



PLANNING ADVISORY PANEL NORTH - UPDATE SHEET

21 April 2020

Item 4 - DC/18/4429/ARM - Approval of Reserved Matters of DC/14/4193/OUT - Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2) - Access, appearance, landscaping, layout and scale for the development of 150 dwellings (including affordable housing) at Part Land Surrounding Waveney Valley Pool, St Johns Road, Bungay, Suffolk, NR35 1PH

Correspondence from Cllr Cloke (Ward Member)

In these rather strange times mistakes happen oversights happen, but I am rather disappointed not to have been told the application DC/18/4429/ARM was to be considered by the committee tomorrow. Whilst my application may well be late, I would ask you to consider it.

At the original meeting of 11 February, when these reserved matters were considered, I laboured under the misapprehension the recommendations of the Waveney Local Plan for this site – viz: a master traffic plan, access to the rear of the High School and an Early Years unit were required. It rather begs the question why the WLP was signed off with those conditions when they cannot be imposed?

Regardless of the issue of the WLP imposition and the fact the site has planning consent, the ‘revised plans’ which have been submitted still do not offer a proper road plan which will aid vehicular access to the remainder of the site to be developed by another landowner and company. The roads remain as cul de sacs and there are still no ‘hammerhead’ turning points for refuse and emergency vehicles.

The lower percentage of affordable housing – at 10%- considered acceptable for this site was agreed as a quid pro quo for the industrial units - but there have been no plans submitted for this part of the site and there is no indication when these will be seen, so how can ESC go ahead with one without the other? The original outline planning permission was for the whole site, labelled then as Bun1, not a percentage.

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At the meeting of 10 February, members deferred a decision pending further information from the developer and land owner, which I do not believe, from the information I have seen, has been supplied.

I urge you to reject this matter once again, until a plan for the whole site is received , with input from both developers.

Representation from East Anglian Schools Trust:

1) We would not want a second entrance to the site due to safeguarding concerns. This includes cycle and pedestrian access, we don't have the staff to monitor additional entrances in order to keep the students safe from access by people with no authority to be on the school site, and this would be compromised if the rear of our playing fields was opened up.

2) It would, however, make sense for the main school access for buses to be from the St Johns Road site (the road planned for commercial estate use). Buses could come in this way and save traffic going up and down Kings and Queens Roads which would be good for the local community and particularly the residents in these roads who struggle with the amount of traffic in the small roads. We would then close off the front entrance to the school and use the current bus parking area as staff, visitor and student parking only, and restrict it. We could provide the land from our playing fields, subject to planning permission, but there would be considerable expense tarmacking a new bus parking area and pathway into the rear of school which the school would not finance. Perhaps the developers would do so, as it would make a real improvement to their plan for the local residents.

3) We support the additional housing in principle, but we are concerned that it will "lock in" our school leaving us reduced options for expansion and access in future, including emergency access in the event of evacuation of the premises.

4) We are currently close to our maximum number of students and expect demand to grow substantially over the next 5 years, so need to ensure future plans do not restrict this. If the idea of creating bus access to the school off St Johns Road goes ahead, this would lead to an opportunity to expand the school using the current staff car park area in the medium term, which would provide a very cost effective answer to make provision for the additional pressure on school numbers.

Additional communication from Bungay Neighbourhood Development Planning Group (also in response to Item 5 – Part Land East of Dukes Farm, St Johns Hill, Bungay - DC/18/5082/FUL)

In my capacity as Chair of the Bungay Neighbourhood Development Planning Group (BNDPG) I have been asked to respond to the referenced planning applications. We were only alerted to your meeting to discuss the above planning application over the Easter weekend. The BNDPG still have reservations to the two mentioned planning applications and would have expected more time to consider the revised documentation.

However, the BNDPG wish to emphasise that we fully support appropriate housing and commercial development on site 5.2 to ensure the long-term sustainability of the local economy. We reinforce the need for all proposed development to be consistent with the National and Local Plan policy. We

have the following general comments to the above applications you will be considering on the 21st April.

We note a masterplan for site 5.2 has been produced but you state it is not binding. If the decision is reached by the committee that the application should proceed we request it must be on the understanding that a binding masterplan is produced before the commencement of any work on the site. This masterplan would be subject to consultation with the residents of Bungay as required by the Examiner.

