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Meeting	PLANNING COMMITTEE
Time/Day/Date	6.00 pm on Tuesday, 6 August 2024
Location	Forest Room, Stenson House, London Road, Coalville, LE67 3FN
Officer to contact	Democratic Services (01530 454512)

AGENDA

Item		Pages
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATION OF INTERESTS	
	Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest.	
3.	MINUTES	
	To confirm and sign the minutes of the meeting held on 10 June 2024.	3 - 6
4.	PLANNING APPLICATIONS AND OTHER MATTERS	
	Report of the Head of Planning and Infrastructure.	7 - 10

Index of Applications to be Considered

Item	Application Number and Details	Recommendation	Page
A1	24/00203/FUL: Erection of an outbuilding consisting of a games/play room, bedroom, office, garden storage and shower room	Permit	11 - 22

7 Garden Crescent, Castle Donington, Derby

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 10 July 2024

Present: Councillor R Boam (Chair)

Councillors R L Morris, D Bigby, M Burke, D Everitt, J Legrys, P Moulton, J G Simmons, N Smith, M B Wyatt (Substitute for Councillor R Canny) and D Cooper (Substitute for Councillor C A Sewell)

Officers: Mr C Elston, Mr D Jones, Mr S James, Mr A Mellor and Mrs R Wallace

7. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Canny and C Sewell.

8. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillors D Bigby and D Cooper declared a registerable interest in item A1 – application number 23/01153/FULM, as Ashby Town Councillors.

During discussion on item A1 – application number 23/01153/FULM, Councillor N Smith declared a Disclosable Pecuniary Interest as the owner of a business in Ashby Town Centre. He left the meeting at that point and did not take part in any further discussion or voting thereon.

Members declared that they had been lobbied without influence in respect of the following application but had come to the meeting with an open mind.

Item A1 – application number 23/01153/FULM: Councillors R Boam, D Bigby, D Cooper, D Everitt, J Legrys, R Morris, P Moulton and N Smith.

9. MINUTES

Consideration was given to the minutes of the meeting held on 4 June 2024.

It was moved by Councillor R Morris, seconded by Councillor J Simmons and

RESOLVED THAT:

The minutes of the meeting held on 4 June 2024 be approved and signed by the Chair as a correct record.

10. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Head of Planning and Infrastructure, as amended by the update sheet circulated at the meeting.

11. 23/01153/FULM: ERECTION OF NEW LIDL FOODSTORE (USE CLASS E) WITH CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS

Ashfield House, Resolution Road, Ashby De La Zouch

Officers recommendation: Permit subject to conditions and the securing of a Section 106 Agreement.

The Principal Planning officer presented the report to Members.

As the application had been previously considered and deferred by the Committee on 4 June 2024, in accordance with the guidance, there were no speakers.

In determining the application Members discussed the possible impact on an already congested highway infrastructure and some Members were not happy with the limited highway mitigation proposals from the applicant and supported by Leicestershire County Council Highways. It was also suggested that a full highway assessment be undertaken rather than relying on assumptions. Further discussion was had on the suitability of the site and some Members felt that alternative sites should be properly investigated as the sequential test undertaken by the applicant was not adequately applied. Following further debate on alternative sites, the Planning and Development Team Manager reminded Members that it was not the Planning authority's responsibility to look for alternative sites and advised the Committee to only consider the application in front of them.

Members had a further debate on highway impact, and several declared they would not support the application. The Head of Planning and Infrastructure confirmed that extensive discussions with the Highway Authority had been undertaken and they had no objections, therefore a refusal on highway grounds would be difficult to defend at appeal. In response to a member comment about the content of the report, the Head of Planning and Infrastructure advised the Committee that he felt the report was well balanced and a proper assessment of all the issues had been fully carried out.

During discussions both for and against the proposals, Members referred to the possible affect the development would have on the nearby town centre and the potential loss of business. At this point, Councillor N Smith declared a disclosable pecuniary interest as a business owner in Ashby Town Centre, and left the meeting for the remainder of the item and did not take part in any further discussions or voting thereon.

