



**Rebuttal Proof of Evidence of Mr. Steven Bainbridge MRTPI
On Behalf of the Appellant:
Capital Community Developments Ltd.**

Planning Appeal Against the Refusal of Planning Permission for:

**A phased development of 75 dwellings, car parking, public
open space, hard and soft landscaping and associated
infrastructure and access**

**Land North Of Gardenia Close And Garden Square Rendlesham
Suffolk**

**Our ref. PS-2018-0645/POE
LPA ref. DC/19/1499/FUL
PINS ref. APP/X3540/W/19/3242636
Date: March 2020**

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1.0 Summary

- 1.1 This Rebuttal Proof of Evidence (Rebuttal Proof) is provided by Mr. Steven Bainbridge MRTPI. Fuller details of my relevant experience are provided in my Main Proof of Evidence, submitted to the Planning Inspector on 3rd March 2020.
- 1.2 The evidence which I have prepared and provide for this appeal and in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institute and I confirm that the opinions expressed are my true and professional opinions.
- 1.3 It is not the intention of this Rebuttal Proof to traverse all of the LPA's contentions in its Planning Proof as these will be dealt with through cross examination and during the round table discussions as appropriate.
- 1.4 Here I summarise the Rebuttal Statement below using the same topic headings.

Scope of Evidence

- 1.5 In his PoE Mr. Woolnough refers to "information now made available by the Appellant". I have provided the Appellant's position on this in my Main Proof between paragraphs 5.3 and 5.11 that the information was in the original planning application in the first place.
- 1.6 The recent amendment to the affordable rent tenure was in response to recent queries from the LPA, which differed from in-principle views given by the LPA previously.
- 1.7 The Appellant has recently agreed the detail of the rights of way provisions but, for the record, has always been supportive of public access; his first planning application incorporating a publicly accessible 'trim trail' around the boundary of the site and his latest planning application acceding to the 'on-site' request received from County Highways on 16th August 2018 (in respect of 18/2374): "*We would like to request that a bridleway be created along the track which runs along the eastern side of the site, as this would link the estate to the wider countryside*" and repeated on 7th May 2019: "*We would like to request that a bridleway be created along the track which runs along the eastern side of the site, as this would link the estate to the wider countryside*".

1.8 In respect of Mr. Woolnough’s proof of evidence we have demonstrated that at, until recently, the LPA have been wholly unclear with their ‘feedback’ on the extent and quantity of side to side window impacts in relation to policy DM23 and reason for refusal 5.

The Development Plan

1.9 In terms of compliance with policy SSP12 we have demonstrated that the LPA’s position on this has shifted over time and now appears to be limited to potential conflict with criterion (e) of SSP12 in relation to neighbourhood plan objectives. We have also demonstrated that the two objectives Mr. Woolnough says the proposal is not compatible with, can in fact be seen to be satisfied, and therefore the proposal is compliant with policy SSP12.

1.10 Policies DM21 and DM22 are central to the remainder of the Council’s case. The substance of these policies has already been addressed in my evidence and the manner in which the Council has relied upon them will be the subject of cross examination and submission in due course.

1.11 In relation to policy DM23 the LPA has now provided a Table of instances of overlooking and it is included as Appendix 1 to the Living Conditions SoCG. The Appellant has provided a response and further graphical information as requested by the LPA, which is appended to this Rebuttal Proof in order to assist the Inspector for the round table discussions. Also included, if it becomes necessary, is a worst -case list of windows which would need including in a planning condition similar to the one above, used previously by the LPA to control obscure non-opening windows. I have explained that Mr. Woolnough nor the LPA have provided any cogent reasoning as to why, if their concerns are justified, planning conditions could not be imposed to overcome their concerns and allow development to go ahead. Evidence again of the LPA’s unwillingness to approach this proposal positively.

Other Material Considerations

1.12 I have explained that policy SCLP9.2 should be added to Mr. Woolnough’s list of emerging policies because that policy includes the requirement that “Proposals should improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the **orientation of buildings**”.

1.13 I have noted that Mr. Woolnough acknowledges the progress of the local plan and that “this may require further submissions from both parties”.