Another general point is three times you mention 'this policy was not in place at the time that outline planning permission was granted it is not considered reasonable to impose a condition...'. We are of the view that if there are better known practices, technologies and indications of future trends then they should be applied to the development of the site e.g. heating only by heat pumps.

We make the following specific points which should be considered as conditions for the planned development.

- Access

Provision to be made for a pedestrian crossing to safely access the swimming pool and gymnasium complex.

It should be expected the planned vehicular access to the A144 from the site will be busy. We suggest to either have a different entrance and exit from the A144 to the site and/or have an access through the King's Road development. This negates the need for all vehicles having to access the A144 from a single point.

The layout diagram of the site has not adequately addressed earlier concerns of poor access for service/waste vehicles, no details of 'bus connectivity for the site and limited property parking for cars, which may lead to irresponsible street parking.

- Layout/Landscape

The proposed open spaces and some amenity sites are too small. There is no indication of any tree planting along the streets. We recommend appropriately sized trees are planted.

We believe the acoustic fence around the swimming pool will be inadequate at the southern end for plots 25 and 26 owing to the closeness to the mechanical services unit of the swimming pool. If the builder is not prepared to make provision for appropriate fencing a statement needs to be made stating any noise complaints will be quickly remedied by the developer.

- Sustainable construction

I refer to our earlier comment regarding your statement. The impact of climate change is with us and future building needs to take account of this phenomenon. However, we are pleased to see the removal of the gas main from the plan as this will mean the use of non-gas heating systems. We would expect a sustainability statement under WLP8.28 for this site.

- Lifetime design

Same argument as before; it is not acceptable to agree to a design, which mirror out-of-date practices. It is becoming good practice to provide building design, which allows for greater social interaction of residents and this should be applied to this development. With reference to WLP8.31 the current plan fails to provide detail of how 40% of dwellings meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings and how homes support the needs of older people and those with dementia through creating familiar, legible, distinctive, accessible, comfortable and safe environments.

With reference to WLP8.1 – *‘The mix of sizes and types of units on any particular site should be based on evidence of local needs including the Strategic Housing Market Assessment and in consultation with the local planning authority. Proposals for new residential developments will only be permitted where at least 35% of new dwellings on the site are 1 or 2 bedroom properties, unless this can be satisfactorily demonstrated to be unfeasible. Neighbourhood Plans can set out a more detailed approach to housing type and mix which reflects local circumstances and is supported by evidence.*

In response the BNDPG commissioned AECOM to carry out an in depth Housing Needs Assessment for Bungay (submitted to ESC March 2019). In the report recommendations it states, *‘In order to avoid misalignment between supply and demand and to re-equilibrate the stock over the plan period, we recommend that 12% of houses in new developments be one-bedroomed homes, 36% two bedroom, and 51% three bedroom.*

*Most of the community’s need will be for two or three-bedroom homes and **there will be no need to build further large properties with four or five bedrooms.*** Should approval be given, we wish a condition be applied to the plan in order that housing mix is informed by this report and simultaneously enable it to achieve compliance with WLP8.1.

We are glad to see that a condition regarding car electric charging points has now been included although clarity is required on who is responsible for road maintenance beyond the main thoroughfare routes.

- Appearance

The majority of properties in Bungay are built using facing brick and there are few rendered properties. It is inappropriate to build properties with rendered exteriors as there will be on-going maintenance for the occupier i.e. they are not designed for life. The report’s assertion that *‘The design of the dwellings themselves relate well to vernacular buildings that can be found in Bungay..’* we refute entirely. Currently the plan indicates that it will ‘just be another generic anywhere housing estate’. We require something distinctive and related to the character of the town echoed in the building design to draw people to live in Bungay. This was the purpose of commissioning The AECOM design report which analysed the character and special qualities of the town and provided guidelines that particularly references new housing development. This report was shared with ESC planners in March 2019 and we are dismayed that this document appears to have been ignored. We wish the recommendations within the AECOM report to be incorporated as a condition, to any planning approval.

- Drainage

The submitted plans for the attenuation pond(s) do not indicate which drainage basin is preferable. Our understanding from the information provided by the report shows the size is inadequate and does not comply with Environment Agency's guidelines. Whichever, of the proposed basins are used it will not be large enough for the total development of the site. A new attenuation pond design is a prerequisite before the start of any development.