The officer's recommendation to permit the application was moved by Councillor R Morris and seconded by Councillor R Boam.

The Chair put the motion to the vote. A recorded vote being required, the voting was as detailed below.

The result of the vote was tied, therefore in accordance with the Council's Constitution, the Chair exercised his second and casting vote.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Infrastructure.

Motion to permit the application in accordance with the officer's recommendations (Motion)	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	Against
Councillor Morgan Burke	For
Councillor David Everitt	Against
Councillor John Legrys	Against
Councillor Peter Moulton	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	No vote recorded
Councillor Michael Wyatt	For
Councillor Doug Cooper	Against
Councillor Russell Boam	For (Casting Vote)
Carried	

Councillor N Smith left the meeting at 6.35pm.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 6.38 pm

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APPENDIX B

**Report of the Head of Planning and Infrastructure
to Planning Committee**

6 August 2024

PLANNING & DEVELOPMENT REPORT

PLANNING COMMITTEE FRONT SHEET

1. Background Papers

For the purposes of Section 100(d) of the Local Government (Access to information Act) 1985 all consultation replies listed in this report along with the application documents and any accompanying letters or reports submitted by the applicant, constitute Background Papers which are available for inspection, unless such documents contain Exempt Information as defined in the act.

2. Late Information: Updates

Any information relevant to the determination of any application presented for determination in this Report, which is not available at the time of printing, will be reported in summarised form on the 'UPDATE SHEET' which will be distributed at the meeting. Any documents distributed at the meeting will be made available for inspection. Where there are any changes to draft conditions or a s106 TCPA 1990 obligation proposed in the update sheet these will be deemed to be incorporated in the proposed recommendation.

3. Expiry of Representation Periods

In cases where recommendations are headed "Subject to no contrary representations being received by [date]" decision notices will not be issued where representations are received within the specified time period which, in the opinion of the Head of Planning and Infrastructure are material planning considerations and relate to matters not previously raised.

4. Reasons for Grant

Where the Head of Planning and Infrastructure report recommends a grant of planning permission and a resolution to grant permission is made, the summary grounds for approval and summary of policies and proposals in the development plan are approved as set out in the report. Where the Planning Committee are of a different view they may resolve to add or amend the reasons or substitute their own reasons. If such a resolution is made the Chair of the Planning Committee will invite the planning officer and legal advisor to advise on the amended proposals before the a resolution is finalised and voted on. The reasons shall be minuted, and the wording of the reasons, any relevant summary policies and proposals, any amended or additional conditions and/or the wording of such conditions, and the decision notice, is delegated to the Head of Planning and Infrastructure.

5. Granting permission contrary to Officer Recommendation

Where the Head of Planning and Infrastructure report recommends refusal, and the Planning Committee are considering granting planning permission, the summary reasons for granting planning permission, a summary of the relevant policies and proposals, and whether the permission should be subject to conditions and/or an obligation under S106 of the TCPA 1990 must also be determined; Members will consider the recommended reasons for refusal, and then the summary reasons for granting the permission. The Chair will invite a Planning Officer to advise on the reasons and the other matters. An adjournment of the meeting may be necessary for the Planning Officer and legal Advisor to consider the advice required

If The Planning Officer is unable to advise at Members at that meeting, he may recommend the item is deferred until further information or advice is available. This is likely if there are technical objections, eg. from the Highways Authority, Severn Trent, the Environment Agency, or other Statutory consultees.

If the summary grounds for approval and the relevant policies and proposals are approved by resolution of Planning Committee, the wording of the decision notice, and conditions and the Heads of Terms of any S106 obligation, is delegated to the Head of Planning and Infrastructure.

6 Refusal contrary to officer recommendation

Where members are minded to decide to refuse an application contrary to the recommendation printed in the report, or to include additional reasons for refusal where the recommendation is to refuse, the Chair will invite the Planning Officer to advise on the proposed reasons and the prospects of successfully defending the decision on Appeal, including the possibility of an award of costs. This is in accordance with the Local Planning Code of Conduct. The wording of the reasons or additional reasons for refusal, and the decision notice as the case is delegated to the Head of Planning and Infrastructure.