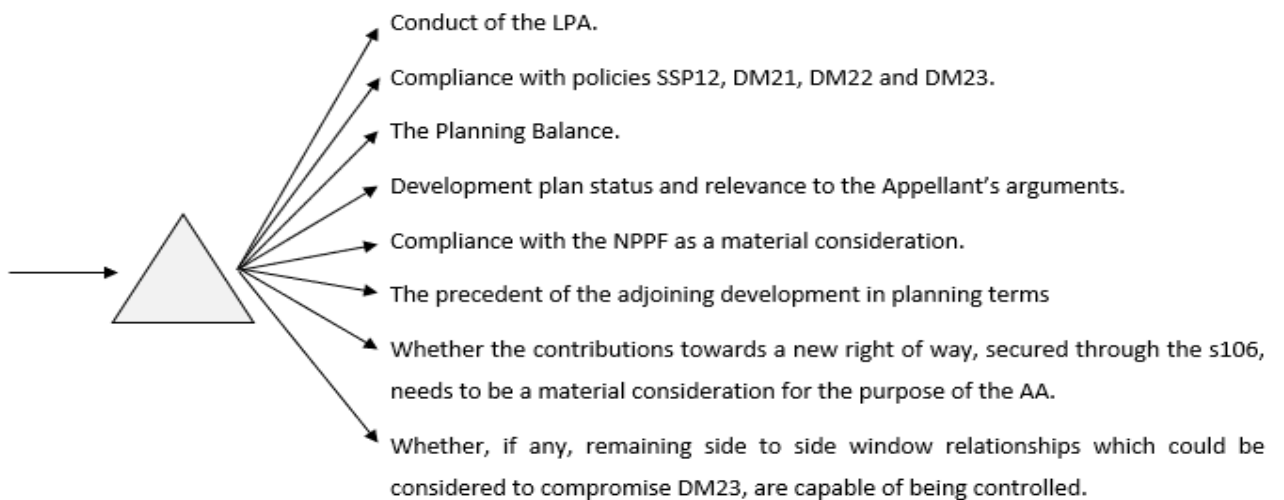
1.14 I have stated that I disagree with Mr. Woolnough’s comments on emerging policy SCLP11.1 and have questioned his reference to Waveney Local Plan policy and supporting text in relation to his arguments on the Council’s use of Building for Life; there being numerous references to building for life in the emerging plan which is material.

1.15 I have explained in my rebuttal below that, contrary to Mr. Woolnough’s assertions relating to NPPF paragraph 124, the Appellant has not been intransigent in respect of design principles, rather the Appellant has ‘stuck’ to his principles and that’s because the gauge of good design is based on outcomes (as my Design colleague has set out in his evidence) and the outcomes of the design at Garden Square and Gardenia Close are evidently high.

1.16 In have also responded to Mr. Woolnough’s comments about the Appellant ‘taking issue’ with the Council’s use of Building for Life. This is false. The Appellant was very clear on the Council’s failings in its understanding of and use of Building for Life as set out in the Statement of Case, the Building for Life Assessment and cover letter undertaken by Mr. Garry Hall BfL Assessor and as expanded on his in Design Evidence.

2.0 Introduction

- 2.1 This Rebuttal Proof of Evidence (Rebuttal Proof) is provided by Mr. Steven Bainbridge MRTPI. Fuller details of my relevant experience are provided in my Main Proof of Evidence, submitted to the Planning Inspector on 3rd March 2020.
- 2.2 The evidence which I have prepared and provide for this appeal and in this proof of evidence is true and has been prepared and is given in accordance with the guidance of my professional institute and I confirm that the opinions expressed are my true and professional opinions.
- 2.3 Due to events to date, which the Inspector is fully aware of, the Appellant has not had the benefit of agreed statements of common ground on which to base his proofs of evidence. Therefore, this rebuttal proof and those others of the Appellant's, necessarily focuses on the agreed Statements of Common Ground (SoCGs) as well as the LPA's proofs of evidence.
- 2.4 This Rebuttal Proof has been prepared primarily in response to the Proof of Evidence of Mr. Ben Woolnough (on behalf of the LPA) and, to a lesser extent but where necessary, in response to those of his colleagues Mr. Robert Scrimgeour (Design) and Mr. James Meyer (Ecology); where planning matters are spread across the LPA's proofs. It has been prepared through the 'prism' of the matters that are not agreed in the recently concluded SoCGs:



- 2.5 This Rebuttal Proof uses some of the sections headings in Mr. Woolnough's proof of evidence (whilst covering the matters outlined above).

