

## COMMITTEE REPORT

**Date:** 7 February 2019      **Ward:** Fulford and Heslington  
**Team:** Householder and      **Parish:** Fulford Parish Council  
Small Scale Team

**Reference:** 18/01480/FUL

**Application at:** Fishergate County Garage 14 Heslington Lane York YO10 4LR  
**For:** Variation of condition 2 (approved plans) of permitted application 16/02665/FUL (Conversion of garage into 1no. dwelling) to alter position of rooflights, omit enclosed yard to rear to provide bedroom with roof terrace, incorporation of vehicle turntable, alterations to first floor windows with associated internal alterations (retrospective).

**By:** Yorbuild Ltd  
**Application Type:** Full Application  
**Target Date:** 28 August 2018  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 Planning permission is sought for a variation of Condition 2 (approved Plans) of planning permission 16/02665/FUL - Conversion of garage into 1no. dwelling. The alterations include:

- Alterations of the internal accommodation, additional floor,
- To alter position of rooflights and add further additional rooflights;
- Additional windows to north elevation
- Omit enclosed yard to rear to provide bedroom with a first floor roof terrace above;
- incorporation of vehicle turntable;
- Alterations to ground and first floor windows;
- Alterations to the roof

1.2 Revised plans have been submitted during the application process to replace the existing roller shutter door (which does not comply with the approved plans of planning permission 16/02665/FUL) with a timber vehicle and pedestrian door, removal of roof lights on the east and west roof slope. The application is partly retrospective; at the time of the site visits the conversion works were almost finished.

1.3 The site is within the Fulford Village Conservation Area. There are 2 no. listed buildings in close proximity - 17 and 19 Fulford Road. The site is within Flood Zone 1. The existing building was previously used as a vehicle repair workshop.

1.4 Cllr Aspden has requested that the application is considered by committee. Concerns have been raised regarding the insertion of a roller shutter door to the front elevation instead of timber doors which causes harm to the character and appearance of the conservation area. The windows and upstairs first floor terrace, which has been added instead of a garden area, will result in any noise carrying much further and being more intrusive for the amenity of nearby neighbours.

## 1.5 PLANNING HISTORY

- 17/01540/NONMAT - Non-material amendment to permitted application 16/02665/FUL to alter approved internal layout, alterations to proposed window openings and number of openings. Additional window opening in north elevation. Alterations to yard. – Refused.
- 16/02665/FUL - Conversion of garage into 1no. dwelling (resubmission) - Approved
- 16/00372/FUL - Conversion of garage into 1no. dwelling - Refused, on the following grounds: overlooking and loss of privacy

## 2.0 POLICY CONTEXT

2.1 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005:

- CYGP1 Design
- CYGP4A Sustainability
- CYGP6 Contaminated land
- CYNE6 Species protected by law
- CYHE2 Development in historic locations
- CYHE3 Conservation Areas
- CYHE4 Listed Buildings

2.2 The Publication Draft City of York Local Plan ('2018 Draft Plan')

- D1 Placemaking
- D4 Conservation Areas
- D5 Listed Buildings
- D6 Archaeology
- ENV2 Managing Environmental Quality

2.3 Please see the Appraisal Section (4.0) for national and local policy context.

## 3.0 CONSULTATIONS

## INTERNAL CONSULTATIONS

### HIGHWAY NETWORK MANAGEMENT

#### 3.1 No objections

### DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (CONSERVATION OFFICER)

3.2 No feedback has been received for the revised scheme, received comments will be reported at the committee meeting.

3.3 In the comments to the original scheme the Conservation Officer raised concerns regarding the roller shutter door, the rooflights visible from Heslington Lane, and the painting of the Heslington Lane elevations. The Conservation Officer considered that these caused harm.

### DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (ECOLOGY OFFICER)

3.4 The ecological consultants have confirmed that mitigation for bats has been carried under a Science and Conservation Class Licence. No further comment

### DESIGN, CONSERVATION AND SUSTAINABLE DEVELOPMENT (ARCHAEOLOGY)

3.5 The watching brief was carried out, at the time requested a light photographic recording with the watching brief report. This was not undertaken. The main reason for the condition was to ensure that ground disturbing work was monitored, which it was and a final report was submitted. The original building has since been altered so there would be no real merit in trying to obtain photographic record.

