

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

2 August 2018

Application No:	SMD/2017/0764	
Location	Rock House Farm, Town End Road, Foxt	
Proposal	Removal of Condition 3 of Permission SMD/2003/0415	
Applicant	Mr & Mrs Lockwood	
Agent	Ken Wainman Associates Ltd	
Parish/Ward	Ipstones	Date registered: 22/11/2017
If you have a question about this report please contact: Mr C Johnston christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application was originally brought to Planning Committee due to the significant number of objections from local residents. Committee resolved to approve the application at its meeting in February. However, the item has been referred back to allow the Committee to reconsider it's resolution in the light of further information about the lawfulness of the patio areas.

SUMMARY OF RECOMMENDATION

Approve the removal of the condition

1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

1.1 The application site is within the small village/hamlet of Foxt and lies to the east of the Town End Road cul-de-sac. Traditional farmhouses/dwellings and farm buildings, many of which are made of stone, lie to the south. More modern brick-built "suburban" dwellings lie to the north to the other side of a private lane which runs along the north boundary. This is where the entrance to the site is located. There are open fields to the east of the property and also to the other side of the road to the west. The site itself comprises a traditional detached stone dwelling and a number of barns and outbuildings. There are also yard areas and other hardstandings used for parking and also gardens both close to the dwelling and to the east of the barns. Two of the traditional stone barns were converted into holiday lets under a 2003 permission. These are the two closest buildings to the entrance to the property with one lying in the middle of the site, comprising one holiday let unit (3 bedrooms) and the other, a longer L-shaped structure, adjoining the north boundary of the site next to the private lane. This is used as two let units (2 bedrooms each) totalling three holiday lets in total on the site.

2. DESCRIPTION OF THE PROPOSAL

2.1 This is a "Removal or Variation of Condition" application relating to the two holiday let barns. This is to remove Condition 3 of the planning permission for the holiday lets which restricts the occupancy of the buildings as follows:

"The premises shall be used for short-stay holiday accommodation not exceeding four weeks at any one time and for no other purpose including any purpose in Class C3 (dwelling houses) of the Town and Country Planning Use Classes Order 1987."

The reason for the condition is given as *"The premises are not considered suitable for permanent residential occupation."*

2.2 The Planning Statement accompanying the application states the holiday let business on site is not viable. This is backed up by the submission of a Business Appraisal report and letters from local chartered surveyors in order to attempt to demonstrate this.

2.3 The application, the details attached to it, including the plans, comments made by residents and any other responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=118460>

3 RELEVANT PLANNING HISTORY

3.1 The conversion of the barns into holiday lets was approved in 2003 under permission SMD/2003/0415 (old reference: 03/00594). According to the agent the lettings first commenced in 2006.

3.2 A further planning permission in 2007 was granted for engineering works to resolve a damp problem, discussed in more detail below.

3.3 A certificate of lawfulness (reference SMD/2018/0188) was granted for the existing use of a patio area to the east of two of the proposed dwellings /former holiday lets (Dormouse and Hedgehog Cottage) as an outdoor amenity area within the curtilages of the dwellings. This was granted on 12th June 2018. The certificate also grants the lawful existing use of the adjacent large garden area to the west of the patio for horticultural uses (which can include a garden area but not as part of the curtilage of the dwellings).

4 PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Core Strategy Development Plan Document (Adopted March 2014)

4.1 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6b Small Villages Area Strategy
- SS6c Other Rural Areas Area Strategy
- SS7 Churnet Valley Area Strategy
- E3 Tourism and Cultural Development
- R2 Rural Housing
- T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF)

4.2 The following NPPF sections are relevant;

Section 4	Decision Making
Section 5:	Delivering a sufficient supply of Homes
Section 9	Promoting sustainable transport
Section 14	Meeting the challenge of climate change, flooding and coastal change.

