

Location **Fursby House 146B And 146C Nether Street London N3 1PG**

Reference: **15/07602/FUL** Received: 14th December 2015
Accepted: 24th December 2015

Ward: West Finchley Expiry 18th February 2016

Applicant: Mr Alexey Veschikov

Proposal: Erection of 2 no three storey semi-detached dwellings involving
basement, ground and first floor with rooms in roof space

Recommendation: Approve subject to conditions

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

215040-001; 215040-110 rev B; 215040-120 rev B; 215040-130 rev A; 215040-150;
Aerial View 3D, Street View 3D

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies

DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 4 Before the development hereby permitted is first occupied the parking spaces/garages shown on Drawing No. 215040/110A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 5 Before the development hereby permitted is first occupied, the landscaping and subdivision of the front and rear gardens shown on Drawing No. 215040/110A shall be implemented and completed and shall not be used for any purpose other than landscaping and the parking of vehicles in connection with the approved development.

Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure that landscaping and private amenity spaces are provided in accordance with the council's standards in the interests of visual amenity, occupiers' amenity and the character and appearance of the area, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, F of Part 1 of Schedule 2 of that Order shall be carried out within the site.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 Before the building hereby permitted is occupied the proposed side dormer windows in both side elevations facing 144 & 148 Nether Street shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties (Policies DM01 of the Barnet Local Plan Development Management Policies Development Plan Document (2012)).

- 8 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting

that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevations of the both properties hereby approved, facing 144 & 148 Nether Street.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties (Policies DM01 of the Barnet Local Plan Development Management Policies Development Plan Document (2012)).

- 9 The use of the basement hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties. (Policies DM01 of the Barnet Local Plan Development Management Policies Development Plan Document (2012)).

- 10 The property shall be used as 2 self-contained dwellinghouses as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 11 Prior to first occupation of the dwellinghouses hereby approved, the re-location of the access gates to Fursby House and the erection of the boundary enclosures shown on drawing shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 12 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area in accordance with Policies DM01, DM07 and DM08 of the Barnet Local Plan, Development Management Policies DPD (2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 3 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 4 This consent conveys planning permission for the erection of a building consisting of a pair of semi detached dwellings, each to be used as a single dwelling house and for no other purpose. It should be noted that the enforcement notice relating to the demolition of the existing buildings on the site which are unlawful by virtue of their use as 14 self contained flats will take effect from 18 August 2016. Although planning permission is in place for the erection of two semi detached dwellings, until the use as 14 units has been superseded by the approved use as two dwellings as approved has been implemented, the enforcement notice will be deemed not to have been complied with. As a result, the developer will be liable for prosecution.

Officer's Assessment

1. Site Description

The application site comprises a recently constructed semi-detached pair of properties on the western side of Nether Street. The surroundings to the site are characterised by moderately large semi-detached and detached properties within generous plots. Side streets including West Avenue and Fursby Avenue are predominantly single dwelling houses. Nether Street is more mixed with a number of purpose built flatted blocks. Fursby House is a substantial detached mansion house which is anomalous with the established character of the area.

Each dwelling is arranged over four storeys with accommodation within the basement area and in the roof space. The properties were constructed at the frontage building line of a deep front garden associated with Fursby House. Although planning permission was originally granted for a pair of semi-detached dwellinghouses, including basement and roof level accommodation, each building has instead been constructed with 7 self-contained units to create 14 units in total. Some of the units have been occupied.

The property has a permeable hard surfaced front forecourt area for off street car parking with a small garden area to the rear. There is a single storey rear extension at the ground floor level and a basement excavation with an elevation to retaining well depth of just 0.8m and a ground to garden height of approximately 2.96m.

2. Site History

Reference: F/04505/12

Address: Fursby House, 146 Nether Street, London, N3 1PG

Decision: Lawful

Decision Date: 8 January 2013

Description: Demolition of existing outbuilding to the front of Fursby House.

Reference: F/02453/12

Address: Fursby House, 146 Nether Street, London, N3 1PG

Decision: Approved following legal agreement

Decision Date: 28 September 2012

Description: Erection of one pair of two storey semi-detached dwelling houses at land at the front of Fursby House 146 Nether Street, including formation of basement and rooms in roofspace.

A pair of semi-detached dwellings was constructed in accordance with the approved plans. However, the applicants received advice from local estate agents to suggest that each property could be subdivided into bed sitting units without requiring planning permission and as a result each original dwelling house was subdivided into four such units each with their own kitchen and bathroom including at basement level.