In conclusion whilst in agreement with the development of the site we are disappointed that all the recommendations made at the last ESDC planning committee have not been addressed. Of greater concern is that we end with an ad hoc housing development for the total site because the first part of the development is rushed through.

Meeting Minutes of previous consideration of DC/18/4429/ARM at North Area Planning Committee (11 February 2020)

'The Committee received report ES/0296 of the Head of Planning and Coastal Management, which related to planning application DC/18/4429/ARM.

The application sought approval of reserved matters following the grant of outline planning permission in 2016 (Ref: DC/14/4193/OUT) for the development of "Outline Application with all matters reserved apart from access for up to 150 new dwellings (including affordable housing), associated infrastructure, open space and up to 3ha of employment land (comprising uses within use class B1 (including starter units) and use class B2)" on land surrounding Waveney Swimming Pool situated on the South side of Bungay.

The application related to the residential phase of the development (150 dwellings) which also included 3 no. B1 units. The matters under consideration related to the detailed design of the development in terms of access, layout, appearance, landscaping and scale. Access was partially considered during the outline application in so far as the vehicular access to the site already existed and the suitability of this was found to be acceptable. Access to the employment phase of the development was also dealt with at outline stage.

The application was before the Committee as it was considered necessary by the Referral Panel for an application of this scale to be determined by Elected Members.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer; the presentation also covered planning application DC/18/5082/FUL, which was also on the agenda as report ES/0297 and was connected to this planning application.

The site locations for both applications were outlined and the Committee's attention was drawn to how the sites related to two sites allocated for development in the Waveney (East Suffolk) Local Plan, WLP5.1 and WLP5.2.

The housing area of the outline planning permission was identified along with its relationship to the employment area to the south of the application site.

The Committee was provided the detail of what had been approved under the outline planning permission.

Photographs were provided which displayed the access into the site, the frontage of the site, the views along the northern side of the site (where it would join with an existing development), the views from the western side of the site, and the views to the northern side of the site.

The proposed layout plan was demonstrated, and the Committee was advised that the density of the proposed development would be 25 dwellings per hectare. A banked area of grass was at the front of the site and the Area Planning and Enforcement Officer outlined where different housing types would be located on the site along with the open spaces that would spread out across the development. It was noted that the proposed bungalows would be located on the northern edge of the site in order to minimise the impact on the existing housing development. The site would also have a cycle link with the existing development, in line with the Waveney Cycle Strategy.

The main road access to the site was detailed. It was noted that there had been objections from a neighbouring landowner who considered that the proposed road layout would prejudice the development of the remainder of the sites identified in WLP5.1 and WLP5.2. The Area Planning and Enforcement Officer advised the Committee that the proposed road layout had met the criteria of the Highways Authority and that there was not a masterplan for the allocated sites.

Photographs were provided which displayed the footway and cycleway connections through the northern boundary of the site.

A series of drawings were displayed which provided the perspective of the proposed street scene. The Area Planning and Enforcement Officer detailed the mix of materials proposed and the Committee was provided with drawings detail the mix of house types.

A landscaping plan was received, that detailed the species to be planted as well as the inclusion of ecological related items such as birdboxes, batboxes and hedgehog-friendly fencing. The proposed planting was considered to be of a suitable size to add to the landscape over time. The types of play equipment proposed were also detailed.

The Area Planning and Enforcement Officer displayed the scheme approved in the outline planning permission for an attenuation basin, that would serve the proposed housing to be developed. It was confirmed that soakaways were not feasible for the site and that surface water would need to be directed to the Tin River using a combination of large diameter pipes, permeable pavements and the attenuation basin.

The second proposed scheme for the attenuation pond, which was the subject of planning application DC/18/5082/FUL, was outlined. The Area Planning and Enforcement Officer advised the Committee that this scheme had been submitted in order to provide multiple drainage options for the development.

The key issues were summarised as being the background and history of the site, the allocation of the site in the Local Plan, design, reserved matters (relating to access, layout, scale, appearance and landscaping), open spaces, ecology, car parking, drainage strategy, sustainable construction, and lifetime design.