3.0 Scope of Evidence

- 3.1 At paragraph 2.6 of his PoE Mr. Woolnough refers to “information now made available by the Appellant”. I have provided the Appellant’s position on this in my Main Proof between paragraphs 5.3 and 5.11 that the information was in the original planning application in the first place. The Appellant is especially keen the Inspector is aware of this point because he believes that, under the circumstances, it may be a necessary tactic of the LPA to paint his planning application as ‘unfinished’. As the Inspector is now aware, email responses from the LPA effectively ceased around a month before the determination deadline and over and above this the LPA had been operating under an informal internal moratorium against extensions of time, contrary to Planning Practice Guidance. There is no basis to claim that reasons for refusal 1, 4 and 7 were withdrawn on the basis of further information provided by the Appellant.
- 3.2 With reference to paragraph 2.7.2 of Mr. Woolnough’s PoE it is important to clarify that additional information on affordable rent tenure has been provided in response to recent queries from the LPA on the definitions of build to rent in the NPPG; the LPA having previously stated in its Statement of Case (at paragraph 5.28) that “It would appear in principle that the tenure complies with the NPPF and NPPG”.
- 3.3 At his paragraph 2.7.3 Mr. Woolnough notes that the Appellant has only recently agreed to meet the County Council’s public right of way funding requirement. For the avoidance of doubt, this simply means that the Appellant has recently agreed the specific requirements, them having only recently been made clear through discussions with the County Council on the draft s106 and the respective Statement of Common Ground. The Appellant has always supported the idea of new rights of way for Rendlesham and the submitted Planning Statement and draft s106 agreement both referred to the new bridleway link provisions.
- 3.4 At his paragraph 2.7.6 Mr. Woolnough explains that his PoE has refined down the extent of reason for refusal 5. He then states that the PoE will “demonstrate” the proposal’s non-compliance with policy DM23. With all due regard to Mr. Woolnough’s recent efforts to refine and clarify the LPA’s position in this case, it remains the Appellant’s contention that the LPA have, until very recently, been

unclear on the extent and detail of this issue, for example:

- The reason for refusal refers to “**a number of** significant adverse impacts” without quantifying them, it then only gave a single example in reference to Plot 15.
- The officer’s report (on its 48th and 49th unnumbered pages) appears to provide **around a dozen** specific examples of overlooking issues which caused “concern” but it is not outwardly clear whether these are side to side or the now withdrawn front to back relationships.
- The LPA’s Statement of Case provides no detail, instead it refers at its paragraph 5.43 to “Focussing on the inter-relationship of side windows of the plots and privacy, due to the specific relationships of plots and house types, the Council **proposes to address these** on an individual basis for every side-to-side relationship. **We will attempt to do this** as part of the Statement of Common Ground with the appellant ahead of proofs of evidence. This will enable a clear and technical comparison of **the position taken by each party** and minimise the need for expansive work in proofs”.
- Sheets of information, including 96 blue arrows indicating overlooking stances, was provided by the LPA on 6th February. The Appellant and LPA have disagreed on what this document was intended to do, but it is agreed that it did not clarify matters.
- Mr. Woolnough’s PoE at his paragraph 4.27 refers to 67 instances and then at his paragraph 4.30 reduces this to 35.

3.5 The Appellant has recently received a table of side to side relationships which the LPA consider conflict (or only potentially conflict) with DM23 from the LPA as part of efforts to get the respective topic specific SoCG concluded. This is the first time the appellant has seen a detailed list. This draws into question upon what this reason for refusal was in fact based, and this recently provided Table must, therefore, represent the Council’s evidence in relation to its defence of reason for refusal no.5 for the purposes of this appeal.

3.6 Matters associated with DM23 in Mr. Woolnough’s PoE are dealt with below under the heading ‘Development Plan’ in response to his paragraphs 4.26 to 4.38.