7 Amendments to Motion

An amendment must be relevant to the motion and may:

1. Leave out words
2. Leave out words and insert or add others
3. Insert or add words

as long as the effect is not to negate the motion

If the amendment/s makes the planning permission incapable of implementation then the effect is to negate the motion.

If the effect of any amendment is not immediately apparent the Chairman will take advice from the Legal Advisor and Head of Planning and Infrastructure/Planning and Development Team Manager present at the meeting. That advice may be sought during the course of the meeting or where the Officers require time to consult, the Chairman may adjourn the meeting for a short period.

Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of. The amendment must be put to the vote.

If an amendment is not carried, other amendments to the original motion may be moved.

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendment, or if there are none, put it to the vote.

8 Delegation of wording of Conditions

A list of the proposed planning conditions are included in the report. The final wording of the conditions, or any new or amended conditions, is delegated to the Head of Planning and Infrastructure.

9. Decisions on Items of the Head of Planning and Infrastructure

The Chairman will call each item in the report. No vote will be taken at that stage unless a proposition is put to alter or amend the printed recommendation. Where a proposition is put and a vote taken the item will be decided in accordance with that vote. In the case of a tie where no casting vote is exercised the item will be regarded as undetermined.

Erection of an outbuilding consisting of a games / play room,
bedroom, office, garden storage and shower room

Report Item No
A1

7 Garden Crescent Castle Donington Derby DE74 2PL

Application Reference
24/00203/FUL

Grid Reference (E) 444942
Grid Reference (N) 327289

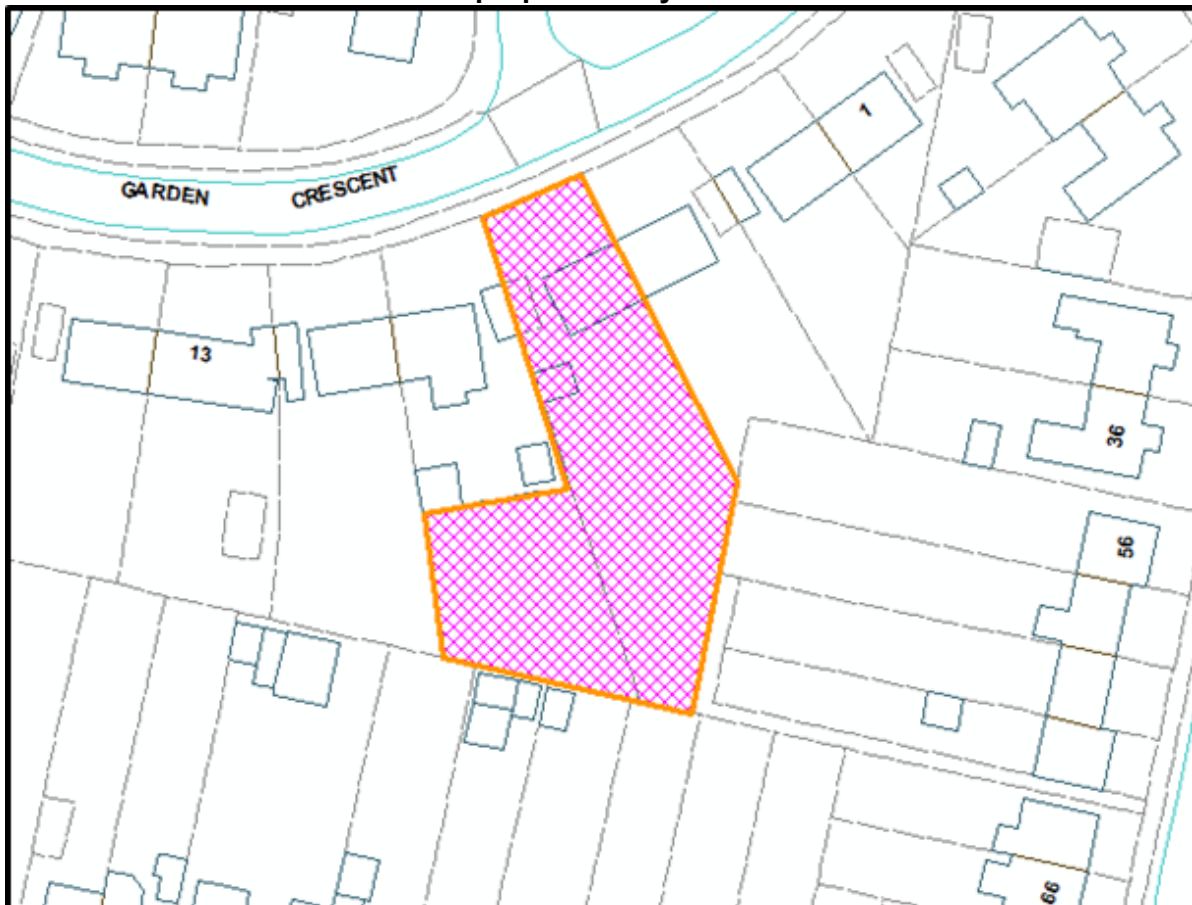
Date Registered:
12 February 2024
Consultation Expiry:
5 August 2024
8 Week Date:
8 April 2024
Extension of Time:
19 April 2024

