DELEGATED REPORT

FILE REFERENCE: 08/0 /FUL	DECISION: APPROVE / REFUSE

PUBLICITY/REPRESENTATIONS: 5 NOTIFICATIONS, PRESS NOTICE AND SITE NOTICE DISPLAY. ONE LETTER OF OBJECTION RECEIVED EXPRESSING CONCERN THAT NO REGARD IS BEING GIVEN FOR LOSS OF PRIVACY IN RESPECT FACING WINDOW / DOOR ARRANGEMENT AND ROOF TERRACE IMPACTING ON LIVING ROOM / BEDROOM WINDOWS CONTRARY TO APPENDIX 3 OF LOCAL PLAN - OBSCURE GLAZING AND (BUFFER FENCING) SUGGESTED. ALSO REITERATES PREVIOUS CONCERNS - OVERLOOKING, GARDEN, NOISE CONCERNS, THE (P.T.O)

CASE OFFICER ASSESSMENT: THE SUBMISSION IS A 'SECOND ATTEMPT' APPLICATION FOR A BUILDING TO PROVIDE BOAT STORAGE WITH ANCILLARY LIVING ACCOMMODATION FOLLOWING THE REFUSAL OF THE PREVIOUS SUBMISSION (07/01244/FUL) ON GROUNDS OF HARMFUL IMPACT ON A PROTECTED OAK TREE AND AN EXCESSIVE INCREASE IN BUILT DEVELOPMENT.

THERE IS AN EXTANT CONSENT FOR A BOATHOUSE REPLACEMENT (SM 98-1015, RENEWED UNDER REFERENCE 04/01000/FUL) AND AN OFFICER OPINION HAS BEEN GIVEN THAT THIS DEVELOPMENT HAS BEEN IMPLEMENTED.

OTHER SUBMISSIONS FOR THE ERECTION OF A DWELLING (05/00037/FUL) AND A HOLIDAY UNIT FOR DISABLED PERSONS (05/01115/FUL) HAVE BEEN REFUSED ON GREEN BELT/ TREE PROTECTION GROUNDS.

THE GROUND LEVEL FALLS STEEPLY FROM THE FENCED FRONTAGE DOWN TO THE RESERVOIR WITH THE SITE MAINLY CLEARED BUT THE FOUNDATION WALLS OF THE ORIGINAL (P.T.O)

PLAN NOS: 03 (SITE LOCATION), 19 (CROSS SECTION), 20 (SITE PLAN), 02 (BLOCK PLAN), 21 (ELEVATIONS)

RECOMMENDATION: PERMIT

1. C001 - 3 TIME LIMIT RC001 - 3
2. MATERIALS SAMPLE.
3. SCREEN WALL/FENCE
4. LANDSCAPING
5. LANDSCAPE IMPLEMENTATION
6. TREE PROTECTION SCHEME
7. TREE PROTECTION - IMPLEMENTATION
8. DRAINAGE DETAIL
9. FLOORSPACE RESTRICTED FOR STORAGE ONLY.

INFORMATIVE

POLICIES NZ, N7, N8, N9, B13, OF SWLP + PPG2 PPG 7 & PPG 17. ACCEPTABLE IN TERMS OF ITS GREEN BELT LOCATION AND RELATIONSHIP WITH SURROUNDING DEVELOPMENT. DESIGN ACCEPTABLE IN LANDSCAPE SEA.

2. LAND-USE NOTE - NOT C3 DWELLING

3. BRETTON WATERWAYS ADVICE

DATE 11/10/08 **SIGNED** .....
CASE OFFICER

DEVELOPMENT CONTROL MANAGER COMMENTS:

DATE ..... **SIGNED** .....

REPRESENTATIONS (CONT'D)

INCREASE IN SIZE OF THE BUILDING, EXCESSIVE BOAT STORAGE FACILITIES

PARISH COUNCIL - REFUSE, OVERDEVELOPMENT OF THE SITE

BRITISH WATERWAYS - NO OBJECTIONS (IN PRINCIPLE) BUT AGREEMENT(S) REQUIRED FOR CLEARANCE OF WATER LEVEL, OVERSAILING PROPERTY OWNERSHIP AND DETAILS OF STORMWATER/FOUL DRAINAGE

POLICY SECTION - GREEN BELT & SLA. PROTECTION POLICIES. PREVIOUS APPROVAL FOR (REPLACEMENT) BOATHOUSE. ANY CONSIDERATION SHOULD NOT IMPLY A RESIDENTIAL USE. MAIN CONSIDERATION RELATES TO THE APPROPRIATENESS OF A LARGER BUILT DEVELOPMENT IN THIS GREEN BELT / SLA. SETTING.

