

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

DEVELOPMENT CONTROL PANEL

2 March 2022

Item: 3

Application No.:	21/02777/FULL
Location:	127 - 128 High Street Eton Windsor
Proposal:	Removal of the existing rear extensions to No. 127-128, inclusive of the staircase from the ground floor and lean-to up to the first floor, construction of a new rear extension to the end of the plot to increase the area of the existing retail unit on ground floor level, x1 two-bedroom apartment proposed on first floor, 2 private terrace spaces, new external staircase, 3 car park spaces, cycle storage and refuse and recycling provision.
Applicant:	.
Agent:	Mr John Bowles
Parish/Ward:	Eton Town Council/Eton And Castle
If you have a question about this report, please contact: Zarreen Hadadi on 01628 796042 or at Zarreen.Hadadi@rbwm.gov.uk	

1. SUMMARY

- 1.1 The current application is for the removal of the existing rear extensions to Nos. 127-128 High Street, inclusive of the staircase from the ground floor and lean-to up to the first floor, construction of a new rear extension to the end of the plot to increase the area of the existing retail unit on ground floor level, x1 two-bedroom apartment proposed on first floor, 2 private terrace spaces, new external staircase, 3 car park spaces, cycle storage and refuse and recycling provision.
- 1.2 The application has addressed some of the reasons for refusal set out under previous application: 19/03203/FULL and the subsequent appeal decision and is now considered to be acceptable on grounds of impact on the listed building, impact on Eton Conservation Area and locality in general, quality of residential accommodation, impact on neighbour amenity, highways and parking implications.
- 1.3 However, the application is considered to be unacceptable on grounds of flood risk and sustainability.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 15 of this report):	
1.	The site lies within flood zone 3 and the Sequential Test has not been passed. On the basis of the submitted information, the LPA is not satisfied that there are no suitable alternative sites within the Borough that are not at risk or at lower risk of flooding or that there are other grounds to justify a new dwellinghouse within this site. Furthermore, the applicant has not submitted sufficient details to demonstrate that a suitable safe/low hazard means of escape can be provided from the application site to an area completely outside of the area liable to flooding.
2.	The application fails to comply with the Council's Interim Sustainability Position statement which seeks to reduced carbon emissions through new development within the Borough amongst other sustainability requirements. The position statement reflects national guidance within Chapter 14 of the NPPF and Borough Local Plan Policy SP2.

2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee. In this case, the application was called in by Cllr Rayner on 1st November 2021 on grounds of the need for more residential housing.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the south side of the High Street, within the Eton Conservation Area. The site use is a retail unit at ground floor with residential above. The rear of the site is accessed via a footpath between neighbouring buildings 126 and 125 High Street. The site backs onto a privately owned car park.

4. KEY CONSTRAINTS

- 4.1 The application site is located within floodzone 3 (high risk) and within Eton Conservation Area. The application site is formed by two units of a row of terraces, from 126 – 138 which are Grade II listed.