4.0 The Development Plan

Compliance with policy SSP12

- 4.1 I note that at Mr. Woolnough's PoE paragraph 4.47 where he states that "much of the policy performs as somewhat of a validation list of supporting document expectations [...] to be applied alongside development management policies".
- 4.2 The Appellant has repeatedly and clearly expressed how he considers his proposal meets the requirements of SSP12; see paragraph 6.49 to 6.67 of the Planning Statement, paragraphs 4.12 to 4.26 of the Statement of Case and paragraphs 7.11 to 7.20 of my Proof of Evidence (amongst others).
- 4.3 This contrasts with the LPA's position which has shifted over time:
- Non-specific reference to "elements" of SSP12 in the decision notice, repeated via disparate references in the officer's report.
 - The reference to accordance "with non-underlined parts of the policy" in the LPA SoC.
 - Assertive reference to SSP12 in the list of non-compliant policies in para 4.3 of Mr. Woolnough's PoE.
 - Reference in Mr. Woolnough's PoE in paragraph 4.47 to compliance with much of the policy.
- 4.4 It appears to me that Mr. Woolnough now relies solely on his perceived non-compliance with criterion (e) of SSP12 to assert that "overall it is in conflict". Mr. Woolnough tests the appeal proposal's compatibility in his paragraphs 4.49 to 4.52. Before reviewing these in detail I note Mr. Woolnough is clear at his paragraph 4.52 that it is "failure of two important design and sustainable transport objectives" that the Appellant is guilty of.
- 4.5 I also note that Mr. Woolnough has not provided feedback on most of the neighbourhood plan objectives referred to by SSP12. I must assume that is because he has accepted the Appellant's previous arguments on them. Moreover, Mr. Woolnough also includes an important recognition at his PoE paragraph 4.50 where he states that "it is therefore important to note that the objectives and design principles are not policy in themselves".

4.6 Neither the site-specific policy SSP12, nor the neighbourhood plan, give any guidance as to how to assess 'compatibility' or the degree to which 'compatibility' should be achieved to be considered compatible. The housing section of the neighbourhood plan has 7 objectives: 3 and 3a to f.

- Aside from the fact Mr. Woolnough now appears to be introducing sustainable transport as a reason for refusal, I respond to the neighbourhood plan objectives Mr. Woolnough considers the Appellant falls foul of below:
- **RNP Objective 3c Street Scene** – the supporting text to Objective 3c is contained with RNP paragraphs 10.19 to 10.21. Paragraph 10.21 providing a summary of what the neighbourhood plan considers to be criteria for the “ideal street scene”:
 - Sufficient off-road parking – the proposed development has sufficient off-road parking
 - On-road landscaped parking bays – the proposed development has these, albeit to the consternation of the Council’s Design Witness
 - Landscaping – the proposed development has a significant degree of landscaping.
 - Open green spaces – the proposed development has a significant level of green space.
 - A grass strip between the road and footway – the proposed development does not have these.
 - A low hedge – the proposed development proposes low hedging throughout the site and along the streets.
 - Brick walls or panel fencing where rear gardens front onto the road – the proposed development has such boundary features where gardens adjoin roads.
 - Open front gardens – the proposed development has open front gardens, only separated from the street scene by low hedging or fencing.
 - Natural fencing or timber post and rail – the proposed development proposes high quality low height fencing including iron railing, picket and wood panels, some with brick piers.
- Paragraph 10.21 cautions against a propensity for bendy roads because

experience in Rendlesham has been that these lead to significant and aesthetically/functionally unpleasing on-street parking – Tidy Road being an example.

- It is my opinion that having met eight of the nine elements of an ideal street scene for Rendlesham, that Objective 3c is met. I am not alone in this conclusion. The Parish Council themselves state in their consultation response of 16th May 2019 that *“The street scene meets the RNP criteria in providing the ideal street scene”*.
 - **RNP Objective 3d Sustainable Transport** – the supporting text to Objective 3d is in paragraph 10.22. the supporting text extols the virtues of shared space roads with good width. Objective 3d requires that provision should be made for off road parking on artery roads to promote cycling and shared space schemes. The secondary roads and cul de sacs in the appeal scheme include off street parking and shared use schemes in support of this objective. The Parish Council’s consultation response is silent in reference to Objective 3d but does reference its supporting paragraph 10.22 and states that *“The application meets the above criteria in the RNP”*.
- 4.7 In his PoE Mr. Woolnough provides no guidance on how the proposed develop fails specifically against RNP Objective 3c. I suspect this is why we see the ‘admission’ at paragraph 4.50 that the RNP objectives are not policy. Notwithstanding Mr. Woolnough’s position on the matter he has not even attempted to articulate his reasoning for why the proposed development conflicts with Objective 3c and he finds himself at odds with the both the Appellant and the Parish Council on this point.
- 4.8 In contrast to the above, Mr. Woolnough does explain his reasoning against Objective 3d in his paragraph 4.51 and this is based on the unevidenced claim that most roads in the site will be private without provision of footways and with poor connectivity. There is no basis for this claim of private roads; none of the unadopted roads in Garden Square and Gardenia Close are private. The lack of provision of footways point is an example of the LPA having ‘missed the point’; both the neighbourhood plan and the National Design Guide (at paragraph 102) extol the