SUPPORTING LETTER FROM AGENT REFERS TO THE LOCATION BEING A POPULAR RECREATIONAL VENUE WITH THE SITE BEING WITHIN A CLUSTER OF PROPERTIES ALONG THE WESTERN SIDE OF RUDYARD LAKE. THE PREVIOUS CONSENT IS DESCRIBED TOGETHER WITH PREVIOUS MEETING(S) WITH COUNCIL OFFICERS / POLICY CONTEXT. THE COMPONENT OF THE SCHEME ARE OUTLINED (TOGETHER WITH SAME BACKGROUND OF THE APPLICANT)

DESIGN & ACCESS STATEMENT WITHIN AN AREA WHICH INCLUDES RESIDENTIAL PROPERTIES / HOLIDAY HOMES. THE PREVIOUS SCHEME HAS BEEN AMENDED IN RELATION TO BOAT STORAGE, AND POSITION TO AVOID CONFLICT WITH THE EXISTING TREE. DESIGN BASED ON PREVIOUS APPROVED SCHEME WITH ENLARGED STORAGE FACILITIES. USE PRIMARY FOR BOAT STORAGE, WITH ANCILLARY LIVING ACCOMMODATION DESIGN BASED ON TIMBER CLADDING ABOVE FRAMEWORK BASE. 3 PARKING SPACES AVAILABLE

COUNTRYSIDE SECTION: NO OBJECTION SUBJECT TO PROTECTION OF TREES).

CASE OFFICER ASSESSMENT (CONT'D)

STILL EVIDENT. A PROTECTED OAK TREE STANDS WITHIN THE SITE WHICH IS CONSIDERED TO HAVE PUBLIC AMENITY VALUE WHEN VIEWED FROM REACLIFF ROAD (WHICH IS ALSO A PUBLIC RIGHT OF WAY). THE PROPOSED BOATHOUSE HAS BEEN RE-POSITIONED BOTH FORWARD TO BE CLOSELY ALIGNED TO THE LAKE-SHORE AS WELL AS LOCATED CLOSER TO THE NORTHERN BOUNDARY TO AVOID DISTURBANCE TO THE PROTECTED TREE.

IN RESPECT TO THE MASS AND SIZE, THE REVISED SCHEME MAINTAINS THE SAME HEIGHT AND PROFILE FOR THE UPPER LIVING ACCOMMODATION BUT THE BOAT STORAGE AREA BELOW HAS BEEN REDUCED FROM 13.7m BY 8.0m TO 9.3m BY 5.8m WHICH IS CONSIDERED TO BE A SIGNIFICANT REDUCTION MORE COMMENSURATE FOR BOAT STORAGE THAN THE PREVIOUS SCHEME. THE PROPORTIONS WILL BE MORE IN KEEPING WITH THE RECENTLY COMPLETED BUILDING TO THE NORTH SIDE ('SLIPWAY'). ON BALANCED IT IS CONCLUDED THAT THE OPENNESS OF THE

(SHEET 2)

CASE OFFICER ASSESSMENT CONT'D)

SETTING WILL NOT BE SO COMPROMISED AND THE DESIGN IS MORE SENSITIVE TO ITS LOCATION AND THE GROUPING OF PROPERTIES IN THIS IMMEDIATE SECTION OF THE LAKE SHORE WILL MINIMISE THE VISUAL IMPACT (PARA. 31 OF PPG 17).