5. THE PROPOSAL

- 5.1 The application seeks planning permission for the removal of the existing rear extensions to Nos. 127-128, inclusive of the staircase from the ground floor and lean-to up to the first floor, construction of a new rear extension to the end of the plot to increase the area of the existing retail unit on ground floor level, x1 two-bedroom apartment proposed on first floor, 2 private terrace spaces, new external staircase, 3 car park spaces, cycle storage and refuse and recycling provision.
- 5.2 In 2019 planning permission was sought for a single storey rear extension with new first floor above to create x1 first floor flat with x1 rear terrace. Listed Building Consent was sought for internal alterations, removal of the existing rear extensions to No. 127-128, inclusive of the staircase from the ground floor and lean-to up to the first floor, construction of a new rear extension to the end of the plot to increase the area of the existing retail unit on ground floor level, x1 two bedroom apartment proposed on first floor, 2 private terrace spaces, new external staircase, 3 car park spaces, cycle storage and refuse and recycling provision. Both Planning and Listed Building consent applications were refused. This was due to concerns on flooding, impact on the Listed Building and Conservation Area, quality of residential accommodation, impact on the light and outlook of the existing neighbouring property at No. 129, and location of parking.
- 5.3 Applications 19/03203/FULL and 19/03204/LBC were subsequently dismissed at appeal (named appeal A and B respectively). The Inspector concluded that there was harm in respect of Appeals A and B in relation to the Grade II listed building and the character of the Eton Conservation Area; and harm in relation to Appeal A in terms of the location of the development in respect of the risk of flooding and outlook for the future occupiers of the proposed dwelling, and that there were no other considerations which would outweigh these findings.
- 5.4 The applicant has sought pre-application advice since the previous refusal in 2019. The proposed ground floor extension to the retail unit is 73 sqm and the first floor 2 bedroom flat measures 77.5 sqm. The proposal includes changes to the design where the extension would project from the rear elevation of the building with a maximum depth of 20.5 metres, spanning the width of the building at parts at ground floor level. The main difference to the design with the current application is that it would encompass a clearer delineation between the historic plots. The previous single ridge height was at a height of 7.4m. The redesign includes two separately defined treatments to the end elevations (reduced gabled ridge height at 6.8 m and hipped at 6.6m) including the stepping back on the boundaries to improve the perceived separation. At first floor, the extension would have a greater width (previously 6m) to now between 6.5 and 7.2

metres and same depth of 16.5 metres. The depth is the same at ground floor level but there are more set backs from the main frontage and sides at first floor level to accommodate a terrace for a less block like appearance at the same depth at 16.5m and a slightly greater width.

5.5 Additional information has been submitted with the current application under Section 6.7 of the Planning Statement for the Sequential Test and Exceptions Test with the aim to provide a case for the viability of the scheme.

6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
93/00352/FULL	Conversion of first and second floors to provide two self contained two bedroom flats	Permitted 08.03.1994
01/80548/ADV	Consent to display externally non-illuminated wall-mounted sign at first floor window level	Permitted 29.08.2001
01/80549/LBC	Consent to display externally non-illuminated wall-mounted sign at first floor window level	Permitted 29.08.2001
11/02918/FULL	Creation of a formal car parking area, including 2 bin stores, bollards, illuminated bollards and cycle storage, following demolition of existing garages.	Permitted 12.12.2011
19/03203/FULL	Single storey rear extension with new first floor above to create x1 first floor flat with x1 rear terrace.	Refused 13.01.2020 Appeal A dismissed 07.10.2020
19/03204/LBC	Consent for the construction of a single storey rear extension with new first floor above to create x1 first floor flat with x1 rear terrace and internal alterations.	Refused 13.01.2020 Appeal B dismissed 07.10.2020
21/02778/LBC	Consent for internal alterations, removal of the existing rear extensions to No. 127-128, inclusive of the staircase from the ground floor and lean-to up to the first floor, construction of a new rear extension to the end of the plot to increase the area of the existing retail unit on ground floor level, x1 two bedroom apartment proposed on first floor, 2 private terrace spaces, new external staircase, 3 car park spaces, cycle storage and refuse and recycling provision.	Pending Consideration

7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan

Issue	Policy	Compliance	
Spatial Strategy for the Borough	SP1	Yes	
Climate Change	SP2		No
Sustainability and Placemaking	QP1	Yes	
Character and Design of New Development	QP3	Yes	
Housing Mix and Type	HO2	Yes	
Local Centres	TR5	Yes	
Strengthening the Role of Centres	TR6	Yes	
Historic Environment	HE1	Yes	
Managing Flood Risk and Waterways	NR1		No
Nature Conservation and Biodiversity	NR2	Yes	
Environmental Protection	EP1	Yes	
Noise	EP4	Yes	
Infrastructure and Developer Contributions	IF1		No
Sustainable Transport	IF2	Yes	

Adopted Eton and Eton Wick Neighbourhood Plan (2016-2036)

Issue	Neighbourhood Policy	Compliance	
Design in keeping with character and appearance of area	HD1, HD2, HD3, HD4	Yes	
Highways/Parking	TI2	Yes	
Flooding	EN3		No

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy>

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 16- Conserving and enhancing the historic environment

Supplementary Planning Documents

- RBWM Interpretation of Policy F1
- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment

- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

12 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 4th November 2021 and the application was advertised in the Local Press on 4th November 2021.