Applicant:
Ms Deborah Pickering

Case Officer:
Sarah Booth

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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Reason the case is called to the Planning Committee:

The application is brought to Planning Committee because the Director of Place has requested this due to concerns regarding residential amenity and over development of the site.

RECOMMENDATION - PERMIT, subject to the following condition(s):

- 1 Standard time limit (3 years)
- 2 Approved Plans
- 3 Materials – in accordance with details submitted in the application.
- 4 The building to remain ancillary to main dwelling and only occupied by a family member.

The mandatory requirement for 10% Biodiversity Net Gain (BNG) for minor development as required by the Environmental Bill was enacted on the 2nd April 2024. However, this requirement would only be applicable to those applications received on or after the 2nd April 2024 and is not to be applied retrospectively to those applications already under consideration before this date and subsequently determined after this date. Furthermore, this requirement is not applicable to householder applications, such as this, which fall within the exempt ‘Others’ category of development. On this basis the proposed development would not be required to demonstrate a 10% BNG. Notwithstanding this, Paragraphs 180(d) and 186(d) of the NPPF set out a requirement for developments to minimise their impacts on and provide net gains for biodiversity.

1. Proposals and Background

Planning permission is sought for the erection of a domestic outbuilding consisting of a games / play room, bedroom, office, garden storage and shower room. The building would be sited within the rear garden of No.7 Garden Crescent, Castle Donington and would be used as an ancillary building to the main dwelling. The applicant proposes that only a family member would occupy the proposed bedroom.

A lawful development certificate (22/01946/CLP) was approved in March 2023 for erection of a garden building within the existing residential curtilage to provide a garage, workshop, garden storage, home office and home gym with a shower room. It was determined that the development proposed in that application did not require planning permission as it would fall within permitted development.

An outbuilding is currently under construction on site. The building has undertaken some design changes since the 22/01946/CLP certificate application was permitted. Whilst the size, footprint and height of the building in this current application (24/00203/FUL) would normally constitute permitted development within the curtilage of a dwelling, the current proposal would nevertheless still require planning permission for the reasons set out in more detail below.

It is important to highlight that another certificate (23/01623/CLP) was submitted in December 2023 for an outbuilding and this application was refused. There were two reasons for the refusal, the first being that this application would have been within 2 metres of a neighbouring boundary and as such the proposal had exceeded the maximum height allowed under permitted development (2.5 metres). The second reason was that a bedroom was proposed within the outbuilding and in that circumstance a bedroom would require planning permission because this would not be an incidental use of the building and therefore would not fall under permitted development in that case.

