permission is sought for the existing contemporary single storey dwelling to provide an extension at first floor level to provide additional habitable accommodation. In addition, a balcony is also proposed to the south elevation. Privacy screens would be erected to the west and east ends of the balcony.
2. The proposal would not result in a change to the footprint but would add a floor above part of the existing ground floor, with an internal area of approximately 71.8 square metres, and adding approximately 3.1 metres in height above the existing. The proposal would be set in from the north elevation by approximately 6.2 metres and with a wall-to-wall distance between the proposed first floor and property to the rear of approximately 20 metres.

Description of Site and Surroundings

3. Christchurch and East Dorset Core Strategy Policy HE2 and Saved Policy H12 allow for new residential development provided that it is appropriate in character scale and design to the character of the area.
4. The application site is a rectangular shaped plot located on the north side of the river Stour on the south side of Willow Way. The site is occupied by a single storey dwelling of contemporary design utilising a mixed palette of materials.
5. Watermead is a circular residential unmade road between Willow Way and the river, and the properties in Watermead comprise a mixture of detached bungalows fronting the river, detached two storey houses and terraced houses fronting Willow Way.
6. The properties fronting the river to the west of the application site comprise two storey detached dwellings of varied designs whilst the dwellings to the east of the application site are bungalows which share a relatively open aspect to the river.

7. It is notable that in the wider area properties to the east have been redeveloped, with one example being of a similar contemporary design and three storeys in height. The area is currently undergoing change, and whilst the prevailing character of the area remains as bungalows, a number of properties are being extended and redeveloped. To the west three properties are of two-storey height with a mixture of designs resulting in varied property heights.
8. Whilst the flat roof design differs from the characteristics of the bungalows fronting the river to the east it would be perceived in a wider vista of properties which includes the variety of two storey properties to the west and a recently redeveloped property to the east of a similar flat roofed design.

Relevant Planning History

9.

8/16/2786/FUL	2 Watermead 23 Willow Way Christchurch BH23 1JJ	Demolition of existing dwelling and construction of replacement single storey bungalow	Granted	
8/19/0387/FUL	2 Watermead 23 Willow Way Christchurch BH23 1JJ	Replacement single storey dwelling with attached carport and raised deck to south (Amended scheme to 8/16/2786/FUL)	Granted	

Constraints

- Flood Zone 2 current
- Flood Zone 3a (2019)
- Flood Zone 3b (2019)
- Special Protection Area
- SSSI Impact Risk Zone
- Green Belt
- Heathland 5km Consultation Area
- Airport Safeguarding
- Wessex Water Sewer Flooding
- Coastal Area (Open Spaces)
- Contaminated Land - Refuse Disposal
- Contaminated Land - Medium Risk

Public Sector Equalities Duty

10. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other relevant duties

11. In accordance with section 40 Natural Environment and Rural Communities Act 2006, in considering this application, regard has been had, so far as is consistent with the proper exercise of this function, to the purpose of conserving biodiversity.
12. For the purposes of this application, in accordance with section 17 Crime and Disorder Act 1998, due regard has been had to, including the need to do all that can reasonably be done to prevent, (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); (b) the misuse of drugs, alcohol and other substances in its area; and (c) re-offending in its area.

Statutory Consultees

13. **Christchurch Town Council** - That objection be raised due to design, height, mass and bulk of the proposed scheme which would result in an overbearing relationship with neighbouring properties impacting upon amenity, and that the development would be out of character of the area contrary to policy HE 2 of Christchurch and East Dorset Local Plan: Core Strategy and saved policy of HE12 of the Christchurch Local Plan 2001, and paragraph 130 of the NPPF.
14. **BCP Council Conservation Officer** – Heritage assets affected:

Setting of Wick Village Conservation Area

Wick is an historic village which predates Bournemouth, part of which is designated as a conservation area. The village has a long history dating from the 14th century. A substantial proportion of the properties are listed, although some modern development falls within the conservation area boundary too. The village owes its reputation as the last village on the river Stour to its location and surroundings, and to its attractive character.

Discussion:

The boundary of the conservation area runs up the middle of The Stour and there is a strong relationship between both sides of the riverbank. The site in

question is right on the waterfront and highly visible from the many public visas within Wick Village Conservation Area, as well as to the many watercraft users on the river. Despite the proximity of the site to the conservation area, no mention of it can be found in the submitted planning statement. Under the NPPF an applicant should utilise appropriate expertise to describe the significance of any heritage asset affected including any contribution made by their setting, to understand the potential impact of the proposal.

