

# Item 5.2 Committee Report P/2023/00247

This report has been checked on behalf of Legal Services by Sherrie Grant

<b>Application Number</b>	P/2023/00247	
<b>Planning Officer</b>	Lisa Bird	
<b>Site Address</b>	137 Victoria Crescent, Burton Upon Trent, Staffordshire, DE14 2QQ	
<b>Proposal</b>	Change of use from 2 x Class C4 Houses in Multiple Occupation to 5 No. Class C3 (a) apartments with ancillary care accommodation including demolition of existing conservatories and erection of two single storey rear extensions	
<b>Expiry Dates</b>	<b>Weekly List</b>	17/04/2023
	<b>Neighbours</b>	21/04/2023
	<b>Consultations</b>	15/04/2023
	<b>Site Notice</b>	29/04/2023
	<b>Newspaper Advert</b>	N/A
<b>Reason for going on the Agenda</b>	<p>Application called in by Cllr Hadley for the following reasons:</p> <ul style="list-style-type: none"> <li>• Health and Safety consideration – layout of the proposed development. If this site is used for housing vulnerable residents we believe the car parking is not sufficient to either allow enough room for car parking and adequate space for vulnerable residents to leave the building in an emergency.</li> <li>• For cars leaving the premises, they have their views of oncoming traffic restricted by parked cars on the left side, which for any car turning into the road can be dangerous.</li> <li>• Highway considerations – having increasing traffic on a road which has swelled in recent years due to the Fellow Drive development, Victoria Crescent traffic issues could be worsened with the proposed plans.</li> </ul>	
<b>Application not Determined within Statutory Time Period - Reason</b>	Committee date took the application beyond its expiry date. Extension of time agreed until 28th July 2023.	
<b>Environmental Assessment</b>	<b>Screening opinion undertaken</b>	N/A
	<b>Schedule 1 or 2</b>	N/A
	<b>EIA Required</b>	N/A
<b>Relevant Planning Policies/Guidance</b>	<b>Government Documents</b>	The National Planning Policy Framework The National Planning Practice Guidance
	<b>Local Plan Policies</b>	SP1 – East Staffordshire Approach to Sustainable Development SP2 – Settlement Hierarchy SP4 – Distribution of Housing Growth 2012-2031 SP16 – Meeting Housing Need SP24 – High Quality Design SP27 – Climate Change, Water Body Management and Flooding SP29 – Biodiversity and Geodiversity SP35 – Accessibility and Sustainable Transport DP1 – Design of New Development DP3 – Design of New Residential Development,

	Extensions and Curtilage Buildings DP7 – Pollution and Contamination
	<b>Supplementary Planning Documents</b> East Staffordshire Design Guide Separation Distances and Amenity SPD Parking Standards SPD Housing Choice SPD
	<b>Other Policies/Guidance</b> Horninglow and Eton Neighbourhood Plan Policy HE5 – Parking Standards
<b>Relevant History</b>	P/2018/00984 - Change of use of outbuilding to two flats – Approved 21/02/2019
<b>Consultation Responses</b>	<p><b><u>ESBC Environmental Health</u></b></p> <p>The site is located close to a number of industrial units, plus smaller retail units off Victoria Crescent. In order to protect future residents from noise, a condition requiring a scheme of noise mitigation is therefore recommended.</p> <p>GIS records show the proposed development site lies adjacent to former railway land to the west and former garage/repair works to the east, therefore there is the potential for contamination to affect the development. However, as the end user will be similar to the existing user it is considered that the risk is low and therefore a precautionary conditions relating to any unforeseen contamination is recommended.</p> <p><b><u>SCC Highway Authority</u></b> – No objections, the traffic associated with the proposed development will be similar or less than would be associated with the two dwellings or HMOs which are the previous uses of the site.</p>
<b>Parish Council</b>	No response received within the statutory consultation period.
<b>Neighbour Responses</b>	<p>One neighbour has submitted representations, these are summarised below:</p> <ul style="list-style-type: none"> <li>• There is an existing traffic problem on Victoria Crescent, and a development such as this will affect road users further.</li> <li>• There are no conservatories to the rear of the premises and the building is a two storey building.</li> <li>• Concerns re egress from the building in the event of a fire with vulnerable residents</li> <li>• The health and safety of vulnerable residents is of paramount importance.</li> </ul>
<b>Human Rights Act Considerations</b>	There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.
<b>Crime and Disorder Implications</b>	It is considered that the proposal does not raise any crime and disorder implications.
<b>Equalities Act 2010</b>	Due regard, where relevant, has been given to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