For the avoidance of doubt, the current application would be at least 2 metres from all neighbouring boundaries (as shown on the site plan below), in this circumstance a building can be built up to 4 metres in height without requiring planning permission.

Amended plans have been received during the course of the application to include some design changes to the development. The south facing elevation now includes a gable end and some windows and door alterations have been made to all of the elevations.

Proposed Site Plan:



Whilst the design has marginally altered, the current planning application would be the same footprint and height as the approved certificate 22/01946/CLP and it would be sited in the same location. The built form proposed in the current application would not require planning permission. The only aspect in the current application which requires permission is the use of one of the rooms for a bedroom.

It is proposed that the building would be used as an ancillary building to No.7 Garden Crescent and would be occupied by a family member.

Precise details and measurements of the proposal are available to view on the submitted plans.

Planning History

23/01623/CLP Certificate of lawful proposed development for erection of a garden building within the existing residential curtilage to provide garden storage, home office, shower room, games/play room and bedroom for use by a family member as an annexe form of accommodation REF 18.01.2024

22/01946/CLP Certificate of lawful proposed development for erection of a garden building within the existing residential curtilage to provide garage, workshop, garden Storage, home office and home gym with shower room PER 14.03.2023

22/01945/FUL Proposed two storey and single storey rear extensions and front porch PER 09.10.2023

22/00001/REFUSE Erection of bungalow (outline - access only) DISMIS 10.06.2022

21/00889/OUT Erection of bungalow (outline - access only) REF 08.07.2021

20/00881/OUT Erection of detached dwelling and garage (outline- access only) REF 23.07.2020

16/00325/PDNLHE Erection of single storey conservatory to the rear measuring 4.34 metres in length, with a maximum height of 3.43 metres and an eaves height of 2.40 metres NOBJ 15.04.2016
 15/00145/OUT Erection of one detached dwelling and garage (Outline- means of access included). REF 13.05.2015
 15/00011/REFUSE Erection of one detached dwelling and garage (Outline- means of access included). DISMIS 05.01.2016

2. Publicity

21 Neighbours have been notified.
 Site Notice displayed 1 March 2024.

3. Summary of Consultations and Representations Received

Castle Donington Parish Council – Object due to intensive use of the site.

Airport Safeguarding – no objections.

Third Party Representations

6 letters of neighbour representations have been received, raising objections on the following grounds:

Grounds of Objection	Description of Impact
Principle	There have been other applications refused at this site.
	Planning Inspectors have refused development on this site previously.
	There is no “need” for this additional space.
Residential amenity	Loss of privacy.
Design / Scale / Visual Impact	Overdevelopment of the site
Environmental matters	Noise
	Fumes
	Disturbance
	Disturbance from construction
	Dust
Ecology	Loss of ecological habitats / Impact on wildlife
Other	The building will be used as a bungalow.

	By allowing the provision of a bedroom in this application it will encourage it to be used as a separate dwelling.
	Setting a precedent for future development / neighbouring development.

4. Relevant Planning Policy

National Planning Policy Framework (2023):

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

Adopted North West Leicestershire Local Plan (2021)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

- S2 - Settlement Hierarchy
- D1 - Design of New Development
- D2 - Amenity
- IF4 - Transport Infrastructure and New Development
- IF7 - Parking Provision and New Development
- En1 - Nature Conservation
- Cc2 - Water - Flood Risk
- Cc3 – Sustainable Drainage Systems

Other Policies/Guidance

- Planning Practice Guidance
- Good Design for North West Leicestershire SPD - April 2017
- National Design Guide - October 2019
- Leicestershire Highway Design Guide (Leicestershire County Council)

5. Assessment

Principle of Development

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2021).

