

Officer Report

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| Application Number: | P/FUL/2023/01342 | | |
| Webpage: | https://planning.dorsetcouncil.gov.uk/ | | |
| Site address: | Land And Buildings North of Cutlers Close Sydling St Nicholas | | |
| Proposal: | Demolish agricultural buildings and erect 3 No. dwellings with garages. Form new vehicular access. | | |
| Applicant name: | 4 A's Developments Ltd | | |
| Case Officer: | Jennie Roberts | | |
| Ward Member(s): | Cllr Haynes | | |
| Publicity expiry date: | 23 April 2023 | Officer site visit date: | 03/08/2022 & 28/11/2023 |
| Decision due date: | 17 May 2023 | Ext(s) of time: | 29/03/2024 |

1.0 Reason for Committee

The Landowner is a Councillor

2.0 Summary of recommendation: REFUSE

3.0 Reason for the recommendation:

- The site is located in an unsustainable location, outside of any defined development boundary (DDB) and the principle is therefore unacceptable
- The proposal is harmful to the character and appearance of the conservation area
- The proposal is harmful to the National Landscape (AONB)
- It has not been demonstrated that the proposed development is acceptable from a flood risk perspective
- The proposal does not mitigate against phosphates in the Poole Harbour Catchment Area

4.0 Key planning issues

| Issue | Conclusion |
|--------------------------|---|
| Principle of development | Sydling St Nicholas is considered an unsustainable location, with no DDB and poor facilities and a lack of access to services |

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| | without relying on vehicle trips. The principle of the proposal is therefore unacceptable. |
| Scale, design, and impact on character, appearance and setting of heritage assets | It is considered that the development of the site will alter the character of this rural, edge of village site to the detriment of the character and appearance of the conservation area. |
| Impact on amenity | Given the distance between neighbouring housing and the proposed dwellings, along with window siting and orientation, the proposal does not present any neighbour amenity issues. |
| Impact on the National Landscape (AONB) | It is considered that the development of the site will alter the character of this agricultural, edge of village site to the detriment of the setting of the Dorset National Landscape. |
| Flooding | The southwest corner of the site is within an area susceptible to groundwater flooding. The submitted Flood Risk Assessment (FRA) does not adequately address this flood risk, nor does it demonstrate that a viable and deliverable surface water drainage scheme can be achieved. |
| Access and Parking | The access and parking provision is considered to be acceptable and the necessary highway requirements can be secured by condition. |
| Biodiversity | A biodiversity plan has been submitted to and approved by the Natural Environment Team. |
| Affordable Housing | Affordable housing is not required to be provided on a scheme of this size. |

5.0 Description of Site

The c 0.17ha site is located outside of any defined development boundary (DDB) and within the Sydling St Nicholas Conservation area on the northeastern outskirts of the village. It is within the Dorset National Landscape (Area of Outstanding Natural Beauty (AONB)) and comprises an agricultural site, containing two relatively modern barns with concrete hardstanding around and between the buildings, with the rest laid to grass. There are residential properties to the south and west of the site, including two Grade II listed buildings (5 and 6 Waterside Lane), whilst a field and barn lie to the north, with Back Lane bounding the site to the east. The surrounding land beyond (to the north and east) mostly comprises of open fields.

6.0 Description of Development

The proposal is to demolish the existing barns and erect three detached dwellings and four garages around a courtyard layout. Access would be via a new access off Back Lane and the existing boundary hedges would be retained. Each dwelling would have a lounge, kitchen/diner, study and WC on the ground floor with three

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bedrooms and a bathroom within the roof space. The elevations would be faced in brick and black boarding, under a tiled roof. The single storey garages would have rendered elevations under a slate roof. Windows and doors would be constructed from timber, and each dwelling would have a garden area with additional hedge planting to the Back Lane frontage.

7.0 Relevant Planning History

WD/D/19/002547 – Pre application advice. Advised that there is a concern regarding the location of the proposal in relation to sustainability and that the impact of the proposal on heritage assets would need to be considered.

WD/D/20/001981 - Demolition of existing agricultural barns and erection of 5no. dwellings together with access, parking & landscaping, together with the construction of a replacement barn. Refused within the scheme of delegation (that application should have been taken to Planning Committee, as the site is owned by a councillor, hence the submission of the next application, below (since the consideration of the 2020 application, the Council has achieved a 5 year housing supply and therefore there is no justification to seek (open-market housing) development outside towns and villages without a DDB.)