**Site and Surroundings**

The application site comprises a pair of two storey terraced dwellings most recently in use as two Houses in Multiple Occupation (HMOs) situated on the eastern side of Victoria Crescent in the Parish of Horninglow and Eton. The premises were registered in 2019 as 2 No. HMOs, with the licence permitting 7 occupants in the former No. 137 Victoria Crescent and 8 occupants in the former No. 138 Victoria Crescent. The dwellings are separated at ground floor level by an undercroft providing vehicular access to the rear of the site. The dwellings both have single storey extensions to the rear including conservatories.

The properties are rendered with a light grey coloured finish to both the front and rear elevations and have Staffordshire Blue roof tiles. Within the site to the rear boundary there is an existing outbuilding forming two flats beyond which are residential dwellings. The area is characterised by similar terraced dwellings and pairs of semi-detached dwellings along both sides of Victoria Crescent. Almost immediately opposite the site is a community centre (Makki Masjid Trust and Learning Centre), and there are more commercial and industrial uses to the north of the site on the opposite side of Victoria Crescent. To the south is Waterloo Street where there are a number of shops, takeaways and hairdressers.

The vehicle access off Victoria Street leads to a large open area, which is relatively level and is made up of a mixture of paving slabs and gravel.

The main existing building subject of this application is situated immediately to the rear of the highway and the existing two storey building within the site form the eastern (rear) boundary. The side boundaries (north and south) are made up of brick walls exceeding 2 metres in height, finished in a similar grey paint to match the main dwellings.

Victoria Crescent is characterised by on-street parking along the western side of the road, with a single yellow line present outside of the application buildings.

There are no heritage assets within the vicinity of the application site, nor are there any non-designated heritage assets nearby.

The dwelling is located within Flood Zone 2 which is at a medium risk of flooding, it is noted that the area does benefit from flood defences.

The site is situated within the Settlement Boundary as defined in the Local Plan.



## **Proposals**

This application seeks full planning permission for the change of use of the premises from two HMOs with a total of 12 bedrooms (4 bedrooms to the southern dwelling and 8 bedrooms to the northern dwelling) to 5 Class C3(a) apartments with ancillary care accommodation, including demolition of the existing conservatories and erection of two single storey rear extensions.

The applicant has confirmed that the application is required to support adults with *'varied mental health needs to develop skills and independence, including providing opportunities for people to step down from hospital and residential care settings'*.

The proposal would see the creation of 2 apartments within the southern building, one at ground floor and one at first floor, and 3 apartments within the northern building, two at ground floor and one at first floor. Each apartment is proposed to have an open plan lounge/kitchen area with one bedroom and an en-suite bathroom. To the rear of the southern building an office is proposed for the care staff along with a communal day room.

The single storey extensions proposed to the rear of the application buildings would replace the existing conservatories, with the extensions being similar in terms of width and length. The more southerly extension would have a mono-pitched roof and the more northerly extension would have a dual pitched roof (the existing conservatory has a mono-pitched roof) and the eaves and ridge would be higher than the existing measuring approx. 2.6m to the eaves and 3.8m to the ridge; this would mirror an existing extension within the site.