The existing dwelling is of a contemporary flat roof design, with its linear 'modular block style' in contrast to the more traditional dwellings on the waterfront. Its immediately context is of low scale dwellings, with some larger beyond, and overall, it is its low scale which helps limit its presence on the waterfront. Care would need to be taken with any upward extension of this property to seek to ensure it does not welcomingly stand out.

With the spacing to the conservation area, the positioning of the property amongst other dwelling of a non-uniform design, adding a modest upper floor should have a neutral impact upon the setting of the heritage asset. That said, concern is expressed over the 'timber effect' cladding and that this would have the potential to make the new work undesirably stand out. If the case officer were minded to approve, any consent should be conditioned for prior approval of the external materials (details/samples, including colouring) to seek to achieve a high quality finish to help the new work blend in with the host dwelling and its context.

Representations

15. 70 objections have been received in relation to the proposals, raising the following points:
- Overbearing and out of keeping with immediate area
 - Loss of privacy/overlooking from balcony
 - Loss of light/overshadowing
 - Overlooking
 - Wick Conservation Area should have its characteristics preserved
 - Taller than adjacent dwellings
 - Overdevelopment of the site
 - Existing alterations to neighbouring properties retain a sense of space
 - Increased noise and disturbance
 - Exacerbate existing access problems
 - Out of keeping
 - Inappropriate materials
 - Impact on private road
 - Loss of view/outlook
 - Watermead subject to restrictive covenants – development breaches them
 - Would set a dangerous precedent
 - Property used as commercial offices?
 - Impact on wildlife – swans have used lawns to rear of properties
 - Impact on character and appearance of area

- Drawings do not depict impact on properties when viewed from south elevation
- Poor materials
- Anti-social behaviour
- Current property has been built upon land which is not within its boundaries
- Impact of construction phase
- Devaluation of properties

Key Issue(s)

16. The key issue(s) involved with this proposal are:

- Impact on the character and appearance of the site and wider area
- Impact on neighbouring amenities and privacy
- Parking Provisions and Highway Safety
- Impact on Flood Risk

17. These issues will be considered along with other matters relevant to this proposal below.

Policy Context

18. Christchurch and East Dorset Local Plan – Part 1 Core Strategy (2014)

KS1 – Presumption in Favour of Sustainable Development
 KS11 – Transport and Development
 KS12 – Parking Provision
 HE1 –Valuing and Conserving our Historic Environment
 HE2 – Design of New Development
 ME1 – Safeguarding Biodiversity and Geodiversity
 ME6 – Flood Management, Mitigation and Defence

Saved Christchurch Local Plan 2001

H12 – Residential Infill

19. **Supplementary Planning Documents:**

BCP Parking Standards – SPD (2021)

18. **The National Planning Policy Framework (2021)**

Paragraph 11 sets out the presumption in favour of sustainable development. Plans and policies should apply a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

19. The following chapters of the NPPF are also relevant to this proposal:

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Planning Assessment

Impact on the character and appearance of the site and wider area

20. The proposal would see the height of the property increased by approximately 3 metres over the existing eaves (flat roof) height to accommodate a first-floor addition. The proposed first floor addition would have an internal area of 71.8 square metres and also features a balcony on the river facing elevation, with 1.8-metre-high privacy screens to either end. It should be noted that the scheme has been amended to remove a previous 'wrap-around' balcony which extended to the side elevation.
21. The property is a replacement dwelling, permitted by planning approval 8/19/0387/FUL, itself a revision of a scheme approved under reference 8/16/2786/FUL. It is noted that within the officer's delegated report for application 8/16/2786/FUL reference is made to an Environment Agency consultation response suggesting the slab height of the proposed replacement dwelling be raised to a slab level of 3.6 metres above ordnance datum (AOD). The officer on the 2016 application considered this raised slab level would *'have an incongruous appearance and physical juxtaposition relative to the adjacent dwellings'*. This has been raised in a number of the submitted representations and also been highlighted as relevant due to the proposal to add an additional storey on to the new dwelling, which itself has a slab height raised above the original bungalow which previously stood on the site.
22. Whilst the proposal to add a first floor to the dwelling would result in an increase in the bulk and mass of the property, it is set against a variety of chalet and two storey properties to the west, and notably the submitted streetscene view indicates that even with the first floor, the maximum height of the property would be set below that of the immediate neighbour to the west. Paragraph 130 of the NPPF makes it clear that whilst development should be

sympathetic to local character and history, including the surrounding built environment and landscape setting, this should also not prevent or discourage appropriate innovation or change. In addition, the first-floor addition to the property would be set in from both the front and rear elevations as well as the east elevation, such that it would not project beyond the front or rear elevations of the properties on either side.

