

OXFORD CITY PLANNING COMMITTEE

18.07.2023

Application number: 23/00842/FUL

Decision due by 22nd June 2023

Extension of time 21st July 2023

Proposal Demolition of existing garage and outbuilding. Erection of a part single, part two storey side and rear extension. Insertion of 5no. windows to side elevation. Alterations to fenestration. Extension to existing dropped kerb (amended plans).

Site address 26 Alice Smith Square, Oxford, Oxfordshire, OX4 4NF – see **Appendix 1** for site plan

Ward Littlemore Ward

Case officer Jonathan Gentry

Agent: Mr Moses Ekole **Applicant:** Mr John Elo

Reason at Committee The application has been called in by Councillors Douglas, Aziz, Corais, Munkonge, Chapman and Coyne due to concerns the proposals would unbalance the pair of semis which are characteristic of the pattern of development in the area.

1. RECOMMENDATION

1.1. Oxford City Planning Committee is recommended to:

1.1.1. **approve the application** for the reasons given in the report and subject to the required planning conditions set out in section 12 of this report and grant planning permission.

1.1.2. **agree to delegate authority** to the Head of Planning Services to:

- finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Head of Planning Services considers reasonably necessary.

2. EXECUTIVE SUMMARY

2.1. This report considers a proposal for the erection of a part single, part two storey side and rear extension to 26 Alice Smith Square, alongside associated demolition works.

2.2. This report considers the following material considerations:

- Design
- Neighbouring Amenity
- Highways/Transport
- Drainage
- Biodiversity
- Other Matters

2.3 The report concludes that the proposals would not result in material harm to the character of the surrounding area and would be acceptable in design terms, in accordance with Policy DH1 of the Oxford Local Plan (OLP). The proposals would not result in the generation of material amenity harm to neighbouring sites and appropriate amenity standards for future occupiers would also be retained in line with Policies H14, RE7 and H16 of the OLP. The development would not have any unacceptable impacts in terms of highway safety and is compliant with Policies M3, M5 and RE7 in this respect. The report also concludes that the proposals are acceptable with regard to drainage and biodiversity. The application is therefore recommended for approval subject to suggested conditions.

3. LEGAL AGREEMENT

3.1. This application is not subject to a legal agreement.

4. COMMUNITY INFRASTRUCTURE LEVY (CIL)

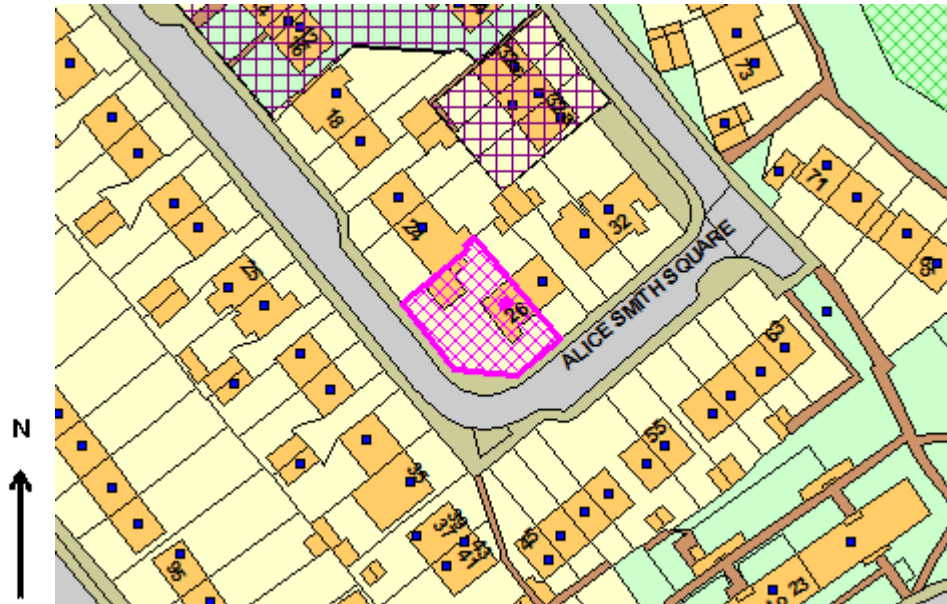
4.1. The proposal is not liable for CIL.

5. SITE AND SURROUNDINGS

5.1. The application site is a two storey semi-detached property located on the southern side of Alice Smith Square. Alice Smith Square is a circular close accessed via Northfield Close in the Littlemore area of Oxford City. The property is located on a corner plot to the far extent the close.