## PUBLIC PROTECTION

3.6 No concerns regarding the external lighting on the western building wall in the roof garden area. This would be very unlikely to cause a statutory nuisance or a loss of amenity to nearby residents. For completeness request the submission of details of the external lights demonstrating that lighting conforms the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E4 from the Institute of Light Professionals, paying particular attention to the luminaire intensity levels and the building luminance levels.

3.7 The roller door to the front of the premises is a standard electric roller door and is quiet. No concerns about loss of amenity to nearby residential dwellings.

3.8 A car turntable is proposed in the garage and the applicant has submitted noise information from the manufacturers of the turntable which states that the noise of the operational motor would be 50 dB(A) at 2 metres. There are no directly adjoining walls of other premises and the nearest premises would be at least 8 metres and PP are satisfied that it would not result in a loss of amenity.

3.9 The applicant has installed a double standard 13 amp 3 pin socket in the garage and this is suitable as a recharge point for Electric Vehicles.

3.10 The site is not in a smoke control area. The stainless steel chimney stack at the rear of the dwelling is in a relatively enclosed area with the eaves of surrounding buildings higher than the stack itself. This stack is lower than other chimneys in the area and this may impede the dispersion of smoke. The chimney stack also has a cowl on the top which may cause the smoke to be reflected back downwards towards the gardens and windows of the nearby residential dwellings and could result in a statutory nuisance due to smoke. Either the stack be increased in height and the restrictive cowl removed or ensure that the efflux velocity through the flu is sufficient to aid dispersion of the smoke.

## EXTERNAL CONSULTATIONS/REPRESENTATIONS

### FULFORD PARISH COUNCIL (to the revised plans)

3.11 The timber doors are more in keeping with the residential character of the area and this revision to the design is very welcome.

3.12 It would also be beneficial if the black paint was removed and the original brickwork revealed as originally approved.

## PUBLICITY AND NEIGHBOUR NOTIFICATION

3.13 One representation of objection to revised scheme:

- No indication of the exterior lighting or the steel chimney on the revised plans. In addition to previously expressed concerns, reflects sunlight directly into dining area as effectively as a mirror.
- There is the addition of obscured glass in many of the windows which overlook other properties. Request that the west gable end window is obscurely glazed.

3.14 Seven representations of objection to original scheme:

- Roller shutter door is not in keeping with the existing street and fails to preserve the character and appearance of the conservation area, causing harm. The original approved plans were for a wooden gated door, the roller shutter has now been installed
- Object to the painting of the building in black, would set a precedent

- The doors and brick detail which were originally approved should be inserted. The scale and design of the original first floor front windows along with the original natural finish to the brickwork, as opposed to the painted black finish, is also more in keeping with the character and appearance of the building and of the conservation area.
- The proposed change from a courtyard garden to a roof terrace will negatively impact on occupants of neighbouring dwellings by virtue that noise will carry further, it is likely this terrace would be in frequent use.
- There is a roof light western roofslope and results in loss of privacy .
- Exterior lighting and industrial shiny metal chimney have been installed and not reflected in the plans. The chimney is at a low level and concerned that the smoke will cause a nuisance to the neighbouring dwellings. The lighting is obtrusive and should be at a lower level and angled down

### 3.15 One representation of comments to the original scheme

- Elevations and plans are incorrectly annotated. Planning and Heritage Statement fails to address the listed building of 19 Main Street

### 3.16 Seven representation of support to the original scheme:

- The work has been undertaken to a high standard and in keeping with industrial / commercial heritage. The altering of the design to allow the living areas to enjoy the roof structure.
- The minor alterations make no difference to the property or its setting.
- The black painted frontage is a benefit and defines an awkward narrow entrance. The roller shutter door is more practical than the previous door and would mean that vehicles are not held up in the road while a manual door is opened

## 4.0 APPRAISAL

### KEY ISSUES

- Visual impact on the building and the area
- Impact on the conservation area and the setting of the adjacent listed building
- Impact to the amenity of the occupants of the neighbouring dwellings
- Impact on highway safety
- Ecology

### ASSESSMENT

#### PLANNING POLICY

4.1 Section 38(6) of the Planning and Compensation Act 2004 requires that determinations be made in accordance with the development plan unless material considerations indicate otherwise.

