

Report of the Head of Planning, Transportation and Regeneration

Address MUSGRAVE HOUSE, WIDEWATER PLACE MOORHALL ROAD
HAREFIELD MIDDLESEX

Development: Change of use from Offices to 36 residential flats (Use Class C3) (Application for Prior Approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))

LBH Ref Nos: 47321/APP/2021/2190

Drawing Nos: 3155_061
3155_062
Floor Plans
3155_20_106
Geo-Environmental Assessment Report dated 27th July 2017 (Job no: P1001J1102)
Flood Risk Assessment dated May 2021
Transport Note dated June 2021
Proposed Scheme Daylight and Sunlight Study dated 28th May 2021 (Ref: PR368_V0)
Planning Statement
Budgens Londis House Noise Assessment (dated May 2021)

Date Plans Received: 01/06/2021

Date(s) of Amendment(s):

Date Application Valid: 01/06/2021

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) because insufficient evidence has been provided in relation to the impact of noise from adjacent commercial premises on the intended occupiers of the proposed dwellings. Paragraph W(3)(d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that the local planning authority may refuse an application where, in the opinion of the authority the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part of being applicable to the development in question. As such, the prior approval application is refused.

2.0 Planning Considerations

SITE & LOCALITY:

Musgrave House is a purpose-built office block accessed from Moorhall Road and is inclusive to Widewater Business Park which also consists of two other office blocks (i.e. Chaplin House and Norgine House).

It is noted that the former Use Class B1(a) now falls under Use Class E under the new Use Class Order. However, from 1st September 2020 until 31st July 2021 changes of use relating to permitted development rights as set out in the GPDO will continue to be applied based on the existing use classes (i.e. as they existed on 31 August 2020). New permitted development rights will be introduced from 1st August 2021.

ASSESSMENT:

The provisions of O.1 of Class O, Part 3, Schedule 2 of the GPDO states that development is not permitted by Class O if: the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order (i) on 29th May 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use; the site is, or forms part of, a safety hazard area; the site is, or forms part of, a military explosives storage area; the building is a listed building or is within the curtilage of a listed building; or the site is, or contains, a scheduled monument.

Officer comments:

An assessment of the planning history has been conducted and there are no conditions attached to the planning permissions relating to this site that remove permitted development rights for the change of use proposed under this prior approval application. The planning history shows that the application site was in office use on 29th May 2013.

The application site is not, nor forms part of, a safety hazard area or a military explosives storage area. The application building is not a listed building or within the curtilage of a listed building, nor does it contain a scheduled monument. It is noted that the site is designated within Widerwater Lock Conservation Area. However, the GPDO does not prohibit development permitted by Class O for sites located within a Conservation Area.

The provisions of O.2 (1) of Class O, Part 3, Schedule 2 of the GPDO require the local planning authority to assess the proposed development on transport and highways impact, contamination risk on the site, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development, the provision of adequate natural light in all habitable rooms of the dwellinghouses, and the provision of paragraph W (prior approval) apply in relation to this application. Please refer to the following sections of this report for this assessment.

THE PROVISION OF ADEQUATE NATURAL LIGHT IN ALL HABITABLE ROOMS OF THE DWELLINGHOUSES:

The submitted Daylight and Sunlight Study Report (dated 28th May 2021) states that all bedrooms and living/kitchen/dining rooms would meet or exceed the recommended average daylight factor. Additionally, all south-facing living/kitchen/dining rooms would receive annual probable sunlight hours and winter probable sunlight hours above that of the recommended targets. It is therefore considered that the proposed development would provide adequate natural light in all habitable rooms of the proposed flats.

WHETHER THE NEW DWELLINGHOUSES COMPLY WITH THE NATIONALLY

DESCRIBED SPACE STANDARD (2015)?

The submitted floor plans show that all the proposed flats would comply with the Nationally described space standard (2015). As such, the development would comply with paragraph 3 (9A) of the GPDO.

IMPACTS OF NOISE FROM COMMERCIAL PREMISES ON THE INTENDED OCCUPIERS OF THE DEVELOPMENT:

Condition O.3 of the GPDO states that "For the purposes of Class O, "commercial premises" means any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of application under paragraph O.2(1), and includes any premises licensed under the Licensing Act 2003 or any other place of public entertainment."