Officers were of the view that the scheme was suitably designed and would bring new housing into supply and enable the economic benefits of the allocated employment land and would allow the remainder of the allocation to WLP5.1 and WLP5.2 to be brought forward.

The recommendation to approve, as set out in the report, was outlined to the Committee.

The Chairman invited questions to the officers.

It was confirmed that the condition related to the completion of the 112th house was regarding access to the employment site, which would be subject to a further Approval of Reserved Matters application.

The proportion of affordable housing was stated to be 5%. When asked by a member of the Committee why this was significantly below the prescribed requirement the Planning Development Manager advised that the level of affordable housing had been established by the outline planning permission.

The Area Planning and Enforcement Officer noted that the parking provision for the housing development was in accordance with the Highways Authority's guidance and that no objections had been received in its response to the consultation. The Highways Authority had made some recommendations for amendments which had been accepted by the applicant.

The Planning Development Manager assured the Committee that a condition for a Construction Management Plan could be added to any planning permission, to ensure that construction traffic did not impede with other traffic.

It was confirmed that a drainage system would be in place prior to the 100th property being occupied and that this target related to the developer registering the system with Suffolk County Council. The Planning Development Manager added that conditions would be attached to any planning permission to ensure that the attenuation basin was maintained appropriately.

In response to a question regarding road linkage with future development on the site, officers reiterated the comments received from the Highways Authority regarding its acceptance of the proposed road system regarding the access to any future development.

It was stated by the Planning Development Manager that any development would be contrary to the outline planning permission if the business elements of the site were not brought forward as a result of the residential development.

The meeting was adjourned at this point (2.31 pm) to allow officers to address issues with the volume of the public address system in the Conference Room. The meeting was reconvened at 2.35 pm following the resolution of these issues.

Following the resumption of the meeting, the Area Planning and Enforcement Officer recapped some of the presentation that members of the public had been unable to hear.

The Chairman invited Ms Collins and Mr Bradley, representing Bungay Town Council, to address the Committee regarding both planning applications.

Ms Collins addressed the Committee first, regarding planning application DC/18/4429/ARM. She said that the Town Council welcomed the housing development allocation as stated in the Local Plan as it met the housing needs of Bungay. She considered that the application before the Committee would not deliver housing that would meet the current and future needs of the town through well-designed and efficient homes.

It was highlighted that the applicant had not consulted the community before submitting the scheme and it was Ms Collins' opinion that the development would only meet the very basic housing needs of Bungay and would deliver an enclave that would be cluttered by on-street parking, and would prevent further development of the allocated site.

Ms Collins drew the Committee's attention to documentation previously submitted by Bungay Town Council that detailed the application's non-compliance with local and national planning policies. Ms Collins said that the Town Council was not demanding an award-winning development but wanted a development that was suitable for Bungay.

Ms Collins reiterated the Town Council's concerns that the development would have a negative impact for decades to come and suggested that refusing the application would allow a masterplan to be formulated for the allocated site.

Mr Bradley addressed the Committee, regarding planning application DC/18/5082/FUL. He stated that the application was intertwined with planning application DC/18/4429/ARM and that one could not be discussed without the other. Mr Bradley highlighted the concerns raised by the Town Council previously in respect of the attenuation basin and considered that the cumulative impact of all the allocated development in the area had not been considered by the applicant.

Mr Bradley was of the opinion that given the incremental development that would occur, a cumulative impact assessment was required and that this would be essential for any development within the Tin River area.

The Chairman invited questions to Ms Collins and Mr Bradley.

Mr Bradley reiterated that the attenuation basin would service future development allocated in the area and not just the proposed 150 houses and was concerned regarding the amount of drainage that would be directed towards the Tin River.

The Chairman invited Mr Douglas, agent for the applicant, to address the Committee regarding planning application DC/18/4429/ARM.

Mr Douglas advised that significant changes had been made to the scheme following consultation with both Planning officers and Suffolk County Council. He detailed the changes to the views in and out of the site, the updated links to the neighbouring development and noise attenuation for the swimming pool. He highlighted that following discussions with the Highways Authority a road layout had been designed that would allow access to the west of the allocation site as well as emergency access to the site.

Mr Douglas noted the site layout plan in the Officer's report that demonstrated the distribution of housing at the north of the site and how it minimised the impact on existing dwellings, and noted the number of open spaces both within and to the south of the site.

