

<b>Application Number:</b>	23/00774/FUL
<b>Proposal:</b>	Variation of Condition 2 (drawings) to combine the approved two apartments into a single dwelling and make elevational changes to the design of planning permission 17/00784/FUL.
<b>Site:</b>	White Hart Inn, 91 Market Street, Mottram, SK14 6JQ
<b>Applicant:</b>	Mr Bardsley
<b>Recommendation:</b>	Grant planning permission, subject to conditions.
<b>Reason for Report:</b>	A Speakers Panel decision is required because the original scheme was considered a departure from the development plan and this application is a variation to that scheme.
<b>Background Papers:</b>	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

## 1. SITE & SURROUNDINGS

- 1.1 The application relates to the former public house, White Hart Inn, located on Market Street within Mottram in Longdendale Conservation Area. The site is currently vacant, though some works have been carried to the external walls of the building, following previous grants of permission. The building is two storeys in height and forms the end building of the terraced row fronting Market Street. The building is constructed of stone elevations, with a slate tiled roof, though it would appear the roof slates and some of the roof timbers to the rear of the building have been removed. To the rear of the building is a yard, and beyond the rear boundary is a large, detached dwelling.
- 1.2 There is a gap in the built frontage, between the former public house and no.1 Church Brow, which provides access to the farmland behind and a public right of way (PROW) across that land, identified as LON/86/10. The farmland is located within the Green Belt, part of which would be used as a car park to support the proposed conversion of the former public house to residential accommodation. There are a number of listed buildings/structures within the vicinity of the application site.

## 2. PROPOSAL

- 2.1 This section 73 (minor material amendment) application seeks planning permission for the variation of condition 2 (approved plans) of planning permission 17/00784/FUL, which was approved at Speakers Panel in April 2018.
- 2.2 In terms of amendments to the approved plans, internal alterations include the following:
  - Combine the approved 2no apartments into a single dwellinghouse (house no.1).
  - The 1no dwelling would serve a bedroom, WC, utility room and kitchen/diner at ground floor level, 2no bedrooms at first floor including an en-suite a master bathroom and a living room at second floor.
- 2.3 In terms of amendments to the approved plans, external alterations include the following:
  - 1no additional first floor window to the side elevation of the building, to serve the bathroom of house no.4. The 1no first floor side elevation window previously approved would serve a laundry room, in association with house no.4.

- Removal of the ground floor window and front entrance door to previously approved apartment 1, to form a new ground floor window opening to serve the new house no.1.
- Removal of 1no first floor rear window serving house no.1, so that bedroom 2 is served by 2no windows (previously bedroom 1 of apartment 2 was served by 3no rear facing windows).
- All ground floor rear facing windows replaced with patio style doors, and the previous rear door serving apartment 1 would be removed.
- Window and door frames to be anthracite in uPVC (previously white uPVC)
- External doors fronting Market Street to be anthracite grey uPVC (previously black uPVC).

2.4 For clarity, no amendments have been made to the separate car parking area, serving the dwellings. The car park would still accommodate 7no spaces.

### **3. PLANNING HISTORY**

- 3.1 12/00765/CON: Conservation Area Consent for demolition of part of public house and outbuildings. (Demolition area less than 115 cubic metres therefore application not required). Application returned July 2012.
- 3.2 12/00764/FUL: Demolition of outbuildings and part of main building and conversion of pub into 2no. 3 bed houses. Application approved 3<sup>rd</sup> October 2012.
- 3.3 15/00946/FUL: Change of use to C3 residential to form 7 No. apartments including demolition of outbuilding and formation of a new car park. Application approved January 2016.
- 3.4 17/00784/FUL: Conversion of the vacant public house and associated apartment to 5 dwellings and formation of a new car park. Application approved April 2018.
- 3.5 18/00027/PLCOND: Approval of details reserved by conditions 6 (soundproofing) and 9 (ground conditions) of planning permission ref. 15/00946/FUL - Change of use to C3 residential to form 7 No. apartments including demolition of outbuilding and formation of a new car park. Application approved April 2018.
- 3.6 18/00749/PLCOND: Condition 3 (materials), 4 (noise attenuation), 5 (Construction Environment Management Plan), 6 (landscaping), 10 (boundary treatments), 11 (contaminated land) and 13 (bin storage) of planning permission 17/00784/FUL. Application approved October 2018.
- 3.7 23/00562/FUL: General Purpose Agricultural Shed for Livestock and Fodder Storage and Small Yard Area. Application pending consideration.