Paragraph W 10(b) of the GPDO states that the local planning authority must, when determining an application, have regard to the NPPF (2019), so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

It should be noted that the NPPF (2019) has now been replaced by the NPPF (2021). Paragraph 130 of the NPPF (2021) seeks a high standard of amenity for future users. Paragraph 187 of the NPPF (2021) states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Whilst development plan policies may be relevant, they only serve as evidence to support rather than being the deciding factor in prior approval applications (refer to R (on the application of Patel) v SSCLG & Johal & Wandsworth Borough Council [2016] EQHC 3354 (Admin)). With this in mind, it is considered that Policies D13 and D14 of the London Plan (2021) are consistent with the advice contained with the NPPF (2021), in regard to noise impacts.

The application site is in proximity to three "commercial premises" as interpreted by Condition O.3 of the GPDO. Harleyford Aggregates and GRS (Roadstone) Ltd are located to the west of the application site, on the opposite side of the Canal. Harefield Marina is located to south of the application site, on the opposite side of Moorhall Road. Although a Noise Assessment (dated May 2021) has been submitted in support of the application, there is considerable doubt about the robustness and accuracy of the assessment. (Side note: The submitted Noise Assessment refers to the application building as Budgens Londis House. However, it is clear from the contents of the report that it is referring to Musgrave House).

The submitted Noise Assessment states that the noise surveys were carried out on 12th May 2021. Paragraph 3.6.4 of the report claims that the assessment "is considered to be a representative and robust assessment of the likely impacts". However, Council Officers do not share this stance. It is questioned how noise surveys carried out over a single day could accurately represent the baseline noise environment. The Council's Environmental Health Officer has raised concerns about the position of the noise monitoring equipment. It is also questioned why the receptor height of 1.5 metres and 4 metres was chosen, given that the application property is a three-storey building. Moreover, the noise surveys were carried out during the Government's COVID-19 restrictions, which raises doubt on

whether the commercial premises were running at normal capacity at the time of the surveys.

Page 19 of the Noise Assessment highlights that various commercial uses were audible within the development site, including the operation of the aggregate screen process that splits aggregate material, uses of conveyors to form piles, noise from the engine running the plant, noise of large aggregate material and stones dropping from the conveyor onto storage piles. It is therefore clear that intensive operations are being carried out at the Harleyford Quarry (including the GRS Bagging Plant) which could potentially have implications on noise levels. The Noise Assessment suggests that the commercial operations of the Quarry are limited to the daytime. However, no clear details have been submitted as to the actual operating hours of the neighbouring commercial premises, and whether these hours are restricted by condition.

It is unclear from the submitted details as to whether future occupiers would be able to open windows. If they are, it is likely that occupiers would open the windows during the summer months for fresh air. The Noise Assessment does not appear to consider this scenario and the potential consequence this would have to the internal noise levels of the proposed flats. A condition requiring for all windows to be kept shut would be unreasonable and potentially difficult to enforce as it would prejudice the living environment for future occupiers. It is therefore considered that a condition of this manner, especially without any mechanical ventilation, would not pass the planning tests set out in paragraph 56 of the NPPF (2021).

The Noise Assessment claims in paragraph 7.1.1 that "no adverse impacts are considered likely as result of the proposed development and no additional mitigation measures are proposed." However, Council Officers question this conclusion, given the close relationship between the application site and Harelyford Quarry and the limited evidence that has been submitted. It is considered that the impact of noise from "commercial premises" cannot be dealt with by way of a condition as this is fundamental to the acceptability of the proposed scheme.

It is acknowledged that there are existing residential properties to the north of the site on Peerless Drive. There are also residential properties interspersed to the south-west of the site. However, this is not considered to be sufficient justification to permit a development that would be harmful to the intended occupiers of the development, in terms of impact of noise from commercial premises. The Environmental Health Officer has commented that historic noise complaints have been received by the Council from neighbouring residents. This adds further weight to the Council's position that the noise from commercial premises is likely to cause significant disturbance for future occupiers.

It is acknowledged that HS2 is currently under construction which is likely to add to the implications of the impact of noise on future occupiers. However, it is considered that HS2 does not fall under the definition of "commercial premises" as defined in Condition O.3 of the GPDO. As such, the noise impacts that HS2 would have on future occupiers of the proposed development falls outside of the remit of the prior approval assessment.

In light of the above, it is considered that insufficient information has been provided in relation to the impact of noise from adjacent commercial premises on the intended occupiers of the proposed dwellings. The proposal would therefore not meet provision O.2(1)(d) of Class O, Part 3, Schedule 2 of the GPDO.

