

DELEGATED OFFICER REPORT

Application Ref: H/24/97500

Site Address: 38 Nichol Road, Chandlers Ford, Eastleigh, SO53 5AY

Case Officer: David Huckfield

Description: Extension of existing bungalow to form two-storey 4 bedroom house.
Demolition of existing single garage and replacement with guest annex with gym on ground floor.

Particular Site Constraints?	Yes ☒	No ☐
Within the Urban Edge Within Established Residential Area Subject to Tree Preservation Orders (Woodland Order 58-H and TPO244-E)		

Relevant Planning History?	Yes ☒	No ☐
• Z/05850/000 – Proposed bungalows – PERMIT (1959) • Z/05961/006 – The felling of one Sweet Chestnut – CONSENTED • T/05961/007 – The felling of one Birch tree – CONSENTED (1978) • T/05961/008 – The felling of two Sweet Chestnut – REFUSED (1979) • T/05961/010 – The felling of two Sweet Chestnut trees – CONSENTED (1981) • T/05961/011 – Felling of Trees – CONSENTED (1988) • T/06/58423 – Crown lift to 3m over the footway and 5.1m over the carriageway to good pruning points – CONSENTED (2006) • T/09/66232 – Crown lift 1no. Red Oak to 5.2 metres over highway – CONSENTED (2010) • T/12/70394 – Fell 1no. Red Oak – CONSENTED (2012) • F/24/96900 – Demolition of existing house and single garage and construction of a new two-storey house with separate guest Annex / Gymnasium and associated landscaping and parking. Creation of a new vehicular access point from Nichol Road – REFUSED (11/04/2024)		

Site Visit:		Yes ☒	No ☐
Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations Received (Summarised):			
A total of 10 letters of objection have been received in relation to the application, with these including 5 on the original plans and 5 on the plans as amended following a period of reconsultation. The matters raised are summarised as follows: • Highway safety concerns associated with the new access from Nichol Road. • Negative impacts on the street scene and the character of Woodlands Close and Nichol Road. • The development would undermine the current open aspect at this junction and crossroads. • The proposed alterations and the increase in ridge height are out of keeping with their surroundings and are contrary to the character area appraisal guidance for the area. • The further loss of bungalows in the area through their conversion into substantial houses.			

- The proposed outbuilding is too large and will be impact on the neighbouring resident in Woodlands Close.
- Insufficient arboricultural information having been provided with the application.
- Impacts on existing trees, including through encroachment into RPAs by the new driveway area.
- Negative impacts on biodiversity.
- The proposals fail to address the reasons for refusal of the previous submission.
- Impacts on the amenity of the occupiers of No. 40 Nichol Road including by way of overbearing impact, overlooking and loss of privacy.
- If the application is approved, conditions should be imposed to restrict working hours, require considerate parking of works vehicles, and require that all windows on the northern elevation are obscured glazed and fixed shut, or open only above eye level.

Consultation Responses (Summarised):

Chandlers Ford Parish Council	As per our comments on F/24/96900 (from which there appears to be little significant change), we ask that appropriate conditions are put on any approval to ensure that the “gym” annex: • must be purely for private use. This is a residential area, and commercial use would not be acceptable. • must not be converted to a separate dwelling now or in the future. Different considerations would apply were this to be a possibility.
Tree Officer	The site, located on the corner of Nichol Road and Woodlands Close, is highly verdant with several significant trees and numerous other ornamental specimens. All trees on site are protected by a TPO. In addition to the trees on site, there are also two significant trees that will be influential on the proposed development: one highway tree and one in the front garden of the property to the north. For the most part, the proposed dwelling should not be significantly impactful on the trees. However, the installation of the new access point has the potential to cause harm to the two off site trees. The supplied arboricultural documents suggest the use of special engineering, both for the new access/driveway and for the foundations of the dwelling. This is broadly acceptable but will require suitable arboricultural supervision in order to make sure that the correct procedures are followed. There are a few inconsistencies in the tree protection plan: for example, the outbuilding appears to be different from the site plan; and the tree protection fencing isn’t probably workable as it extends into the public footway. These minor issues will have to be resolved pre-commencement. Therefore, we raise no arboricultural objection, subject to pre-commencement conditions being imposed to require the submission of an Arboricultural Supervision Statement and an updated Tree Protection Plan for approval by the LPA.

