

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency

No adverse comment.

Environmental Health Manager, Community Group

No adverse comment. Informative recommended that the operator of the alliance complies fully with the guidance provided within the document "Installation and Operating Instructions" particularly in relation to the moisture content of the wood used.

Planning Officer Comment: This shall be included as part of the decision.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 2

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
Concern raised by No 32 Fir Copse Road regarding: - Log burner is unacceptable and causes smoke pollution which impacts poor health. Enjoyment of the garden is blighted by the smoke caused and we ask that it is removed. - Request for a time slot that log burner can be used from March to October.	See section 7

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

(ii) Appropriateness of design and impact on the character of the area

- 7.3 The development subject of this application would not be readily visible from the public realm or streetscene of Fir Copse Road by virtue of its siting within the far rear amenity space of No 30 and being lower down in position to that of the main dwellinghouse. On this basis it is not considered that the development would result in any impact which would be considered harmful to the character and appearance of the area.
- 7.4 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.5 The works have the potential to impact the adjacent neighbours No 32 and No 28 Fir Copse Road and an objection has been made by No 32 in regards to the proposal and the adverse impact the flue has in relation to smoke pollution. A site visit has been performed and Environmental Health have been consulted in regards to this and have raised no objection in regards to the flue but have recommended that an informative is included with the decision to ensure that the flue is used in accordance with the operating guidance provided. This shall be included with the decision. The flue is considered to be of a high quality and is lower than the ridge height and on the opposite side of No 32. Its position on the ancillary home is to the far end of the amenity space available and therefore the impact caused to No 32 is not considered to be sufficient enough to warrant a refusal of the planning application nor warrant control over operation hours as requested in the objection. The impact caused is therefore considered to be acceptable.
- 7.6 No objection has been received by the neighbouring dwelling No 28 Fir Copse Road. It is considered that although the flue shall be on the shared boundary with No 28 that due to the position of the flue to the far end of the garden and that Environmental Health have raised no concern over a possible nuisance that the works result in a limited and acceptable impact.
- 7.7 Consequently, it is considered that the proposal is unlikely to appear overbearing or lead to overlooking and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

- 8.1 The scale, siting and design of the proposal would have limited and acceptable impact on the neighbours and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PLANNING PERMISSION IN RETROSPECT** for application APP/17/01294 subject to the following conditions:-

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

Ecosy Installation and Operating Instructions: Received 01/12/2017
Photographs of Log Burner: Received 01/12/2017

Roof Plan: Received 01/12/2017

Location Plan: Reference #00277952-8E09B4

Supporting Document Including Photographs: Reference No 30FLR/03
Received 01/12/2017

Manufacturer Specifications, Leaflet, Invoice and Receipt Details: Received
01/12/2017

Reason: - To ensure provision of a satisfactory development.