The level of car parking was stated to be in excess of what was required by the Highways Authority's guidance and Mr Douglas considered that tandem parking had been avoided wherever possible. He explained that focal dwellings would be placed at the end of roads to act as 'vista stoppers'.

Mr Douglas concluded that the proposed development provided the required mix of housing and complied with planning policy, and that the design would reflect the local vernacular.

The Chairman invited questions to Mr Douglas.

A member of the Committee asked what guarantees could be provided regarding the level of affordable housing. Mr Douglas confirmed that the lower level of affordable housing had been agreed at the outline stage due to the inclusion of employment site and the associated infrastructure costs; he confirmed that where this was positioned would allow delivery of whole affordable housing element during the first phase of development.

Mr Douglas confirmed that the employment units would be delivered on completion of the 75th dwelling and that access would be delivered on completion of the 112th dwelling.

In response to a question regarding environmental systems, Mr Douglas said that systems such as rainwater harvesting had not been considered given the satisfactory arrangements provided by the proposed drainage system.

The Chairman invited Councillor Cloke, Ward Member for Bungay, to address the Committee.

Councillor Cloke began by addressing planning application DC/18/4429/ARM. She referred to policy WLP5.2 of the Local Plan which allocated the site for development. She noted that the policy required a transport assessment and travel plan to be submitted with any application and noted that this had not occurred in this case. She added that an overall plan for the site was also required by WLP5.2 and this had also not been submitted. Councillor Cloke expressed concern that without such a masterplan, emergency access to the site could not be clearly defined.

Councillor Cloke considered that the proposed development would restrict access to the remainder of the allocated site, which was to be developed by a different company. She considered that this was disingenuous to the other developer as the proposed connecting routes would not be sufficient for ingress and egress to the remainder of the site. It was noted by Councillor Cloke that the Highways Authority, as recently as 8 October 2019, had requested the road layout to be amended.

Councillor Cloke stated that she welcomed new housing in Bungay, but not at any cost. She urged the Committee to refuse the application until a masterplan, transport plan and other required assessments were in place.

Regarding planning application DC/18/5082/FUL, Councillor Cloke suggested that this be deferred and not approved until the previous application was concluded.

There being no questions to Councillor Cloke, the Chairman invited further questions to the officers.

The Planning Development Manager confirmed that both the Flood and Highways Authorities had provided comments on the application before the Committee that stated they considered the proposed drainage and road layout to be acceptable. She advised the Committee that any future application related to the site allocated by WLP5.2 could not be considered at this time.

The Committee was advised that as the application was for approval of reserved matters, the assessments and plans highlighted by Councillor Cloke were not required. The Planning Development Manager explained that the requirement for such, as stated in WLP5.2, was only applicable to applications for outline or full planning permission.

A member of the Committee noted the size of the proposed attenuation basin and queried if this should be approved without taking the future development of the allocated site into consideration. The Development Management Team Leader noted that the attenuation basin would be part of a drainage strategy for the wider allocated site and that future developments would be served by what had been approved in the outline planning permission or by the second option that was before the Committee.

In respect of the single highway in and out of the site, it was reiterated that the Highways Authority had deemed this acceptable. The Area Planning and Enforcement Officer noted that bus routes would be expected to go through the employment area of the site.

The Chairman invited the Committee to debate planning application DC/18/4429/ARM.

Several members of the Committee were opposed to the application. They considered that it did not provide a holistic approach to the allocated site and would severely impact development of the wider area allocated in WLP5.2 as it would make it difficult for other developers to connect to what

was being proposed. Concerns were also raised about the impact that the development would have on traffic in the area, given the proximity of other amenities to the site.

Two members of the Committee stated that they could not support the application and would be voting to refuse it.

Other Members acknowledged that the application was for approval of reserved matters and that the principle of development had been established by the outline planning permission.

A member of the Committee queried if the application could be refused on the grounds that it would have a detrimental impact on the ability to deliver other development on the allocated site. The Planning Development Manager advised that this would not be grounds for refusal, and it would be up to future developers to link to what existed on the site. She reiterated that the application was for approval of reserved matters and that outline planning permission had been granted, and that the application needed to be determined with this in mind.