5.2. The application property currently features a single storey garage sited within the rear garden. A Lawful Development Certificate has been recently issued at the site permitting the installation of a rear dormer in association with a loft conversion to the existing property (ref.23/01048/CPU).

5.3. See block plan below:



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Ordnance Survey 100019348

6. PROPOSAL

- 6.1. The application proposes demolition of an existing garage and outbuilding and the erection of a part single storey, part two storey side and rear extension. Associated alterations to fenestration of the property are also proposed, alongside installation of a dropped kerb to the frontage of the site.
- 6.2. The proposed extension has been revised during the course of the application in line with Officer feedback, namely through a reduction in the proposed width and height. As revised, the proposed two storey side extension would project beyond the existing side elevation of the property by approximately 2.9 metres, while the rear projection would measure approximately 3.0 metres wide at both single and two storey level. While the proposed dropped kerb was initially detailed to span the frontage of the site, this has also been reduced in width to align with the properties existing driveway area. Given that the revised scheme comprises a reduction in scale to the proposed works it was not necessary to re-advertise the application.

7. RELEVANT PLANNING HISTORY

- 7.1. The table below sets out the relevant planning history for the application site:

61/00357/M_H - Site for flats, and/or houses and garages and necessary site works with access.. Approved 7th December 1961.

63/00014/M_H - Siting of 40 houses, 33 flats, 16 old people's flats, 2 wardens and nurses flats with 66 garages and accesses.. Approved 3rd July 1963.

63/00595/M_H - 9 pairs of three-bedroom houses, 3 pairs of four-bedroom houses, 8 pairs of three-bedroom houses and 6 garages and outhouses.. Approved 25th September 1963.

07/01481/FUL - Subdivision of garden. Erection of 2 storey 3 bed house. New access and parking space. Refused 24th August 2007.

23/01048/CPU - Application to certify that the proposed formation of 1no. rear dormer in association with a loft conversion, removal of 1no. chimney and insertion of 2no. rooflights to front elevation is lawful development. Approved 10th July 2023

8. RELEVANT PLANNING POLICY

8.1. The following policies are relevant to the application:

Topic	National Planning Policy Framework	Local Plan
Design	119-123, 126-136	DH1 – High quality design and placemaking
Housing	60-80	H14 – Privacy, daylight and sunlight H16 – Outdoor Amenity Space
Natural environment	174-188	G2 – Protection of biodiversity and geodiversity G7 – Protection of existing Green Infrastructure features
Transport	104-113	M3 – Motor Vehicle Parking M5 – Bicycle Parking
Environmental	119-123, 159-169, 174-188	RE3 – Flood Risk Management RE4 – Sustainable and foul drainage RE7 – Managing the impact of development
Miscellaneous	7-14	S1 – Sustainable development

9. CONSULTATION RESPONSES

9.1. Site notices were displayed around the application site on 10th May 2023.

Statutory and non-statutory consultees

Oxfordshire County Council (Highways)

9.2. Proposed car parking arrangement showing retention of two spaces compliant with Policy M3 of Local Plan. Loss of existing garage/outbuilding results in loss of suitable cycle store, recommend replacement store is provided as part of the proposals. Advise dropped kerb should not be extended to comply with Oxfordshire County Council guidance and standards. Works unlikely to result in detrimental impact on local highway network in traffic and safety terms.

Public representations

9.3. 3 local people commented on this application from addresses in Alice Smith Square and one unknown address.

9.4. In summary, the main points of objection (3no. residents) were:

- Proposal will result in a loss of light and noise disturbance to neighbouring properties.
- Additional fenestration proposed will result in both perceived and actual overlooking to neighbouring sites and an associated loss of privacy.
- Proposed dropped kerb will result in shortage of street parking and highways safety issues.
- Information stated on application form and design and access statement is inaccurate.
- Proposed extension would erode the open character of the corner plot site and be harmful to layout and form of surrounding area.
- Proposed side extension would extend beyond established building line, worsening its visual implication.
- Alice Smith Square is characterised by two storey semi-detached dwellings with uniform spacing, while proposed extension would result in an over dominant form of development that would not be read as a subservient addition to the site.
- There are a number of appeal decisions across Oxford where the importance of open character to corner plot has been attributed significant weight by the inspector.

Officer response

9.5. It has been identified that a number of details within the submitted application form and design and access statement do not align with the proposed works, including reference to superseded Local Plan Policies. A site visit has been conducted by Officers as part of the assessment and the development has been assessed in line with current Local Plan Policy.