Ecology	I have reviewed the Bat Survey Report by Aluco Ecology (September 2024). The building was assessed to have moderate bat roost potential, and two emergence surveys were done in July and August. No bats were seen emerging from the buildings. I agree with the recommendations in the report. Due to the presence of these potential roost features, works that impact the roof should be undertaken outside the hibernation and breeding periods for bats. The best periods are when average temperature is above 7°C, between March-April and/or September-October. A pre-works inspection is required to determine whether there have been any changes in bat activity. Please add the following informative to the decision notice: In the unlikely event of any bats being found during demolition or construction, all work must stop immediately, and Natural England must be contacted. Additional information is available on the Bat Conservation Trust website at https://www.bats.org.uk/advice/im-working-on-a-building-with-bats/ive-found-a-bat-during-works. The location of the two recommended bat boxes built into the brick work under the eaves at the front of the house (southwestern elevation) is appropriate as long as there are no additional exterior lamps illuminating these areas. Alternatively, they could be added to the southwestern eaves of the garage building. Swift nest boxes/ swift bricks could alternatively be added to the northern elevation of the house or the garage. Hampshire Swifts can provide additional advice on opportunities for nesting swifts. Any exterior lighting should also avoid illuminating the trees and vegetation on the site boundary. Additional enhancement of the garden is also recommended. This will include more flowering plants to attract pollinating insects as food for bats and birds.
Hampshire County Council Highways	No objection subject to conditions to require that the access onto Nichol Road be constructed prior to the commencement of any other works, as well as to stipulate than any gates to be provided be set back a minimum of 6m from the edge of the carriageway. A further condition is recommended to require the submission of a construction method statement prior to commencement of development. <u>Access:</u> Two access points are proposed for vehicles, being the continued use of the vehicle crossover drop kerb on Woodlands Close, and also via a new vehicle crossover drop kerb on Nichol Road. Both access points are acceptable, with adequate visibility achieved. However, in regard to the proposed access, the applicants should be made aware that subsequent to any planning permission that may be forthcoming from EBC as Local Planning Authority, additional permission will be required from HCC as Local Highway Authority to actually undertake the works. Details of this process can be found on the Highway Authority's website. It is noted that a gate is also included on the plans for the Nichol Road access, and this should be located a minimum of 6.0m from the carriageway edge to ensure a waiting vehicle can do so off of the highway. This appears to be the case from submitted plans, however it would be requested that this is ensured via a condition to ensure it remains the case in the future.

	<u>Site Layout:</u> The site layout is acceptable, with the primary vehicle access on Nichol Road leading onto a driveway which is sufficient in width and size for both parking and the turning of vehicles to allow for forward gear access and egress. In terms of the proposed annex to the rear, consisting of a 'Gym' on the ground floor with bedroom and bathroom facilities above, whilst there would be potential for conversion to an independent dwelling, this would be acceptable given the appropriate parking provision on site. The Case Officer may however wish to consider conditions to prevent this from happening, and also to prevent a future commercial based use.
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Policy:

Legislative Background:

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan comprises of the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: DM1 (General criteria for new development), DM2 (Environmentally sustainable development), DM3 (Adaption to climate change), DM8 (Pollution), DM11 (Nature conservation), DM13 (General development criteria – transport), DM14 (Parking).

Other material considerations:

Supplementary Planning Documents (SPDs):

The following SPDs and Background Papers are of relevance to the proposals:

- Quality Places (adopted 2011)
- Residential Parking Standards (adopted 2009)
- Trees and Development (adopted April 2022)
- Character Area Appraisal for Chandlers Ford and Hiltingbury (adopted January 2005). The site lies within the Hiltingbury Road West Character Area with the appraisal document setting out the following principles for new development:
 - *sufficient garden depth and area is retained by existing or replacement dwellings, commensurate with their size and character, which can accommodate appropriate tree planting in keeping with the character of existing plots.*
 - *no healthy mature trees would be felled or likely to be damaged.*
 - *the design of any new building work, including extensions, is compatible with the character of adjacent good quality properties and fits well into the overall street-scene.*
 - *the existing building line along street frontages is respected.*

National Planning Policy and Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and, as set out within paragraph 224, the policies

contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:

Principle of development:

The site lies within the urban edge where the basic principle of development is considered to be acceptable. Any planning approval is, however, subject to the particular development proposal put forward being deemed to be appropriate and according with the criteria of the relevant local and national planning policies and associated supplementary planning guidance.

Planning history and summary of proposals:

The current proposal follows the submission of a full application for the demolition of the existing property and its replacement with a new two-storey house with separate guest Annex / Gymnasium and associated landscaping and parking (F/24/96900). That application was refused in April this year, principally on the grounds of the adverse impact that the proposed dwelling would have upon the character of the street scene and the amenity of the occupiers of No. 40 Nichol Road, owing to its inappropriate design and form, and excessive height and scale. There were also additional reasons for refusal in respect of a lack of information having been provided in relation to the arboricultural and ecological impacts of the development.