23. Policy HE2 of the Core Strategy sets out a number of criteria against which developments will be judged. These include the architectural style, scale, bulk, height and materials. In order to be permitted the proposals must be compatible with, or improve, its surroundings. Whilst the height would be increased, set against the properties to the west, it is not considered this would result in an unduly overbearing or oppressive structure which would be harmful to the character of the area when considered against the backdrop of the existing contemporarily styled property. It is therefore considered the proposals accord with Policy HE2 in this regard.
24. Policy HE2 also requires that the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness. Similarly, saved Policy H12 of the Christchurch Local Plan states that proposals will be permitted where they 'are appropriate in character, scale, design and materials to the immediate locality'. The Watermead development itself, forms a group of properties set around a circular access road, with properties set in two rows, those along the river and those fronting a shared access off Willow Way. The layout of these properties is such that those on the riverside frontage are more modest single storey properties than those located nearer Willow Way, providing both sets of properties with a view to the river Stour.
25. It is evident from a site visit that the area is currently undergoing change, with a number of properties to the west, and others further to the east being extended, or redeveloped with more contemporary styling. Whilst the Watermead development is somewhat unique in its layout, this does not preclude any form of development being carried out. The proposed first floor, as set out above, would be viewed against the properties to the west, and a wider view would include a recently completed development to the east, of a three-storey contemporary property, similar in style to that on the application site. In this context, it is not considered the proposals would be out of keeping with the character of the area and would accord with the requirements of Policy HE2 and H12.
26. The materials proposed, whilst reflective of those used on the contemporarily styled property, have the potential to draw additional attention to the property, and result in a harmful impact on the adjacent Conservation Area. This will be discussed in the following section.

Impact on adjoining Conservation Area

27. Whilst the property itself is not located within any designated area, it is located across the river from the Wick Village Conservation Area, located on the opposite bank of the Stour. The boundary of the Conservation Area runs along the middle of the river with the extension approximately 45m from the boundary and around 75m from the riverbank. The area opposite is part of a wider open space. This has been identified in a significant number of representations received.
28. Paragraph 194 of the NPPF states that the Local Planning Authority should require the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting, with the level of detail being proportionate to the asset's importance. Whilst this was not submitted initially, a further statement was submitted by the applicant to address objections which had been made by residents and included an assessment of the impact of the proposals on the Wick Village Conservation Area.
29. Policy 4.14 of the Bournemouth District Wide Local Plan gives a brief description of the Wick Village Conservation Area as follows *'Wick village has a long history dating from the 14th century. A substantial proportion of the properties are listed, although some modern development falls within the conservation area boundary too. The village owes its reputation as the last village on the river Stour to its location and surroundings, and to its attractive character.'*
30. The NPPF sets out at Paragraph 199 that great weight should be given to the conservation of heritage assets, with this being irrespective of whether any harm amounts to substantial harm, total loss, or less than substantial harm to its significance, with paragraph 200 stating *'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'*
31. The site lies outside of the Conservation Area and does not have any physical impact on the Conservation Area. Therefore it is only possible impacts to the setting of the Conservation Area which may occur. The proposed alterations to the existing property will continue with a contemporary design at first floor level increasing the height over the approved dwelling by just over 3 metres. However, given the existing property is of contemporary appearance and sits within an existing row of closely spaced properties on comparatively narrow plots, this would not result in any significant change in views from the Conservation Area. The bulk and mass of the property would alter as a result of the proposal, and whilst this would result in the property having increased visibility from the Conservation Area, it is set against properties of 1 ½ or two storey design to the west.
32. In this context, whilst it is acknowledged the property would have an increased profile as a result of the first-floor addition, it is considered that any impact to

the setting of the Conservation Area on the opposite riverbank would be negligible and is therefore acceptable. It is notable that properties further to the east also feature contemporary design and are on a larger scale than that proposed and are also visible from the Wick Village Conservation Area. The Council's Conservation Officer has considered the proposals in their consultation response, set out above, and considers the proposal would have a neutral impact on the adjoining Conservation Area.