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

4.3 Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

4.4 The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the

opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

4.5 In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

4.6 In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

- Policy SS1 Development Principles
- Policy 1a Presumption in favour of sustainable development
- SS2 Settlement Hierarchy
- SS9 Smaller Villages Strategy
- SS10 Other Rural Areas Strategy
- Policy H1 New Housing Development
- Policy DC2 Historic Environment

5 CONSULTATIONS CARRIED OUT

Site Notice Expires:	11/01/2018
Neighbour Notification Expires:	11/01/2018

Public Comments

5.1 Letters of objection have been received from six local addresses and the points raised are as follows:

- Insufficient on-site parking provision and the road is too narrow for parking, particularly for service vehicles
- Overdevelopment of a cramped site
- Harm to residential amenity
- Loss of a tourist amenity for the area
- Loss of visitor spending at local businesses e.g. village pub
- Harmful impact on a heritage property to be included in a proposed Conservation Area
- Unsustainable due to forthcoming loss of bus service and increase in traffic leading to more car journeys to services and workplaces
- Would lead to increased use of adjacent private lane causing damage to it
- Insufficient garden areas and parking areas for each dwelling
- The allowance of further dwellings will compromise the proposed Conservation Area designation
- The holiday let business is not saturated in the area
- The garden area currently in use is outside of the red line boundary and was formerly a field i.e. a change of use

5.2 One letter of support has been received from a local resident pointing out that there is a need for more houses in Foxt and that the District is saturated with holiday accommodation and empty holiday cottages.

5.3 An email has been received from one of the objectors stating that the use of the patio to the east of the buildings was never authorised under previous planning applications and this has been confirmed in letters to the objector from the Council between 2007 and 2009.

5.4 An email has been received from one of the objectors alleging that the land to the east has not been in use as a garden and patio for ten years and that a full planning application should be submitted for the change of use to a garden instead of a Certificate of Lawfulness application.

5.5 One further letter of support has been received from another local resident.

Ipstones Parish Council

5.6 *"The application could not be discussed"*

Environmental Health

5.7 No objection

Applicants Information

5.8 Further information relating to the floorspace sizes has been received from the agent. This is as follows:

I note in paragraph 6.21 of the Committee report that I have been asked to send details of the internal floor areas. I have measured these and the approximate measurements (rounded to the nearest whole number) are listed below. The measurements were done by hand rather than CAD.

Next to each measurement I have compared them to the floor areas set out in the Government's "Technical housing standards – nationally described space standard (2015)". The measurements are taken from Table 1 in the latter document.

- *Badger – 98 square metres. 3 bedrooms. The national space standard for a two-storey, three bedroom, 4 and 5 persons dwelling is respectively a minimum of 90m² and 99m².*
- *Dormouse – 66 square metres. 2 Bedrooms. The national space standard for a two-storey, two bedroom, 3 and 4 persons dwelling is respectively a minimum of 70m² and 79m².*
- *Hedgehog – 77 square metres. 2 bedrooms. The national space standard for a two-storey, two bedroom, 3 and 4 persons dwelling is respectively a minimum of 70m² and 79m².*

Citing the space standards document –

"The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use." They are advisory rather than mandatory and relate only to new dwellings. It is not clear that they relate to conversions. As well as the gross internal floor space there are other technical requirements for new dwellings such ceiling heights and room sizes.

- *Badger meets the standard for a 4 person dwelling and is close to that for a 5 person dwelling.*
- *Dormouse does not meet the standard but it has all the facilities for living – kitchen, bathroom, bedroom and lounge and there is the adjoining garage which offers potential for extension if needed. Also, I have used the standards for two-storey dwellings. In reality both Dormouse and Hedgehog are one-storey dwellings with only the second bedroom in the roof. If the one-storey dwelling standards are used the space requirements for a two-bedroom 3 and 4 person dwelling are 61m² and 70m². In this category Dormouse meets the space requirements for a 3 person dwelling.*
- *Hedgehog meets the standard for a 3 person two-storey dwelling and is close to that for a 4 person dwelling. If it is*

considered as a one-storey dwelling it meets the standard for both 3 and 4 person dwellings.

In summary, it is considered that all three dwellings have sufficient space and facilities and would make satisfactory accommodation for couples or single people and in the case of Badger with its three bedrooms for a family.

6 OFFICER COMMENT AND PLANNING BALANCE

Policy Context

6.1 The Local Planning Authority is required to determine applications in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and, in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

6.2 Core Strategy policies SS1 and SS1a identify that developments should contribute positively to social, economic and environmental improvements as well as establishing a presumption in favour of sustainable development, in line with the National Planning Policy Framework where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the Framework indicate that development should be restricted.

Main Issues

6.3 The key issues for consideration in the assessment of this application are;

- The principle of the development
- The impact on the character and appearance of the area;
- The impact on residential amenity;
- The impact on highway safety;

Principle of Development

6.4 For the purposes of planning policy consideration the application site is located within the open countryside, outside of any town or village development boundary. The site is not within the Green Belt.