## PUBLICATION DRAFT YORK LOCAL PLAN (2018)

4.2 The Publication Draft City of York Local Plan 2018 ('2018 Draft Plan') was submitted for examination on 25 May 2018. In accordance with paragraph 48 of the NPPF as revised in July 2018, the relevant 2018 Draft Plan policies can be afforded weight 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 the previous NPPF published in March 2012. (NB: Under transitional arrangements plans submitted for examination before 24 January 2019 will be assessed against the 2012 NPPF).

4.3 The evidence base underpinning the 2018 Draft Plan is capable of being a material consideration in the determination of planning applications.

## DRAFT DEVELOPMENT CONTROL LOCAL PLAN (2005)

4.4 The City of York Draft Local Plan Incorporating the Fourth Set of Changes was approved for Development Management purposes in April 2005 (DCLP). Whilst the DCLP does not form part of the statutory development plan, its policies are considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF as revised in July 2018, although the weight that can be afforded to them is very limited.

4.5 The revised National Planning Policy Framework was published on 24 July 2018 (NPPF) and its planning policies are material to the determination of planning applications. It is against the NPPF (as revised) that this proposal should principally be assessed.

4.6 The presumption in favour of sustainable development set out at paragraph 11 of the NPPF does not apply when the application of policies relating to impacts on designated heritage assets indicate that permission should be refused.

4.7 The principle of the change of use of the building to residential was accepted in application 16/02665/FUL.

## IMPACT ON THE SETTING OF LISTED BUILDINGS AND THE IMPACT TO FULFORD CONSERVATION AREA

4.8 In accordance with section 72 of the Planning (Listed Building and Conservation Area) Act 1990, the Local Authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area in exercising its planning duties. Where there is found to be harm to the character or appearance of the Conservation Area, or the setting of a listed building, the statutory duty means that such harm should be afforded substantial weight.

4.9 Section 16 of the NPPF advises that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the to the asset's conservation.

4.10 The Courts have held that when a local planning authority finds that a proposed development would harm a heritage asset the authority must give considerable importance and weight to the desirability of avoiding such harm to give effect to its statutory duties under sections 66 and 72 of the 1990 Act. The NPPG states that "It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting."

4.11 No. 14 Heslington Lane is two storeys, with a gable end facing onto Heslington Lane, the building forms an end of a terrace of domestic houses built at the turn of the 19th/20th century. It was constructed of the same brick as the terrace and has a similar slate roof covering. Brick is the predominant construction material in the street scene, with very few properties rendered and painted. Dormers are only present on one building and there are no roof lights visible in the street scene. The site is within the Fulford Village conservation area. The Fulford Village Conservation Area Character Appraisal October (2008) indicates No.14 and attached terrace as being buildings of positive value to the area.

4.12 A roller shutter door has been installed at the front of the building instead of the previously approved vertically boarded doors. The revised proposed plans show timber doors which are considered to be more in keeping with the building and the streetscene. It is considered necessary to condition that the works to the door take place.

4.13 Revised plans have been submitted showing all but two of the rooflights being removed from the eastern elevation; the proposed rooflights are smaller than those on site. The two proposed rooflights on the east roofslope would be partially screened from the streetscene by the neighbouring dwelling (16 Heslington Lane). The approved plans of planning permission 16/02665/FUL show two rooflights in

this roofslope, the position of the rooflights shown in the current proposed plans are considered to be an improvement. The proposed plans introduce further rooflights to the west roof slope. It is considered necessary to condition that the works and alterations to the style, size and location of the rooflights are conditioned to ensure that the works take place, and the harm resulting from the constructed development is removed.