Four formal parking spaces and turning space are proposed to be created within the area to the rear of the application buildings. The applicant has confirmed that the shift patterns are proposed to be 8am until 8pm and 8pm until 8am typically with a core of 2 care staff being present on site at all times, with the possibility of further 2 staff, delivering 1:1 care depending on the needs of the residents. Furthermore, it is highly unlikely that residents will drive or have access to a vehicle with residents expected to use public transport. Visiting professionals are likely to be occasional on an ad hoc basis.

## **ASSESSMENT**

The main considerations in the determination of this application are considered to

be the principle of the development, the impacts on visual amenities, the impacts on residential amenities and the highway safety implications.

The national and local planning policies relevant to these issues are listed on page one of this report.

### **Principle of the Development**

The application site is located within the Burton upon Trent settlement boundary as defined in the Local Plan. Burton upon Trent is identified as a Main Town in Policy SP2 of the Local Plan, as such the site is within an area where new development is expected.

To reiterate the development results in the change of use of 2 No. HMOs to 5 Class C3(a) apartments with ancillary care accommodation. Class C3(a) relates to the occupation of the apartments by a single person or by people to be regarded as forming a single household. The care accommodation is to be provided by between 2 to 4 carers depending on the needs of the residents, with the carers having office accommodation separate to the apartments. Vehicle movements are expected at shift change over.

The applicant has provided a letter of support from Staffordshire County Council confirming that there is a lack of mental health places in the Burton area and a lack of flat models for learning difficulty placements.

The site would remain in a residential use, and given the permitted use of the 2 properties as HMOs, there would be no loss of residential units. Furthermore the use of the properties as 5 apartments with an element of care is considered to be less intensive than the current permitted use as 2 HMOs with 12 bedrooms. The use of the premises as apartments with a care element can be secured via condition to prevent any other uses within C3 being implemented without planning permission.

Therefore in principle the proposal is considered to be acceptable and in compliance with Policies SP16, SP24, DP1 and DP3 of the Local Plan, the Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

### **Impact on Visual Amenity**

The street frontage would remain unaltered, however, single storey extensions are proposed to the rear of the properties to replace two existing conservatories.

The existing conservatories have shallow mono-pitched roofs measuring approx. 2.4m to the eaves and approx. 2.8m to the highest point.

The single storey extensions proposed to the rear of the application buildings would replace the existing conservatories, with the extensions being similar in terms of width and length. The extension to the southern side of the site is proposed to have a mono-pitched roof and would sit approx. 0.3m above the height of the existing boundary wall, measuring approx. 2.2m to the eaves and 3.8m to the ridge. The extension to the northern side of the site would have a dual pitched roof and similarly would measure approx. 2.2m to the eaves and 3.8m to the ridge; this would mirror an existing extension within the site.

The extensions are proposed to be finished in render to match the existing, with an existing grey colour finish.

A bicycle store is also proposed to the rear of the site, details of which can be secured via a suitably worded condition.

The extensions and alterations proposed are all situated to the rear of the site and

are not visible from public vantage points. The extensions would replace existing conservatories within the site and are considered to have no significant adverse impact on the amenities of the surrounding area in compliance with Policies SP24, DP1 and DP3 of the Local Plan, the Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

### **Impact on Residential Amenity**

The application properties are situated within an area which is made up of similar dwellings, with the site being fully enclosed.

The two storey building comprising two flats, which is situated to the rear of the site is unaffected by the proposals and would remain as it is, with no allocated parking or amenity space, whilst this is not ideal it would not change the existing situation. The replacement of the existing conservatories with extensions would be of benefit to the occupiers of this building as it would result in less windows facing towards the building at ground floor level.

In terms of the neighbouring dwellings at Nos. 136 and 139 Victoria Crescent, the proposed extensions and alterations would be screened by the existing boundary treatments. Whilst the extension adjacent to No. 139 Victoria Crescent would be approx. 0.3m higher than the boundary wall, this is not considered to result in any significant adverse impact to occupiers of the neighbouring dwelling by way of loss of light or privacy or overbearing impact.