virtues of shared use schemes – other than the proposed adopted road, the remainder of streets and cul de sacs are proposed as shared space, as they are in Garden Square and Gardenia Close, where the approach has been highly successful.

4.9 In his paragraph 4.51 Mr. Woolnough states that “This objective seeks off road sustainable transport provision for artery roads”. But this is not correct.

4.10 RNP Objective 3d seeks “off road provision [...] on artery roads in developments to promote the use of cycling and shared space schemes within the village”.

As I had previously set out in the Planning Statement at paragraphs 6.86 to 6.88, the proposal does comply with what Mr. Woolnough describes as “two important design and sustainable transport objectives of the neighbourhood plan”.

LPA’s Introduction of Policy SSP11

4.11 Despite policy SP11 not featuring in either the pre-app, decision notice, officer’s report or statement of case, Mr. Woolnough has now introduced it in his PoE at paragraph 4.3 as a policy to which the proposal does not comply. Mr. Woolnough does not explain how or why but he claims it is for ‘fairness’.

4.12 In contrast to Mr. Woolnough’s approach, the submitted Planning Statement did explain how it complied with policy SP11 and the Inspector’s attention is directed to paragraphs 6.22 and 6.68 of that document.

Compliance with Policies DM21 and DM22

4.13 According to the Character and Appearance SoCG and the Planning SoCG, policies DM21 and DM22 are central to the remainder of the Council’s case. The substance of these policies have already been addressed in my evidence and the manner in which the Council has relied upon them will be the subject of cross examination and submission in due course.

Compliance with Policy DM23

4.14 At his paragraph 4.26 Mr. Woolnough states that “the Council’s Statement of Case is clear in how residential amenity impacts have been reviewed and refined in the Council’s case, and well in advance of proofs of evidence”. I would agree with Mr. Woolnough that the extent of the LPA’s retreat from previously held positions on residential amenity are clear.

- 4.15 At my paragraphs 2.4 to 2.6 above I have explained how there has been very little if any clear guidance on the extent of residential amenity impacts arising from side to side window relationships throughout this case.
- 4.16 As set out above, the LPA has now provided a Table of instances of overlooking and it is included as Appendix 1 to the Living Conditions SoCG. The Appellant has provided a response and further graphical information as requested by the LPA, which is appended to this Rebuttal Proof in order to assist the Inspector for the round table discussions. Also included, if it becomes necessary, is a worst-case list of windows which would need including in a planning condition similar to the one above, used previously by the LPA to control obscure non-opening windows.
- 4.17 In his paragraph 4.31 Mr. Woolnough states that the Appellant has attempted to justify the side to side window relationships on the basis that some are narrow, but that even narrow windows provide wide angles of view. The information provided in Appendix 2 of the Living Conditions SoCG shows how the Appellant has already considered the angles of incidence between narrow windows which will assist the Inspector in the round table discussions.
- 4.18 In his paragraph 4.33 Mr. Woolnough asserts that “offending windows would be removed from the design by the designer prior to seeking planning, as a matter of common sense”. Aside from the planning merits and the imposition of a planning condition by Mr. Woolnough in a comparable situation nearby and recently, the Appellant’s were working from a common sense perspective as well; the common sense being that last time the LPA considered the matter of side to side windows on an application they were involved with the LPA (in that case Mr. Woolnough) approved the relationship subject to condition.
- 4.19 At his paragraph 4.34 Mr. Woolnough states that the submitted plan “do not indicate any measures to attempt to mitigate this [side to side relationships] and that clearly from the statement of case the appellant didn’t feel that any form of mitigation was necessary”. In response to this I would simply point to the pre-application correspondence and the feedback to it in the submitted Planning Statement and Statement of Case which talk of staggering dwellings to respond to the Council’s concerns and narrowing window widths and considering the use of

rooms etc. all as means of mitigation. I assume Mr. Woolnough has missed this and/or does not understand that the Appellant is not refusing to mitigate, rather he is demonstrating that he has already undertaken mitigation within the design and does not see the need to undertake any further mitigation to achieve planning permission.

