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Application No: Y18/0906/FH
Location of Site: Dance Easy Studio 19 The Bayle Folkestone Kent CT20 1SQ

Development: The erection of a three-storey block of six self-contained flats plus accommodation in the roofspace, including a new community room to the ground floor, together with the provision of a rear refuse store, following demolition of the existing dance hall and garage (Resubmission of planning application No.Y16/1391/SH).

Applicant: Mrs Christine Charlier

Agent: Mr Stuart Ingleston

Date Valid: 19.07.2018

Expiry Date: 13.09.2018

PEA Date:

Date of Committee: 29.10.2019

Officer Contact: David Campbell

SUMMARY

The demolition of the building and its replacement with a residential development has been granted planning permission on a number of previous occasions. More recently application Y16/1391/SH was refused as it was considered that the loss of the community use had not been addressed, the proposed building design was inappropriate, and that proposed north facing windows would result in harmful overlooking. Under the current application, a replacement community facility is proposed, the building design has been amended and is now considered to be appropriate, and the proposed north-facing side windows are to be obscure glazed.

RECOMMENDATION: That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

1.0 THE PROPOSAL

1.1 It is proposed that the existing dance hall building and garage be demolished, and be replaced with a three-storey building plus accommodation in the roof. The building would comprise a ground floor community room to the front of the building with a one bedroom flat to the rear, two No. two-bedroom flats at

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first and second floors and a one-bedroom flat at roof level, creating 6 flats in total.

- 1.2 The proposed building is of traditional design style, with a painted render finish, and a plain clay tiled hipped roof, with central flat roofed section. Timber framed sliding sash windows are proposed. To the front roof slope two roof dormers are proposed, with four rooflights to the rear. A rear balcony is proposed across the building at first floor level, split into two areas and accessed by timber framed glazed doors from the living rooms of the first floor flats. An obscure glazed privacy screen to a height of 1.8 metres is proposed to the rear of the balcony, with solid walls to the side of the balcony.
- 1.3 To the rear curtilage of the building a refuse store is proposed, flanked by brick wall enclosures, along with access to the proposed flats and an internal cycle store. A small patio is proposed to serve the ground floor flat, accessed by timber framed glazed doors. A walkway access across the rear of the site would be maintained. Access to the rear of the building from The Bayle is via the access to St. Eanswythe's School alongside the site to the north.
- 1.4 During the course of the application, following comments from the Heritage Consultant, the building design has been revised. The proposed roof dormers have been set further down from the ridge of the roof, arch details have been introduced above the ground floor front windows, the ground floor front windows have been moved up slightly, the doorhead has been raised up from the soffit of the front doorway, and a rusticated finish has been introduced to the render to the front of the building at ground floor level.

2.0 SITE DESIGNATIONS

2.1 The following apply to the site:

- Within the settlement boundary
- Folkestone Conservation Area
- Within the setting of Grade II listed buildings (Nos. 5-13 The Bayle and Nos. 30-40 The Bayle)
- Folkestone Town CPZ (permit / pay and display parking 8am-6pm every day)
- Area of identified archaeological interest
- Asset of Community Value (added to list 12/05/2017)

3.0 LOCATION AND DESCRIPTION OF SITE

3.1 The application relates to the 'Dance Easy Studio' located on The Bayle, in the centre of Folkestone Town. The premises is a single storey building

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located upon the west side of the street approximately mid-way within the Bayle. The site gently rises to the west. Located adjacent to the north is the four-storey block of flats 'Glendale', to the south is three storey terraced residential development, to the rear is a small garage and St Eanswythe's School Playground, and opposite is the Bayle pond and three storey terraced properties. There is an access to the school playground immediately alongside the site to the north. The application site is within the Folkestone Conservation Area, it is also within an area of identified archaeological interest.

- 3.2 The existing building dates from the 1930's, originally operating as a traditional dance hall. The building is positioned in line with adjacent properties and addresses the street scene, sited upon the back edge of the pavement. The existing building is built of red brick with a parapetted flat roof and has a certain architectural quality, with a unified painted masonry cill line and cornice fascia linking the windows which appear to be old timber replacement windows with top hung vents. The building was previously used as a local entertainment venue as well as a venue for a variety of social and community events including dance, yoga and comedy. On this basis, the building was added to the list of Assets of Community Value 12/05/2017. The building is currently unused / vacant.
- 3.3 On the same side of the street as the application property, Nos. 5-13 The Bayle are Grade II listed buildings. On the opposite side of the street, Nos. 30-40 The Bayle are also Grade II listed.