It is considered that the proposed use of the premises would result in no significant impact in terms of noise and disturbance over and above the existing situation. The Separation Distances and Amenity SPD provides guidance in relation to minimum room sizes and amenity space. The rooms provided within each apartment are an open plan lounge and kitchen area, with a bedroom and bathroom, separate office accommodation and a communal day room are also proposed. The room sizes proposed are as follows:

	<b>Lounge/kitchen</b>	<b>Bedroom</b>	<b>Bathroom</b>	<b>TOTAL</b>
<b>Unit 1</b>	14.7sqm	10.3sqm	6.2sqm	31.2sqm
<b>Unit 2</b>	20.6sqm	14.1sqm	3.3sqm	38sqm
<b>Unit 3</b>	30.1sqm	9.4sqm	2.7sqm	42.2sqm
<b>Unit 4</b>	24.0sqm	7.4sqm	2.9sqm	34.3sqm
<b>Unit 5</b>	21.6sqm	7.8sqm	4.2sqm	33.6sqm

The SPD states that for a 1 person studio an overall floor area of 33 sqm is required. Whilst Unit 1 does fall slightly short of this requirement, it is noted that there is additional space within the site for occupiers in the communal day room and it is not considered that this shortfall is sufficient to sustain a refusal. The remaining units comply with the criteria set out in the SPD.

It is noted that there is no amenity space present within the site, with the outdoor space given over to parking and being formed of hardstanding and gravel. This is no different to the existing situation for the HMOs, and whilst it is not ideal it is noted that there are areas of public open space within walking distance of the application site, specifically Shobnall Fields Recreation Ground which is approx. 500m to the south-west of the application site, access via the Trent and Mersey Canal approx. 220m to the west of the site. Given the proximity of the public open space to the application site it is considered that there will be no significant adverse impact to future occupiers as a result of the proposals.

The Environmental Health Team have commented in respect of the proposals and due to the proximity of a number of industrial units and small retail units to the north-west of the site, a condition is recommended in respect of a scheme of noise mitigation in order to protect future residents. This is recommended to be agreed and installed prior to the apartments being occupied.

It is therefore considered that the development would have no significant adverse impact on residential amenities in compliance with Policies SP24, DP1, DP3 and DP7, Horninglow and Eton Neighbourhood Plan, the Separation Distances and Amenity SPD and the National Planning Policy Framework.

### **Pollution and Contamination**

As detailed in the Residential Amenity section above the Environmental Health Team have recommended a condition in respect of a scheme of noise mitigation in order to protect future residents.

The Environmental Health Team also commented in respect of Contaminated Land. A prior to commencement condition was originally recommended due to the site lying adjacent to former railway land to the west and former garage/repair works to the east, however, as the extensions will replace existing conservatories minimising any disruption to the land, with the remaining space within the site remaining as paving slabs and gravel, the Environmental Health Team have recommended a precautionary condition, in the event that contamination is found during construction works.

Subject to the above conditions it is considered that the development would have no significant adverse impact in terms of pollution and contamination in compliance with Policy DP7 of the Local Plan, Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

### **Flood Risk**

The application site is located within Flood Zone 2 which is at medium risk of flooding (this being between a 1 in 100 and a 1 in 1,000 annual probability of river flooding), as such the Environment Agency did not need to be consulted in relation to the application and Standing Advice applies. The vulnerability classification of the proposed use of the site in flood risk terms is 'more vulnerable', the existing use of the site also falls within the 'more vulnerable' category. A Flood Risk Assessment (FRA) has been submitted to support the application.

The FRA confirms that the main risk of flooding comes from the River Trent, with large areas of Burton protected from flooding by defences. The FRA considers mitigation in terms of floor levels, and flood resistance and resilience measures. The floor levels within the premises are considered to be appropriate to mitigate the risk and flood resistance and resilience measures are not considered to be necessary in this instance due to the finished floor levels of the premises.

The FRA further confirms that the site is at low risk from surface water flooding and the proposed development is not expected to increase the risk of flooding elsewhere.