4.14 The proposed elevations show the large rooflights in place on the larger two storey element of the building (set back from the road) as smaller conservation rooflights. It is considered that these works be sought via condition to ensure they take place

4.15 The development as currently constructed is considered to cause harm to the conservation area. The revised proposed plans show the reduced number and size of rooflights together with the timber doors to the Heslington Lane elevation and this is considered to remove the harm to the conservation area from the currently unauthorised development.

4.16 The front elevation of the property has been painted in a dark grey/black colour, causing the building to stand out markedly from the mellowed appearance of the red/ brown brick of the neighbouring terrace, and other buildings constructed of brickwork which is characteristic of this historic street scene. The few buildings within the street that are painted are painted in light colours. The Conservation Officer advises that in allowing the painted finish to remain would dilute the character of the street scene instead of preserving it, therefore resulting in harm. In the original planning permission (16/02665/FUL) there was no condition restricting Class C of Part 2 of the General Permitted Development Order (2015). Class C allows the painting of the exterior of a building as permitted development providing it is not for the purpose of advertisement, announcement, or direction. Removal of these permitted rights is not typical as it does not normally fulfil the 6 tests (National Planning Policy Guidance): necessary, relevant to planning, and the development permitted, enforceable, precise, and reasonable in all other respects. Therefore if the planning permission 16/02665/FUL had been constructed in accordance with the approved plans, the painting of the outside could have taken place after the first use, it could be undertaken as part of its previous use, and the rights have not been restricted in the surrounding buildings. Therefore it is considered that it would be unreasonable to place the restriction on the current application.

## IMPACT TO THE AMENITY OF THE OCCUPANTS OF THE NEIGHBOURING DWELLINGS

4.17 In the revised plans the majority of the bedrooms are now on the ground floor and the main living area is on the first floor. In the main part of the building the accommodation is split over two floors only. In the section facing onto Heslington

Lane an additional floor has been added so the accommodation in this element is split over three floors.

4.18 Two of the (north elevation) ground floor existing windows look directly into the yard of 12 Heslington Lane. In the proposed plans both windows are retained, they would still serve a hallway/staircase. The notation on the plans states that it would be obscure glazing. At the site visit it was noted that the windows could now be opened. The windows were existing when the building was used as a garage. Although there were no hours restrictions on the commercial use, it would have been likely to be concentrated on weekday daytimes. Residential occupancy would represent an increase in overlooking and the perception of overlooking from the existing windows and whilst not to a primary room the relationship of the window to the rear yard and the introduction of a residential use 24/7 would result in a loss of privacy to the occupants of this dwelling. The retention of both windows would be acceptable if they were obscurely glazed and fixed shut to protect the amenity of the occupants of 12 Heslington Lane, this could be sought via condition.

4.19 The proposed plans are indicating that the garage and ground floor bedroom windows in the south elevation would be obscurely glazed which would provide some privacy to the occupants of 23a Main Street. At the site visit the bedroom windows were clear glazed which would not be acceptable by virtue of the impact to the residential amenity of the occupants of 23a Main Street but also to the future occupants of 14 Heslington Lane. The proposed first floor windows in the south elevation would serve the kitchen and dining area. The proposed plans show these windows as obscurely glazed which would remove the concerns regarding overlooking and loss of privacy, the alterations to the glazing could be sought via condition.

4.20 In the revised plans where the previously approved yard was to be located is the largest bedroom ("Bed 1") and above that is an enclosed roof terrace. The enclosing walls of the roof terrace are 2.1 metres from floor level of the terrace which prevents views into the neighbouring gardens. The proposed living room is now on the first floor with the window facing onto the roof terrace. The living room window opening would be 2.4 metres in height, the kitchen and dining room area at a higher floor level to the living room however the terrace walls would prevent views into the neighbouring gardens and dwellings. These alterations would result in a wall of 4.9 metres in height to the rear boundary of 19 Main Street. The original wall height was 3.7 metres, and it was retained at this height in planning permission 16/02665/FUL. The proposed wall is to the east of the garden however the increased height is not considered to result in a further loss of light than that resulting from the two storey original building. The increase in the height of the wall to the boundary is not considered to impact of the significance or the special interests of the adjacent listed building of 19 Main Street.