4.0 RELEVANT PLANNING HISTORY

- 4.1 **Y16/1391/SH:** Erection of a three-storey block of six self-contained flats, together with the erection of a detached cycle and refuse bin store, following demolition of the existing dance hall & garage. Refused.

Y11/0063/SH: Extension to the time limit of planning permission Y06/1454/SH for the erection of a three-storey block of 6 self-contained flats, together with the erection of a detached cycle and refuse bin store, following demolition of existing dance hall and garage. Approved with conditions.

Y07/1462/SH: Erection of a three storey block of five self-contained flats, together with the erection of a detached cycle and refuse bin store, following demolition of existing dance hall and garage. Approved with conditions.

Y06/1454/SH: Erection of a three storey block of 6 self-contained flats together with the erection of a detached cycle and refuse bin store, following demolition of existing dance hall and garage. Refused and subsequently allowed on appeal.

Y04/0783/SH: Erection of two semi-detached dwellings and formation of a vehicular access following demolition of existing dance hall and garage. Withdrawn.

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Y04/1523/SH: Erection of two semi-detached dwellings following demolition of existing dance hall and garage (resubmission of planning application Y04/1250/SH). Approved with conditions.

Y04/1250/SH: Erection of two semi-detached dwellings following demolition of existing dance hall and garage (resubmission of planning application Y04/0783/SH). Refused.

5.0 CONSULTATION RESPONSES

5.1 Consultation responses are available in full on the planning file on the Council's website.

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below.

5.2 Folkestone Town Council

Comments 09/08/2019: Object but would be prepared to reconsider if adequate parking is provided and a meaningful size community room is provided.

Comments 20/09/2019: Previous objections upheld as the comments of the Town Council have not been addressed.

5.3 KCC Highways and Transportation

The Bayle suffers from residential parking pressure but is within the Folkestone Town Controlled Parking Zone (CPZ) and on-street parking is therefore by permit or pay and display only. The proposed development would have no greater traffic or parking impact than the previously approved schemes for 5/6 residential units. A small community room is proposed; this is unlikely to generate significant vehicle movements and parking demand given the sustainable location of the site.

No objection to the proposal, subject to the following being secured by condition:

- Construction Management Plan
- Provision and retention of the proposed cycle parking provision.

5.4 KCC Archaeology

The site has the potential to contain archaeological items of significance. No objection to the proposal, subject to the following being secured by condition:

- Method Statement for demolition
- Programme of archaeological work
- Details of foundation designs

5.5 Environmental Health

No objections. There are no plans for green space / garden areas, therefore there is no need for a contaminated land assessment.

6.0 PUBLICITY

6.1 Neighbours notified by letter. Expiry date 03.09.2019

6.2 Press Notice. Expiry date 23.08.2019

6.3 Site Notice. Expiry date 23.08.2019

7.0 REPRESENTATIONS

7.1 Representation responses are available in full on the planning file on the Council's website.

<https://searchplanapps.shepway.gov.uk/online-applications/>

Responses are summarised below:

7.2 35 letters/emails received, including from the Primary School, objecting on the following grounds:

- The existing dance hall building is historic, and should be retained and reopened.
- The proposed development would result in overlooking of the school playground to the rear of the site.
- The proposed building design is uninspiring / not of an acceptable standard. The character of the conservation area would be harmed.
- The proposed roof dormers would be an unwelcome addition to the street scene.
- The proposed community space is smaller than the existing dance hall space and is insufficient for viable use. There is no storage space for the community space, which would limit its functionality.
- The proposed development would result in increased overshadowing of neighbouring sites.
- No on-site parking is proposed.
- The proposed development would result in additional on-street parking pressure, and increased vehicular movements. On-street parking is already in high demand.
- The proposal represents an overdevelopment of the site.
- The proposed refuse storage may be insufficient and should not be located alongside the school entrance.
- The construction works required could endanger children entering and leaving the school.
- The construction works required would cause noise and dust.
- The proposed building should have a lift.
- Noise and disturbance.
- The gap proposed to the left of the building would be harmful to the street scene.
- It is not clear that wheelchair users would be able to turn at the top of the proposed ramp to access the building.

- Use of the proposed community room could cause noise disturbance for residents of the proposed flats.
- The proposal would result in the loss of the existing dance / music venue which is registered as an Asset of Community Value. Folkestone has already lost a number of music venues.
- Future residents may complain about noise from the school and playground alongside the site.

8.0 RELEVANT POLICY GUIDANCE

8.1 The full headings for the policies are attached to the schedule of planning matters at Appendix 1.

8.2 The following saved policies of the Local Plan Review apply: SD1, BE1, BE4, BE5, BE16, TR5, TR11, TR12, HO1, U2, U10a

8.3 The following policies of the Core Strategy Local Plan apply: DSD, SS1, SS2, SS3, SS5, CSD6

8.4 The Submission draft of the PPLP (February 2018) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between February and March 2018. The Plan was submitted to the Secretary of State for independent examination in September 2018. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, and given the relative age of the saved policies within the Shepway Local Plan Review (2006), the policies within the Submission Draft Places and Policies Local Plan (2018) may be afforded weight where there has not been significant objection. The following policies of the Places and Policies Local Plan Submission Draft apply: HB1, HB3, RL2, T2, T5, C2, HE1, HE2

8.5 The Submission draft of the Core Strategy Review was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation between January and March 2019. Accordingly, it is a material consideration in the assessment of planning applications in accordance with the NPPF, which confirms that weight may be given to policies in emerging plans following publication (paragraph 48). Based on the current stage of preparation, the policies within the Core Strategy Review Submission Draft may be afforded weight where there has not been significant objection. The following policies of the Core Strategy Review Submission Draft 2019 apply: SS1, SS2, SS3, CSD6

8.6 The following Supplementary Planning Documents apply:

Kent Design Guide

The Folkestone Conservation Area Design Appraisal- Character Area 4

- 8.7 The following paragraphs of the National Planning Policy Framework 2018 apply: 12, 56-76, 102-110, 124, 127, 189-196

9.0 APPRAISAL

Background

- 9.1 In 2004 permission was granted for the demolition of the dance hall and the erection of two semi-detached dwellings (Y04/01523/SH). In 2006 a proposal for a three storey building comprising 6 flats (Y06/1454/SH) was granted planning permission at appeal. This was followed by the approval of an alternative scheme of 5 flats (Y07/1462/SH), and the extension of the time limit of this permission in 2011 (Y11/0063/SH). Therefore, whilst there is no extant permission for the redevelopment of the site, weight is given to the fact that permission has been granted on a number of occasions for the demolition of the dance hall and the erection of a building for residential use of a similar design to that which is now proposed. The proposed scheme must however be considered afresh in the current legislative and national and local policy context, and in the context that the dance hall is now registered as an Asset of Community Value.

Relevant Material Planning Considerations

- 9.2 The key issues of consideration for this application are the loss of the existing dance hall / community use, the proposed residential use, the demolition of the existing building in a conservation area setting, the appearance of the proposed building, the impact of the proposed building upon the conservation area and the setting of listed buildings, the standard of accommodation which the proposed development would provide, impacts upon neighbouring amenity, archaeology, and highways / parking impacts.

Principle of Development

- 9.3 The proposed development would result in the loss of the existing building and its use as a dance hall / community room. It is proposed that a community room be incorporated into the proposed building. There would therefore be a re-provision of the community use, albeit at a smaller scale. The diminished scale of the community use must therefore be considered.
- 9.4 The site is registered as an Asset of Community Value (ACV). This regime primarily applies restrictions to the sale of the premises, whereby in the circumstances that the property is listed for sale, a moratorium applies within which the community can bid to purchase the premises. The fact that the property is registered as an ACV also provides an indication of the value of the premises to the community and this is given material weight in the consideration of the application.
- 9.5 The NPPF identifies that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this

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would reduce the community's ability to meet its day to day needs. Core Strategy Policy SS3 states that development must not result in the loss of community, voluntary or social facilities unless it has been demonstrated that there is no longer a need or alternative social/community facilities are provided in a suitable location. Emerging Places and Policies Local Plan Policy C2 states that planning permission for development leading to the loss of an existing community facility will be granted where a series of criteria can be demonstrated which include demand, evidence to support the demand and whether an alternative facility could be provided. It is also noted that the Council have received three objections to policy C2 of the emerging Places and Policies Local Plan (PPLP). Paragraph 48 of the NPPF (2019) advises that decision-takers may give weight to relevant policies in emerging plans according to: the stage of preparation of the plan; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the emerging policies in the plan to the policies in the NPPF. Given the emerging PPLP is at a relatively advanced stage of preparation. The Plan and policy C2 was discussed at the EiP hearings in May. No modifications have been advised by the inspector as being necessary to make the policy 'sound'; as such it can be assumed that objections have been resolved and the policy is consistent with national policy. It is therefore considered that significant weight can be applied to Policy C2.

- 9.6 The Planning Statement submitted in support of the application details that the use of the building as a dance hall ceased in 2000. Following this the building was used as a Yoga Studio under a yearly lease which ceased in March 2017. Since this time the building has been unoccupied. Representations received suggest that a range of events were taking place at the premises prior to the current period of vacancy. It is stated that the building is beyond economic repair, however no evidence has been submitted to support this claim or to confirm whether the building has been actively marketed as available for a social/community use. Therefore, it has not been demonstrated through the submission of evidence that there is no demand for the building as a social/community use, and it has not been demonstrated that the building is beyond economic repair. The AVC status of the building and the representations received indicate that the building is valued by the community for the uses it facilitated in the past.
- 9.7 While these facts weigh against the proposed development, weight is also given to the following factors. The building has been vacant since March 2017 and there is no indication that the site owner intends to facilitate a social/community use of the existing building. The loss of the existing building would not therefore result in an existing use being forced to seek new premises. Some works are likely to be required to bring the internal accommodation up to an acceptable/modern standard. The proposed development includes the provision of a community room. Whilst this community room appears to be a speculative proposal in that no specific end user is identified, it would provide a facility for the local community which could be booked for social/community events.
- 9.8 It is acknowledged that the proposed community room is smaller than the existing facility and therefore would facilitate a more limited range of events.

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Furthermore, the specific existing dance hall facilities such as a sprung dance floor would not be available. It would however be a modern room with W.C. facilities, and full details of the management of the community room, booking arrangements and booking fees can be secured by planning condition. The control of the use as a community / function room only, can also be secured by condition, meaning that any proposals for an alternative use of the space in the future would require an application for planning permission.

- 9.9 On a number of occasions previously the demolition of the building to enable residential redevelopment of the site has been granted planning permission. More recently under application Y16/01391/SH planning permission was refused in part due to the failure to justify the loss of the existing use, and the failure to re-provide a community use.
- 9.10 The primary factor in the current application to address this issue is the provision of a community room to mitigate the loss of the existing use. Whilst the loss of the existing facility in its current form would be regrettable, it is considered that the re-provision of a smaller community room, fitted out to modern standards and available to be booked for community events, would represent a significant benefit to the community, and addresses the NPPF and policies SS3 and C2 to some extent.
- 9.11 The proposed development would also deliver six residential units in a sustainable location on a brownfield site, and this is a benefit which weighs in favour of the proposal. Overall, having regard to the benefits of the scheme in the form of a replacement community facility, and six residential units in a sustainable location, it is considered that the principle of the development of the site is acceptable.

Appearance and Heritage Impact

- 9.12 The application site is within the Folkestone Conservation Area and forms part of the setting of listed buildings on both sides of The Bayle. As such there is a requirement that development should preserve or enhance the character of the conservation area and not cause harm to the special character of the listed buildings.
- 9.13 Under the previous application Y16/01391/SH the principle of the demolition of the existing building was accepted on the basis that whilst it has some architectural merit, it does not relate well to the scale and character of the adjacent three storey buildings and does not make a positive contribution to the character of the conservation area. The scale of the building previously proposed was considered acceptable, concerns were however raised regarding the detailing of the design and the roof form proposed, the passageway proposed alongside the building was also of concern.
- 9.14 The current application proposal has been designed to address these concerns, with a revised roof form and revised detailing. The ground floor façade is also significantly different in that a recessed double door access to the community room is now proposed. The Heritage Consultant raised some

minor concerns relating to the design originally submitted under the current application, and in response to this further amendments have been submitted. The Heritage Consultant now considers that the design proposed would result in an appropriate appearance which would fit in to the character of The Bayle, and enhance the character of the area.

- 9.15 The scale form and design of the proposed building would be in keeping with the established buildings along this section of The Bayle. The proposed detailing is appropriate for the conservation area; traditional timber sash windows, small conservation style dormers, appropriate detailing around doors and windows. Whilst a gap would be formed between the proposed building and the buildings alongside to the south, this factor is not considered harmful to the street scene to an extent which warrants the refusal of planning permission. Overall it is considered that the proposed development addresses the concerns previously raised, an appropriate appearance would result, and the character of the conservation area and neighbouring listed buildings would be preserved. It is recommended that large scale design detail drawings be secured by condition, and subject to these the development would fulfil the criteria of saved policies BE4 and BE5 as well as the NPPF with regards to heritage issues.

Standard of accommodation

- 9.16 Whilst the proposed community room is smaller than the existing facility, it would provide a usable space and has a W.C. and a small kitchen facility. It does appear that some storage space would be beneficial, this could be incorporated within the main room. It is considered that this element of the application is acceptable and would provide a modern community facility that would replace that being lost. There are therefore no objections on these grounds.
- 9.17 Draft policy HB3 gives the room and flat sizes that would normally be expected of conversions to residential use. The proposed ground floor one-bedroom flat (51.8sqm approximately), is somewhat cramped and would have a small living room/kitchen, this unit would however benefit from a small outdoor patio area to the rear of the building and does achieve the 50sqm required. The proposed first and second floor flats are also small and are approximately 58sqm each, short of the 61 sqm required by HB3, with small living room/kitchens to serve the two-bedroom layouts proposed. The first floor flats would however have access to rear balcony areas which would improve the standard of accommodation they would provide, however they would fall slightly short of the 1.5m depth required. The proposed roof level flat would provide an adequate layout and adequate usable headroom with a floor space above the 50sqm needed for a one bed flat.
- 9.18 Whilst a number of the flats proposed are smaller than would normally be expected, particularly in regard to their living room / kitchen areas, weight is given to the fact that three of the units would benefit from some outdoor space and due to the central location of the site, future occupants would have convenient access to the amenities of Folkestone centre and the seafront. Overall therefore it is concluded that future occupiers would benefit from an

acceptable standard of amenity. On balance it is considered that the units would be acceptable.

Neighbouring Amenity

- 9.19 The proposed residential use would be of an appropriate nature given the surrounding uses. The proposed community use has some potential to cause noise and disturbance due to activity within the building and comings and goings associated with events which would take place. This activity, pedestrian and vehicular movements would however be on a smaller scale than would be associated with the current building were it to be bought back into use. It is considered that subject to appropriate management, given the scale of the use proposed, it is unlikely that significant harm to neighbouring amenity would be caused sufficient to refuse the community element of the proposal.
- 9.20 Under the previous application Y16/01391/SH the bulk of the building was considered to have an acceptable impact, and the bulk of the current proposal is comparable. It is considered that the building would not have an overbearing impact and harmful overshadowing would not result. The primary concern raised previously was that north facing side windows proposed could result in harmful overlooking of the neighbouring property alongside. It is now proposed that these windows would be obscure glazed and only openable above 1.7 metres above internal floor level. It is recommended that this be secured by planning condition.
- 9.21 Representations received raise concerns that the rear windows and balconies of the proposed development would result in overlooking of the school playground and consider this to be a safeguarding issue. As identified at the time of the previous application, the playground is already overlooked by existing neighbouring properties and this matter is not considered to represent grounds which warrant the refusal of planning permission. The proposed rear balconies are to be screened to a height of 1.8 metres which would restrict overlooking from within the first floor flats and from seated users of the balconies.
- 9.22 Overall it is considered that the proposed development would have an acceptable impact upon neighbouring amenity and as such would meet the criteria of saved policy SD1 and policy HB1 of the Places and Policies Local Plan Submission Draft in this respect.

Archaeology

- 9.23 The application site is located within an area of identified archaeological interest. The County Archaeologist has commented upon the application and advised that the site has the potential to contain items of interest. The County Archaeologist has advised that there are no objections to the proposed development subject to details of the method of demolition, details of the proposed foundation design, and a programme of archaeological works being secured by planning condition. Subject to this, it is considered that the application would be acceptable on these grounds.

Highway Safety, parking and access

- 9.24 No on-site vehicular parking is proposed. An internal cycle store is proposed to the rear of the building with capacity for six cycles indicated. The community room proposed would be accessed by an inset stepped entrance to the front of the building, and a ramped wheelchair access to the southern side of the building. The proposed six flats, refuse store and cycle store would be accessed from the rear of the site, which requires access along the school entrance to the north of the site.
- 9.25 Regarding access, the proposed main access to the community room is not ideal being stepped, a ramped side access is however proposed, and whilst it appears that the ramp would be cramped at its top end to provide turning space for a wheelchair, overall the standard of access proposed is considered to be acceptable given the restrictive nature of the site. The proposed rear access to the flats, cycle store and refuse store is reliant upon access along the school entrance to the north of the site. The agreement of access across this private land would be a private matter, however the applicants have confirmed that they do have a right of access over the land.
- 9.26 Regarding traffic generation and vehicular parking, the site is located on the edge of Folkestone town centre and, as such, is considered to represent a highly sustainable location with good access to amenities and public transport modes. Walking and cycling to local amenities are both feasible. Both the community room and the proposed flats could generate some demand for parking. The site is located within a Controlled Parking Zone (CPZ) and therefore parking is restricted to permits and pay and display between 8am and 6pm every day. KCC Highways and Transportation note that schemes for 5/6 flats have been granted permission previously and consider that the proposed flats would not generate greater traffic and parking demand than these previously approved schemes. KCC Highways and Transportation consider that the proposed community room is unlikely to generate significant vehicular movements and parking demand given the sustainable location of the site.
- 9.27 On this basis, and given that any parking demand which is generated would be controlled to some extent by the permit system which is in place, it is considered that the proposed development would result in an acceptable transport impact. It is recommended that a Construction Management Plan and the provision and retention of the cycle parking provision which is proposed be secured by planning condition.

Environmental Impact Assessment

- 9.28 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1 & 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local Finance Considerations

9.29 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

9.30 In accordance with policy SS5 of the Shepway Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £0 per square metre for new residential floor space.

Human Rights

9.31 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the previous paragraphs of this report, it is not considered that there is any infringement of the relevant Convention rights.

Public Sector Equality Duty

9.32 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

10.0 BACKGROUND DOCUMENTS

10.1 The consultation responses set out at Section 5.0 and any representations at Section 7.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

RECOMMENDATION – That planning permission be granted subject to the following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary:

1. Development to be carried out within three years.
2. Development must be in accordance with the submitted plans.
3. Construction Management Plan submitted and agreed prior to commencement.
4. Provision and retention of cycle parking.
5. Demolition scheme, details of foundations, and scheme of Archaeological works submitted and agreed prior to commencement.
6. Details of:
 - Stonework and render details of string course, mouldings to door heads, window sub cills, window recesses, roof eaves and cornice gutter, ridges and hips (which should be bonnet tiles not roof tiles) at 1:5 or 1:10 scale
 - Joinery details of doors, windows, rooflights and dormers at 1:1, 1:2, 1:5 or 1:10
 - Samples of brickwork for rear walls, roof tiles, and render finish and method of forming angles and arrises
 - Positions of all vents and outlets
 - Details of service connections and communal TV receiver submitted and agreed prior to commencement.
7. Management Plan for the Community Room including details of booking arrangements and costs submitted and agreed prior to commencement.
8. Restrict use of non-commercial element to a community / function room only and no other use within Use Classes D1 / D2.
9. North facing windows to be obscure glazed and only openable above 1.7m from internal floor height.
10. Implementation of privacy screens to balconies prior to first occupation.

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