3.0 CONSULTATIONS

Traffic Impacts

TRANSPORT AND HIGHWAYS IMPACTS OF THE DEVELOPMENT:

Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states that new development will only be permitted where it accords with the Council's adopted parking standards, unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The proposal seeks to provide 36 flats. The Council's maximum standard, as set out in Appendix C, Table 1 of the Hillingdon Local Plan (Part 2) Development Management Policies (2020), requires between 1-1.5 spaces to be provided on-site for flats up to 2 bedrooms and 2 spaces to be provided for 3-bedroom flats. This would total a requirement of between 39-56 on-site car parking spaces. In total 43 spaces are to be provided which meets the Council's parking standard. The on-site car parking spaces would need to be allocated per flat. If this application had been recommended for approval, a condition would have been secured requiring the submission of a parking allocation plan to be submitted to the Council for consideration.

Disabled Compliant Parking Provision: To accord with the Council's parking standard, 10% of parking spaces should be disabled compliant which equates to 4 spaces in this case. 4 disabled spaces are to be provided which conforms to the standard, and would be secured by condition in the event of an approval.

Electric Vehicle Charging Points (EVCP): In line with Policy T6.1 of the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which equates to 8 'active' and 35 'passive' spaces. This level is proposed which is welcomed, and would be secured by condition in the event of an approval.

Cycle Parking Provision: In terms of cycle parking, there would be a requirement to provide 1 secure and accessible space for each flat (up to 2 bedrooms) with 2 spaces for 3 bedroom flats in order to accord with the Council's adopted cycle parking standard. This would total a requirement of 39 secure and accessible cycle spaces. This level is proposed to be placed in proximity of the front building entrance in a communal fashion which is considered appropriate and satisfactory. Full details of the cycle store would be secured by condition, in the event of an approval.

Motorcycle/Scooter Parking: Appendix C, Table 1 of the Hillingdon Local Plan (Part 2) Development Management Policies (2020) states, in addition to car and bicycle parking, parking spaces for motorised two wheelers must be provided at the rate of 5% of car parking spaces. Although the submitted plans do not indicate any on-site motorcycle/scooter parking provision, this could be resolved by the imposition of a planning condition.

Internal Road Site Layout /Waste Collection: The existing internal parking and road layout arrangement broadly conforms to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts as there is a highway safety benefit derived from the provision of sufficient turning space within the site roadways. Such benefit is realised by allowing all vehicles to enter and leave the site in a forward gear without hindrance which conforms to recommended best practice based on operational and highway safety grounds. This also applies to waste collection, delivery and emergency service vehicles which can be accommodated satisfactorily within the site curtilage.

In terms of refuse collection, waste collection distances between a new bin storage area (or suitable bin stores/collection points) and a refuse vehicle should not exceed 10 metres. The positioning of the proposed store in proximity of the front of the building allows conformity to this parameter. Additionally, carrying distances from each residential unit to the bin store should not exceed 30 metres in order to accord with the Council's waste collection standard. As presented, this latter distance parameter would not be met for a proportion of residential units. However, this could be resolved by the imposition of planning condition requiring the revision of the waste storage design or a site waste management regime.

Vehicle Trip Generation/Access Arrangements: The 'industry recognised' database of trip generation for different land uses (TRICS) has been applied by the applicant in order to determine the likely traffic generated by the proposal.

The anticipated trip generation impact on the highway related to this application indicates a likely activity of less than 15 two-way movements during the crucially sensitive morning and evening peak periods. This is considered as a realistic estimate for this scale of proposal and represents a significant reduction in activity as compared to the established office use. This conclusion also applies to the 'sister' applications for Chaplin House and Norgine House which if consented would, in cumulative terms, represent an overall reduction in vehicular activity to and from the whole site.

The likely traffic activity generated by the conversion of Musgrave to a residential use is therefore considered relatively absorbable in generation terms and therefore can be accommodated within the local road network without notable detriment to traffic congestion and road safety. As a consequence, the existing vehicular access point and established shared approach roadways are considered 'fit for purpose'.

Construction Management Plan: A Construction Management Plan is considered to be necessary given the constraints and sensitivities of the local road network in order to avoid/minimise potential detriment to the public realm. A Construction Management Plan would be secured by condition, in the event of an approval.

The preceding paragraphs incorporate the comments received from the Council's Highways Officer who has raised no objection to the application, subject to the above recommended conditions. It is therefore considered that the proposed development would not significantly impact on the demand for on-street parking in the area, or have a harmful effect to the local road network. The proposed development would, therefore, not have an unacceptable impact on transport and highway safety.