The current submission now proposes alterations to the existing dwelling, which principally encompass the raising of the ridge and eaves height of the property, the introduction of front gable projections to the building's southern elevation, as well as the addition of a pitched roof single storey extension to the eastern side of the property. These works would provide for a 4 bedroom dwelling with accommodation set across two levels. In addition to the works to the property itself, the new driveway with access from Nichol Road along with the detached annexe building which had formed part of the previous submission both remain, albeit with the former being reduced to a degree to take account of the adjacent trees and the latter being repositioned further from the shared boundary with No. 1 Woodlands Close.

Layout, design and impact on the character of the area:

Policy DM1 of the Local Plan states that all new development should not have an unacceptable impact on, and where possible should enhance, the character and appearance of the area. In this respect it requires that development takes full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and that it is compatible with adjoining uses and well-integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views. The Council's Quality Places SPD provides further guidance in support of Policy DM1, with the adopted Character Area Appraisal for Chandlers Ford and Hiltingbury setting out development principles for this part of the Borough.

In terms of its context, the application site lies within an established residential area and is situated on a prominent corner plot at the junction of Nichol Road and Woodlands Close. The existing dwelling is a detached single storey pitched roof bungalow with a single garage sited to its eastern side. The property is orientated such that it fronts onto Woodlands Close with it being set near to the northern boundary of the site and in a recessed position from the prevailing building line within Nichol Road.

In its current form, the combination of the low-profile nature of the dwelling, its siting and orientation, as well as the mature trees and planting which surround it, give the site a

pleasant verdant appearance and the existing building a somewhat subtle presence within the Nichol Road street scene, with the replication of this modest and unimposing form of development on the opposing corner of Woodlands Close providing a particular sense of openness to the entrance to this road which contributes positively to the character of the area.

The previously refused scheme (F/24/96900) had, as noted above, sought to introduce a full-height, two-storey dwelling to the application site which it was considered would appear incongruous with these surroundings and achieve an undue level of prominence within the street scene. The current scheme has sought to address these issues through the scaling down of the proposed resulting dwelling, with this including a reduction in the level of increase of the property's ridge height, as well as the adoption of a more rooms-in-the-roof approach to the provision of first floor accommodation. Whilst the front gable projections have remained as part of the design, these are notably less imposing than had previously been the case and the overall roof form of the property now has significantly less bulk and massing.

On balance, the changes made to the proposals have resulted in a dwelling which it is considered would sit much more comfortably within the context of its plot and its immediate surroundings, with it suitably physically and visually integrating into the street scenes that it forms part of, rather than detracting from their prevailing character. The one-and-a-half storey height of the property, albeit with heightened eaves, is considered to be a more acceptable approach, and the use of dormers and gable ended roof forms are features that are also evident within the nearby vicinity of the site, and which have been employed to varying degrees on other corner plots along Nichol Road. Whilst acknowledging, therefore, that the proposed property would be more prominent than the existing bungalow on the site and be more modern in its appearance, this is not deemed to be unacceptably so in this case and regard is required to be had to the provisions of Paragraph 135 of the NPPF in this respect, with this requiring that planning decisions should ensure that developments are sympathetic to local character, while not preventing or discouraging appropriate innovation or change.

The development proposals also now seek to retain a greater level of the existing perimeter vegetation which presently contributes positively to the street scene and will help soften the appearance of the resulting dwelling as seen from its surroundings. This, along with the other boundary treatments proposed and the wider site landscaping, can be appropriately covered by planning condition, as can the external materials to be used in the construction of the proposed development to ensure that these are appropriate for the site's context.

Finally, with regards to the annexe / outbuilding which is proposed to be constructed at the eastern extent of the plot in place of the existing single garage, whilst the design and scale of this have remained as per the previous scheme, the building has now been stepped further in from the shared boundary with the neighbouring dwelling within Woodlands Close which provides for a less cramped arrangement as seen from this street scene. The design and form of the building would also be complementary to the main dwellinghouse and its use can be adequately controlled by condition in order to ensure that this is only for ancillary purposes, with the site being considered to be unsuitable for subdivision.

Overall, therefore, and taking account of the above factors and very much on balance, the revised scheme is considered to have sufficiently addressed the concerns raised in respect of the previous scheme and, as such, there is now considered to be no unacceptable level of conflict with the provisions of Policy DM1 of the Local Plan 2016-2036, Paragraph 135 of the NPPF, or the guidance contained within the Council's adopted Quality Places SPD and Character Area Appraisal for Chandlers Ford and Hiltingbury.

