

Update Sheet – Development Management Committee – 30<sup>th</sup> June 2021

Item	Updates	Page No.
1	None.	14-22
2	<p>One additional public representation setting out:</p> <ul style="list-style-type: none"> <li>• Proposal would obstruct the right of way as the building and storage area will be constructed over part of the Route of Access to the Property and so as to block rear gate which provides access to the Property from the Site</li> <li>• The Proposal is undeliverable as a result of the right of way which benefits our client's property.</li> <li>• There are competing sites which would reduce the level of noise impact and also not restrict rights of way. Permission should be refused on this ground. This is set out within case law.</li> <li>• A foul drainage strategy has not been provided contrary to DM4.2</li> <li>• The noise impact assessment is not accurate and has not been updated to reflect the larger number of noise sensitive receptors which had been identified.</li> <li>• Land registry details have also been provided showing an application has been made to change the register to grant a right of easement from 10 Park Close. The documents are dated 18 June 2021.</li> </ul> <p>Comments received from the Environmental Quality Team</p> <p>Recommended conditions:</p> <ul style="list-style-type: none"> <li>• Hours of use</li> <li>• Plant noise</li> <li>• Noise Management Plan – including details of a noise limiter</li> <li>• Verification testing</li> <li>• Glazing specification</li> <li>• Lighting</li> </ul> <p>Officer comments on the additional updates</p> <p>In relation to the additional representation, consideration has been given to the deliverability of the scheme and the right of access for adjacent properties. This is considered to be private matter which does not prevent the Council from granting planning permission. In relation to competing sites, whilst it is understood that the applicants assessed alternative locations for the development, these have not been brought forward, and as such there is no competing sites available for the Council to consider. Consideration has been given to the case law set out by the objector and in this regards the questions around the right of access and competing sites is not considered to prevent planning permission being granted.</p>	23-27

	<p>In terms of the noise assessment, the additional comments have now been received from the Environmental Quality Team including a list of proposed conditions. This has confirmed that the noise impact assessment is acceptable and that the noise impact of the development can be mitigated by way of condition.</p> <p>In terms of drainage, the agent has confirmed the intention to connect to the public sewer in recreation road. A condition is proposed to secure this. Subject to a condition the proposal is considered to meet the tests of DM4.2.</p> <p>Recommendation: Approval with Conditions.</p>	
3	<p>Comments received from NCC Highways:</p> <p>Recommend conditions on provision of access and parking area which are to be added as requested</p> <p>Updated Ecological Assessment received</p> <p>Recommends further mitigation and enhancement measures which can be incorporated into the existing conditions on the recommendation</p>	30-36
4	<p>Comments received from NCC Highways.</p> <p>Unfortunately the visibility from the entrance to the property is poor in both directions. As such I don't think that we can support the application with the entrance as it stands. The main problem is lack of vision from the property entrance in both directions. If approved I would suggest that the front hedge should be lowered and maintained at 1m above road level. This will improve vision to the south although not to standard. The applicant does not appear to own the land to the north so not a lot can be done that way.</p> <p>A parking plan would be useful, although there does seem to be a sufficient amount</p> <p>You may also wish to consider limiting the number of persons that can use the office, in order to limit traffic movements and parking requirements.</p> <p><b>Officer comment:</b> The existing entrance is used by both the occupants of the dwelling and those who work at the outbuilding. Visibility is substandard with seemingly limited opportunity to improve this to provide the necessary splays and particularly to the north as the applicant does not appear to own land in this direction. The access is within the 30mph speed limit but close to the point at which The Common is subject to the national speed limit meaning that vehicles may be travelling at speeds greater than 30mph as</p>	37-42

	<p>they approach the national speed limit or slow down from it. This development is not an ancillary function to the dwelling and generates vehicular movements from those who work and do not live there. In light of all these factors, I consider that the application should be additionally refused on the grounds of highway safety as adequate visibility splays cannot be provided contrary to Policy DM3.11 of the SNLP.</p>	
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