No letters were received supporting or objecting to the application.

Consultees

Consultee	Comment	Where in the report this is considered
Conservation	Conservation raise no objections to the applications, however it minded to approve, recommend the following conditions are applied to the grant of LBC: material samples and details, horizontal and vertical sections and elevations of all proposed external windows and doors.	See iv Impact on listed building and v Impact on Eton Conservation Area and locality in general.
Environmental Protection	Suggested conditions regarding Aircraft noise and Site Specific Construction Environmental Management Plan (CEMP)	These conditions would be considered should planning permission be granted.

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- Applicant's Case for development
- Climate Change and Sustainability
- Impact on flood zone 3 location
- Impact on listed building
- Impact on Eton Conservation Area and locality in general
- Quality of residential accommodation
- Impact on neighbour amenity
- Highways and parking implications
- Other Material Considerations

Issue i- Applicant's case for development

10.2 The existing retail unit is occupied by Eton Sport which is a growing, profitable business who rely on being close to Eton College. The Planning Statement outlines that the business requires more space to extend and modernise their unit as the lease expired in May 2021. The application sets

out a desire to extend the retail unit for the benefit of the business. The extension of the retail unit is not unacceptable in principle. It is stated however that in order to fund the expansion of the retail unit a residential dwelling needs to be constructed on site. As stated above the site lies within Flood Zone 3.

Issue viii- Climate Change and Sustainability

- 10.3 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraphs 152 and 154 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.
- 10.4 A Position Statement on Sustainability and Energy Efficient Design (March 2021) sets out the expectations of new development consistent with the sustainability guidance set out in the NPPF to help deliver on the national and local commitments to address climate change and the Environmental and Climate Strategy of RBWM. Furthermore, adopted Borough Local Plan policy SP2 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change.
- 10.5 There is a list of 7 criteria set out in the Interim Sustainability Position Statement and it needs to be demonstrated how the criteria are met by the proposed development. It has not been demonstrated how the proposal would comply with the requirements set out in the Interim sustainability position statement and further information in this regard would be required to ensure compliance. As it stands the proposal is currently unacceptable in this regard. To note it is both the extension to the retail unit of more than 100 sq.m (gross) and the residential unit that fail to meet the sustainability requirements of the position statement.

Issue ii- Impact on flood zone 3 location

- 10.6 The application site is located within floodzone 3 (high risk). A Flood Risk Assessment (FRA) has been submitted in support of the application.

Sequential Test

- 10.7 The National Planning Practice Guidance states that the Sequential Test does not need to be applied for individual developments on sites which have been allocated in development plans through the Sequential Test, or for applications for minor development. It then goes on to list the developments which would constitute minor development. Though it is noted that the increase of the retail unit at ground floor would constitute minor development, the creation of a new residential dwelling at first floor would not, and as such, the proposed development would not constitute minor development, as confirmed by the Inspector of the Appeal. As such, the sequential test is required for the proposed development, in line with paragraph 162 of the NPPF, which states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 10.8 The proposal has not sufficiently demonstrated that there are no other reasonably available sites in Flood Zones 1 or 2 and thus, the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) should not be considered. Thus it has not been demonstrated that the sequential test is passed, and it would not be necessary to engage in the exceptions test in this instance, though it is noted that the exceptions test would also be required for the proposed works.
- 10.9 The Inspector concluded that the site of the proposal would not be appropriate, having regard to its location in an area at risk of flooding, contrary to paragraph 162 of the Framework.