Contamination

CONTAMINATION RISKS ON THE SITE:

According to the Council's GIS Map, the application site is designated within a Former Land Use and Landfill Buffer Zone. The Council's Land Contamination Officer has advised that records show that the application site is within 250 metres of two historic landfill sites.

A Geo-environmental Assessment Report was accompanied with this application. The report states that elevated concentrations of Arsenic, Lead and PAH were detected. It also identifies ground conditions which suggests possible gas risk. The details submitted within the report recommends further works, including:

- Seek approval of the Generic Quantitative Risk Assessment and Soil Gas Assessment

from the Local Authority, NHBC and other relevant stakeholders;

- Undertake a further five gas monitoring visits over a five month period.

- Seek confirmation of the water supply pipe requirements by the appropriate service provider.

- If required, undertake further shallow soil sampling and analysis to allow possible delineation of soft landscaped areas requiring a clean cover system

- Production of a Remediation Method Statement (RMS).

The Council's Land Contamination Officer has reviewed the submitted details and provided the following consultation response:

"The report provides suitable and satisfactory accounts of a phase 1(Desk study) and a subsequent Phase 2 (Ground investigation) conducted at the site in 2017. The information includes relevant conceptual site modelling and risk assessment for the proposed change of use from commercial to residential property. The risk assessment included generic and statistical analyses of the assembled data and the report concludes that a Remediation Strategy is required to address concentrations of contaminants which exceed the adopted assessment criteria. It is therefore recommended that the following conditions are imposed to ensure the site is made suitable for the proposed residential use."

The condition recommended by the Council's Land Contamination Officer is noted below. This condition would have been secured to the decision notice, if this application had been recommended for approval.

(i) The development shall not commence until a scheme to deal with identified contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) The applicant shall carry out and submit results of a scheduled landfill gas / ground survey. Gas testing shall also include areas beneath the existing building/s footprint/s. If landfill gas / ground gas is discovered, the applicant shall install appropriate gas protection measures to prevent gas ingress to the building/s on the development site. This condition will not be discharged until the agreed works have been implemented and the appropriate validation and verification information has been submitted to the satisfaction of the Local Planning Authority.

(b) A written remediation strategy/method statement, providing

- details of the full remediation scheme for the site

- details of a watching brief to identify any unforeseen contamination

- details to show how the completion of the remedial works for each phase will be verified.

The above details shall be agreed in writing with the LPA prior to commencement of each phase, No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme shall be agreed with the LPA prior to implementation.

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the

approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority.

Subject to the above condition, it is considered that the proposed development would not cause unacceptable contamination risk to future occupiers.

Flooding

FLOODING RISKS ON THE SITE:

The site is located in Flood Zone 1 where the risk of flooding from rivers or seas is low. As such, all forms of development, including more vulnerable residential uses, are acceptable in this location, in terms of fluvial flood risk.

The Environment Agency and West London Strategic Flood Risk Assessment surface water flood maps show that the application building is not at risk of surface water flooding. However, the surrounding car park is in the low risk scenario of being susceptible to surface water flooding to depths less than 300mm.

A Flood Risk Assessment (dated May 2021) was accompanied with this application. It states that the application building will remain above the flood level for the low risk scenario of surface water flooding. As such, all residents will have safe refuge within the building in the event of flooding. Section 6 of the Flood Risk Assessment recommends mitigation measures, including the display of a flood notice within the lobby of the building and a notice board in the car park. In the event of an approval, a condition would be secured to ensure that the Flood Risk Assessment (including the recommended mitigation measures) is strictly adhered to.

No objection has been raised by the Council's Flood and Water Management Officer, subject to a flood notice being displayed.

Subject to the above condition, it is considered that the proposed development would not cause unacceptable flood risk to future occupiers.

Consultee Comments

EXTERNAL CONSULTEES:

6 neighbouring properties were consulted on 17th June 2021. The consultation period expired on 8th July. Three representations were received and their comments are summarised as follows:

- There are long standing tenants operating from Chaplin House until 2029
- Over-development of the site, with some extremely small units.
- Extra traffic movements in addition to HS2
- Pressure on village education and health services.
- Impact on the poor drainage system in the area.
- Flood risks
- Poor public transport - Harefield has a PTAL1 which is the lowest provision.
- No private amenity space or gardens.
- The tenants of Norgine House have a long lease until 1st April 2030 which contains customary provisions regarding Quiet Enjoyment.