P/FUL/2022/02326 - Demolition of existing agricultural barns and erection of 5 No. dwellings together with access, parking & landscaping. Erection of a replacement barn. Refused at committee for the same reasons as WD/D/20/001981.

8.0 List of Constraints

Countryside location outside of a Defined Development Boundary (DDB).

Adjacent to Grade II listed buildings (Ham Farmhouse and 5 & 6 Waterside Lane) and within the Sydling St Nicholas Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990).

Within the Dorset National Landscape (Area of Outstanding Natural Beauty) (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000).

Poole Harbour Catchment Area

Right of Way to the east of the site (S42/6)

Groundwater susceptibility to flooding

9.0 Consultations

All consultee responses can be viewed in full on the website.

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1. **Wessex Water** – No objection, subject to conditions.
2. **Highways Department** – No objection, Subject to conditions.
3. **Conservation** – The proposal would cause less than substantial harm to the character and appearance of the conservation area.
4. **Sydling St. Nicholas Parish Council** – Objects on the following grounds: non-sustainable location; increased flood risk; impact on Poole Harbour; inadequate parking and access; impact on conservation area and AONB; absence of affordable housing provision.
5. **Chalk Valleys Ward Member** - No comments received.
6. **Rights of Way Officer** – No comments received.
7. **Natural England** - a Habitats Regulations Assessment needs to be included which has been informed by the Nutrient Neutrality Methodology (provided within our overarching advice letter). Without this information Natural England will not be in a position to comment on the significance of the impacts.
8. **Natural Environment Team** – have signed off the Biodiversity Plan and any PP should condition its implementation as such.
9. **DC - Dorset Waste Team** - No comments received.
10. **DC - Trees (North/West/Weymouth)** – No comments received.
11. **DC - Building Control West Team** – No comment at this time.
12. **Ramblers Association** – No comments received.

Representations received

Objections received:

- Back lane is not designed for additional traffic
- village sewage system will not be able to cope with additional housing
- Proposals out of keeping for an AONB
- Unsustainable development
- no circumstances that could lead the council to overruling the in-principle objection
- detrimental to the setting of the grade 2 listed buildings at 5 and 6 Water Lane
- does not maintain and enhance the conservation area
- increases flood risk
- Dorset has its quota of houses for the next five years
- No provision of affordable housing
- Parking inadequate

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- parking space is not usable
- people don't use their garages for cars
- delivery vehicles cannot turn into the development so will reverse into back lane
- back lane has not been widened to 5.5 metres for the first six metres to allow for cars to pass
- overflow parking from the site will block back lane and potentially hinder access for
- The Sequential Test is needed in relation to flooding

Support received:

- The existing site consists of dilapidated and unsightly disused farm buildings this is a great development and would tidy up the site and allow for growth in the village
- Additional traffic that would be incurred would be minimal
- New development in Sydling would bring new life to an older generation village
- Proposed development is well thought out and would improve the look of the area
- The three new houses will be a much-needed visual improvement and will provide homes for families

| Total - Objections | Total - No Objections | Total - Comments |
|--------------------|-----------------------|------------------|
| 18 | 12 | 3 |

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

11.0 Relevant Policies

Development Plan

INT1- Presumption in favour of Sustainable Development

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ENV1 – Landscape, seascape & sites of other geological interest
ENV2 – Wildlife & Habitats
ENV4 – Heritage assets
ENV5 – Flood Risk
ENV10 - The landscape and townscape setting
ENV 12 – The design and positioning of buildings
ENV 16 – Amenity
SUS2 - Distribution of Development
HOUS1 – Affordable Housing
COM7 – Creating a safe & efficient transport network
COM9 - Parking standards in new development
COM10 – The provision of utilities service infrastructure

Material Considerations

NPPF Chapters:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
12. Achieving well-designed places
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Other material considerations

- WDDC Design & Sustainable Development Planning Guidelines (2009)
- National Design Guide, Ministry of Housing, Communities and Local Government (2019)
- Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal
- Dorset Area of Outstanding Natural Beauty Management Plan 2019-2024

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

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This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The site is remote from services which could give rise to adverse impacts on persons with protected characteristics, in particular, age and disability.