- 10.10 In an attempt to justify the new residential dwelling, the applicant seeks to make the case that it is required to fund the retail unit. However, the Planning Statement fails to address the need to extend the existing retail unit as it states that Eton Sports is currently a profitable business but then also states that without the expansion, the business model would be unviable. There has been no substantial evidence submitted to prove that the business would be unviable if it were not extended by 168 sq.m (gross)/ 85 sq.m (net). Furthermore it has not been demonstrated sufficiently that no other unit would be able to accommodate Eton Sport in Windsor Town Centre and the table of comparison under Section 6.7 of the Planning Statement is confined to sites only in Eton High Street.
- 10.11 Furthermore, it has not been sufficiently demonstrated that the applicant has explored other potential cheaper ways of refurbishing or extending the existing retail unit. This then puts into question the principle of the development of the 2 bedroom flat to fund and make the ground floor retail business viable. It is noted that even if these issues are proven, the financial details regarding the dwelling is limited and would be insufficient to constitute a robust financial viability report worthy of consultation with an independent viability assessor. Finally, even if it were proven that a residential dwelling were required for viability reasons to support the business, there would still be a requirement for the applicant to show that the dwellinghouse could not be sited in an area at lower risk of flooding.
- 10.12 It is therefore concluded that the proposal does not pass the sequential test and there is no other sound justification as to why a dwellinghouse needs to be constructed within Flood zone 3. As the proposal does not pass the sequential test, the NPPF advises that there is no need to go on and consider the exception test. Notwithstanding, a Flood Risk Assessment has been submitted by Stantec in support of the proposal which addresses safe escape. It states that the College will remain the owner of the building and the tenants will be made aware of both the EA Flood Warning scheme and the College scheme, and will be required to sign up to the latter as part of the tenancy agreement.
- 10.13 The retail extension would add an additional 85 sqm footprint which would be considered to have an acceptable impact on flooding when considered on its own under Policy NR1. The FRA sets out reasonable flood resistance and resilience measure in line with EA standing advice for this part of the proposal.

Issue iii- Impact on listed building

- 10.14 Previous application 19/03204/LBC was refused Listed Building Consent as the proposed works were not considered to appear sympathetic to the listed building, by virtue of the scale and siting of the proposed extension as it would not harmonise with the established plot lines. The appeal decision acknowledges that the form and appearance of the listed building reinforces the traditional hierarchy between the higher status of the High Street façade and the secondary elevations and wings to the rear. The Inspector raised concerns regarding the siting of the two-storey element of the proposal across the burgage plots of Nos 127 and 128, which would introduce a form of development that would have a significantly detrimental effect on the character of the Conservation Area and the Listed Building. The Inspector concluded that the public benefits did not outweigh the great weight to be given to the less than substantial harm.
- 10.15 The current application has been submitted alongside Listed Building Consent 21/02778/LBC. The proposal improves the design, overall scale and delineation. The proposal has overcome concerns regarding the harm to the Listed Building with a redesign which includes a clearer delineation between the historic plots. The two separately defined treatments to the end elevations (gabled and hipped) works well including the stepping back on the boundaries and reduction in height to improve the perceived separation. The material treatment and detailing are also considered acceptable. The Conservation Officer supports the proposal subject to conditions regarding material samples and details, horizontal and vertical sections and elevations of all proposed external windows and doors are added to the application.

- 10.16 To clarify, the LBC application is only for the structural works to the listed building as outlined in the description. The works preserve the character and appearance of the Grade II Listed Building and would have an acceptable impact on the historic fabric. The scheme would comply with Section 16 of the NPPF and Borough Local Plan Policy HE1.