Residential amenity:

Policy DM1 of the Local Plan requires that new development should not have an unacceptable impact on, and where possible should enhance, residential amenities of

both new and existing residents. This policy requirement is consistent with the NPPF, with Paragraph 135 stating that planning decisions should ensure that development provides a high standard of amenity for existing and future users. The Council's adopted Quality Places SPD provides additional guidance in relation to amenity in support of Policy DM1.

With regards to the development itself, the property as extended will provide for an adequate residential environment for its future occupiers to live comfortably. The level of floorspace proposed exceeds the requirements for a four-bedroom dwelling stipulated in the Nationally Described Space Standards and all rooms will be reasonably well served by light and outlook. A good-sized rear garden, providing sufficient usable private external amenity space for the occupiers of the dwelling, will also be retained.

Turning to the impacts upon neighbouring properties, as with the previous submission, the principle matters for consideration concern the effects of the development upon the amenity of the occupiers of the dwellings to the immediate north and east of the application site (No. 40 Nichol Road and No. 1 Woodlands Close respectively). Those to the west and south are deemed to be situated a sufficient distance away, with Nichol Road and Woodlands Close as intervening features, as to not be unduly adversely affected.

In respect of No. 1 Woodlands Close, the proposed guest annex / gym building, whilst not in itself being deemed unacceptable from an amenity perspective as part of the previous submission, has now been stepped in further from the shared boundary as part of the current proposals. Whilst this stepping in is relatively modest, it does provide for an increased level of separation to No. 1 which serves to lessen the potential impacts upon the amenity of its occupiers and, when taken with the building's relatively low profile and pitched roof which has been designed to slope away from the shared boundary to this side, it is not considered that the annex would cause an unacceptable loss of light or outlook, nor would it be unduly overbearing. The rear facing rooflights given their positioning and relative orientation would also not cause an undue loss of privacy.

The impacts of the development, and specifically the proposed main dwelling, upon the occupiers of No. 40 Nichol Road had raised particular concern with the previous submission, with one of the reasons for the refusal of planning permission being on the basis of the resulting building being unduly overbearing and causing an unacceptable loss of light and outlook to and from both the property itself and its private amenity area due to the form, scale, height, and siting of the development in close proximity to the shared boundary.

The current proposals have sought to address these impacts through the maintaining of a hipped roof form to the rear of the dwelling and the adopting of more of a "rooms-in-the-roof" approach to the provision of first floor accommodation to this side, as opposed to the full-height, two-storey design of the previous scheme which had incorporated a greater overall ridge height and, significantly, what were relatively sizeable and somewhat imposing rear gable projections.

The changes to the design of the development and, in particular, the roof form of the property as proposed, have had the overall effect of notably reducing the bulk and massing of the resulting building and, thereby, the impacts that it would have upon the amenity of the neighbouring occupiers. Whilst acknowledging that this impact would still be greater than the current situation in respect of the existing bungalow, with both the eaves and ridge height of the dwelling being increased, on balance it is not considered that this impact would result in such a level of harm in planning terms that the application could justifiably be refused on these grounds, with a reasonable level of outlook and light now being able to be maintained for the occupiers of No. 40 and the development according with the provisions of the Council's Quality Places SPD (and the BRE guidance upon which it is based) in this respect.

It is, however, considered necessary to impose restrictions on the first floor rear facing windows within the proposed property which, owing to their proximity to the shared

boundary could otherwise cause an undue level of overlooking and loss of privacy for the occupiers of No. 40. Accordingly, conditions will be imposed to require the rooflights to this side to be set at a minimum height of no less than 1.7m above the floor level of the rooms that they serve, the windows within the rear dormer to be obscure glazed with no more than a top hung opening toplight, and to prevent the insertion of any further first floor windows without the prior written approval of the LPA.

Taking account of the above factors and with the conditions imposed as described, the application is considered to comply with the requirements of Policy DM1 of the adopted Local Plan in respect of the matter of residential amenity.

Highway matters:

Policy DM13 of the Local Plan requires that all new development has safe and convenient access to the highway network and makes provision for access to, and by, other transport modes including public transport and cycle and pedestrian routes as appropriate. Access arrangements to the highway network must meet national and local guidance and standards, not cause or increase danger to road users or impact detrimentally on highway safety, and be provided without unacceptable environmental impact. Saved Policy DM14 requires that an appropriate level of car parking be provided in accordance with the Council's adopted Residential Parking Standards SPD.