### **4. PLANNING POLICY**

#### **National Planning Policy Framework**

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the

NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

#### **Development Plan**

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

#### Tameside Unitary Development Plan (2004)

- 4.5 The area of land to be converted to a car park is located within the Green Belt. The former White Hart Inn itself is not located within the Green Belt, though is located within Mottram in Longendale Conservation Area.

#### 4.6 **Part 1 Policies**

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality of Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.11: Conserving Built Heritage and Retaining Local Identity;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

#### 4.7 **Part 2 Policies**

- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings
- H7: Mixed Use and Density
- H10: Detailed Design of Housing Developments
- OL1: Protection of the Green Belt
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T10: Parking
- C1: Townscape and Urban Form
- C2: Conservation Areas
- C4: Control of Development in or Adjoining Conservation Areas
- C6: Setting of Listed Buildings
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species.

#### **Places for Everyone**

- 4.8 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors have been appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

- 4.9 Paragraph 48 of the NPPF sets out what needs to be taken into account when considering the weight given to emerging plans. It states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.10 Places for Everyone has been published and submitted, where examination is on-going. The inspectors have recently issued examination document IN36, which is a 'part one' post hearing note. IN36 states that subject to a number of action points contained therein, the inspectors are satisfied at this stage of the examination that a schedule of proposed main modifications are necessary to make the plan sound and would be effective in that regard. In addition, the inspectors have indicated their position on the proposed allocations and Green Belt additions. Other than consideration of final issues on five specific allocations, or a significant change in national policy, no further action points are likely to be issued before the main modifications are consulted on.
- 4.11 The plan is a material consideration and to date, very limited weight has been given to the policies within it, primarily due to the number of outstanding objections received as a result of previous consultations. However, following the above, it is now reasonable to give a greater degree of weight to the plan, being reasonable within the context of national planning policy.
- 4.12 Places for Everyone cannot be given full weight in planning decisions, as it does not form part of the adopted plan for Tameside. But given the stage reached, it is reasonable to give elements of the plan substantial weight, subject to the inspector's caveat that this is without prejudice to their final conclusions following consideration of responses to consultation on the main modifications later in the examination.
- 4.13 To clarify, IN36 gives a clear steer as to the wording required to make the plan sound. Substantial weight should therefore be applied to the text of the plan as amended by the schedule of main modifications, and not the published version of Places for Everyone.
- 4.14 **Other Relevant Policies/Guidance**
- Technical Housing Standards – Nationally Described Space Standard (2015).
  - Residential Design Supplementary Planning Document (2004).

#### **Other Considerations**

- 4.15 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.16 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

## **5. PUBLICITY CARRIED OUT**

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement the application has been advertised as development affecting the

character or appearance of the Mottram-in-Longdendale conservation area, departure to the Green Belt, development affecting a Public Right Of Way and development affecting the setting of a listed building, by neighbour notification letters, display of site notice, and advertisement in the local press.

## **6. SUMMARY OF THIRD PARTY RESPONSES**

- 6.1 In response to the publicity carried out, the Council received four letters of objection and two neutral letters. The concerns raised within the letters are summarised below:
- Conflict with land use policy
  - Out of character
  - Sets a precedent
  - Development too big
  - Parking/traffic matters
  - Will the project interfere with public footpath?
  - The site is located in a conservation area
  - Visual amenity
  - Overlooking/loss of privacy
  - This development has been going on for 5 years, the building has been left in total disrepair, making Mottram Village look a complete mess
  - There should be a time limit to complete the build
  - The development with interfere with the public footpath.