33. However, concern has been expressed by the Council's Conservation Officer that the materials shown on the plan have the potential to draw unwanted attention to the property and result in standing out. Whilst the principle of materials to reflect a contemporary design could be considered appropriate, those specified within the application are unlikely to be sympathetic to the Conservation Area opposite. It is considered this could be overcome with a suitably worded planning condition to require the submission of further details and samples prior to the commencement of works on site.
34. It is clear the character of Willow Way is in transition, and the presence of existing contemporary dwellings and the Captain's Club Hotel and Spa provide evidence of the changing nature of development in the area.
35. No changes are proposed to the open plan nature of the rear lawned space of the property as a result of the proposals, maintain the open nature of Watermead shared by the properties fronting the river.
36. As such, with the imposition of a suitably worded planning condition to secure details and samples of amended materials, it is not considered the proposals would result in any harm to the character and appearance of the adjoining Conservation Area and would comply with the provisions of Policy HE1 of the Core Strategy.

Impact on neighbouring amenities and privacy

37. During the course of the application, significant concerns were raised in received representations regarding the impacts the proposed development could have on neighbouring occupier's amenities through both overbearing impact, and also loss of privacy from the proposed side facing windows and balcony.
38. In response to these concerns, amended plans were submitted and an additional round of publicity undertaken. However, concerns continued to be expressed that although the level of overlooking from the rear facing balcony would be reduced, access to the roof could still be obtained (both the existing roof and new first floor extension roof) and views through the side facing windows could result in a loss of privacy and overlooking.
39. The proposed increase to the ridge height has the potential to create an overbearing impact on the neighbouring occupiers to either side, and also the

rear, of the site. Whilst the proposals would result in the height of the property being increased by 3 metres, this is set in from both the front and rear elevations as well as the east elevation. Whilst the bulk of the property would be increased, setting the first floor addition in from those elevations would mitigate this impact. As such it is considered that the increase in bulk has an acceptable impact on neighbouring properties and would not result in an overbearing impact.

40. The property to the rear would also have the additional bulk of the first-floor addition, approximately 20 metres from their rear wall. The first-floor addition is centrally located within the roof, and whilst it is considered this would alter the outlook from the rear windows of the property located to the rear, the distance is sufficient that it would not result in an adverse impact through overbearing impact or loss of outlook. Whilst the view towards the river would be altered for this neighbour, this is not the test per se as to whether an unacceptable loss of outlook would occur. The separation between the proposed extension and the property to the north (no.5) is considered acceptable to retain an adequate outlook from this neighbour.
41. The properties in the locality are very much cheek by jowl, and as such there are limited openings to the side elevations. The neighbouring property to the east has a clear glazed window to the ground floor flank elevation and a pair of rooflights serving rooms below. The existing ground floor window is already compromised in terms of light received due to the proximity of the existing dwelling. The proposed first floor addition is unlikely to result in a significant additional impact due to it being set away from the side of the east elevation.
42. Given the proposal would result in the addition of a first floor and also a rear facing balcony, there is a potential impact to neighbouring occupiers' amenities through loss of privacy/overlooking.
43. The proposal includes the addition of two windows to the east elevation to serve an ensuite and an additional bedroom. Both windows will be floor to ceiling, with the window of the ensuite installed on a curved portion of walling, resulting in it facing to the northeast. No windows are proposed to the north or west elevations.
44. The proposed balcony, which has been revised to omit the 'wraparound' style, would now face solely towards the river and feature 1.8-metre-high privacy screens to either end. The open plan nature of the majority of the gardens to the rear of the properties increases the level of mutual overlooking between them making them less private than a typical fenced rear garden. It is considered, therefore, the addition of the rear facing balcony would not result in an unacceptable loss of privacy to private spaces/gardens, with any views being oblique. Oblique overlooking of the immediate neighbour's garden to

the west would be possible, although this would not include the area immediately to the rear of the dwelling, therefore any harm through overlooking of the lower portion of the gardens is considered to be acceptable. The properties to the west do have fenced rear gardens, although the fencing is low, and views to the garden areas are readily obtained from the gardens of properties forming the Watermead development. Such mutual overlooking is common from first or second floor windows in urban/suburban environments, and whilst this could be considered to conflict with the aims and objectives of Policy HE2, given the mutual nature of such overlooking and its relatively minor nature it is not considered to result in adverse harm, such that a refusal of planning permission could be sustained.

45. Concern has been raised regarding the potential for the newly created flat roof to be utilised as a terrace, following the alleged use of the existing roof for the same purpose resulting in what had been described as anti-social behaviour. The use of the roof at what would in effect be second floor level would raise concerns over potential impacts to residential amenity. Whilst the existing roof is conditioned to be for maintenance access only, the roof above the first floor would be a new and distinct element of the property and as such it is considered reasonable to recommend a planning condition to ensure that any access to the roofs is for maintenance purposes only.
46. The windows proposed to the east elevation have the potential to provide views into the rooflights of the property to the east. However, the setback position from the flank wall of the first-floor addition reduces the likelihood of direct room to room overlooking. Given the position of the ensuite window, any resultant overlooking would be at such an oblique angle no room to room overlooking would occur. The window to serve the bedroom has more potential to cause overlooking of rooflights of the property to the east. However, the rooflights are located to the northeast of the proposed window and would not be directly below the windows location. Given the offset, it is considered unlikely any direct overlooking could be achieved into the rooflights of the neighbouring property.
47. Given the absence of any identified adverse impacts, the proposals are considered to comply with the provisions of Policy HE2 of the Core Strategy and Policy H12 of the saved Christchurch Local Plan.