9.6. All other material considerations raised in response to the consultation of this application are dealt with later in the report in the relevant sections.

10. PLANNING MATERIAL CONSIDERATIONS

10.1. Officers consider the determining issues to be:

- Design
- Neighbouring Amenity
- Highways/Transport

- Drainage
- Biodiversity
- Other Matters

a. Design

- 10.2. Policy DH1 of the Oxford Local Plan 2036 states that a planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness. Proposals must be designed to meet the key design objectives and principles for delivering high quality development, set out in Appendix 6.1 of the plan.
- 10.3. Neighbour objection letters received during the course of the application cite concern regarding the design of the proposed extensions and their visual implication on the character of the street scene.
- 10.4. The existing property is sited to a corner plot, with a sizeable side garden area providing a degree of openness to the site, which is situated to the far extent of Alice Smith Square. It should be noted that the existing site boundary features extensive hedgerow planting that effectively screens much of the side aspect of the existing property.
- 10.5. As revised, the proposed two storey side extension would project beyond the side elevation of the property by approximately 2.9 metres. This projection has been detailed in order that the built form of the development would not project beyond a building line following the principle elevations of properties to the rear of the site, including adjacent No.24 to the north. It is acknowledged that the sought addition would result in a degree of visual implication to the corner plot site, generating a modest reduction in openness that is afforded to the existing site layout by virtue of the existing garden area. However, the amended design is viewed to effectively minimise this enclosing effect by respecting the building line of adjacent sites. Furthermore, an area of garden spanning approximately 7 metres along much of the site's side aspect would be retained following the sought enlargement. As a result, officers consider that the development as amended would not result in a harmful loss of open character to the corner plot location such that it would be reasonable to resist consent on this basis.
- 10.6. The amended scheme proposal also features a modest set down at ridge level alongside a set back from the dwellings forward elevation at first floor level. The incorporation of these design revisions that were not initially detailed would result in a clearly discernible visual differentiation between the original property and the two storey side extension. The adjoining semi-detached property at No.28 does not feature a comparable addition to its side aspect, and thus the proposal would undoubtedly unbalance the pair of dwellings. Notwithstanding this, the proposed addition is not considered to result in a harmful visual implication in this respect for the reasons given. Indeed the nature of the existing sites is not considered such that any side additions would lie contrary to Policy DH1 in design terms. Specifically, the two storey side extension would be read as a broadly subservient

addition that reflects a typical residential extension and importantly would not project beyond the established building and would retain a large degree of openness as a result. Further to the above, the proposed side extension is in all other respects acceptable in design terms, with a side gabled dual pitch roof that aligns with the existing property, and the illustrated utilisation of matching facing materials.

- 10.7. The proposed extensions to the rear of the property are split between single storey and two storey level. A typical mono-pitch lean-to structure would lie adjacent to neighbouring No.28, while a hipped roof would be incorporated to the proposed two storey rear wing, adjoining the two storey side extension. The roof structure of the proposed two storey rear projection would be set well below the primary roof of the site, providing a further degree of design subservience.
- 10.8. This element of the proposal would generate a fair degree of additional bulk and mass to the site when viewed from the west along Alice Smith Square, a factor identified within submitted neighbour representations. While the rear projection would result a degree of additional enclosure and prominence in visual terms, this additional mass is not viewed to generate a materially harmful visual implication, particularly given the existing layout of adjacent properties to the north of the application site and which the proposed rear extension would be sited in line with. Furthermore, the built form of this enlargement is not assessed to result in a harmful terracing effect when viewed next to No.24, particularly noting its hipped roof form and the degree of separation retained between the two properties.
- 10.9. Fenestration design to the proposed additions is considered to acceptably align with the layout and character of the existing dwelling and those within its immediate proximity. While a considerable degree of additional openings are proposed to the side aspect of the property, these are not considered harmful in design terms, particularly noting the corner plot location of the site.
- 10.10. In the event that planning consent is granted Officers view that a condition to secure the provision of a detailed landscaping/planting plan would be a prudent and appropriate measure. Specifically, this could seek to ensure that a degree of the natural screening provided by the existing hedgerow is either retained, or that a similarly sensitive soft landscaping approach is applied to the site, thus softening the visual implication of the proposed additions.
- 10.11. With view to the above considerations the proposed development is considered to acceptably accord with the provisions of Policy DH1 and associated Appendix 6.1 of the Oxford Local Plan 2036.

b. Neighbouring Amenity

- 10.12. Policy H14 of the Oxford Local Plan 2036 states that planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes. Policy H14 sets out guidelines for assessing development in terms of whether it will allow adequate sunlight and daylight to habitable rooms of the neighbouring dwellings. Policy RE7 states that planning permission will only be granted for development that ensures that standards of amenity are protected. This includes the amenity of communities,

occupiers and neighbours is protected in addition to not having unacceptable unaddressed transport impacts and provides mitigation measures where necessary.