## **7. RESPONSES FROM CONSULTEES**

- 7.1 Peak and Northern Footpaths Society – use of the PROW adjacent to the site (LON/86/10), and the safety of users, must not be affected by the development, nor during the work taking place.
- 7.2 National Highways – Offer no objections.
- 7.3 Local Highways – No objections. Note the PROW LON/86/10 is located within the vicinity of the development, though local highways are satisfied the works will not affect the footpath. However, during the construction phase of the development, the PROW must not be obstructed and access must be maintained at all times.
- 7.4 Greater Manchester Ecology Unit – No objections.

## **8. ANALYSIS**

- 8.1 In terms of the principle of development, converting the former public house into residential accommodation (C3 use) has been well established, following planning approval of the following proposed developments:
- 12/00764/FUL: Demolition of outbuildings and part of main building and conversion of pub into 2no. 3 bed houses. Application approved 3 October 2012.
  - 15/00946/FUL: Change of use to C3 residential to form 7 No. apartments including demolition of outbuilding and formation of a new car park. Application approved January 2016.
  - 17/00784/FUL: Conversion of the vacant public house and associated apartment to 5 dwellings and formation of a new car park. Application approved April 2018.

- 8.2 In addition, the principle of changing the use of a small section of the Green Belt to a parking area, to support the proposed dwellings, has previously been established within planning approvals 15/00946/FUL and 17/00784/FUL.
- 8.3 The most recent permission (17/00784/FUL) remains extant, and has partially been implemented, whereby the conversion/construction works commenced 10 March 2020, as stated within the submitted application form. The development has not been completed.
- 8.4 It is therefore considered that the principle of residential development in this location, partially within the Green Belt, has been previously established on this site and thus remains acceptable in this case.

## **9. DESIGN & LAYOUT**

- 9.1 Policies within the UDP, NPPF and the adopted Residential Design Guide SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. Paragraph 134 of the NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions.
- 9.2 External alterations to the front, side and rear of the existing building through this application would be minimal when compared against the previous approved works. The amendments include alterations to the number of openings to the front elevation at ground floor, rear elevation at both ground and first floor and first floor of the side elevation.
- 9.3 Other alterations include the colour of the window and door frames, from previously approved white uPVC to anthracite grey uPVC. The colour of the front entrance doors has also been amended, from black uPVC to anthracite grey uPVC.
- 9.4 The above amendments are considered minimal when compared against the previous approved works and as such would not unduly affect the character of the building or that of the surrounding area/conservation area.
- 9.5 In light of the above, it is considered that the proposed amendments are acceptable visually, and thus would not unduly alter character and appearance of the building and the surrounding conservation area, in accordance with policy C1 and H10 of the UDP.

## **10. IMPACT UPON HERITAGE ASSETS**

- 10.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.2 Policy C2 of the UDP states that the character and appearance of the Borough's Conservation Areas will be preserved or enhanced through the control of development, the promotion of improvement measures, or both. In addition, policy C6 of the UDP states new development which fails to preserve, or detracts from, the setting of a Listed Building or structure will not be permitted.
- 10.3 The site lies within Mottram-in-Longdendale Conservation Area and within the setting of a number of listed buildings/structures:
- Crown Pole, Grade II listed
  - Village Stocks, Grade II listed
  - Crown Pole House, Grade II listed
  - Mottram Court House, Grade II listed

- Manor House, Grade II listed.

10.4 It is not considered that any of the alterations proposed through this application would cause any additional harm to the conservation area or listed buildings/structures, than the less than substantial harm which was identified through the previous application. It is therefore considered that the proposals would not require further assessment in this regard, and are acceptable with regard to heritage assets, in accordance with policies C2, C4 and C6 of the UDP and section 16 of the NPPF.

## **11. RESIDENTIAL AMENITY**

11.1 The alterations proposed would not increase the size of the existing building, but would rather combine the 2no approved apartments into 1 dwellinghouse, split over 3 levels, and introduce and alter window and door openings, to the front, side and rear elevations of the building.

11.2 The amended scheme would not alter the relationship between the proposed dwellings and neighbouring surrounding areas, and therefore no detrimental impact upon the amenity of neighbouring dwellings would result. The 1no additional first floor window to the side elevation of the building, serving the bathroom of house no.4, must be installed with obscured glazing, to protect amenity.