The applicant is advised to sign up to the free flood warning service provided by the Environment Agency which offers a minimum 30 minute lead time before the onset of flooding at the site. This is recommended to be added as an informative to the applicant.

It is also noted that the use of the rooms within the building would largely remain the same, with sleeping accommodation at both ground and first floors.

The proposal is therefore considered to be acceptable in flood risk terms and complies with Policies SP1 and SP27 of the Local Plan, the Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

### **Highways Matters**

The access to the site is as existing and is proposed to remain in its current form. The applicant has confirmed that it is likely that 2-3 car parking spaces will be in

use at any one time by care staff which leaves 1-2 spaces free for visitors. Staff change overs may see higher levels in parking, however, the applicant has confirmed that there are bus stops in close proximity to the site with Victoria Crescent being situated on a bus route, and staff are encouraged to use sustainable modes of transport. Furthermore the site is sustainably located and in walking distance of shops, services, and recreational uses. The existing two storey building to the rear boundary of the site which is in use as two flats currently has no off-street parking and this situation is not proposed to change.

The Highway Authority have been consulted on the development and have raised no objections to the use on the basis that the proposed development will be similar or less than would be associated with the two HMOs and the previous use as two dwellinghouses.

The premises are in use as HMOs and are licenced for 15 occupants in total. It is noted that there are 12 bedrooms in total, with some of the bedrooms capable of accommodating couples in line with the licence for 15 occupants; this results in the potential for 15 vehicles associated with the HMO use. The previous use was as two dwellinghouses, one with 2 bedrooms and one with 4 bedrooms on the first floor; based on the Council's Car Parking SPD the dwellinghouses would have required 5 car parking spaces in total and based on the Policy HE5 of the Horninglow and Eton Neighbourhood Plan 6 car parking spaces would have been required.

The submitted drawings indicate that vehicles are able to park within the site and turn safely in order to exit the site in a forward gear.

Given that the existing use of the premises has the potential for all occupants to have access to vehicles, and the future occupiers of the proposed apartments are highly unlikely to have access to vehicles, with 2-3 care staff on site at any one time, and in light of the Highway Authority's comments, it is considered that there will be no significant increase in parking demand as a result of the proposals and no adverse impact to highway safety.

A secure cycle store is proposed to the rear of the premises, details of which are recommended to be secured via condition.

Therefore it is considered that the use does not adversely affect highway safety and the proposal complies with Policies SP1 and SP35 of the Local Plan, the objectives of Policy HE5 of the Horninglow and Eton Neighbourhood Plan, the objectives of the Parking Standards SPD and the National Planning Policy Framework.

### **Ecology**

The site is currently made up of buildings with the outdoor areas being formed of paving slabs and gravel and therefore a Preliminary Ecological Appraisal was not required to support the application. The extensions proposed within the site would replace existing conservatories, and the site would largely remain in its current form, therefore it is considered that there will be no significant adverse impact to protected species.

It is, however, considered that there is scope within the site for ecological enhancement measures in the form of bird and bat boxes and therefore a condition is recommended for these to be provided prior to the first occupation of the premises.

In light of the above, it is considered that the proposed would comply with Policy SP29 of the Local Plan and the National Planning Policy Framework.

### **Planning Officer's response to Parish**

In terms of the fire safety concerns raised by the neighbours, the Fire Service have confirmed that they do not usually comment on Planning Applications, however,