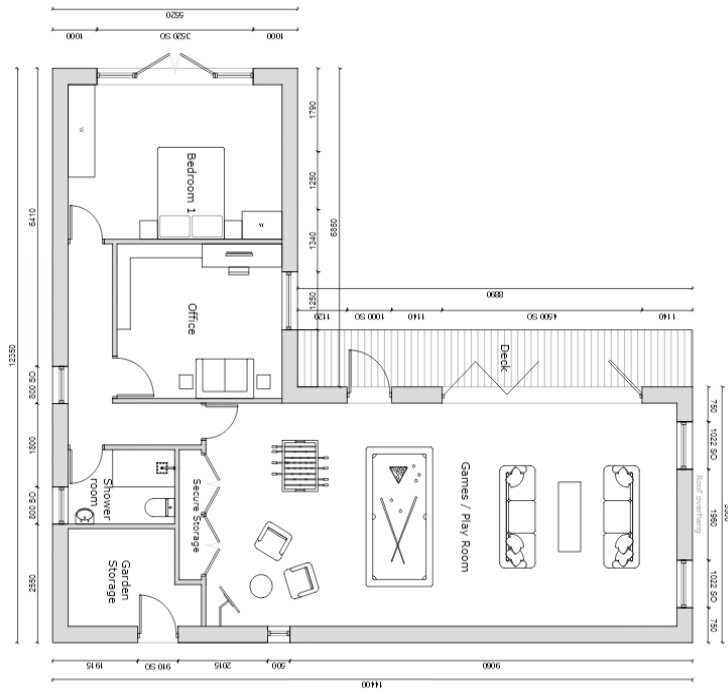
Some neighbour objections have been received with regard to the principle of the development and some raise concerns that there is no need for this development. As the application site is within limits to development and the proposal is of domestic scale and use, there are no policy requirements for the applicant to demonstrate a “need” for this development.

The site is located within Limits to Development as defined by the adopted Local Plan, and the Neighbourhood Plan where the principle of extensions to existing dwellings are acceptable, subject to all other planning matters being addressed.

Design and Impact upon Character

The application comprises the erection of an outbuilding in the garden of No.7 Garden Crescent which would be an 'L' shaped building with a gable roof design. It is proposed that this would be constructed in a combination of timber cladding, render and plain grey roof tiles. The proposed floor plan and elevations are shown below.

Proposed Floor Plan:



Proposed Elevations:



The Parish Council and Neighbours have raised concerns that the proposal would result in overdevelopment of the site. It is important to note that a previously approved certificate of lawful development (22/01946/CLP) demonstrated that an outbuilding of the same footprint, height, scale and location as this application could be built in the garden without the need for planning permission.

If this application was refused, it is important to highlight that a building of this height and size could still be constructed without the need for planning permission. Furthermore, this would not change the status that the development approved under application 22/01946/CLP remains to be permitted development.

Outbuilding being constructed on site:



The applicants have decided to include a bedroom within this building, for which permission is required. Given that the built form of the building would be permitted development, the bedroom is the only matter in this application that results in planning permission being required.

Notwithstanding the above, with regard to neighbour concerns, it is noted that this development, combined with some approved extensions to the original dwelling (22/01945/FUL) still retain at least 50% of the current garden space. As such there would still be sufficient garden space to match the footprint of the original property in accordance with the Council's Good Design Guide. As such the combined impact is not considered to result in overdevelopment and would not be harmful.

Therefore, the development is considered to be compliant with D1 of the Local Plan, the Council's Good Design SPD and the advice contained within the NPPF and as explained above, an outbuilding of the size and height proposed, without the bedroom, is permitted development and as such would not need planning permission in any case for its construction.

Residential Amenities

Policy D2 of the Local Plan (2021) requires that proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it.

Neighbours have raised concerns with regard to loss of privacy and impacts on residential amenity, this will be considered in the section below.

Aerial view of the site:



The residential dwellings most immediately impacted upon by the proposal would be No's 9 and 11 Garden crescent to the north-west of the building, No.5 Garden Crescent to the North-east, No's 56, 58, 60 and 62 Moira Dale to the east of the site and No's 33 35, 37, 39 and 41 Eastway to the south of the site. Although it is appreciated that other properties could see the development from further away due to the open gardens in this location.