The undertaking of such a material change of use was evident by the proliferation of meter boxes attached to the front elevation of the property. Local residents were also concerned about the incomplete nature and appearance of the construction given that partial occupation had begun.

Nevertheless, there had been a breach of planning control through the creation of 12 additional residential units. The developers then sought to regularise the breach through a further planning application as follows:

Reference: 15/04762/FUL

Address: 146B and 146C Nether Street, London, N3 1PG

Decision: Refused

Decision Date: 21 October 2015

Description: Change of use from 2no. single residential dwellings into 14 no. self-contained flats at 146B and 146C Nether Street.

This application was refused for seven reasons as follows:

- 1) The conversion would create an over intensive and over crowded form of development giving rise to substandard accommodation.
- 2) The basement lightwell depth and height would give rise to an unacceptable sense of enclosure.
- 3) The over intensive concentration of units within the development would give rise to unacceptable levels of noise and disturbance.
- 4) The proposal would result in the provision of flats in an area characterised by single family dwellings.
- 5) The proposed development would give rise to parking demand that could neither be accommodated within the site nor within the local highway network.
- 6) The development would not be able to provide sufficient facilities for refuse and cycle storage.
- 7) The proposed development would not provide sufficient open space for all of the units within the proposed development.

Following the refusal of the planning application, enforcement officers served an enforcement notice against the development, which comprised, without planning permission, the construction of a two storey building with rooms in the roofspace and basement and its use as 14 self-contained flats.

The notice requires the developers to cease the use as 14 self - contained flats and demolish the building by the 18 August 2016. The developers have the option however, to re-submit with an application for two self - contained dwellings identical or similar to the application submitted for F/02453/12. In securing planning permission, the developers would be required to remove the internal room divisions and room uses associated with 14 self - contained flats and undertake and complete these changes by 18 August 2016.

3. Proposal

Planning permission is sought for the erection of a pair of semi - detached, self - contained two storey family dwellings with accommodation in the basement and roof space. The dwellings are situated within the established Nether Street building line and aim to reflect the size, massing and design principles already present in Nether Street.

In light of the fact that the existing buildings constructed on the site do not benefit from planning permission as they were constructed in breach of planning control and that an enforcement notice seeking their removal has been served, the semi-detached pair of dwellings proposed by this application have to be considered as being an entirely new form of development erected on the site. Although the principles underpinning the erection of two self - contained dwellings arranged as a semi -detached pair have already been established, they would need to be re-considered for this application. Should planning permission be granted, implementation of the planning permission would involve

alterations to the internal layout of the building and would involve the removal of the room and unit partitions and the removal of fitted kitchens and bathrooms.

The development is set back from the road and falls within the established building line within Nether Street accommodating a private garden to the rear and forecourt parking to the frontage and soft landscaping with new boundary fence treatment.

The dwellings would have a two storey bay window projection to the front elevation with a hipped roof above. Each of the two dwellings would have a rear dormer and a side dormer as well as rooflights to the front and rear. At the rear elevation, there would be a two storey rear extension at basement and ground floor as per the original planning application. The proposed layout would return to the last approved floor plan layout associated with F/02453/12 with playroom at the basement, living, kitchen and diner at the ground floor, two bedrooms at the first floor level and a bedroom in the roof space. The playrooms in the basement would look out into the basement excavation where the finished ground level would be 2.0m above the floor level of the basement lightwell. The lightwell would have a depth of 0.8m from the rear wall of the extension.

4. Public Consultation

Consultation letters were sent to 39 neighbouring properties.

24 responses have been received, comprising 24 letters of objection

The objections received can be summarised as follows:

- Imperative that the Council and residents receive assurances that developers will indeed return the two properties to stated design in the original planning application and that all steps are taken to visibly make two separate 3 bedroom family homes as soon as possible.
- There has been a blatant disregard for the planning law shown by the developers.
- The house has become an eyesore with its unfinished state. Everything should be done to ensure that the building work is finished to a standard that generally fits in with the developed housing on either side and presents a cohesive look on this road.
- The developer has a track record for flouting planning regulations and there is little confidence that planning permissions and conditions would be complied with.
- The properties should be returned to 2 properties as per the original planning application and the Council should enforce this.
- A condition should be imposed which would compel the developer to make these properties into two separate single homes.
- The permission should be conditional on the change back to individual family homes occurring within the period of the enforcement notice and not the normal standard time limit for planning applications.
- If the properties become available on the rental market, they should not be over populated with multiple families living in the premises.
- The restoration of the properties to two single dwellings would be in congruence with the adjoining and surrounding housing. The proposal should be rejected because it allows 2 units for multiple occupancy.
- The new planning application is not identical in all respects to the current approved scheme for the site.
- No place is provided for the storage of refuse and recyclables.