11.3 The reconfigured internal layout of the approved 2no apartments, would form 1no dwellinghouse, with 3 bedrooms, split over 3 levels. The minimum internal floor area required for such accommodation is 90sqm for 4 persons, and 108sqm for 6 persons, according to the Technical Housing Standards (THS). The proposed dwelling would exceed the minimum requirement for a 3 bedroom, 6 person dwelling, and therefore would create an adequate residential environment for the future occupants. All habitable rooms within the proposed dwelling would be well served with glazed openings to ensure adequate ventilation, outlook and exposure to light.

11.4 The garden/outdoor amenity space associated with the new dwelling would be of an adequate size to serve the health and well-being of the future occupants within proposed house no.1.

11.5 Previous approved house nos 2-4 would still be well served with glazed openings to all habitable rooms over the 3 levels, and would still retain an adequate sized garden area to well serve the future occupants.

11.6 In light of the above, the development is acceptable in regard to existing and future residential amenity, ensuring a reasonable level of amenity for future occupiers and retaining a good standard of amenity for existing neighbouring residents, in accordance with UDP policy H10(a) and (d), section 12 of the NPPF and the THS.

## **12. HIGHWAY SAFETY & ACCESSIBILITY**

12.1 The proposal would utilise an existing access to the eastern side of the former public house building to access the proposed car parking area. The car parking arrangement would remain as per the approved scheme, serving 7no spaces, which is deemed acceptable for the proposed 4no dwellings, in light of SPD policy RD8. The Council's Highways engineers confirms that the amendment to the approved plans, to combine the 2no apartments to 1no dwellinghouse, would not have an unacceptable on the safety of the highway network, or that the residual cumulative impact on the road network would be severe. The proposal is therefore compliant with policy T1 and T10 of the UDP.

12.2 The local highways engineer notes the proposed development, including proposed car parking area, is located within the vicinity of the PROW LON/86/10. As per the previous approval, the officer is satisfied that the proposed works would not affect the footpath, though notes during the construction phase of the development, the PROW must not be obstructed, and access must be maintained at all times. This has also been recognised by the Peak and Northern Footpaths Society.

### **13. OTHER MATTERS**

13.1 Recommended conditions are updated in order to reflect the information submitted and accepted as part of condition 2 (approved plans) of 17/00784/FUL. Condition 1 (three year time limit) is no longer relevant as it is understood that conversion works have already commenced. Conditions 2 (materials), 3 (noise attenuation), 4 (Construction Environmental Management Plan), 5 (landscaping), 6 (landscaping), 9 (boundary treatments), 10 (contaminated land), 12 (bin storage) and 14 (obscured glazing) have been updated. All other conditions are to remain, as previously imposed.

### **14. CONCLUSION**

14.1 The application proposes minor external alterations to the building and altering the internal layout of approved apartments 1 and 2, to form 1no dwelling house, split over 3 levels.

14.2 The physical alterations to the building, internally and externally, are considered to be acceptable with regard to visual amenity, not unduly impacting upon the character of the building, nor causing any harm to Mottram in Longdendale Conservation Area, or the setting of nearby Listed Buildings.

14.3 The alterations to the building would not cause any undue impacts upon residential amenity, with the proposed development providing a good standard of amenity for future occupiers.

14.4 The proposed alterations/amendments are acceptable on highways grounds.

14.5 There are no objections from the statutory consultees in relation to the proposals.

14.6 The proposal therefore complies with relevant development plan policies, as well as those contained within the NPPF, and is considered acceptable when taking into account other material planning considerations.

### **RECOMMENDATION**

Grant planning permission, subject to the following conditions:

- 1) The development hereby approved shall be carried out in accordance with the following approved plans:

Proposed plans and elevations – RG181/PL02 rev G

Revised site location plan – white 003-

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 2) The development hereby approved, shall be undertaken in accordance with the materials detailed on the approved plans drawing no. RG181/PL02 rev G.