Privacy

- 10.13. Received neighbour objection comments raise concern regarding the potential amenity implication of the proposed development via a harmful loss of privacy caused by overlooking.
- 10.14. As described above, the proposed works feature a number of additional window openings at both ground and first floor to the front, side and rear aspects of the property. To the front elevation, two additional windows are not considered to result in a material implication to neighbouring privacy, given that they are positioned comparably to the existing front windows of the dwelling.
- 10.15. An additional rear facing window is proposed to the end elevation of the two storey rear wing at first floor level. This would result in a first floor outlook directing views towards the neighbouring No.24 to the northern boundary site in closer proximity than the existing windows to the rear of the application site. With this relationship in mind, it is noted that this proposed window would present views that are largely directed to the blank forward section of this neighbour's side elevation, the roof of a covered single storey outbuilding, and the open frontage driveway area of No.24. As a result, this opening is not assessed to generate a harmful loss of privacy to the immediately adjacent neighbour or unacceptably overlook it. The ground floor rear windows are similarly not considered to result in amenity harm and particularly as they are at single storey height only.
- 10.16. To the side (western) facing elevation of the property, a total of 6no. windows are detailed across ground and first floor level, several of which would be clear glazed, serving habitable rooms. As existing, this side elevation features a single obscure glazed unit. As a result, the proposal would result in the installation of 2no. first floor windows providing direct outlook to the western side of the site, towards opposing properties positioned across the road. Officers acknowledge that these proposed windows will present the opportunity for direct outlook towards the frontages of sites opposite Alice Smith Square to the west. However, it is also observed that this outlook arrangement would be directly comparable to the opposing outlook relationship evident to the immediate north of the site. As a separation distance of approximately 22 metres would be retained between the side extension and the frontages of neighbouring sites to the west, the additional fenestration is not considered to present the opportunity for materially harmful overlooking into or reduction in privacy to these nearby neighbouring properties. Indeed, such a relationship is considered typical to a residential area such as the application site, evidenced by surrounding layouts.

Overbearing

- 10.17. The proposed single storey rear extension element that would be positioned directly abutting the side boundary of the property with No.28 would generate a small breach of the Council's 45/25 degree guidance when applied from the nearest rear window of this adjoining semi. However, this element of the extension

has been designed to feature the dimensions of an enlargement that could be implemented without the requirement of planning consent via Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. Noting that this element of the scheme, when considered alone, could be lawfully implemented at the application site without planning consent, it is considered unreasonable to resist consent on this basis. Specifically, national legislation has determined that a structure of this scale may typically be considered acceptable without resulting in an unacceptable amenity implication for neighbouring sites. Considering no other element of the scheme would result in a breach of this guidance, the development is considered acceptable in this regard.

10.18. No other adjacent or nearby neighbouring properties are considered to be harmfully impacted by the proposed development in terms of loss of light, outlook or an overbearing bulk and mass. While the extent of enlargement would lie in relative proximity of No.24 to the north, the layout and fenestration arrangement of this property is such that the extensions are not considered to generate material harm as described above.

10.19. Overall the development is considered to acceptably accord with the provisions of Policies H14 and RE7 of the Local Plan.

c. Highways/Transport

Transport sustainability

10.20. Policy M3 of the Oxford Local Plan 2036 states that in Controlled Parking Zones or employer-linked housing areas where occupants do not have an operational need for a car where development is located within a 400m walk to frequent public transport services and within 800m walk to a local supermarket or equivalent facilities planning permission will only be granted for residential development that is car-free. Policy M5 adds that planning permission will only be granted for development that complies with or exceeds the minimum bicycle parking provision as set out in Appendix 7.4 of the Local Plan. Bicycle parking spaces should be provided for houses of 3 or more bedrooms. Parking should be well designed and well-located, convenient, secure, covered (where possible enclosed) and provide level, unobstructed external access to the street.