- The front forecourt areas should be subdivided rather than shared as should the rear gardens.
- A traditional front porch should form part of the application to enable the scheme to better respond to local design context.
- The current appearance of the site is detrimental to the streetscene and character of the site area as it is at odds with the established pattern of separate front gardens.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS9, CS14
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM09, DM17

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The public benefit that would be achieved through the rectification of a breach in planning control and the measures that would be put in place to ensure that the development is undertaken in accordance with approved plans.
- The acceptability of providing for additional housing.
- The benefit to the character and appearance of the area that would be achieved through securing a high quality landscaping scheme to the front garden areas.
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the development would cause harm to existing highway conditions.

5.3 Assessment of proposals

Land use

The proposed development is considered to be compliant with national policy (NPPF), the London Plan, and local policy within the Local Plan. The general message of Section 6 of the NPPF 'Delivering a wide choice of high quality homes' advises that Local Planning Authorities should enable the provision of good quality new homes in suitable locations.

The development of two properties within the land to the front of Fursby House would complete and complement the streetscene, would not harm the contribution that the listed building of Fursby House to the rear of the site makes to the character and appearance of the area.

The application proposes the erection and provision of two semi-detached dwellings which would be occupied as family dwellings. The area in which the site is located, is on balance characterised by a predominance of family housing rather than flats.

The application site was previously occupied by a small outbuilding associated with Fursby House set back a considerable distance from the Nether Street frontage. The first scheme submitted and approved to infill the gap between 144 and 148 Nether Street was considered to be a sustainable approach to new residential development that would make a positive contribution to the character and appearance of the streetscene while simultaneously contributing to the Council's objective of delivering new housing during the local plan and London Plan period.

It is fully acknowledged that planning permission was previously granted for two dwellings on the site, and that implementation of the planning permission and construction resulted in the two dwellings being unlawfully used as an HMO and subsequently subdivided into fourteen self contained units in total.

Understandably, use of the property as both an HMO and as 14 self contained flats was out of character with the area which largely comprises family dwellings and also created significant amenity impacts for occupiers and adjoining neighbours. Planning enforcement procedures were implemented by way of the refusal of a planning application to prevent regularisation of this use and the subsequent service of an enforcement notice.

Design, character and appearance

The application proposes the erection of two semi-detached dwellings. A building already exists on the site, however, given that its subsequent and unlawful use was as 14 self contained flats, the building does not benefit from planning permission. The semi detached dwellings proposed within this application are fundamentally similar to the dwellings proposed within the planning permission F/02453/12 and what is currently on site.

The building is arranged over two storeys with accommodation also provided within the roof space and the basement. There is a front forecourt area which provides parking for one car and soft landscaping. Each property has a side dormer and a rear dormer and a two storey rear extension at basement and ground floor level with a shallow lightwell to the rear.

The proposed development would reflect the size, massing and design principles established within Nether Street. The elevation treatment comprises brick and render and avoids the use of mock tudor timber detailing on adjoining properties. The two storey rear projection complements the existing building. The presence of side and rear dormers on both properties generate a sense of balance within the streetscene. In respect of the height, design, size, scale and massing, this application sets out a building design that is identical to the building on site, and is roughly similar to the structures approved under F/02453/12.

Although the building was partially occupied, the external appearance did not accurately reflect the elevation details and site plans forming the basis of the previous planning consent. In addition, the building currently on site presents an incomplete appearance. The forecourt parking is not completely laid out, there are a substantial number of meter boxes, some of which have not been fitted safely. There is no means of enclosure around the site and there is no subdivision of the frontage to create two front gardens or two rear gardens. In addition, boundary treatment separating the properties to the access road to Fursby House is also currently undesirable due to the height of the boundary fence and the position of the gate relative to the front elevation and windows of the property.

This application proposes the removal of the meter boxes, re-location of the access gates, the erection of a means of enclosure to the site curtilage and the individual properties, the creation of soft landscaping and the sub-division of the rear garden.