14.0 Financial benefits

| What | Amount/Value |
|--|---|
| Material Considerations | |
| Employment created during construction phase | The proposal will support local jobs in the construction sector and will bring about ‘added value’ in the local area through associated spending and economic activity. |
| Spending in local economy by residents of proposed dwellings | The proposal will support the local economy, providing housing required to support the long-term economic growth in the area with new residents spending on goods and services as they move in. |
| Non-Material Considerations | |
| Community Infrastructure Levy | According to the floor area |
| Contributions to Council Tax revenue | According to the appropriate charging bands |

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15.0 Environmental Implications

The new dwellings would be built to the modern standards of energy efficiency required under Building Regulations.

16.0 Planning Assessment

Principle of development

Policy SUS2 aims to distribute development in accordance with a settlement hierarchy which focuses a greater proportion of development at larger and more sustainable settlements. The policy provides that development in rural areas shall be directed to settlements with Defined Development Boundaries (DDB) and at an appropriate scale to the size of the settlement. Settlements with no DDB may have some growth to meet local needs but is strictly controlled and restricted to those forms set out in paragraph (iii) of the Policy SUS2.

The site is located outside of any defined development boundary (DDB). The proposed development (not being affordable housing or rural workers housing) is not of a form supported by paragraph (iii) of Policy SUS2. The policy reflects the fact that occupiers of the proposed dwellings would be reliant on the private car as the site is not served by public transport. Likewise, there are no services to meet the day to day needs of occupiers, such as shops, health, and education facilities. The village has a Public House, Church and hall, but little else in terms of services.

Housing Land Supply

The revised NPPF was published on 19 December 2023. Para 11 sets out that plans and decisions should apply a presumption in favour of sustainable development.

Para 11(d) states that:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, 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”

Footnote 8 states:

“This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.”

Paragraph 77 states that:

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“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply”. Paragraph 226 states that “certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years’ worth of housing”, where they “...have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need”.

The definition of an emerging Local Plan includes a plan that has reached Regulation 18 which includes both a policies map and proposed allocations towards meeting housing needs. Dorset Council Local Plan – Options Consultation (January 2021) meets this criteria. Therefore, the Council’s position regarding paragraphs 77 and 226 of the revised NPPF is that having reached Regulation 18 stage with the emerging Dorset Council Local Plan (through public consultation that included a policies map and housing allocations) the requirement is to demonstrate a minimum of four years’ supply of housing instead of a minimum of five years. The Council (West Dorset and Weymouth & Portland area) can demonstrate a four-year housing land supply (currently published at 5.28 years), with a Housing Delivery Test figure of 118%, and so the tilted balance in para 11(d) of the NPPF is not engaged. The application should therefore be determined in accordance with Policy SUS2.

Having regard to the above, the principle of development is considered to be unacceptable, and the proposal is contrary to policy SUS2 of the West Dorset, Weymouth and Portland Local Plan development plan and the NPPF.

Scale, design, and impact on character, appearance and setting of heritage assets

Towards the edge of this village location, the grain of development becomes looser, and this is apparent when viewed from Back Lane to the south, where views of open countryside beyond the site can be readily achieved. In addition to this, given the site’s existing agricultural use and low-level scale of agricultural - rather than residential - development, there is a gentle ‘transition’ into open countryside. It is considered that this plays an important part in defining the edge of this section of the village and the conservation area (CA).

The Conservation Officer (CO) was consulted upon this application and does not consider that the proposal will be harmful to the setting of the listed buildings. However, she has strong concerns about its impact upon the CA.

The CO states that the CA’s defining characteristics set out in the CA Appraisal (p. 46) include the following relevant elements:

- a distinctive and attractive landscape setting, in a chalk valley set amongst rolling hills and by a river, with some fine trees, within the Dorset National Landscape
- a largely intact village plan;

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- 50 Listed Building entries, of which one is Grade I and four are Grade II*, with a fine Parish Church, several large gentry houses and farmhouses, a late C16 Tithe Barn and a strong underpinning of smaller cottages;
- coherent groups of Listed and good quality unlisted buildings, boundaries, trees and details, particularly on High Street, East Street and the Church, Court House and Tithe Barn; and
- a rich mixture of building materials, with flint, chalk block, imported limestones, render, brick, thatch, tile and slate.

She raises no objection to the demolition of the existing farm buildings, as they are not of any historical or architectural interest and as such do not make a positive contribution to the character of the conservation area.

The CO notes that the scheme has been reduced in terms of dwelling size, site area and numbers from previous applications, but remains concerned about the impact of the scheme, as follows:

- "It is significant that Back Lane represents the boundary of the CA, therefore marking a smooth transition from the village settlement into the open fields. The site should therefore remain primarily an open field.