6.5 Policies in the Core Strategy set out the spatial strategy for housing development in the District and essentially adopts a hierarchy approach which seeks to concentrate the majority in the three main towns of Leek, Cheadle and Biddulph. Within the rural areas the larger villages are identified as the most sustainable settlements and able to accommodate the bulk of rural development after the towns. Smaller villages, of which Foxt is one, are identified as having a poor range of services and facilities with local residents having to travel outside the village for most of their daily needs.

6.6 Limited infill development will be permitted within the smaller villages as set out in policy SS6 of the Core Strategy. Policy SS6b recognises that there is a need to strictly control new development and restrict it to limited infilling and redevelopment within Infill Boundaries. However, the infill boundaries have yet to be defined although the plan explains that these will be drawn more tightly than the Development Boundaries around large settlements to accommodate infilling or redevelopment but to restrict peripheral expansion. Although the extent of the infill boundary is unknown, the application site would on any reasonable drawing of such a boundary the application site would be likely to fall within it being situated at the heart of the village. Policy H1 of the emerging local plan no longer envisages the creation of infill boundaries and states that new building housing will be restricted to:

- outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that:
 - o The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or;
 - o The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and
- In all cases the development will not lead to a prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside.

However, given the degree of objection to this policy, only limited weight can be attached to it at present.

6.7 Notwithstanding this, the particular proposal under consideration involves the change of use of existing buildings into dwellings rather than new-build dwellings. The conversion of rural buildings into dwellings can be allowed under Policy R2 even in locations which are outside infill boundary lines. However, this gives preference to commercial uses (which can include holiday lets) rather than residential conversions unless there is evidence, including marketing evidence, that a commercial use cannot be achieved or

would not be viable, or a residential use would safeguard a building of particular heritage merit. Emerging Policy H1 states that in the rural areas the conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion; and where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets will be permitted. Whilst it says that schemes involving the re-use of rural buildings for commercial enterprise, including tourism uses, will be considered favourably where the location is sustainable and the proposed use does not harm the building's character and/or the character of its surroundings, it does not include the preference for commercial use. Whilst this policy only attracts limited weight it does accord with the thrust of the NPPF which contains no requirement for preference to be given to commercial re-use of rural buildings.

6.8 However, the Council cannot demonstrate a five-year supply of deliverable housing sites, and housing applications should be considered in the context of the presumption in favour of sustainable development. Clearly, under the provisions of paragraph 11 and footnote 7 of the newly adopted NPPF, Policies that regulate the supply and location of housing, which include open countryside policies, are out of date and the application must be determined in the context of the presumption in favour of sustainable development at paragraph 11 of the Framework. For decision taking this means granting permission unless the adverse effects substantially and demonstrably outweigh the benefits – the so called “tilted balance”.

6.9 In nearby Oakamoor, another “small village”, an appeal was recently allowed (September 2017) to change the use of tourist accommodation (bunk barns) into a dwelling. The main issues were considered to be the location of the site in relation to services and facilities (i.e. how sustainable is the location), whether or not the proposal would lead to the loss of a valuable commercial use/building and the impact on the Conservation Area in which the site sits. It was considered that as external alterations were minimal, the conversion would not harm the Conservation Area. However, more crucially, the Inspector gave “limited weight” to Policy R2 and did not consider it to be of concern that there was no information to show that the current commercial use was unviable, instead commenting that the change of use to a dwelling would lead to comparable vehicle movements than the bunkhouse and provide some benefits, however marginal, to providing more dwellings in an area of undersupply and that new occupants would make use of nearby facilities year-round. The Inspector concluded that the adverse impacts identified with the proposal were limited and did not outweigh the benefits, however marginal.

6.10 Turning to this current proposal in Foxt, three dwellings in permanent occupation could be provided in an area of undersupply. There is a particular shortage of small units but the proposal would provide two 2-bed units. Although local facilities within walking distance are limited, the current holiday-let permission allows for year-round occupation by tourists so therefore vehicle movements would not be significantly greater if the buildings were

used as three small dwellings. It is also noted that recent approvals have been given for new-build dwellings in the village have been approved due to the contribution to the housing stock and the presence of some nearby services despite this being limited.