Reason: In the interests of visual amenity and to ensure the development integrates with the character of its surroundings having regard to Policies C1, C2, C4, C6 and H10 in the Tameside Unitary Development Plan.

- 3) The development hereby approved shall be carried out in accordance with the soundproof scheme, as approved under 18/00749/PLCOND. The scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.

Reason: To protect the amenities of the occupants of adjoining property, in accordance with policy H10 of the UDP.

- 4) The development hereby approved shall be undertaken in accordance with the Construction Environmental Management Plan (CEMP) (undertaken by Brindle Developments (Hyde) Ltd), as submitted and approved under application 18/00749/PLCOND. The measures detailed within the document shall be implemented on the relevant phase of construction/conversion works and shall be retained as such throughout the duration of that phase of the development.

Reason: To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties, in accordance with UDP policies H10 and T1.

- 5) The hard and soft landscaping of the site shall be undertaken in accordance with the condition details, drawing no RG181/C01 Rev:B, as submitted and approved under application 18/00749/PLCOND.

Reason: To ensure that the hard and soft landscaping are implemented to ensure that the overall development respects the character of the surrounding area, in accordance with UDP policies C1 and H10.

- 6) The scheme of landscaping set out in the condition details, drawing no RG181/C01 rev B, approved under 18/00749/PLCOND, shall be implemented before the first occupation of any part of the development. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.

Reason: To ensure that the approved landscaping scheme is adequately maintained, in accordance with policies C1 and H10 of the UDP.

- 7) The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved site plan (number White 003-) prior to the first occupation of any of the dwellings, and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: To ensure that the development is served by adequate parking provision, in accordance with policy H10, T1 and T10 of the UDP.

- 8) No works to the roof of the building shall commence between May and September in any calendar year until an emergence survey assessing bat activity at the site has been submitted to and approved in writing by the Local Planning Authority. The survey shall include any mitigation measures considered to be necessary. The development shall be carried out in accordance with the approved mitigation measures.

Reason: To ensure that any potential harm to protected species during the construction phase of the development is adequately mitigated, in accordance with policy N7 of the UDP.

- 9) The boundary treatments shall be installed in accordance with the condition details, drawing no RG181/C02 rev B, as submitted and approved under application 18/00749/PLCOND, prior to the first occupation of any part of the development hereby approved and shall be retained as such thereafter.

Reason: To ensure that the development would preserve the residential amenity of the occupants of neighbouring properties and the character of the surrounding area, in accordance with policy C1 and H10 of the UDP.

- 10) If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA), shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 11) During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To preserve the residential amenity of neighbouring properties during the construction phase of the development, in accordance with UDP policy H10.

- 12) The bin storage arrangements for each dwelling, as set out in drawing no RG181/C01 Rev:B, and approved under 18/00749/PLCOND, shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

Reason: To provide adequate secure bin storage to serve the development and to safeguard the general amenity of the area in accordance with UDP policy 1.12, 1.13 and H10.

- 13) The rooflights to be installed within the roof plane of the building as part of the development hereby approved shall be 'conservation' style, fitted flush with the external edge of the roof of the building and shall be retained as such thereafter.

Reason: To ensure that the appearance of the development reflects the character of the conservation area, in accordance with policy H10, C1, C2, C4 and C6 of the UDP.

- 14) All ensuite and bathroom windows, and laundry room serving house no.4, identified on the proposed plans and elevation drawing no RG181/PL02 rev G, shall be permanently fitted with obscure glazing to meet the requirements of Pilkington Level 3 as a minimum and shall be retained as such at all times thereafter.

Reason: To ensure that the residential amenity of neighbouring properties and the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF.

## **Informative Notes**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

The applicant's attention is drawn to the Wildlife and Countryside Act 1981 which makes provision for the protection of bats and their habitat. As the proposed development might affect such a habitat consideration should be given to establishing whether or not bats are using the premises/site for roosting purposes, prior to any development taking place. More information can be obtained from the Bat Conservation Trust Helpline (Tel: 0845 1300 228) acting on behalf of English Nature.

Statement under Article 35 (2) of the Town and Country Planning (Development Management Procedure) England Order 2015 (as amended): The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.