Parking Provisions and Highway Safety

48. The proposal would maintain the off road parking currently on site. The Highway Authority support the proposal, stating the parking arrangement will not differ from the existing. The house alterations are unlikely to lead to a significant increase in parking demands. The proposal is therefore in accordance with Policy KS11 and KS12 of the Core Strategy.

Impact on Flood Risk

49. The site is located within flood zones 2 and 3, and as such the proposal is accompanied by a Householder Flood Risk Assessment (FRA). The submitted FRA states that, given the proposals is for a first-floor addition, the floor levels of the proposed additions will be set no lower than the existing and as the footprint of the property will not be increased, the risk of flooding will not be displaced elsewhere.
50. Given the nature of the proposals, the sequential test would not apply.
51. The proposal is considered to comply with Policy ME6 of the Core Strategy.

Impact on Wildlife

52. A number of objections raised concerns that the proposals could result in harm to wildlife that is known to make use of the lawned areas to the rear of the properties, between the rear elevation and the river. The site does not have any protected species recorded under the Dorset Environmental Records Centre data and would not require a bat or protected species or other biodiversity impact report under the Council's Validation Checklist. The area of the river to the south forms part of an identified Higher Potential Ecological Network, however the proposals do not involve any works in or adjoining this area. The proposal for a first-floor addition does not increase the footprint of the property, nor does it proposed to erect any form of enclosure to the rear garden area. As such, it is considered that no evidence has been provided which demonstrates the proposals would result in harm to wildlife.
53. The proposal is considered to comply with Policy ME1 of the Core Strategy.

Planning Balance/Conclusion

54. The proposal would respect and preserve the character and appearance of the surrounding area. Neighbouring amenity and privacy would be preserved.
55. The proposed development is considered to have an acceptable impact on the character and appearance of the surrounding area, including the setting of the Wick Village Conservation Area. The proposal is considered to respect residential living conditions and to preserve the privacy of neighbouring properties. It is not considered the proposal would result in any significant adverse impacts by way of loss of light, overbearing impact or loss of outlook nor have any adverse impact on parking provisions/highway safety or wildlife been identified.
56. The scheme therefore has acceptable environmental, social and economic impacts. Therefore, having considered the appropriate development plan policies and other material considerations, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development, would accord with the Development Plan. Subject to conditions the proposal is acceptable, and according to NPPF paragraph 11(c) development should be approved without delay.

57. In reaching this decision the Council has had due regard to the statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that “*with respect to any buildings or other land in a conservation area, ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”

Recommendation

Grant, subject to the following:

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1622 51, 1622 52, 1622 54 A, 1622 55 A, 1622 56 A, 1622 57 A, 1622 58 A.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Samples and/or a colour schedule of all materials and finishes to be employed on the external faces of the building or buildings, hereby permitted, shall be submitted to and approved by the Local Planning Authority before any above ground work is commenced. All works shall be undertaken strictly in accordance with the details as approved.

Reason: This is required in order to ensure the external appearance of the building is acceptable.

4. The flat roofs above the first-floor addition on the development hereby approved shall not be used as a terrace or other amenity area and access to this area shall be for maintenance of such roofs only.

Reason: To protect residential amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking and re-enacting that order with or without modification, no further windows, dormer windows, or doors (other than those expressly authorised by this permission) shall be constructed in the north, east or west elevation(s) (such expression to include the roof and wall) of the extension/building hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid loss of privacy to adjoining properties.

Informatives

1. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.
2. For the avoidance of doubt, the applicant(s) are advised that this planning permission does not convey the right to enter land or to carry out works affecting or crossing the boundary with land which is not within your control without your neighbour's consent. This is, however, a civil matter and this planning consent is granted without prejudice to this.

Background Documents:

Case file: 8/21/1147/HOU, 8/16/2786/FUL and 8/19/0387/FUL

Case Officer Report Completed:

Officer: Greg Lester

Date: 28/07/2022.

Agreed by: DH

Date: 08.08.22

Comment: