
Case Number	23/03216/FUL (Formerly PP-12517659)
Application Type	Full Planning Application
Proposal	Use of land as part of the residential curtilage of The Coach House, with associated alterations including erection of boundary wall and fencing, landscaping and associated works (Amended Plans)
Location	The Coach House 306 Dobbin Hill Sheffield S11 7JG
Date Received	10/10/2023
Team	South
Applicant/Agent	Paul Bedwell Town Planning
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development hereby permitted shall be carried out in complete accordance with the following plans, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Location Plan - Drawing No. GR/LP/V2/A4/01A published 16th October 2023

Extg & Prop. Wall Elevations - Drawing No. GR/PWE/A3/01 published 10th October 2023

Ext'g & Prop. Site Layouts - Drawing No. GR/EP/SL/V2/A3/01B published 18th January 2024

1.215m High Estate Fence Standard Install Details - Drawing No. J4/01030 as published 10th October 2023

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

3. Prior to the construction of the dry stone boundary wall, a dry stone wall construction method statement shall be submitted for the Local Planning Authority's approval. The method statement shall set out the construction methods that will be used for the construction of the wall along the eastern boundary, how the materials from the existing wall will be used, and how any additional material required will be sourced to ensure it matches the existing material in stone, coursing and texture.

Reason: In order to ensure an appropriate quality of development and to protect the setting of the adjacent Listed Building at 71-75 Falkland Road

4. Prior to the commencement of the development hereby permitted, a landscape implementation plan shall be submitted to and approved by the Local Planning Authority. The landscape implementation plan shall include details of the tree-pit, species name and species size. On approval, the trees shall be planted in complete accordance with approved details before the extended residential garden is brought into use, and shall be retained thereafter.

Reason: In the interests of the visual amenities of the locality and to provide biodiversity enhancement.

5. Prior to the commencement of the development hereby permitted, a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

Reason: In the interests of biodiversity of the site.

Other Compliance Conditions

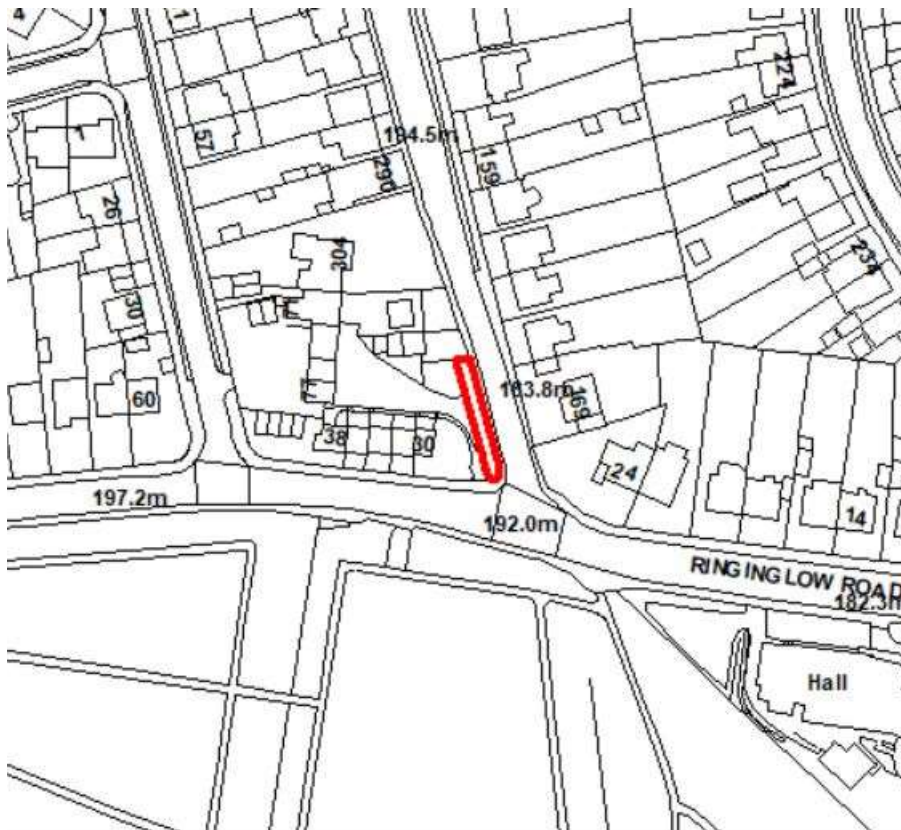
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 Class E and Part 2 (Class A), or any Order revoking or re-enacting that Order, no ancillary or curtilage buildings, swimming pools, enclosures, fences or walls shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interest of protecting the setting of the adjacent Listed Building at 71-75 Falkland Road

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

Site Location



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LOCATION AND PROPOSAL

The application site relates to a stone-built property on Dobbin Hill, the building itself is not listed although to the west 71-75 Falkland Road and the northwest of No.304 Dobbin Hill are including boundary walls which are visible from the subject site. The dwellinghouse has a more modern double garage fronting the highway to the north which now sees a first floor extension atop it and a garden to the south of the dwelling.

To the west of the site is 71-75 Falkland Road which is Listed and is residential. To the south of the subject dwelling are the properties on Ringinglow Road, between the two sites is an area of private soft landscaping. This is west of the grass verge at the focus of this application. To the east of the subject dwelling and grass verge are the dwellinghouses on Dobbin Hill.

Permission is sought for use of a strip of land as part residential curtilage for the dwellinghouse (No.306) with associated landscaping including the erection of a boundary wall, estate fencing and soft landscaping.

The verge is located along Dobbin Hill and abuts the Ringinglow Road facing private soft landscaped area and pedestrian access as well as the subject site's garden and dwellinghouse. The grass verge houses the lamppost, bollards, street sign and public bin to the southern end. The grass verge measures 3m in width at its widest point and 18m in length from the dwellinghouse narrowing to the highway junction.

A new stone wall and metal estate style fence are proposed to surround approximately 75% of the grass verge. The remaining 25% (closest to the road junction) will be left open. Working northwards, the estate fence will enclose a section of the land at 1.2m in height stopping short of the boundary wall to the west which does not fall within the red line boundary. Between the existing wall and fencing three trees are proposed, these are all native species. The stone wall at 2.5m high proposed will be built to match the existing wall forming the garden boundary and will extend from the area of estate fencing to the rear of the dwelling, connecting to the existing rear boundary wall and set in 150mm from back edge of footpath and the corner of the dwelling.

PLANNING HISTORY

There is limited history of the site in question. The planning history includes:
76/00689/FUL - *alterations to shed and cowstalls to form a dwelling* - Granted
87/02027/LBC - *widening of gateway, rebuilding of gate post and new gate* – Granted Conditionally
02/02632/LBC - *Installation of satellite dish* – Withdrawn
22/03371/FUL - *Demolition of detached garage, erection of a two-storey side extension including integral garage with associated single-storey side link extension and alterations to dwellinghouse (amended description)* – Granted Conditionally

Planning Permission was granted in 2022 for works to the dwelling. Reference has been made in representations that these works have not been carried out according to plans. This assessment will focus on the current application in regard to the grass

verge. Any works associated with the previous approval will not be included in the below assessment but will be investigated separately as necessary.

SUMMARY OF REPRESENTATIONS

Neighbouring occupiers were notified of the proposal by letter. The application was also advertised by way of site notice and newspaper advertisement as it was proposal could affect the setting of the neighbouring listed buildings.

32 comments were received, from 27 addresses. Within the 32 comments there was, 1 comment of support, 1 objection was received from Councillor Shaffaq Mohammed and 1 comment from the Millhouses Ecclesall & Carter Knowle Community Group and the remaining 29 were objections. Objectors also provided photo and video evidence to support their concerns.

Objections

Design

- Detract from the area.
- Will works remove or impact the wall and listed building?
- Concern in regard to the existing boundary wall and those on Ringinglow Road.

Amenity Impact

- Grass verge is used to gather and walk dogs, do not wish to see the loss.
- Do not wish to see loss of bin.
- It was requested access for public retained and not to be fenced off.
- Loss of open feel.
- Historic image shows how restrictive the space once was.
- The development would undermine the amenity space and enjoyment of the space.
- Over-shadowing neighbours and pedestrians as well as over-bearing impacts, specifically 'the wall and fencing would lead to an oppressive and over-bearing street scene'.
- Over-development of The Coach House.

Highway / Traffic

- Parking on the opposite side of the road creates a narrow road, the proposal would further this.
- The development would create a bottleneck seeing a loss of footway (grass verge) risking pedestrian safety.
- Obscure sight lines for vehicles approaching the junction with Ringinglow Road.
- Negatively impact visibility.
- Negative visibility with narrow lane will cause highway issues.
- During heavy traffic and use times concerns expressed are greater (schools and church mentioned).

- In the future, use may change to parking space which is not supported.
- Many objectors requested parking restrictions be put in place.
- Currently being used as parking which has negatively impacted the verge.
- Concerns for pedestrian and cyclist safety.

Loss of green space

- The grass verge is a valuable public open space, object to loss.
- Trees proposed could result in root damage to neighbours and walling.
- Trees would increase leaf litter.
- There is a need for un-manicured spaces for biodiversity for flowers and habitats.

Public/Private Ownership

- Set a precedent that public land can be bought.
- Loss of public space and no public benefit.
- Public land should not be sold off.
- 'Land grabbing'.

Application details

- Concern plans have date 2017 so not up to date.
- Objectors stated the website and lack of email address made commenting difficult.
- Drawings incorrect, specifically not showing street furniture (related to earlier plans – now corrected).
- Council failure to inform all by letter and posting a notice in December not helpful.
- Mock ups inaccurate and misleading and do not want a decision based on these.

Other

- Works which have been undertaken to the dwellinghouse and extension which was approved in 2022 were raised in objections. *As stated above these are not material planning considerations for this application.*
- Construction noise.
- References were made to a grit bin once in situ on the verge which has since gone, concern other furniture will also disappear.

Councillor Shaffaq Mohammed:

- The councillors add that the land adds to amenity value and helps traffic management. Improving biodiversity was also queried.

Millhouses Ecclesall & Carter Knowle Community Group (MECK):

- The land is not 'vacant' as it houses a public bin.

- Concern was raised in regard to 'legitimate interest' and providing evidence of this. As no evidence was submitted as part of the application it is queried as to why the application was valid.

Support

The supporting comment stated the current land is an eye sore and the proposal would reduce over-looking for those gathering on the land into the supporter's property and would take land back to old appearance. A query of adding double yellow lines was also raised here.

PLANNING ASSESSMENT

Policy Context

The planning policies relied upon within this assessment are both National and Local. Many of the local policies align fully with National Planning Policy Framework (NPPF) and as such are afforded significant weight, however there are some local policies which are in partial alignment with the NPPF, reducing the weight (in most cases) they can afford in the decision-making process. In these cases this has been outlined in the assessment.

The below assessment considered policies which cover:

- Land Use.
- Open Space.
- Listed Buildings & Heritage.
- Design.
- Amenity Impact.
- Natural Environment & Landscape.
- Highways.

Land Use

NPPF para 123 states that decisions should promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions. Para 128 stipulates decisions should support development that makes efficient use of land, taking into account housing types, market conditions, availability of infrastructure as well as well-designed attractive healthy places which maintain an areas character or promoting regeneration and change. UDP H10 'Development in Housing Areas' builds on this with preferred uses and acceptable uses and as such can be given significant weight. While these policies are primarily used for housing and large-scale works, it is important to note them.

The proposed subject dwelling and proposed land fall within a Housing Area under the UDP. Therefore, the proposal is in accordance with H10 where the preferred land use is for housing with open space being acceptable.

Open Space

In regard to open space NPPF para 103 states existing open space, sports and recreational buildings and land, including playing fields should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provisions in term of quantity and quality in a suitable location. This aligns in part with Sheffield Core Strategy CS45, CS46 and CS47 which priorities safeguarding open space and sporting and recreational spaces. The Core Strategy also states development would not be permitted where it would result in the loss of open space that is of high quality or of heritage landscape or ecological value or where local people would be denied easy and safe access to a local park or smaller informal open space which is valued or well used.

It is of note that under the NPPF, 'Open Space' is defined as "all open space of public value, including not just land, but also areas of water, which offer important opportunities for sport and recreation and can act as a visual amenity". When considering this application, there is some very limited recreational use of this strip of land however the use is minimal, the loss in value is negligible in policy terms. The strip is limited in size and the proposal sees a section of un-fenced area retained. The retained un-fenced area will still provide some of the same function as the existing space and the street furniture and bin will also be retained. The space is not of sufficient area or dimension to offer beneficial recreational value, though does have some visual merit. In order to be considered Open Space in the terms of the NPPF definition it must meet both of these functions and given the extremely limited recreational value it is not considered that the full weight of this policy should reasonably be applied.

Impact on visual amenity is considered separately below.

Heritage and Listing

The Council has a statutory duty contained under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving heritage assets and their setting or any features of special architectural or historic interest which they possess. UDP Policy BE15 '*areas and buildings of special architectural or historic interest*' does not support development which would harm an area of special character and policy BE18 '*development in areas of special character*' requires development to respect their appearance and character and retain features which contribute to this. These policies align with the importance placed on design, character and heritage in the NPPF. Specifically, paragraph 131 states good design is a key aspect of sustainable development and paragraph 136 looks for development to be sympathetic to the character and history of its surroundings without stifling innovation and change. Para 205 directs any less than substantial harm to heritage assets to be weighed against public benefit.

The dwellinghouse, 306 Dobbin Hill is not a Listed Building nor is it in a Conservation Area or Area of Special Character. The neighbouring properties No.304 Dobbin Hill and 71-75 Falkland Road are listed as stated and highlighted on Historic England and their mapping system. When originally listed in the 1970's the listing description referred to '*Chestnut Cottage and adjoining cottage to left*'. The listing description was later amended in the 1990's and

confirms the 'adjoining' cottage was previously listed as no.306 Dobbin Hill but is now referenced as having an address on Falkland Road. The property referred to as Chestnut Cottage has the address No.304 Dobbin Hill.

Despite not being listed the proposed works and site are visible from Dobbin Hill in the same views as the Listed Building on Falkland Road and as such development must be considered in regard to policies and affecting the setting of a Listed Building.

The proposed fencing is low, unobtrusive and well designed and is not considered to detract from or erode the setting of the Listed Building. The fencing will allow the walling to be visible as well as the green space up to the rear of the Listed Falkland properties. The fencing will sit 200mm from the wall to the west which will ensure this wall will not be eroded or impacted.

The development includes the planting of trees which will provide some screening and obscure some views up to the rear of the Falkland Road dwellings however they are a native species and considered a soft screen. Furthermore, such trees are visible in the locality and are a characteristic of the area. The trees are not considered to cause substantial harm to the assets.

To ensure the views and openness is retained, permitted development rights are recommended to be removed in relation to outbuildings, enclosures and fencing, in the event of planning permission being granted. This means in the future should any fencing or sheds etc wish to be constructed in this location the work would require a planning application, and further consideration would then be given to the impact on the setting of the listed building(s).

Overall, the works are not considered to be harmful to the Listed Buildings and will preserve the assets in accordance with policy and design guidance.

Taking the above into account, and in respect to paragraphs 205-208 of the NPPF, there is no harm to the Listed Building or Conservation Area to be balanced against private/public benefit.

Design

The National Planning Policy Framework (NPPF) paragraph 135 states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character. Innovation should not be prevented but developments should add to the quality of an area whilst providing a high standard of amenity for existing and future users. Within the Core Strategy policy CS74 'design principles' and Unitary Development Plan (UDP) Policy BE5 'building design and siting' set out principles for development to ensure good design that takes account of its setting and makes use of good quality appropriate materials. UDP Policy H14 'conditions on development in housing areas' looks for all development in housing areas to be well designed and in scale and character with its surroundings. UDP BE15 and BE18 stress the importance of development not causing harm in regard to areas of historic interest and that works should respect the character of the area.

The proposed wall and fence will form a boundary around the new section of garden

and the tree lined verge. There will be a ground level difference between these two elements. The proposed wall will be constructed to mirror the existing wall in regard to height, material and the dry stone appearance. After discussions with the relevant parties, it will be conditioned that the wall is demolished carefully, and the stone re-used where possible to create the new coursing and dry stone wall appearance. This careful construction will ensure a quality build and a seamless in-keeping design. The use of natural stone is appropriate and is sympathetic to the local character. The wall is an appropriate size and scale in design terms and will not detract from the subject dwelling or wider dwellings.

The proposed fencing will extend from the new wall before cutting back at 90 degrees to within 200mm of the existing boundary wall with the green space to the west. This fencing is estate style approx. 1.2m in height and will be black in colour. The height is appropriate, the design lightweight, and the darker colour will blend into the surroundings and not be a contrasting feature.

Overall, the proposed wall, fencing and landscaping is considered an appropriate scale in design terms and will not cause harm to the character of the area. The wall will be constructed in a similar manner to the existing and the introduction of trees is a welcome addition. The proposed materials are appropriate.

Amenity/Impact on Neighbours

Paragraph 135 (f) of the NPPF states that developments should create places with a high standard of amenity for existing and future users. UDP Policy H14 (Criterion 'c') states that development will be permitted provided that the site would not be over-developed or cause serious loss of existing garden space, or deprive residents and neighbours of light, privacy or security.

The proposed works are not considered to cause detrimental impacts to the neighbouring properties. The neighbouring dwellings on Ringinglow Road and Dobbin Hill are sufficiently distant, and the works proposed of such scale that the wall and trees proposed will not cause a loss of light nor will they impact the security of surrounding neighbours.

The proposal will see a new section of garden created for the dwelling. However it is not considered to impact on the existing privacy levels. The garden will be raised at a level higher than those on the eastern side of Dobbin Hill, however the separation is such that worsening privacy concerns are not justified. The proposed garden will back onto the Ringinglow Road dwellings, however the new section of garden is set away from these dwellings and is not considered to introduce over-looking. The proposed trees will provide a buffer and screening to protect any over-looking opportunities from the public highway. It is therefore considered the proposal is in accordance with H14.

The works are a small scale and will not result in a loss of garden or detrimentally impact the living conditions of neighbours. The open leafy feel is considered to be retained.

In terms of the existing amenity use the strip of land provides, the litter bin and street

furniture will be retained, and fencing has been amended and shown on plans to not enclose this section of the verge. There will still be public access to these facilities. In terms of loss of space for the public to walk on/in, the size of this land is minimal, and the loss of this small section is not considered sufficient to warrant concern or refusal. Overall the scheme is therefore acceptable in amenity terms.

Natural Environment & Landscape

NPPF paragraph 136 outlines how trees can make an important contribution to the character and quality of an urban environment and can help mitigate and adapt to climate change. Opportunities to incorporate trees should be taken and measures in place to ensure long-term maintenance. As outlined in NPPF paragraph 136 highways and trees officers should work with Local Planning Authorities and the applicant to ensure the right trees are planted in the right places and are compatible with highways standards. In this case although the land is to be taken out of the highway all parties have been involved with the trees proposed and details and maintenance plans have been agreed to be conditioned to ensure an appropriate outcome.

Paragraph 180 of the NPPF stipulates how works should enhance the natural and local environment, by protecting and enhancing landscapes, minimising impacts on and providing net gains for biodiversity. At a local level, UDP Policy GE11 in part aligns with the NPPF and can be given moderate weight. It highlights the need to protect and enhance the natural environment and measures should be taken to reduce any potential harm on natural features.

The strip of land as existing is grassed which has its own merits and provides some soft-landscaping and biodiversity however it is not a site of significant interest or value in regard to biodiversity and the natural environment. Within the proposal much of the land will be retained as grass, in addition to the three trees proposed. These trees will create an opportunity to increase local habitats and will enhance the natural environment.

Large trees are common in the wider area and form a leafy open feel to the Ringinglow Road/Dobbin Hill junction. It is considered the soft landscaping proposed reflects this and the scheme accords with policies at a local level and national. It therefore is acceptable.

Highway Impact

Guideline 8 of SPG reflects UDP Policy H14 (Criterion 'd') which states that development will be permitted provided that it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

The NPPF paragraph 115 also states, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The highways officer confirmed the proposal does not raise any objections from a highway safety point of view to the closure of this section of the highway verge.

The existing highway system in the area is not a high-speed area as it is a built up residential area. The junction with Ringinglow Road is wide with mature trees close to the junction. Vehicles can and do park along the eastern side of Dobbin Hill as there are no restrictions such as double yellow lines in place here, resulting in narrowing of this section of the highway. Although acknowledged that the road does narrow due to the parked cars, this fluctuates, and parked cars are not a permanent feature of the street scene. The proposed estate fencing and tree will still allow views and are not considered to obscure views to warrant safety concerns in regard to visibility. With regard to the proposed wall, it is set back from the gable end of the dwellinghouse and thus has no greater impact than the existing.

The existing footpath will be retained. The proposed wall will extend from the gable end of the dwellinghouse but has been demonstrated to be set back from the footway, albeit marginally to ensure the footpath function is retained. The proposed fencing will restrict some access onto the grassed area however it is not considered it would result in the footway becoming a safety concern or endanger pedestrians as the footpath retains appropriate width.