6.11 The Planning Inspector in the Oakamoor case did not consider the viability of the bunkhouse to be an issue due to the limited weight attached to Policy R2 which prioritises the commercial re-use of rural buildings rather than the residential re-use. However, in this case, a Business Appraisal report has also been submitted. This states the business is run by the applicants (property owners and occupants of Rock House Farm) and their daughter and there are no other staff i.e. a family-run holiday let business on their home property. The report contains an occupancy rate table showing that for the last five years, each unit was occupied for between an average of 22 and 31% of days per year i.e. the units are on average let out for less than a third of the year (despite the current permission allowing year-round occupancy with lets no longer than 4-weeks at a time).

6.12 The applicants attempted to sell the business between Sep 2014 and Oct 2015 via a nationwide broker using the leading websites but without interest.

6.13 The business report concludes that the business does produce surplus to pay “wages” to the applicants who do all the work managing and running the business themselves. However, the applicants are aged in their 70s and have health issues and outsourcing the work required to run and manage the holiday lets which would involve the payment of wages, would render the business financially viable.

6.14 The business report appendices gives a detailed breakdown of the costs (including advertising, insurance and accounting), expenses and the rental income from the last five years. It also lists the numerous websites where the holiday lets are advertised (including its own website). This also shows that the employee costs involved in outsourcing to other staff would far exceed the profits made in each of the last five years.

6.15 Also included in the application are letters from two separate Leek-based chartered surveyor/ estate-agent/ valuation firms stating that the market to sell holiday-let properties in the District is extremely limited with the current holiday lettings market saturated. One of the letters states one of the reasons is the current amount of accommodation on offer in the area e.g. at Alton Towers and other major schemes proposed and that occupancy rates of between 50% to 70% are considered essential to the businesses to be financially viable.

6.16 Policy E3 (the main tourist development policy in the Core Strategy) does not resist the loss of tourist accommodation and the Churnet Valley Masterplan also does not identify a particularly need or demand for holiday let accommodation in this area. The conversion of the rural buildings into holiday lets was approved about 15 years ago under the former Local Plan policies

which prioritised commercial uses for vacant rural buildings. Currently, greater weight is attached to the requirements of the NPPF produced in 2012 than the current Core Strategy Policy R2 relating to the re-use of rural buildings.

6.17 The Council does not have any information to suggest the above viability facts in the reports and supporting information are incorrect. However, in terms of the overarching social, economic and environmental aims of national planning guidance (in the NPPF) which overrides the aims of the key Core Strategy policy, R2, the change of use of the holiday let buildings into permanent dwellings would not lead to adverse impacts that would outweigh the benefits of providing small dwellings in an area of substantial undersupply within the confines of a small village close to local services (however limited).

6.18 Given the above, and view of the lack of a five year housing supply, it is considered that the principle of the development should be supported. However, it is necessary to consider whether or not the proposal complies with other relevant Core Strategy policies, the national policy framework and other material considerations and whether there are significant and demonstrable adverse effects to outweigh the benefits in order to benefit from the presumption under Paragraph 11 of the Framework.

Impact on the character and appearance of the area

6.19 The site is included in the newly designated Foxt Conservation Area. However, the removal of the condition to allow the holiday lets to become dwellings would not have any significant impact on the character and appearance of the area. Conditions can be added to Variation/Removal of Conditions approvals and a condition can be added removing the permitted development rights for the dwellings whereby future alterations of the buildings would require the submission of a separate full planning application.

Impact on residential amenity

6.20 The reason for the condition is given as *“The premises are not considered suitable for permanent residential occupation.”* The Officer’s report in respect of the original application does not elaborate as to why it was considered to be unsuitable. However, there are three key points to consider: 1) is there sufficient internal floorspace 2) would the amenity of neighbouring occupiers be protected and 3) is there sufficient external private amenity space.

6.21 With regard to the first point, the planning statement confirms that the properties comprise 1no. 3 bedroom unit and 2no. 2 bedroom units. Details of actual floor areas have been provided by the agent comparing the floor areas to those set out in the Government’s “Technical housing standards – nationally described space standard (2015)”. Badger meets the standard for a 4 person dwelling. Hedgehog meets the standard for a 3 person two-storey dwelling. Dormouse, which has only the second bedroom on the first floor does not meet the standard for a two storey dwelling but it does meet the

space requirements for a 3 person single storey dwelling. Overall, therefore, the level of accommodation is considered to be acceptable for permanent accommodation.

6.22 Turning to the second point, it is not considered that the removal of the condition restricting occupancy would lead to an intensification of use to the extent that the living conditions of neighbours would be harmed, particularly as the current permission allows year round occupation of the buildings. No changes are proposed in terms of additions to the buildings or alterations to windows and therefore overlooking / overshadowing implications would be unchanged.