View looking North towards No's 5, 7 and 9 Garden Crescent:



South elevation of building showing distance to boundary with neighbours on Eastway:



Whilst this development would be sited near to neighbours' rear boundaries the neighbouring properties on both Eastway and Moira Dale (but at least 2 metres away) have long gardens and as such the outbuilding would have an approximate separation distance of at least 30 metres from neighbouring dwellings. As such it is not considered that this proposal would result in any detrimental impacts on these neighbouring dwellings.

The development would also be at least 6 metres from the neighbouring property boundaries for No's 5, 9 and 11 Garden Crescent, with there being at least 16 metres from the nearest neighbouring dwelling. On the basis of these distances it is not considered that the development would result in any harmful overbearing, overlooking or overshadowing impacts.

Owing to the above mentioned separation distances the 45 degree code of practice would not be breached by this development. Whilst there may be some impacts to neighbouring gardens to the south of the development, due to the direction of sunlight, these impacts would be limited and would only affect small areas. It is also important to emphasise again that should the bedroom element of the scheme be removed, the building could be constructed under permitted

development, in any case and as such its impact on any neighbouring occupiers cannot be considered in that situation.

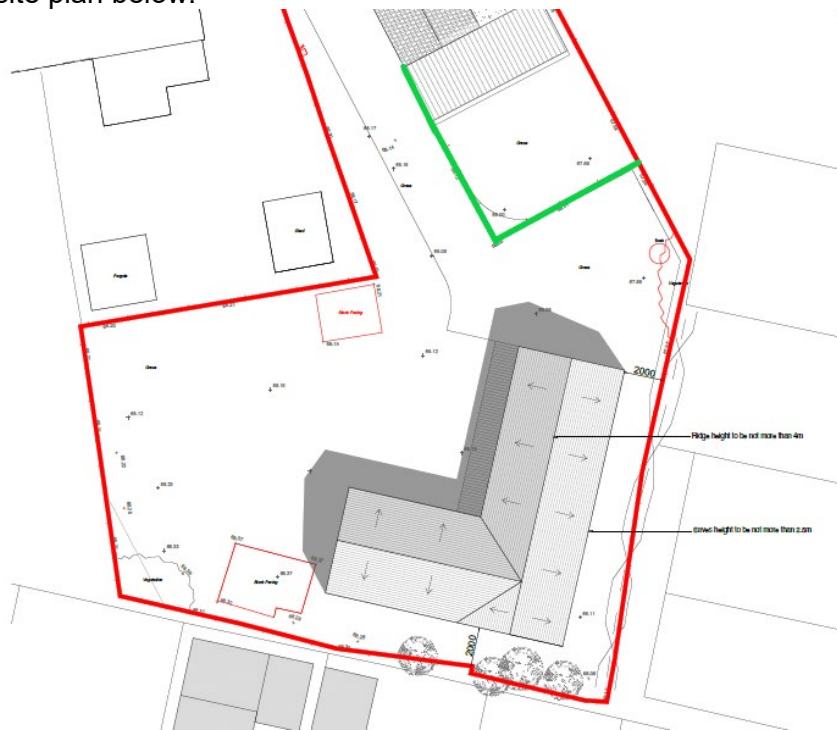
In addition to the above, the building would be single storey in height and all windows are at ground floor level and are screened from neighbouring properties by existing boundary fences / hedges.

Neighbours have raised concerns with regard to noise, fumes, dust and disturbance from construction. The construction of the development is a temporary part of any development project. In this case no objections have been received from the Council's Environmental Protection team with regard to these concerns raised by residents. The impacts arising from the construction of this minor development would therefore not be significantly adverse to the amenities of existing properties. If a statutory nuisance issue was to arise then the Council's Environmental Protection team would be able to address this matter under separate legislation.

Neighbours have also objected to this application on the basis of past refusals for a dwelling on this site. There is speculation that the building could be used as a separate dwelling. It is important to highlight that planning permission would be required to use the building as a separate dwelling, therefore such a development would need to be assessed by the Local Planning Authority under a separate application process. In the case of this application, the applicant proposes that only a family member would occupy the proposed bedroom and the building would be ancillary to the use of the main dwelling. Officers are of the opinion that this should not preclude the occasional visit from family friends, but the primary occupants would be family members.