Councillor Ceresa, the Vice-Chairman, accepted that a better scheme could have been developed but acknowledged that the Committee was required to determine the one that was before it. She noted the comments from statutory consultees, which accepted elements of the development, and proposed the recommendation to approve, as set out in the report. This was seconded by Councillor Pitchers.

There being no further debate on application DC/18/4429/ARM the Chairman moved to the recommendation as set out in report ES/0296. The recommendation was proposed, seconded and by a majority vote FAILED.

The Chairman sought an alternative recommendation for refusal.

During further debate, members of the Committee sought clarification on whether the application could be deferred to allow officers to undertake discussions with the applicant regarding the Committee's concerns about the impact of the proposed development on the wider allocated site. It was also suggested by one member of the Committee that the other landowner on the allocation site should be involved in any conversations.

The Planning Development Manager advised that officers could not insist that the applicant discuss the application with the other landowner but that officers could discuss with the applicant about how other developments within the allocated site could be linked, and that the Highways Authority could invited to any discussions.

On the proposition of Councillor Brooks, seconded by Councillor Cooper it was by unanimous vote
RESOLVED

That the application be DEFERRED to allow officers to undertake discussions with the applicant and the Highways Authority regarding the Committee's concerns about the impact of the proposed development on the wider allocated site.'

Meeting Minutes of previous consideration of DC/18/5082/FUL at North Area Planning Committee (11 February 2020)

'The Committee received report ES/0297 of the Head of Planning and Coastal Management, which related to planning application DC/18/5082/FUL.

The application sought full planning permission for an attenuation basin which formed part of the drainage strategy for a development of 150 residential dwellings which was granted outline planning permission within Ref: DC/14/4193/OUT; detailed proposals for the design of this development were considered alongside this proposal within reserved matters application DC/18/4429/ARM, which was on the meeting agenda under report ES/0296 of the Head of Planning and Coastal Management.

Within these associated applications an 'option 1' proposal for an attenuation basin had been approved in outline form. The purpose of the application was to provide a second option for the location of the attenuation basin.

The Committee received a presentation on the application from the Area Planning and Enforcement Officer; the presentation also related to planning application DC/18/4429/ARM. The details of this presentation are as set out in item 7 of these Minutes.

Following the determination of planning application DC/18/4429/ARM, the Chairman invited the Committee to debate planning application DC/18/5082/FUL.

Members of the Committee agreed that as planning application DC/18/4429/ARM had been deferred to allow officers to undertake discussions with the applicant and the Highways Authority regarding the Committee's concerns about the impact of the proposed development on the wider allocated site, and the link between this application and the one being debated, that planning application DC/18/5082/FUL should also be deferred to be determined consecutively with planning application DC/18/4429/ARM.

On the proposition of Councillor Ashdown, seconded by Councillor Brooks it was by unanimous vote
RESOLVED

That the application be DEFERRED pending the resolution of outstanding issues related to the linked planning application DC/18/4429/ARM, so that both applications can be determined consecutively.'

Item 6 – DC/20/0176/FUL– Erection of a proposed cartlodge/workshop/log store with PV panels at Ash View, Bruisyard Road, Peasenhall, Suffolk, IP17 2HP.

Additional comment received from the applicant's agent:

1. The proposal is for a cart lodge / garage, located to the side and slightly behind the existing property. I understand that the proposed building can be built as Permitted Development although its use would be limited to that of a Workshop / Storage building given that the original planning permission for the house removed the right to build a garage without the agreement of SCDC (although it didn't remove Permitted Development Rights generally). The purpose of this application is to allow use as a garage.
2. If the building was constructed under PD rights we could also park vehicles in front of the building on hardstanding / driveway constructed under PD rights. It would seem visually more acceptable to allow the applicant to park vehicles in the outbuilding rather than have to leave them parked in front, closer to the adjoining church.
3. As noted previously we have previously received written confirmation from ESC that we can construct a similar storage / workshop building closer to the adjoining church yard and fronting the existing driveway. This would be visually more intrusive to the adjoining church and conservation area.

4. In summary, this application is about the use of the building as garaging rather than the physical building itself which ESC have confirmed can be constructed without planning permission. We believe that this application represents a sensible approach to erection of new garaging to serve Ash View and hope that ESC consent to approve.