Issue iv- Impact on Eton Conservation Area and locality in general

- 10.17 The application site is a three-storey mid-terraced building situated to the west of High Street within the Eton Conservation Area (CA) and is Grade II listed together with Nos 126 and 129-131 (consecutive). As such, the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.18 The Inspector acknowledged that projections and wings to the rear of High Street vary in scale, design and materiality, the appearance of the proposal would not, of itself, be harmful to either the CA or the special interest of the listed building. The main concern raised was the introduction of a form of development of two storeys which spanned across the burgage plots of Nos 127 and 128.
- 10.19 The Inspector concluded that the proposal would have a negative effect on the significance of these designated heritage assets and would be of less than substantial harm. Paragraph 202 of the NPPF (2021) identifies that this harm should be weighed against the public benefits of proposals, which includes the securing of optimal viable use of listed buildings. The proposal would provide a single private unit of accommodation in the town and provide some enhancement of the rear environment. However, it was concluded that alternative solutions could be found other than that proposed to improve the rear environment.
- 10.20 The revised scheme has sought to address the previously identified harm as the projections are of a similar nature to Nos. 126 and 130, whereby the proposed scheme would not be out of character in terms of the impact upon the rear elevations and plots of the listed buildings. The revised scheme provides a clearer delineation between the historic plots. The previously identified less than substantial harm was born from the poor relationship to the hosts, the reduction of the significance of the hosts (listed buildings), the architectural form and detailing. The current scheme better relates to the hosts and retains the distinct two plot pattern (at least to an acceptable level) with more a more sympathetic form and massing to overcome previous concerns on the impact on the Conservation Area.

Issue v- Quality of residential accommodation

- 10.21 The sunlight and daylight surveys submitted in support of the appeal and subsequently updated version for this application, have demonstrated that the amount of light to be received by the habitable windows of the proposed dwelling would be sufficient. Irrespective of this, objection for the outlook of the windows serving bedrooms 1 and 2 was confirmed by the Inspector in the appeal. This concluded that there would be very little relief from the outlook toward surrounding buildings which would appear imposing in close proximity of those windows. The Inspector concluded that the outlook from the proposal would be inadequate, to the extent that it would have an unacceptable effect on the living conditions of the future occupants of the proposed dwelling.
- 10.22 The current application has amended the internal layout so that there is one north and one west facing window to the terrace serving bedroom 1 and there is one west facing window serving bedroom 2 facing the car park. This alteration in layout provides additional outlook to what was previously considered unacceptable in the refused application. The current proposal is considered to have overcome concerns and complies with policy QP3 and paragraph 130 (f) of the Framework, which seek to ensure that developments create places with a high standard of living conditions for existing and future users.

Issue vi- Impact on neighbour amenity

- 10.23 The property north of the site at 129 High Street is a three-storey house which is separated from the appeal property by a stepped boundary wall that initially slopes down from the rear façade. To the North, No 130 has been extended to the rear as far as the carpark to the west. Previous application 19/03203/FULL was refused due to the detrimental impact on the light received and outlook from the existing first floor window at neighbouring property No. 129. Sunlight and daylight surveys were submitted in support of the appeal, and it was agreed that it has been demonstrated that the amount of light the habitable windows of the neighbouring dwelling would receive would be sufficient.
- 10.24 The Inspector concluded that, despite the proposed extension adding to the scale of the appeal building, the first floor would be set away from the rear elevation and away from the shared boundary with No 129; and the roof would be hipped to the eastern end. Given the layout and scale of the first floor of the proposal, particularly its separation from No 129, the proposed extension would not appear oppressive or imposing when viewed from the rear facing first floor window of No 129, in its own right or in combination with the extension at No 130.
- 10.25 The current application is similar in scale, and it is concluded that the proposal would not have a harmful effect on the living conditions of the occupiers of No 129 in respect of outlook. Hence, the proposal would accord with policy QP3 and paragraph 130(f) of the Framework.