TURNING TO THE RELATIONSHIP WITH THE ADJOINING EXISTING DEVELOPMENT THE PROPOSAL WILL HAVE A MUCH CLOSER POSITION IN RESPECT OF THE CEDAR CLAD NEW BUILDING TO THE NORTH. THERE ARE WINDOW OPENINGS ON THE SOUTH ELEVATION OF THIS ADJOINING BUILDING BUT THESE ARE SECONDARY OPENINGS (SEE PHOTO ENCLOSED). THE PROPERTY TO THE SOUTH SIDE HAS A NUMBER OF WINDOWS FACING THE DEVELOPMENT BUT THERE IS A WINDOW INTERFACE DISTANCE OF SOME 23 METRES WHICH WILL COMPLY WITH THE COUNCIL'S STANDARD FOR FACING WINDOWS. A FURTHER CONSIDERATION IS THE PRIVACY AND OVERLOOKING ISSUES OF THE EXTERNAL TERRACE. A PLANNING CONDITION COULD BE IMPOSED TO PROVIDE A 'COURTESY' SCREEN FEATURE ALONG THE SOUTHERN EDGE OF THIS AREA BUT IT IS NOT CONSIDERED THAT A SIMILAR FACILITY WOULD BE NECESSARY FOR THE LOWER DECKING AREA. A SCREEN WHICH EXTENDS TO A LINE PROXIMATE TO NEAR THE FRONT OF THE BOATHOUSE FRONT (EAST) ELEVATION WOULD BE SUITABLE BUT THE EXTENT COULD BE NEGOTIATED.

COMPARED TO THE PREVIOUS BOATHOUSE AND THE APPROVED REPLACEMENT THERE IS AN INCREASE IN SIZE OF THE BUILDING WHICH WOULD NOT BE CONSIDERED APPROPRIATE IF IT WAS A DOMESTIC PROPERTY BEING REPLACED. AGAIN, A PLANNING CONDITION IS CONSIDERED NECESSARY TO PREVENT THE BOAT STORAGE BEING ABSORBED INTO THE LIVING SPACE. THE CONCLUSION IS THAT THE EXTERNAL APPEARANCE, WHICH DRAWS ON ELEMENTS OF BOTH FLANKING PROPERTIES WILL BE AN ACCEPTABLE COMPOSITION AND THE INCREASE IN STORAGE FACILITIES WILL NOT CAUSE HARM TO THE CHARACTER AND APPEARANCE OF THIS AREA. THE CONSOLIDATION OF BUILT DEVELOPMENT AND CHANGE TO THE OPENNESS OF THE RURAL AREA IS MITIGATED BY THE RECREATIONAL PROVISION AND THE SITE HAS A LAWFUL USE FOR RECREATIONAL PURPOSES WITH THE SCHEME HAVING A WATER SPORTS EMPHASIS.

PARISH COUNCIL VIEWS: THE CONCERNS OVER THE INCREASED SCALE OF DEVELOPMENT ARE RELEVANT TO THIS SUBMISSION AND WAS A REASON FOR REFUSAL FOR THE PREVIOUS SCHEMES. THERE HAS BEEN A SIGNIFICANT CHANGE IN THE PRESENT SUBMISSION. ON BALANCE IT IS CONCLUDED THAT THE PROPORTIONS OF THE REVISED BUILDING ARE ON THE WATER SPORTS USE WHICH THE SITE HAS A LAWFUL USE AND THE UPPER PART OF THE PROPOSED BUILDING IS COMPARABLE WITH THE APPROVED DEVELOPMENT (04/01000/FUL) THE CONCLUSION IS THAT THERE IS NO OVERALL HARM TO THE OPEN CHARACTER OF THIS SETTING (WITH COMPARABLE SIZED PROPERTIES IN CLOSE PROXIMITY) TO WARRANT REFUSAL OF THE PROPOSED DEVELOPMENT.

PUBLIC VIEWS: THE ABOVE COMMENTS ON THE SIZE AND MASS OF THE BUILDING HAVE BEEN CONSIDERED IN THIS REPORT. THE REPOSITIONING OF THE BUILDING IN COMPARISON WITH THE PREVIOUS SUBMISSION. THE WINDOW INTERFACE DISTANCE IS CONSIDERED TO BE ACCEPTABLE. BUT THE AMENITY ISSUES RAISED BY THE PRESENCE OF THE EXTERNAL TERRACE AS WELL AS THE LOWER DECKING AREA IS NOT CONSIDERED TO BE UNACCEPTABLE IN PRINCIPLE FOR THIS LAKE SHORE LOCATION. THE REVISION OF THE PATIO WINDOW FEATURE ON THE SOUTH ELEVATION COULD BE ARGUED TO GIVE THE EXTERNAL TERRACE MORE POTENTIAL FOR USE BUT IT IS CONSIDERED A SCREEN ALONG THE SOUTHERN EDGE WOULD BE A MEANS OF PROVIDING AN ELEMENT OF MUTUAL PRIVACY.