- The development should better reflect the pattern of development of the street, with dwellings being perpendicular to the lane. As it stands, the tight "U" shape, recreating a courtyard, would appear too urban and create a dense development. This would make a strong contrast between the rural landscape and the village which would negatively impact on the setting and character of the conservation area.

- The frontage of the dwellings will not be facing out anymore for two of them, however, the dwelling in the middle will still create a barrier from views of the historic core of the conservation area from the surrounding landscape. Those see-through views are significant of the character and setting of the conservation area and should be kept.

- The proposed use of red bricks will appear out of place, in a conservation area characterised by chalk and flint buildings with brick quoins."

For the above reasons concerning landscape setting and village plan and design, it is considered that the proposal will result in less than substantial harm to the CA's significance. As such para. 202 of the NPPF is engaged, requiring the harm to be weighed against the public benefits of the proposal (including, where appropriate, securing optimum viable use). However, this balance needs to take into account the need to give 'great weight' to the asset's conservation, irrespective of the level of harm. In this instance, the public benefit is limited to the modest addition of three new houses in a local plan area that is currently meeting its housing targets, and it is considered that this does not outweigh the harm caused to the designated heritage asset; the proposal is therefore contrary to Policy ENV4 of the West Dorset, Weymouth & Portland Local Plan.

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Residential amenity

Given the distances between neighbouring housing and the proposed dwellings, along with window orientation, it is considered that the proposal does not present any overlooking or overshadowing issues to a degree that causes concern. Accordingly, the proposal is considered to sufficiently protect neighbour amenity.

National Landscape (AONB)

The site lies within the Dorset National Landscape (AONB). The land rises towards Cowdown Hill out of the eastern edge of the village, with a public right of way (PRoW) running along the top of Cowdown Hill, which affords longer views back towards Sydling St. Nicholas and the application site; there is little in the way of trees and/or hedging screening the site, which is readily visible from this PRoW, and seen as an introduction to the village when approached from the east.

As previously discussed, given its agricultural use, this is very much an area where open countryside gradually transitions into the village and is considered a strong characteristic within the conservation area.

It is considered that, to replace the existing, low-key agricultural buildings with three dwellings and four garages, with associated residential curtilages, will detrimentally affect the approach into the village from this PRoW; accordingly, it is considered that the proposal would also harm the special qualities and setting of the National Landscape, and the proposal is therefore contrary to Policy ENV2 of the West Dorset, Weymouth & Portland Local Plan.

Flooding and drainage

The southwest corner of the site is in an area susceptible to groundwater flooding. A basic flood risk assessment (FRA) has been submitted, but this does not adequately address this flood risk, nor does it demonstrate that a viable and deliverable surface water drainage scheme can be achieved. As such, in the absence of such information, it cannot be determined whether the proposed development poses a flood risk to the dwellings themselves, or elsewhere; the proposal is therefore contrary to Policy ENV5 of the West Dorset, Weymouth and Portland Local Plan.

Access and Parking

Access to the site will be via a new access off Back Lane and will lead to a shared courtyard where parking will be provided. The Highway Authority is satisfied that the access and parking provision is acceptable and the new access into the site can be secured by the imposition of appropriate conditions. As such, the proposal is considered acceptable in this regard.

Biodiversity

A biodiversity mitigation and enhancement plan has been submitted to and approved by the Natural Environment Team. The plan would secure biodiversity enhancements to the site.

Affordable Housing

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Policy HOUS1 requires all new dwellings to make a 35% contribution towards affordable housing. However, affordable housing contributions will not normally be sought on sites of 5 units or fewer inside designated rural areas. As this site falls below this threshold an affordable housing contribution would not be required.

Nutrient Neutrality: Phosphates

On 16 March 2022, Natural England (NE) notified Dorset Council of their updated advice for development proposals that have the potential to affect water quality resulting in adverse nutrient impacts on internationally protected habitats sites.

This advice applies to nitrogen and phosphorus nutrient deposition in Poole Harbour, an internationally protected habitat site, which is considered by NE to be unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates, and NE's advice is that additional residential units within the catchment are likely to add phosphates to the designated site via the wastewater treatment effluent, thus contributing to the existing unfavourable condition and further preventing the site in achieving its conservation objectives. As this site has been identified as falling within the Poole Harbour catchment area, it is therefore impacted by this advice.