Issue vii- Highways and parking implications

- 10.26 At present, the rear of the site is accessed via Sun Close and it is noted that the existing access arrangements will not be affected by the proposals. The site is within 800m of both Windsor train stations and the town centre, therefore the site is deemed to be located within an area of good accessibility. Parking restrictions in the form of double yellow lines operate within the surrounding area to prevent indiscriminate parking. On street parking bays are provided along the High Street however, they only have a 2-hour limit (no return within 4hrs).
- 10.27 The site has a parking area to the rear which can accommodate 3 vehicles which would be built over with the proposed extension and flat. The Planning Statement confirms that the car park to the west of the site is within private ownership of the applicant and will have 3 new spaces added and allocated to the retail and residential uses as shown on the site planning layout. The car park is privately managed by the Applicant and has capacity for the new spaces and would be required to provide 4 spaces as previously confirmed by the Highways Officer in line with the RBWM parking standards. The Appeal decision states that the Council has accepted that parking for the proposal could be secured through the use of an appropriately worded planning condition.

Issue ix- Other Material Considerations

Housing Land Supply

- 10.28 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- *the application of policies in this Framework that protect 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 this Framework taken as a whole.*

10.29 Footnote 7 of the NPPF (2021) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

10.30 The Borough Local Plan has now been adopted and the Council have a 5 year Housing Land Supply. Development proposals therefore should be assessed in accordance with the Development Plan and other material considerations.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable. The proposed floorspace of the dwellings is 77.5 sqm.

12. PLANNING BALANCE

12.1 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. The tilted balance should not be applied because the Council now has a 5 year Housing Land supply.

12.2 The report has outlined that the application is considered to be harmful on grounds of flood risk. This harm is attributed **significant** weight. Furthermore, the proposal has not demonstrated a reduction in carbon emissions and met the Council's sustainability targets, contrary to Policy SP2 and Interim Sustainability Position Statement. Given that the Council has declared a Climate Change Emergency, this is also given **significant** weight.

12.3 The application is considered to be acceptable on grounds of impact on the listed building, Eton Conservation Area and locality in general, quality of residential accommodation, impact on neighbour amenity, highways and parking implications. These are Policy requirements and in meeting these, no additional weight is given.

12.4 The proposal would result in one new dwelling towards the provision of housing within the Borough. The addition of one new dwelling when the Council now has a 5 year Housing Land Supply is afforded limited weight as a benefit.

12.5 In respect of economic benefits, it is acknowledged that future residents of the development would make use of local services and spend in local shops. However, as the scheme is for 1 unit the impact of this additional spend in the local economy would be limited. The scheme would also result in direct and indirect employment and create a demand for building supplies during the construction phase. Due to the short-term nature of these benefits, this can only be given limited weight.

12.6 The limited weight to housing provision and economic benefits do not outweigh the significant harm to flood risk and failure to meet the Council's Climate change provisions. Therefore there is no justification for the proposal and it is therefore recommended to be refused in line with the adopted development plan policies.

13. CONCLUSION

13.1 The limited benefits to the scheme do not outweigh the harms identified above and it is therefore concluded that the application is recommended for refusal.

14. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

15. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The site lies within flood zone 3 and the Sequential Test has not been passed. On the basis of the submitted information, the LPA is not satisfied that there are no suitable alternative sites within the Borough that are not at risk or at lower risk of flooding or that there are other grounds to justify a new dwellinghouse in flood zone 3. Furthermore, the applicant has not submitted sufficient details to demonstrate that a suitable safe/low hazard means of escape can be provided from the application site to an area completely outside of the area liable to flooding. The proposal therefore conflicts with Section 14 of the National Planning Policy Framework (NPPF) and Borough Local Plan Policy NR1.
- 2 It has not been demonstrated how the proposal would comply with the requirements of the Council's Interim Sustainability Statement, March 2021, Policy SP2 of the Borough Local Plan, the Council's adopted Environment and Climate Strategy, December 2020 and Chapter 14 of the NPPF, which seek to reduce carbon dioxide emissions from new development and deliver local and national Climate Change commitments.