- The Landlord's Environmental Noise Impact Assessment fails to satisfactorily address the noise on Norgine House and its commercial operations under the existing class of use and its Lease.
- There is significant traffic disruption ongoing in the vicinity of Widewater Place, including Harvill Road and Moorhall Road, due to HS2 development construction, contributing to traffic congestion. The significant construction work proposed by the Landlord would exacerbate an already challenging congested situation.
- Norgine House has experienced severe sewer flooding to the ground floor in 2019, and it was subsequently found there is an inadequate waste pumping station serving the site. This issue has not been addressed by the Landlord in the application.
- The reduced level of security occasioned by office and residential use could create vulnerabilities to the existing business tenants.
- This move would have an adverse impact on local employment opportunities as well as being disruptive to local employees and service providers.

Harefield Tenants and Residents' Association: "Our Association is very concerned regarding the impact this proposed change of use would have on our village and its future residents. It is in a Conservation Area and would lead to a loss of the only designated employment site in South Harefield. It would increase the traffic activity over the whole day as apposed to just office hours. Harefield has a PTAL1 for public transport so it would obviously lead to more car use all day to access work, shopping, education and general visits to the village services. There is also the issue of noise impacts and dust from the nearby Harleyford works site which doesn't seem to have been addressed by the applicant. No noise impact assessments have been provided regarding the construction of the HS2 railway which will take 7 years to construct. Also when completed the noise of regular trains passing over the viaduct on future residents. We recognise this is not a regular planning application but these are serious issues which need to be addressed."

Officer's response: The representations received have been taken into account. However, there is a requirement to assess the merits of this proposal against the respective legislation and this application has been determined having regard to the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Thames Water's comments:

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

Officer's response: The above comments from Thames Water would be secured to an informative, in the event of an approval.

INTERNAL CONSULTEES:

Council's Flood and Water Management Officer: "A Flood Risk Assessment has been provided confirming the site is in Flood Zone 1 and has some surface water risk within the site and access to the site. This is indicated to be away from building and a notice providing some awareness of the risks to the site and occupants will be provided by the applicant. Therefore there are no objections to the change of use."

Council's Land Contamination Officer (summary): No objection, subject to a recommended condition. Refer to the section of the report titled 'Contamination' for further details.

Council's Highway Officer (summary): No objection, subject to recommended conditions. Refer to the section of the report titled 'Transport and highway impacts on the development' for further details.

Council's Environmental Health Officer (summary): The noise assessment does not provide sufficient information on the background noise levels of Harleyford Aggregates where historic noise complaints have been received by the Council. The assessments does not appear to be robust enough and given the proximity of the noisy commercial operation then this is a matter of significant importance. A sample monitoring was taken on one day and then it is not entirely clear how these relatively high levels of recorded noise were then correlated to the adjacent properties to reach a conclusion that Harleyford Aggregates is barely perceptible at properties only a matter of meters away. The development is in the scope of being an 'agent of change' with regards to noise and therefore a far more robust assessment is required of the long term implications of the 'noisy' neighbour who predates this prior approval application.

Following an email from the applicant's noise consultant dated 20th July 2021, the Environmental Health Officer provided the following additional comments:

"With regards to Harleyford Aggregates, the scope of the assessment is limited to one working day is not seen as representative. Given there is limited opportunity to solve problems once the development is complete then a wider duration of noise monitoring is required.

It is unclear why there are predicted noise measurements for the facade of the properties in the location and no actual data recorded over a period of time. I would expect noise monitoring equipment to be located on the existing offices. Furthermore, predictions were only given for 4m high, and again it is not clear why this is the case given the height of the third storey. Given the ongoing noise source directly next to the property in question, the Council would expect real-time noise monitoring of the noise impacts of the aggregates facility on the offices at the appropriate facade heights that would reflect the real time residential receptors.

It is difficult to see how recorded noise impacts of +70db on the aggregates site do not represent a concern for residents being able to enjoy the amenity of their homes."

CONCLUSION:

It is considered that insufficient information has been provided in relation to the impact of noise from adjacent commercial premises on the intended occupiers of the proposed dwellings. The proposal would therefore not meet provision O.2(1)(d) of Class O, Part 3, Schedule 2 of the GPDO.

Paragraph W(3)(d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) states that the local planning authority may refuse an

application where, in the opinion of the authority the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part of being applicable to the development in question. As such, the prior approval application is recommended for refusal.

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