10.21. The Local Highway Authority were consulted as part of the application, and have commented on the proposal, raising the following matters in relation to vehicle parking arrangements at the site: *'The site is not within a current controlled parking zone. The removal of the garage is unlikely to result in the loss of a parking space, with it being considered that the site is currently provided with two off-street parking to the side of the dwelling. The proposals will see the parking area relocated to the front of the dwelling, with the two off-street parking spaces being retained. As no increase in off-street parking is proposed, the proposals are considered to be compliant with policy M3 of the local plan.'* Officers concur with this assessment of the vehicle parking arrangements proposed at the site. No wider highways implication in relation to vehicle parking stress within the locality is identified, nor is any highways safety concern.

10.22. With regards to the proposed dropped kerb arrangement the Local Highway Authority advised that the initially sought full width arrangement that spanned the frontage of the site was not compliant with relevant OCC guidance and standards. As a result the detailed dropped kerb has been reduced in width in order that it would only span the existing driveway area of the property – in line with the existing arrangement at the site. This amended arrangement is considered acceptable without adversely impacting available on-street parking in the locality.

Cycle parking

10.23. The Local Highway Authority observed that as the proposed development results in the demolition of an existing garage/outbuilding, existing cycle storage arrangements within this structure would be lost. It was therefore recommended that a replacement storage arrangement is incorporated into the proposed development. Given that the application site is a single dwelling and the applicant would retain a sizeable degree of indoor and outdoor space to which cycle parking could be comfortably accommodated, it is not considered reasonable or necessary in this instance to require a standalone or separate cycle storage area to be detailed under the submitted scheme.

10.24. In consideration of the above it is considered that the development would be acceptable with regards to Policies M3 and M5 of the Oxford Local Plan 2036.

d. Drainage

10.25. Policy RE3 of the Oxford Local Plan 2036 states that new development will be directed towards areas of low flood risk (Flood Zone 1). In considering proposals elsewhere, the sequential and exception tests will be applied. Policy RE4 of the Oxford Local Plan 2036 states that all development proposals will be required to manage surface water through Sustainable Drainage Systems (SuDS) or techniques to limit run-off and reduce the existing rate of run-off on previously developed sites. Surface water runoff should be managed as close to its source as possible, in line with the drainage hierarchy outlined in the policy.

10.26. The application site is located within Flood Zone 1 and is not at significant risk of flooding. The development would add to the level of non-porous impermeable surfaces on the site, resulting in a potential increase to the level of rain water run-off. However, the increase would be comparatively modest, and subject to a condition to ensure the development is carried out in accordance with the principles of Sustainable urban Drainage Systems, the development will not result in an unacceptable risk of flooding in compliance with Policies RE3 and RE4 of the Oxford Local Plan.

e. Biodiversity

10.27. Policy G7 states that planning permission will not be granted for development that results in the net loss of green infrastructure features such as hedgerows, trees or woodland where this would have a significant adverse impact on public amenity or ecological interest.

10.28. The proposed works do not detail the removal or loss of any notable green infrastructure features. The nature of the development on garden land also dictates that any biodiversity implication of the development is limited. Subject to the submission of a detailed landscaping plan for the proposed development the scheme is considered to align with the requirements of Policy G7. No other material ecological implications have been identified.

f. Other Matters

10.29. The proposed works are not considered to adversely impact the amenities of future occupiers of the application site. The property would retain the benefit of a sizeable private outdoor amenity space despite the additional building footprint. All habitable rooms within the property would benefit from access to an appropriate degree of natural light and outlook.

10.30. In summary, Officers view that the application is acceptable as revised in terms of design and amenity in line with the relevant national and local policy considerations. In this respect it is assessed to avoid the generation of material harm to neighbouring properties, while providing adequate amenity conditions for future occupiers. It is similarly viewed that the proposal would be acceptable with respect to the specific discussed material planning considerations of highways, drainage and biodiversity. Conditions proposed below would ensure that where necessary, additional details are secured, and the development is implemented acceptably. As a result the application is recommended for approval.

11. CONCLUSION

11.1. On the basis of the matters discussed in the report, officers would make members aware that the starting point for the determination of this application is in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which makes it clear that proposals should be assessed in accordance with the development plan unless material consideration indicate otherwise.

11.2. In the context of all proposals paragraph 11 of the NPPF requires that planning decisions apply a presumption in favour of sustainable development. This means approving development that accords with an up-to-date development plan without delay; or 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: the application of policies in the Framework that protect areas or assets of particular importance provides clear reasons for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.3. Therefore it would be necessary to consider the degree to which the proposal complies with the policies of the development plan as a whole and whether there are any material considerations, such as the NPPF, which are inconsistent with the result of the application of the development plan as a whole.