It is recommended that any permission should be conditioned so that the development can only be used as an ancillary building to the main dwelling and should only be occupied by family members. The applicant is agreeable to such a condition. This condition would therefore control the use of the building and the Council's enforcement team could investigate and serve any necessary enforcement notices if any potential breaches occur in the future.

It is noted that there is currently a fence which sections off the immediate garden of No. 7 Garden Crescent from the outbuilding and the rest of the garden for No.7. This is highlighted in green in the site plan below:



This fence was in place whilst the property was tenanted however the site will now be occupied by the applicant and would no longer appear to be required (and could, it is considered, inhibit connectivity between the outbuilding and the host dwelling). Nevertheless, permitted development rights exist which allow for the erection of fencing of this type in locations such as this, and there would normally be no reason why a householder could not erect means of enclosure within their garden subject to the usual permitted development criteria. As such, whilst the fence would now appear unnecessary, it is not recommended to attach a condition requiring its removal.

The objections raised by the neighbours have been taken into consideration, however it is considered that the proposal will not have any detrimental effects on residential amenity and there is no justification that would warrant refusal of this application. There would not be any harmful impacts on the amenities of neighbours in terms of overlooking, overbearing or overshadowing and as such the development would accord with Policy D2 of the adopted Local Plan and the aims of the NPPF

Highway Safety

Policy IF4 of the Local Plan (2021) requires that development takes account of the impact upon the highway network and the environment, including climate change, and incorporates safe and accessible connections to the transport network to enable travel choice, including by non-car modes, for residents, businesses and employees. Policy IF7 of the Local Plan (2021) requires that development incorporate adequate parking provision for vehicles and cycles in order to avoid highway safety problems and to minimise the impact upon the local environment.

The proposed development would increase the number of bedrooms on site to 4 bedrooms in total which would require 3 parking spaces to be provided on site. The existing site is capable of

providing at least three spaces and as such this would accord with the County Councils Highways Design Guide.

There would be no changes to the existing access because of this application.

The proposal is therefore considered to be acceptable in relation to Policies IF4 and IF7 of the adopted Local Plan as well as the Leicestershire Highway Design Guide

Ecology

Neighbours have raised concerns with the loss of ecological habitats and impact on wildlife on the application site.

The mandatory requirement for 10% Biodiversity Net Gain (BNG) for small sites as required by the Environmental Bill came into force on 2 April 2024. However, this requirement is only applicable to planning applications classed as minors (one dwelling and above) and does not apply to householder applications which fall within the exempt 'Others' category of development.

The development is located within a swift alert area. Given the limited scale of the development and that a similar building could be constructed without the need for planning permission, it is not considered reasonable to insist on any mitigation for swifts in this instance. Conditions that would be unreasonable would fail the six tests for conditions as per the NPPF and therefore would not be acceptable.

It is noted that there are no existing trees or hedges within the application site therefore no habitat will be lost in this respect. Furthermore, there are no protected species identified on the application site and therefore there's no considered to be any harmful impact on protected species. The application would therefore accord with Policy En1 of the adopted Local Plan.

Other

Objections have been received stating that other applications have been refused at this site and neighbours consider that this application should too. It is important to note that previously refused applications have been for dwellings which are materially different from this application for an ancillary outbuilding. As such those other reasons for refusal do not apply to the current application.

Some neighbours have concerns that this development would be setting a precedent for future development or other neighbouring development. Each application is assessed on its own merits and as such, whilst one application for a development may be acceptable in one location, this does not guarantee approval on another site.

Conclusion

The principle of the development is acceptable and it must also be remembered that the structure as shown in the plans is permitted development without the bedroom element which is now proposed. The proposal is not considered to have any detrimental design, residential amenity, ecology, or highway impacts. There are no other relevant material planning considerations that indicate that planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan and the advice in the NPPF. Accordingly, the application is recommended for planning permission, subject to the suggested planning conditions.