4.21 The high level window in the west gable would be retained. The cill height would be 3.7 metres above the finished first floor level, as such it would not result in overlooking and a subsequent loss of privacy to the neighbours to the west. However there is potentially sufficient height for an additional storey to be created within the existing envelope as such it is considered prudent to remove this permitted development for an additional storey.

4.22 Concerns have been raised about a constructed chimney, the metal chimney is not shown on the proposed plans and therefore does not form part of this application. Once the building has become a dwelling (with the necessary planning permissions) it would have a series of permitted development rights. The chimney would not fall within permitted development. As the site is within a conservation area planning permission would be required for a chimney installed on a wall or roof slope to a side elevation of a dwelling house (Class G). Therefore the removal of this chimney is a planning enforcement issue.

4.23 Concerns have been raised regarding lighting to the western elevation. Public Protection are satisfied the lighting does not cause a statutory nuisance or a loss of amenity. However if this did become an issue then action could be taken under Public Protection legislation.

#### IMPACT ON HIGHWAY SAFETY

4.24 Off-street parking is proposed within the building using the former vehicular entrance into the building. The turntable within the building will allow vehicles to enter the road in forward gear. There is still sufficient space for the storage of the cycle and refuse bins within the garage area

#### ARCHAEOLOGY

4.25 The Council's Archaeologist in the previous application requested that a light photographic record of the building be made. Whilst a watching brief was submitted (for Condition 5) an acceptable photographic record was not submitted. The Archaeology team have advised that they have received the final archaeology report. The condition was to ensure that ground disturbing work was monitored, and this did take place. The archaeology team have advised that as the works to convert the building have taken place there would be not merit in obtaining the photographic record, as such the condition will not be added.

#### ECOLOGY

4.26 The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. In the original application for planning permission (16/02665/FUL) a survey had been undertaken which indicated

that a pipistrelle bat roost, in the south elevation, containing 3 bats would be affected by the proposed development. Officers understand that further surveys were undertaken and a licence was gained prior to the works taking place. There was a condition on the original planning permission ensuring that the bat mitigation accommodation be provided in accordance with the survey, it is considered that it is necessary to maintain this condition.

## **5.0 CONCLUSION**

5.1 The alterations shown in the revised proposed plans, rather than what has been constructed, are considered to be acceptable. Subject to conditions it is considered there would not be any further impact to the residential amenity of the occupants of the neighbouring dwellings. Subject to the development in being built in accordance with the approved plans the proposed rooflights and timber garage door would not result in harm to the setting and character of the conservation area.

5.2 Approval is recommended. As the application would be a fresh permission for the overall scheme, ongoing requirements, previously secured by the original planning permission are re-imposed on this application.

## **COMMITTEE TO VISIT**

### **6.0 RECOMMENDATION:** Approve

1 The development shall be begun no later than 15 January 2020.

Reason: To ensure compliance with Sections 91 to 93 and Section 56 of the Town and Country Planning Act 1990 as amended by section 51 of the Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Number 105 Revision P03 'Proposed Site Plan' received 17 December 2018;

Drawing Number 110 Revision P04 'Proposed Ground Floor Plan' received 23 January 2019;

Drawing Number 111 Revision P07 'Proposed First Floor plan & Lower Mezzanine' received 23 January 2019;

Drawing Number 112 Revision P03 'Proposed First Floor plan & Upper Mezzanine' received 17 December 2018;

Drawing Number 130 Revision P05 'Proposed Elevations Sheet 1' received 23 January 2019;

Drawing Number 131 Revision P07 'Proposed Elevations Sheet 2' received 17 December 2018;

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Drawing Number 132 Revision P07 'Proposed Elevations Sheet 3' received 17 December 2018;

Drawing Number 150 Revision P06 'Proposed Sections - Sheet 1' received 17 December 2018;

Drawing Number 151 Revision P04 'Proposed Sections - Sheet 2' received 03 August 2018;

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no door, window or other opening additional to those shown on the approved plans shall at any time be inserted in the elevations of the property.