Compliance with development plan policies

11.4. In summary the development is not considered to result in material harm to the character of the surrounding area and would be in accordance with Policy DH1. The proposals would not result in the generation of material amenity harm to neighbouring sites in accordance with Policies RE7 and H14. Appropriate amenity standards for future occupiers would also be retained in line with Policy H16. The development would not have any unacceptable impacts in terms of highway safety, and is compliant with Policies M3, M5 and RE7 in this respect. The proposal is similarly considered to lie in accordance with the requirements of Policies RE3, RE4 and G2.

11.5. Therefore officers consider that the proposal would accord with the development plan as a whole.

Material considerations

11.6. The principal material considerations which arise are addressed above, and follow the analysis set out in earlier sections of this report.

11.7. Officers consider that the proposal would accord with the overall aims and objectives of the NPPF for the reasons set out in the report. Therefore in such circumstances, paragraph 11 is clear that planning permission should be approved without delay. This is a significant material consideration in favour of the proposal.

11.8. Officers would advise members that, having considered the application carefully, including all representations made with respect to the application, the proposal is considered to be acceptable in terms of the aims and objectives of the National Planning Policy Framework, and relevant policies of the Oxford Local Plan 2036, and that there are no material considerations that would outweigh these policies.

11.9. It is recommended that the Committee resolve to grant planning permission for the development proposed subject to the conditions set out within section 12 of this report.

12. CONDITIONS

Time limit

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

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

Development in accordance with approved plans

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings and to comply with Policy DH1 of the Oxford Local Plan 2036.

Matching Materials

3. The materials to be used in the external elevations of the new development shall match those of the existing building.

Reason: To ensure that the new development is in keeping with existing building(s) in accordance with policy DH1 of the Oxford Local Plan 2036.

SuDS

4. All impermeable areas of the proposed development, including roofs, driveways, and patio areas shall be drained using Sustainable Drainage measures (SuDS). This may include the use of porous pavements and infiltration, or attenuation storage to decrease the run off rates and volumes to public surface water sewers and thus reduce flooding. Soakage tests shall be carried out in accordance with BRE Digest 365 or similar approved method to prove the feasibility/effectiveness of soakaways or filter trenches. Where infiltration is not feasible, surface water shall be attenuated on site and discharged at a controlled discharge rate no greater than prior to development using appropriate SuDS techniques and in consultation with the sewerage undertaker where required. If the use of SuDS are not reasonably practical, the design of the surface water drainage system shall be carried out in accordance with Approved Document H of the Building Regulations. The drainage system shall be designed and maintained to remain functional, safe, and accessible for the lifetime of the development.

Reason: To avoid increasing surface water run-off and volumes to prevent an increase in flood risk in accordance with policy RE4 of the Oxford Local Plan 2036.

Landscaping Details

5. A Landscape Plan shall be submitted to and approved in writing by the Local Planning Authority before the first occupation of the development hereby approved. The plan shall show in detail all proposed tree and shrub planting including to boundaries, treatment of paved areas, and areas to be grassed or finished in a similar manner. The Landscape Plan as approved by the Local Planning Authority shall be carried out upon substantial completion of the development hereby approved and be completed not later than the first planting season after substantial completion of the development hereby approved.

Reason: In the interests of visual amenity in accordance with policies G7 and DH1 of the Oxford Local Plan 2036.

Landscape proposals – reinstatement

6. Any existing retained trees, or new trees or plants planted in accordance with the details of the approved Landscape Plan that fail to establish, are removed, die or become seriously damaged or defective within a period of five years after first occupation of the development hereby approved shall be replaced. They shall be replaced with others of a species, size and number as originally approved during the

first available planting season unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies G7 and DH1 of the Oxford Local Plan 2036.

13. INFORMATIVES

1. In accordance with guidance set out in the National Planning Policy Framework, the Council tries to work positively and proactively with applicants towards achieving sustainable development that accords with the Development Plan and national planning policy objectives. This includes the offer of pre-application advice and, where reasonable and appropriate, the opportunity to submit amended proposals as well as time for constructive discussions during the course of the determination of an application. However, development that is not sustainable and that fails to accord with the requirements of the Development Plan and/or relevant national policy guidance will normally be refused. The Council expects applicants and their agents to adopt a similarly proactive approach in pursuit of sustainable development.

14. APPENDICES

- Appendix 1 – Site Plan

15. HUMAN RIGHTS ACT 1998

15.1. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

16. SECTION 17 OF THE CRIME AND DISORDER ACT 1998

16.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.