As the proposals are for alterations to an existing dwellinghouse, there are no concerns raised in respect of the location of the development or its connectivity by alternative modes of travel. In terms of parking, the extended property will have 4 bedrooms within the main dwelling, with a further guest bedroom space shown within the detached outbuilding/annex accommodation. In accordance with the Council's adopted standards, dwellings of 4 bedrooms or more require a minimum of 3 parking spaces and, in this case, 5 would be provided through a combination of two driveway areas accessed from Woodlands Close and Nichol Road respectively. The former would utilise the existing dropped kerb, with the latter by way of a new entrance point from the site's western perimeter.

Whilst noting the matters raised within the third party representations received in respect of the new access point, this has been assessed by the Highway Authority who have raised no objection on highway safety grounds, with adequate visibility afforded and sufficient space available on the site frontage to enable vehicles to access and egress the site in a forward gear. The conditions recommended by the Highway Authority in respect of the access and the requirement for a construction method statement (CMS) will be imposed accordingly, with the CMS to include provisions for contractor parking and the prevention of parking on grass verges. An informative will be added to the decision notice to bring the requirement for the separate consent of the Highway Authority to be obtained to undertake the access works to the attention of the applicant.

Taking account of the above factors, there is considered to be no conflict with the requirements of Policies DM13 and DM14 of the Local Plan or the Council's Residential Parking Standards SPD.

Trees:

Policy DM1 (1.d.) of the Local Plan requires *inter alia* that development should not involve the loss of or damage to trees, woodlands, hedgerows or other landscape features of value to the character of the area unless they can be replaced with features of equivalent or enhanced value. These policy provisions are supported by the Council's adopted Trees and Development SPD which aims to ensure that trees are fully considered as part of the planning process so their multiple benefits can be experienced by the Borough of Eastleigh and by existing and future residents.

The site is subject to Tree Preservation Orders (58-H and 244-E) and there are a number of arboricultural features both on and immediately adjacent to it which make significant

contributions to the amenity of the area. These include, but are not limited to, the substantial mature Sweet Chestnut Trees close to the western boundary of the site (within the highway verge) and on the frontage of No. 40 Nichol Road, the sizeable Birch Trees adjacent to the northern boundary of the plot, as well as the perimeter vegetation and range of smaller trees on the site itself.

The application, as per the requirements of the aforementioned SPD, is accompanied by a tree report which incorporates an Arboricultural Impact Assessment, Method Statement, Tree Survey and Tree Protection Plan. This document sets out that a number of trees will need to be removed to facilitate the development (T3, T4, G5, G9 and G13 as detailed on the tree survey), with T6, T1 and T2 also having the potential to be impacted by the footings of the extension works and the proposed new driveway area, with the latter encroaching into the RPA of T1 and T2. The tree report sets out that the trees that would be lost are poor specimens and that the site could be greatly improved by felling them and replacing them with more appropriate specimens further away from the structures and driveway, with the potential impacts arising from encroachment into RPAs being able to be mitigated through the use of special engineering techniques.

The Council's Tree Officer has considered the submitted information in the context of the development proposed and has raised no objection to the application subject to conditions. These conditions require the submission of an updated Tree Protection Plan which is required to address minor inaccuracies within the Plan which forms part of the submitted arboricultural report, as well as to require the submission of an Arboricultural Supervision Statement to cover inspections of the tree protection measures as well as supervision of the works to be undertaken in the vicinity of retained trees which are referenced above. The replacement of the trees to be lost as part of the development, as required by the Council's Trees and Development SPD, can be secured through a general landscaping condition.

With the imposition of these conditions, the proposals are considered to accord with the provisions of Policy DM1 of the Local Plan and the Council's Trees and Development SPD.

Ecology:

Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless there are no alternative solutions, the adverse effects are unavoidable, measures are taken to mitigate or, as a last resort, compensate for the adverse effects, there is overall biodiversity net gain, and the benefits of the development clearly outweigh the adverse effects.

The application is supported by an Ecological Appraisal which identified the main dwelling and garage as having low to moderate potential for roosting bats with suitable habitat also present for foraging bats along the site boundaries. Accordingly, two bat emergence / re-entry surveys were required to be undertaken in line with best practice. These surveys were subsequently carried out with the resulting survey report identifying no bats emerging from the buildings.

The Council's Ecologist has reviewed the submitted information and has raised no objection to the findings of these reports, with conditions proposed to require adherence to the recommendations set out therewithin and to secure a net gain for biodiversity. Informatives were also requested to cover the unlikely event of bats or great crested newts being discovered on site during the undertaking of construction works. These conditions will be imposed and the informatives included accordingly and, with these, there is considered to be no conflict with the aforementioned planning policy requirements.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environment Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. In this particular instance and when considering the impact of climate change, the proposed development would be expected to be resilient to its potential effects.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

Recommendation:

PERMIT ☒

REFUSE ☐