The area is proposed to be used as garden space close the dwellinghouse, trees will line an existing section of the verge and the street furniture is retained unfenced. The area is not proposed to be used for parking vehicles.

As stated in NPPF paragraph 115 an application can only be refused on highway grounds where the impact would be unacceptable including safety and impact on the road network. In this case the proposal is not considered to have a detrimental impact on the road network in and around the locality. In relation to highway safety, the narrowing of the street is outside the parameters of the proposal. The proposed works are not considered to have significant impacts on highway and road safety. The footpath is retained and while it is acknowledged pedestrians use the verge to manoeuvre the footway the loss of this space will not see a loss of footway or endanger pedestrians. The eastern pavement is also retained and functional. It is therefore considered the works accord with NPPF 115 and UDP H14d.

HIGHWAYS CLOSURE

This development will require part (verge area) of the all-purpose Adopted Public Highway known as Dobbin Hill to be stopped up i.e. permanently closed, as shown hatched black on the plan below labelled as 23/03216/FUL/Stopping-Up. Accordingly, if Members are minded to approve this application, they are also requested to confirm that:

- a. No objections are raised to the proposed stopping-up of the area of highway shown hatched on the plan 23/03216/FUL/Stopping-Up, subject to satisfactory arrangements being made with Statutory Undertakers with regards to such of their mains and services that may be affected. And that an agreement is reached, between the City Council's Property Services Division and the applicant, that, on successful completion of the process to stop up the highway, that transfers ownership of any of the land that is currently occupied by the highway and in the ownership of the City Council.

b. Legal Services are authorised to take all necessary action on the matter under the relevant powers contained within Section 247 of the Town & Country Planning Act 1990.



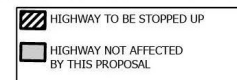
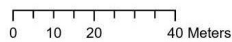
Highway Records
Operational Services
Howden House
Union Street
Sheffield
S1 2SH

23/03216/FUL/Stopping-Up
Town & Country Planning Act 1990 Section 247
Proposed Closure of Part of Dobbin Hill, Sheffield 11



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RESPONSE TO REPRESENTATION

It is considered many of the concerns raised have been acknowledged in the above report, specifically with design, amenity and highways concerns as well as loss of green space. For clarity other matters are commented on below.

This assessment and planning process assess a proposed scheme against relevant planning policy at national and local level. Each application is assessed on its own merit based upon the details given, measurable plans and a site visit amongst other factors. While historic images and visual mock-ups are beneficial, assessment does not rely on these. After initial assessment of publicity undertaken it was later considered further publicity was necessary and this was carried out in accordance with guidance and the Council's Statement of Community Involvement.

Any comment raised in regard to the previously approved dwellinghouse development is not a factor when assessing the acceptability of this proposal. Should there be concern regarding the construction of the approved works this would need to be raised through an enforcement enquiry.

Many comments raised in representations are classed as non-material considerations. Such concerns stated include the 'land grabbing'/ private/public

ownership. Furthermore, possible construction noise, and previous loss of a grit bin are non-material.

The definition of 'vacant' is subjective and it is not felt the housing of a bin is sufficient to say the space is not vacant. In terms of 'legitimate interest', this is not necessary to apply for planning permission and it was considered sufficient information was provided to validate the application, with appropriate ownership certificates completed.

Comments from objectors and supporters have demonstrated a desire for parking and vehicles restrictions in the area, however this is not a request proportionate to this planning application.

SUMMARY AND RECOMMENDATION

Taking into consideration the above assessment, the proposed works are considered in accordance with policies and therefore acceptable. The land use is considered acceptable in this location and not considered to impact the setting of the Listed Building. The works are of an appropriate scale constructed in suitable material with native trees resulting in an in-keeping design which preserves the character of the area and setting of the listed building(s). The existing privacy levels will be retained, and no over-shadowing is expected. As stated under National Planning Policy Framework paragraph 135, the development is considered to contribute to an attractive place and is sympathetic to the local character. The proposal will enhance the local landscape with native planting as para 180 stipulates.

The retention of the street furniture and small area of un-fenced space is a welcomed detail and overall the development forms a functional in keeping proposal which is in accordance with guidance.

Where it is felt appropriate conditions have been put in place to ensure a quality development such as the tree planting and wall building as well as some permitted development rights being removed.

Overall, the proposal accords with National and Local policies and is recommended for conditional approval.

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