As Competent Authority, the Council has to carefully consider the nutrient impacts of new development proposals on the integrity of Poole Harbour; all applications for residential development in the catchment area must demonstrate nutrient neutrality before the Council can grant planning permission. The Council's considerations should be informed by the nutrient neutrality methodology set out within NE's March 2022 advice; such information, in the form of a Nutrient Neutrality Assessment and Mitigation Strategy, should be provided by the applicant. However, the applicant has failed to submit such information, and the Council is therefore unable to conclude that the development will be nutrient neutral and that there will be no adverse effect on the integrity of Poole Harbour.

Without being able to demonstrate off-setting to ensure nutrient neutrality, the proposed development is contrary to the provisions of the Habitats Regulations 2017 and guidance contained within the National Planning Policy Framework, policy ENV2 of the West Dorset, Weymouth & Portland Local Plan and Natural England standing advice on nutrient neutrality.

17.0 Conclusion

The village of Sydling St Nicholas does not have a defined development boundary (DDB), having little in the way of public services or facilities. As such, it is an unsustainable location, inappropriate for new residential development.

Additionally, with regard to more site-specific considerations, the proposal is considered harmful to the setting of a Designated Heritage Asset, namely the Sydling St Nicholas Conservation Area and to the special qualities and setting of the National Landscape; this harm is not outweighed by the public benefits of the scheme

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Furthermore, the applicant has failed to demonstrate that the proposed development is acceptable from a flood risk perspective.

Finally, nutrient pollution is an issue within the Poole Harbour Catchment Area, which to date remains unresolved. The applicants have not demonstrated nutrient neutrality or off-setting, and as such, the proposed development is contrary to the provisions of the Habitats Regulations 2017.

The application is therefore unacceptable in planning terms and should be refused.

18.0 Recommendation

Refuse permission for the reasons set out below:

1. Having regard to the site's location outside of any settlement boundary and distant from facilities and services, occupants of the dwellings would be likely to rely upon private motorised vehicles to access facilities and services elsewhere; as such, the proposed development would have a significant, negative impact on the environment and represents an unsustainable form of development. There is no overriding need to allow dwellings in this location nor does the application present a re-use of existing buildings, provide essential rural workers dwellings, or an affordable housing scheme. As such, it is contrary to the provisions of Policy SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
2. By virtue of its residential character and layout, the proposal represents an undesirable form of development in this edge of village location, to the detriment of the character and appearance of the conservation area. The proposal is therefore contrary to policy ENV4 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
3. By virtue of its residential character and layout, the proposal represents an undesirable form of development in this edge of village location, to the detriment of the setting of the Dorset National Landscape. The proposal is therefore considered to be contrary to policy ENV1 of the West Dorset, Weymouth & Portland Local Plan 2015 and advice contained within the NPPF.
4. The site is within the nutrient catchment area of Poole Harbour which is designated as a Special Protection Area under the Habitat Regulations 2017. Poole Harbour is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended) and a Ramsar site. Natural England has advised that the harbour is Phosphate limited which means that any addition of phosphate either directly or indirectly should be deemed to have an adverse impact on the site's integrity in accordance with recent case law.

The applicant has failed to evidence nutrient neutrality to demonstrate no adverse effects in combination with other plans or projects, on the designated

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site of nature conservation. In the absence of this information, and until demonstrated otherwise, the precautionary principle must prevail in favour of nature conservation. The proposal fails to comply with the provisions of the Habitats Regulations 2017, Policy ENV2 of the adopted West Dorset, Weymouth & Portland Local Plan 2015 and the NPPF.

5. Having regard to the site's partial location within an area susceptible to groundwater flooding, the applicant has failed to demonstrate that the proposed development is acceptable in terms of flood risk. As such, the proposal is contrary to policy ENV5 of the West Dorset, Weymouth and Portland Local Plan 2015 and the NPPF.

Informative Notes:

1. The plans that were considered by the Council in making this decision are:
 - 6360-05 North and South (courtyard) elevations
 - 6360-07 Street Scene - Back Lane
 - 6360-01 Floor plan
 - 6360-02 First floor plans
 - 6360-03 South & East elevations
 - 6360-04 Proposed West and North elevations
 - 6360-09 Location plan
 - 6360-06 Site plan
2. National Planning Policy Framework

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

 - offering a pre-application advice service, and –
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

 - The applicant was advised that the proposal did not accord with the development plan and that there were no material planning considerations to outweigh these concerns.
3. If planning permission is subsequently granted for this development at appeal, it will be subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued

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by the Council that requires a financial payment, full details of which will be explained in the notice.