4.20 In his paragraph 4.38 Mr. Woolnough is very clear that “this impact, which is very embedded in the design should now be addressed in any other way”. As I have discussed above, neither Mr. Woolnough nor the LPA have provided any cogent reasoning as to why, if their concerns are justified, planning conditions could not be imposed to overcome their concerns and allow development to go ahead. Evidence again of the LPA’s unwillingness to approach this proposal positively.

5.0 Other Material Considerations

Emerging Policies

- 5.1 In his paragraphs 5.4 to 5.13 Mr. Woolnough covers emerging policies which he considers relevant. I generally agree with the list of relevant emerging policies but would add SCLP9.2 Sustainable Construction to the list; that policy includes the requirement that “Proposals should improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the **orientation of buildings**”.
- 5.2 Mr. Woolnough acknowledges the progress of the local plan and at his paragraph 5.7 that “it is anticipated that this will be ahead of the inquiry the Inspector has already indicated that this may require further submissions from both parties”. At the time of writing this Rebuttal Proof the Main Modifications consultation has not started and therefore, when it does, further submissions may well be required.
- 5.3 Notwithstanding the above, in his paragraph 5.12 Mr. Woolnough states that the emerging design policy SCLP11.1 “provides no greater weight in support of the scheme [than the current policies]”. I disagree. As an example I note that the first sentence of the Final Draft version of the policy currently reads “The Council will support locally distinctive and high quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means”. Subject to a more detailed review of this policy after the Main Modifications consultation has begun, I consider this to be a ‘good start’ and a good description of this proposed development.
- 5.4 In his paragraph 5.12 Mr. Woolnough refers to Waveney policy and its respective pre-amble in reference to Building for Life. It is not clear to me why Mr. Woolnough provides Waveney local plan preamble when the emerging Suffolk Coastal Plan itself provides numerous references to building for life, not least in the supporting text to the emerging design policy SCLP11.1.

National Planning Policy Framework

- 5.5 In his paragraphs 5.16 and 5.17 Mr. Woolnough references paragraph 124 and claims that the Council have provided advice and the implication being that it has

been ignored. A very large section of the Planning Statement was devoted to setting out how the Appellants had responded to commentary from the LPA. Mr. Woolnough again claims that the Appellant's have failed to meet good design expectations but does not explain how. There is a reason why the Appellant has 'stuck' to his principles and that's because the gauge of good design is based on outcomes (as my Design colleague has set out in his evidence) and the outcomes of the design at Garden Square and Gardenia Close are evidently high.

- 5.6 As set out above the Appellant did not make a distinction between design and layout in the manner Mr. Woolnough suggests at his paragraph 5.18 where, again, elements of a policy are emboldened but not explained. In respect of NPPF paragraph 127 the Appellant's comments on that have been provided in Appendix 9 to the Statement of Case.
- 5.7 At his paragraphs 5.21 to 5.23 Mr. Woolnough states that the Appellant has taken issue with the Council's use of Building for Life in principle. This is false. The Appellant's have made very clear their concerns about the LPA's approach to the use of Building for Life to justify a refusal in contradiction to its recommended use as cautioned in the foreword to the latest edition. Mr. Woolnough explains that his Design colleague has undertaken his own assessment, and this has been responded to in my colleagues Design Rebuttal Proof. Mr. Woolnough concludes by stating that the Appellant suggests the Council's use of Building for Life is somewhat invalidated because the 2015 edition was used. This is not the case, the Appellant was very clear on the Council's failings in its understanding of and use of Building for Life as set out in the Statement of Case, the Building for Life Assessment and cover letter undertaken by Mr. Garry Hall BfL Assessor and as expanded on his in Design Evidence.