6.23 Finally, with regard to private amenity space, there is an area of amenity space to the south west of the site which would provide adequate amenity space for the units on that side of the development.

6.24 There is a large garden area (edged blue on the application plan) to the east of the unit in the north eastern corner of the site and a small sunken patio immediately adjacent to the rear of the unit which could be used by the future occupants. This area does not appear to have been included in the application site for the planning application for the holiday lets.

6.25 Permission was granted in 2007 for the excavation of this sunken area and the erection of retaining walls to move the bank-side back away from the rear elevation of the building to remedy damp problems. Correspondence from the Development Control Manager at the time makes it clear that whilst the 2007 permission granted permission for the engineering works to form these areas no consent was granted for change of use of the land to garden / patios.

6.26 However, this sunken area appears to have been used as a patio area and the Council has recently issued a Certificate of Existing Lawful Development confirming that the use of patio for purposes incidental to enjoyment of dwellinghouses is lawful, because with consideration of the evidence, it has, on balance of probability, been used as such for a continuous 10 year period prior to the date of the application. The use of wider land as garden to the extent that the use would be considered to be horticulture and therefore agriculture for the purposes of the Act was also considered to be lawful.

6.27 However, a certificate of lawful use was refused for the use of the wider garden land edged blue for purposes that are ancillary or incidental to any of the applicant's dwellinghouses; and more specifically its use as either a play area or an outdoor food preparation and dining area. Notwithstanding this, given the ability of the occupants of north eastern unit to lawfully use the sunken patio for purposes incidental to the enjoyment of the dwelling house it is considered that suitable private amenity space will be available for all the dwellings.

Impact on highway safety

6.28 It is not considered that the change of use of the holiday lets into dwellings would lead to an intensification of use to the extent that highway safety would be compromised as the current permission allows year round occupation of the buildings and the dwellings would not generate significantly higher vehicle movements. There is sufficient hard-standing areas within the property to allow sufficient parking for two vehicles per dwelling and avoid significant on-street parking on Town End Road. A condition can be added requiring further details of allocated parking and turning areas for each dwelling.

Other Points

6.29 In the letters of objection, there is mention of harm to private lane which runs along the north boundary and issues of maintenance. However, there is no evidence the change of use would lead to further harm or maintenance issues and in any case, what existing harm has been caused, or future harm, this is a private/civil/legal matter and not a material planning consideration. The lane is also a public right of way but this proposal would not lead to its obstruction or diversion.

7. CONCLUSION AND PLANNING BALANCE

7.1 Although Policy R2 of the Core Strategy prioritises the commercial re-use of buildings rather than residential, the NPPF gives presumption in favour of sustainable new housing in areas where there is no five year housing land supply demonstrated and allows sustainable development (serving a social, economic and environmental purpose) unless there would be adverse impacts considered to outweigh the benefits. The “tilted balance” therefore is that there would be no adverse impacts with this proposal which would outweigh the social, economic and environmental benefits of providing a small number of small dwellings in an area of need within existing attractive traditional stone buildings and which are close to some village services/facilities (helping contribute to the local economy), however limited and which would not lead to a significant increase in vehicle movements and emissions.

7.2 It is therefore considered the condition restricting the building to holiday let usage and preventing the change to other uses within the same residential use class (C3) i.e. dwellings, can be removed.

8 OFFICER RECOMMENDATION

A. Full Planning Permission is GRANTED for the removal of the condition but with the addition of the following conditions:

1. Prior to the first occupation of the buildings subject to this application as permanent residences, two parking spaces per dwelling within the application site shall be provided and thereafter kept available unobstructed for the purposes of car parking in accordance with a site plan to be submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highway safety.

2. Prior to the first occupation of the development a plan indicating the allocation of private amenity space to each of the dwellings hereby permitted and any associated boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority. Those areas shall thereafter be maintained for the enjoyment of the dwellings to which they relate.

Reason:- In the interests of amenity

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows or any other openings shall be installed in any part of the development without prior written consent from the Local Planning Authority.

Reason:- To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A – H or Part 2 Class(es) A and C (other than that approved pursuant to condition 5) shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area and to protect the residential amenities of neighbouring residents.

Reason:-

In the interests of residential amenity

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations

Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee’s Decision.

Informatives

1. The red line in the location plan inside the Planning Statement shall not be construed to be the planning application site which is defined in the location plan submitted with the application, taken from application 03/00594.