<b>Council and Neighbour comments</b>	should permission be granted they would be consulted at Building Regulations stage, and it is at this point that they would be required to carry out a fire risk assessment to deal with how the use of the building will be managed in fire risk terms.
<b>Conclusion</b>	Accordingly, having regard to the above it is considered that the use of the premises is acceptable and accords with Policies SP1, SP2, SP4, SP16, SP24, SP27, SP29, SP35, DP1, DP3 and DP7 of the Local Plan, Horninglow and Eton Neighbourhood Plan Policy and the relevant guidance set out in the National Planning Policy Framework.
<b>Engagement</b>	During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraph 38 of the National Planning Policy Framework.
<b>Section 106 required?</b>	No
<b>Recommended condition(s)</b>	<p><b>1: Time Limit - 3Yr Standard</b></p> <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p><b>2: Approved Plans</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:</p> <p>Drawing No.s:</p> <p>50706-2022-BG-01, 1:1250 Location Plan dated as received on 27<sup>th</sup> February 2023</p> <p>50706-2022-BG-02A, 1:500 Existing Site Layout and 1:100 Existing Elevations, Floor Plans and Roof Plan dated as received on 10<sup>th</sup> March 2023</p> <p>50706-2022-BG-03A, 1:500 and 1:250 Proposed Site Layout and 1:100 Proposed Elevations, Floor Plans and Roof Plan dated as received on 27<sup>th</sup> February 2023</p> <p>Floor Risk Assessment by RAB Consultants Limited Ref: February 2023 Version 1.0 3096, dated as received on 27<sup>th</sup> February 2023.</p> <p>Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP4, SP16, SP24, SP27, SP29, SP35, DP1, DP3 and DP7, Horninglow and Eton Neighbourhood Plan Policy HE5, the East Staffordshire Design Guide, the Separation Distances and Amenity SPD, the Housing Choice SPD, the Parking Standards SPD and the National Planning Policy Framework.</p>

### **3: Noise Assessment**

Prior to the first occupation of any of the residential units hereby granted permission noise mitigation measures shall be installed in accordance with a scheme that shall have first have been submitted to and approved in writing by the Local Planning Authority. The measures shall ensure compliance with the recommended indoor noise limit of BS 8233:2014 Guidance on sound insulation and noise reduction for buildings. Once provided the approved measures shall thereafter be retained for the life of the development.

Reason: In the interests of the amenity of future occupiers of the residential units in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

### **4: Contaminated Land (During Construction)**

If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

### **5: Provision of Cycle Storage Facilities**

Prior to the first occupation of any of the residential units hereby granted permission, details of covered and secure cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided within the site prior to the first occupation of the residential units and thereafter retained and maintained as available for the life of the development.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Horninglow and Eton Neighbourhood Plan Policy HE5, the Parking Standards SPD and the National Planning Policy Framework.

### **6: Use Restricted to that applied for**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall relate to the use of the premises as Class C3(a) dwellinghouses with care for a maximum of 5 occupiers, as described in the application and for no other purpose (including any other use within Class C3).

Reason: To ensure the future use of the premises does not adversely affect the amenities of occupiers of adjoining properties and the locality in general and in the interests of highway safety, in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP35, DP1 and DP7, Horninglow and Eton Neighbourhood Plan Policy HE5 and the National Planning Policy Framework.

### **7: Parking Spaces**

Prior to the first use of the premises for the use hereby approved the four car parking spaces shown on the approved plans listed under Condition 2 above, shall be provided and retained as available for their designated purposes at all times for the life of the development.

Reason: In the interests of the safe and efficient use of the adjoining highway and to mitigate on-street car parking in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Horninglow and Eton Neighbourhood Plan Policy HE5, the Parking Standards SPD and the National Planning Policy Framework.

### **8: Ecological Enhancement Measures**

Prior to the first occupation of the development hereby approved two bat and two bird boxes shall be provided within the site and shall be retained and maintained for the life of the development.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29, Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

### **Recommended informative(s)**

#### **1: During development Conditions**

The conditions identified below require details to be approved during the development.

Condition Nos. 3 and 5

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or online card payment only.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

#### **2: Ecological Responsibilities**

The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

#### **3: Environment Agency**

The applicant is advised to sign up to the floor warning service operated by the Environment Agency. For further details please visit <https://check-for-flooding.service.gov.uk/alerts-and-warnings>.

#### **4: Engagement (Proactive)**

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

**Officer Details**

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