Appendix

Plan No.	First floor	Response and proposed resolution	Second floor	Response and proposed resolution
A		<p>In this case the relationship between Plots 36 and 37 is comparable to no.s 3 and 2a Gardenia Close which were found to be acceptable in planning terms.</p> <p>If required deal with first floor north elevation window of Plot 36 with obscure glazing.</p>		<p>In this case the relationship between Plots 36 and 37 is comparable to no.s 3 and 2a Gardenia Close which were found to be acceptable in planning terms.</p> <p>If required deal with second floor north elevation window of Plot 36 with obscure glazing.</p>
B1		<p>In this case the separation distances are further (11.3m) than the averages across the site and at Garden Square, where closer relationships were previously deemed to be acceptable in planning terms.</p> <p>However, assume obscure glazing on the first floor north elevation bathroom window of plot 32 and, if required, the first floor south elevation window of plot 33.</p>	Rooflights	<p>Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.</p>
B2		<p>The first floor window on the north elevation of plot 33 serves a stair well and the enclosed drawing shows a cut through of a building with a similar arrangement showing that occasional views across would be limited. If required, it could be obscure glazed.</p>	Rooflights	<p>Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.</p>
C1		<p>In this case the relationship between Plots 1 and 2 is comparable to no.s 29 and 30 Gardenia Close which were found to be acceptable in planning terms.</p> <p>Of the first floor windows on the north elevation of Plot 1; one is a bathroom window and should be obscure glazed. The other has been placed in the far corner of the bedroom and the relationship to the southern elevation window of Plot 2 is at an angle which affords slight views between rooms but is easily solved by obscure glazing the windows of either Plot 1 or 2 or both.</p>	Rooflights and half moon	<p>Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.</p>

Plan No.	First floor	Response and proposed resolution	Second floor	Response and proposed resolution
C2		Of the first floor windows on the north elevation of Plot 2 and the southern elevation of Plot 3, if required, the relationship is easily resolved by obscure glazing the windows of either Plot 2 or 3 or both.		Of the second floor windows on the north elevation of Plot 2 and the southern elevation of Plot 3, if required, the relationship is easily resolved by obscure glazing the windows of either Plot 2 or 3 or both.
D		The window in the north elevation at first floor of Plot 31 is a bathroom and should be obscure glazed.	Window and half moon	If required, this relationship is resolved if the window in the southern elevation at first floor in Plot 30 is obscure glazed.
E		Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.		Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.
F1		In this case the relationship between Plots 4 and 5 is comparable to no.s 11 and 12 Garden Square or 15 and 16 Garden Square, both of which were found to be acceptable in planning terms. If required, obscure glaze one or both of the first floor southern elevation window of Plot 4 and the first floor southern elevation window of Plot 5.		In this case the relationship between Plots 4 and 5 is comparable to no.s 11 and 12 Garden Square or 15 and 16 Garden Square, both of which were found to be acceptable in planning terms. If required, obscure glaze one or both of the second floor southern elevation window of Plot 4 and the second floor southern elevation window of Plot 5.
F2		In this case the relationship between Plots 5 and 6 is comparable to no.s 10 and 11 Garden Square or 15 and 16 Garden Square, both of which were found to be acceptable in planning terms. If required, obscure glaze the first floor north elevation window of Plot 5 and/or the first floor south elevation window of Plot 6.	Window and half moon	If required, obscure glaze the second floor north elevation window of Plot 5.
F3		If required, obscure glaze the first floor north elevation window of Plot 6 and/or the first floor south elevation window of Plot 7.	Window and	If required, obscure glaze the second floor north elevation window of Plot 6.

Plan No.	First floor	Response and proposed resolution	Second floor	Response and proposed resolution
			Rooflights	
G1		<p>In this case the relationship between Plots 29 and 28 is comparable to no.s 4 and 4a Garden Square with 3 Garden Square which were found to be acceptable in planning terms.</p> <p>The first floor window on the north elevation of plot 29 serves a stair well. If required, it could be obscure glazed.</p>	Rooflights and half moon	Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.
G2		<p>In this case the relationship between Plots 28 and 27 is comparable to no.s 11 and 12 Garden Square or 15 and 16 Garden Square, both of which were found to be acceptable in planning terms.</p> <p>If required, obscure glaze the first floor north elevation window of Plot 28 and/or the first floor south elevation window of Plot 27.</p>		Assume obscure glazing on the second floor south elevation window of Plot 27 because it is to a bathroom.
G3		If required, obscure glaze the first floor north elevation window of Plot 27 and/or the first floor south elevation window of Plot 26.	Window and Rooflights	If required, obscure glaze the second floor north elevation window of Plot 27.
H1		No comment required	No comment required	Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.
H2		<p>In this case the relationship between Plots 9 and 10 is comparable to no.s 11 and 12 Garden Square or 16 and 17 Garden Square, both of which were found to be acceptable in planning terms.</p> <p>If required, obscure glaze the first floor north elevation window</p>		Second floor south elevation window of Plot 10 is a bathroom so assume obscure glazed.