Given the nature of this application, the similarity between the relevant policy considerations in place for both applications, and the similarities between the proposal and the development in place on site, it is considered that it would be unreasonable to refuse the application on design grounds.

Amenity

It is considered given the distance between the proposed building and No's. 144 & 148, it would not detract from the amenities of adjoining occupiers in terms of the loss of light, outlook or privacy to an unacceptable level. It is acknowledged that there is a side window to 144 Nether Street but following a site visit on 6 July 2012 this window was considered a window serving a staircase.

There is only a single side dormer window in each side elevation and these are considered to be acceptable. They would be located at a position where they would neither overlook windows in the flank elevation of neighbouring properties nor overlook rear gardens. The rear projection at ground floor extends by approximately 3.0m from the rear elevation of the dwellings which would accord with supplementary planning guidance. As a consequence, it is considered that the projection would not harm the receipt of daylight or sunlight to the neighbouring building and would not give rise to an undue sense of enclosure to these properties. The access road to Fursby House separates the application site to the neighbouring building at 148 Nether Street and as a result, it is considered that there would not be an unacceptable impact on the amenity of these occupiers.

The application site has adequate garden space of 85sq.m per garden which would meet the requirements set out in the London Plan and the Supplementary Planning Document (Residential Design Guidance). Each dwelling would have three bedrooms including one in the roof space. The basement would accommodate a play room which would receive light from full height doors opening up into a rear lightwell. This space would not constitute the principle habitable floorspace for the dwelling house and it would be acceptable for this space to be served by a level of outlook, daylight and sunlight that would be inferior to that which would be required to living rooms, dining rooms and bedrooms.

Sustainability

As the building has been constructed, it would not be possible to impose retrospectively requirements in relation to the reduction of Carbon Dioxide emissions in the context of the 2013 building regulations requirements. The proposed development has been constructed in accordance with the requirements of M4(2) in that the property has level access from the street with a toilet on the ground floor.

Highways

The proposal would retain a parking space in front of each property which would benefit from a shared crossover from Nether Street. This would be acceptable provision for the site and is equal to the level of provision associated with F/02453/12.

5.4 Response to Public Consultation

The application has been submitted and carries a description for the erection of a pair of semi detached dwellings on the basis that the existing dwellings on the site do not benefit from planning permission because of the unlawful use that was carried on inside of the property. This application does not propose the erection of any additional building but is a method to regularise and authorise a building and a use of the building as two dwellings. The result of granting planning permission would retain the building and facilitate its use as two single family dwelling houses. No new dwellings or buildings would be constructed, and subject to compliance with conditions requiring implementation by 18 August 2016, in conjunction with the pending requirements of the enforcement notice would result in the restoration of the intent of the original planning consent.

The concerns of local residents and objectors are noted and acknowledged. However, it is stressed that planning enforcement protocols have worked effectively in seeking to reverse the breach of planning control and an enforcement notice has been served. The inability of the developers to conform to the requirements of planning permission should not be held as a reason to refuse planning permission. This is not a material planning consideration and should not influence the decision making process in this application.

The intention of this application if granted and implemented is to override the existing unlawful situation and eliminate the impacts on occupier and neighbour amenity of the concentration of 14 units on the site. The scheme would also facilitate the implementation of the development in its entirety, particularly in relation to the front elevation and the front forecourt so that the building would avoid appearing as an incomplete form of development.

Space is being provided within the front garden for refuse storage, a means of enclosure would be erected around the site and would enclose the front gardens and rear gardens.

The boundary treatment enclosing the private access to Fursby House would also be relocated so that it would be more discreetly located behind the front elevation building line. The design of the buildings are contemporary in appearance and avoid original architectural detailing found throughout the street and the introduction of traditional porches to match properties within the street would not necessarily be appropriate.

6. Equality and Diversity Issues

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken into account all the material considerations associated with this development, including the planning history, representations received and the site and surroundings, it is considered that the proposed development would be acceptable.

The proposed development would result in the retention of the existing buildings, the introduction of an acceptable use as two single dwelling houses and would result in the termination of the unlawful building and use on the site. The scheme would also result in the completion of and implementation of the development resulting in the garden areas and boundaries being completed.

The proposed development would reduce the impact on occupier and neighbour amenity, creating a more cohesive form of development within the streetscene. The retention of and the use of the building as two semi detached dwellings would not have a harmful impact on residential amenity in general.

The application is considered to comply with National, London Plan and Council policies and guidelines. The proposal is recommended for approval subject to conditions.