Reason: In the interests of the amenities of occupants of adjacent residential properties.

4 A three pin 13 amp external electrical socket which is suitable for outdoor use shall be installed within the garage for the approved property prior to first use. The socket shall be located in a suitable position to enable the charging of an electric vehicle on the driveway using a 3m length cable.

Note: Any socket provided must comply with BS1363, or an equivalent standard, Building Regulations and be suitable for charging electric vehicles. Where located externally it should also have a weatherproof cover and an internal switch should be also provided in the property to enable the socket to be turned off.

Reason: To promote sustainable transport through the provision of recharging facilities for electric vehicles

5 Within 3 months of the granting of this planning permission the 6 windows in the south elevation shall at all times be obscurely glazed to a standard equivalent to Pilkington Glass level 3 or above. Once the works have been undertaken the Local Planning Authority shall be notified of the works

Reason: To protect the residential amenity of the occupants of the dwellings abutting the site. So the development complies with Section 12 of the National Planning Policy Framework. So the development accords with approved plans and elevations in Condition 1.

6 The 2 no. ground floor hallway windows (facing the rear yard of 12 Heslington Lane) in the north elevation shall at all times be obscure glazed to a standard equivalent to Pilkington Glass level 3 or above and remain fixed shut. These works shall take place within 3 months of the granting of this planning permission. Once

the works have been undertaken the Local Planning Authority shall be notified of the works.

Reason: In the interests of the amenities of occupants of adjacent residential properties. So the development complies with Section 12 of the National Planning Policy Framework.

7 The works to rooflights including the removal of rooflights in the north, east and west roof slope and the implementation of conservation style rooflights, so the development accords with approved plans and elevations in Condition 1, shall take place within 3 months of the granting of this planning permission. Once the works have been undertaken the Local Planning Authority shall be notified of the works.

Reason: To protect the visual amenity, character and setting of the Fulford Conservation area, and to protect the visual amenity of the streetscene, and so the proposed development will comply with Section 16 of the National Planning Policy Framework.

8 The replacement of the roller shutter door with the timber doors to the Heslington Road elevation as shown in approved plans and elevations of Condition 1 shall take place within 3 months of the granting of this planning permission. Once the works have been undertaken the Local Planning Authority shall be notified of the works. The replacement timber doors shall be retained and maintained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the visual amenity, character and setting of the Fulford Conservation area, and to protect the visual amenity of the streetscene, and so the proposed development will comply with Section 16 of the National Planning Policy Framework.

9 No additional floor shall be added.

Reason: In the interests of the amenities of occupants of adjacent residential properties. So the development complies with Section 12 of the National Planning Policy Framework.

10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), development of the type described in Class B of Schedule 2 Part 1 of that Order shall not be erected or constructed.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as

"permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 2015.

11 The development hereby permitted shall be implemented in accordance with the scheme of mitigation set out in Section 7.0 Mitigation and Compensation of County Garage Fulford, Bat Survey dated September 2016 by Wold Ecology Ltd (received 05 January 2017) in all respects and any variation thereto shall be agreed in writing by the Local Planning Authority before such change is made.

This includes two Schwegler 1FQ bat boxes (or equivalent) sited on the south and west elevations of the building; close to the existing roost site (shown in Plate 3, page 18).

Reason: To ensure the favourable conservation status of a European protected species. National Planning Policy Framework the replacement/mitigation proposed should provide a net gain in wildlife value. So the development complies with Section 15 of the National Planning Policy Framework.

12 HWAY19 Car and cycle parking laid out

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- Requested revised plans
- Use of conditions

### **2. DEVELOPMENT INFORMATIVE**

### **3. THE PARTY WALL ETC ACT 1996**

## **Contact details:**

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