Plan No.	First floor	Response and proposed resolution	Second floor	Response and proposed resolution
		of Plot 9 and/or the first floor south elevation of Plot 10.		
H3		If required, obscure glaze the first floor north elevation window of Plot 10 and/or the first floor south elevation window of Plot 11.	Window and Rooflights	If required, obscure glaze the second floor north elevation window of Plot 10.
I1		The first floor window on the north elevation of plot 25 serves a stair well. If required, it could be obscure glazed.	Window and Rooflights	If required, obscure glaze the second floor south elevation window of Plot 24.
I2		In this case the relationship between Plots 24 and 23 is comparable to no.s 10 and 11 Garden Square or 15 and 16 Garden Square, both of which were found to be acceptable in planning terms. If required, obscure glaze the first floor north elevation window of Plot 24 and/or the first floor south elevation window of Plot 23.	Window and half moon	If required, obscure glaze the second floor south elevation window of Plot 23.
I3		If required, obscure glaze the first floor north elevation window of Plot 23 and/or the first floor south elevation window of Plot 22.		If required, obscure glaze the second floor north elevation window of Plot 23 and/or the second floor south elevation window of Plot 22.
J1		The middle first floor north elevation window of Plot 12 is a bathroom and should be obscure glazed. If required, obscure glaze the first floor north elevation windows of Plot 12 and/or the first floor south elevation window of Plot 14.	Rooflights	Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.
J2		The middle first floor north elevation window of Plot 21 is a bathroom and should be obscure glazed. If required, obscure glaze the first floor north elevation windows of Plot 21 and/or the first floor south elevation window of Plot 20.	Rooflights	Rooflight cill heights are at 1.63m. The LPA has stated that it would be content with 1.7m height. If the LPA or Inspector find the 7cm difference material then the window positions can easily be raised up the roof slope to achieve 1.7m cill height.

A list of windows that might be obscure glazed:

All bathroom windows. Otherwise (and as a maximum):

1. First floor north elevation window of Plot 36
2. Second floor north elevation window of Plot 36
3. First floor south elevation window of plot 33
4. First floor north elevation window of Plot 33
5. First floor north elevation window of Plot 1 and/or
First floor south elevation window of Plot 2
6. First floor north elevation window of Plot 2 and/or
First floor south elevation window of Plot 3
7. Second floor north elevation window of Plot 2 and/or
Second floor south elevation window of Plot 3
8. First floor north elevation window of Plot 4 and/or
First floor south elevation window of Plot 5
9. Second floor north elevation window of Plot 4 and/or
Second floor south elevation window of Plot 5
10. First floor north elevation window of Plot 5 and/or
First floor south elevation window of Plot 6
11. Second floor north elevation window of Plot 5
12. First floor north elevation window of Plot 6 and/or
First floor south elevation window of Plot 7
13. Second floor north elevation of Plot 6
14. First floor north elevation window of Plot 29
15. First floor north elevation window of Plot 28 and/or
First floor south elevation window of Plot 27
16. First floor north elevation window of Plot 27 and/or
First floor south elevation window of plot 26
17. Second floor north elevation window of Plot 27
18. First floor north elevation window of Plot 9 and/or
First floor south elevation window of Plot 10
19. First floor north elevation window of Plot 10 and/or
First floor south elevation window of Plot 11
20. Second floor north elevation window of Plot 10
21. First floor north elevation stairwell window of Plot 25
22. First floor north elevation window of Plot 24 and/or
First floor south elevation window of Plot 23
23. First floor north elevation window of Plot 23 and/or
First floor south elevation window of Plot 22
24. Second floor north elevation window of Plot 23 and/or
Second floor south elevation window of Plot 22
25. First floor north elevation windows of Plot 12 and/or
First floor south elevation window of Plot 14
26. First floor north elevation windows of Plot 21 and/or
First floor south elevation window of Plot 20

