

43/08/0143

CHARTER (SW)/MAGNA HOUSING GROUP

RE-DEVELOPMENT OF LAND TO PROVIDE 16 X 2 BEDROOM SHELTERED APARTMENTS, 20 X 2 BEDROOM GENERAL NEEDS APARTMENTS AND 1 MEETING ROOM, 34-62 HOLYOAKE STREET, WELLINGTON AS AMENDED BY PLANS RECEIVED 01.04.2009 (2771/PL/107 A, S771/PL/109 A AND 2771/PL/111) AND PLANS RECEIVED 03.04.2009 (2771/PL/101 B).

313352.121179

Full Planning Permission

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PROPOSAL

This application seeks full planning permission for the erection of a single block of 36 flats. 16 of the dwellings would provide sheltered accommodation and a communal meeting room would be provided within this scheme for the use of the residents. The remaining 20 dwellings would provide affordable housing, on a social rented basis, through a housing association.

The proposed building would have a modern appearance, with rendered walls and a large amount of glazing, especially to the upper floors, and would have a shallow pitched zinc standing seam roof. The building would be gently curved inwards to Holyoake Street. The principal elevations would be punctuated with vertical buttresses that would protrude from the face of the building to support upper floor balconies and provide privacy screens between the units. Each apartment would have a private balcony/ground floor amenity area, whilst two communal gardens – one for the sheltered accommodation and one for the other affordable dwellings – would be provided to the rear.

The main part of the building would be 2 storey facing Holyoake Street, but rising to 3 storey at the rear facing the Relyon Beds factory. High level glazing would be provided above the upper most part of the two-storey section to light the corridor that runs through the centre of the building. At the eastern end of the site, containing 6 flats and the meeting room, a two-storey section would have a curved roof, with its lowest point facing Seymour Street and sloping up to meet the adjoining 3 storey element.

38 parking spaces would be provided for the development, mainly set around 4 parking courts accessed from Holyoake Street. Two further spaces would be provided from the existing access drive from Seymour Street. The parking areas would be separated by new tree planting.

SITE DESCRIPTION AND HISTORY

The site sits to the north of Holyoake Street at its junction with Seymour Street. The site currently comprises 11 sheltered housing bungalows, set around a communal lawn area fronting Holyoake Street, which would be demolished as part of the proposed development. There are two mature trees within the lawn. At the east end of the site is a two-storey block of flats, making a total of 15 dwellings. A private drive wraps around

the rear of the site, with access points in the southwest corner to Holyoake Street and in the northeast corner to Seymour Street. The drive gives access to 10 local authority garages, some of which are leased to people who live away from the site itself.

There is residential development to the south and east across the road, with industrial buildings adjoining to the north and east, mainly forming part of the Relyon Beds complex. The north and west boundaries are formed of a hedge, around 2-2.5 metres in height, with some conifers to the eastern and south western ends. Immediately to the east, on the opposite side of Seymour Street, there are single storey dwellings set slightly below the road. To the south, on the opposite side of Holyoake Street, are two storey semi-detached dwellings set back behind substantial front gardens, some of which have been given over to vehicle parking.

The site is set at the junction of residential and industrial areas in the northern part of Wellington. Housing to the south and west is mainly formed of Victorian/Edwardian terraces, whilst that immediately to the south of the site and continuing to the east is mainly semi-detached, dating from the latter half of the 20th century. Thus, the site sits amongst a wide variety of building styles and amongst a mix of uses and general characters.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

Wellington Town Council - Support the principle of development on this site. However, there appear to be a number of concerns that require addressing before permission is granted. These relate to:

- Highways and the traffic congestion which already takes place. This proposal could exacerbate this situation.
- Design. This may not fit into the existing street scene.
- Overdevelopment. The size of the proposal is such that the LPA will need to be satisfied that it is acceptable on this site.
- The views of the Highway Authority should be considered before permission is granted.

Somerset County Council - Transport Development Group - The proposed development will be accessed off an unclassified highway. The site will provide twenty general need units and sixteen sheltered units. It is recommended that each parking space is allocated to a specific residential unit. One parking space will be provided per unit, plus two visitor spaces. The site will also provide suitably secure bicycle storage for forty cycles.

The parking areas provide sufficient widths to allow vehicles to reverse and turn and leave the site in a forward gear. The proposal will provide suitable turning provision within the parking areas. Suitable vehicular visibility is provided along the entire frontage of the site, but pedestrian visibility should also be provided.

Heritage and Landscape Officer - Subject to details of the tree and shrub planting, the proposals look fine. Main concern is the close proximity of the car parking to the two existing trees. It would be difficult to protect the root system of the tree next to space 27. I recommend its replacement. If space 33 were removed, it would be possible to retain the tree next to it.

Housing Enabling Manager - Fully supports this application for all affordable housing which will be as a result of redeveloping an existing housing site. These apartments will provide much needed social housing which is sought after in this area.

Drainage Engineer - Note that surface water is to be discharged to mains. All flows should go through some form of suds treatment and details should be forwarded for approval before work commences on site and this should be a condition of any permission. The current TDBC housing site is served by existing sewers including a long distance surface water sewer crossing the site. Localised flooding has occurred to adjacent sites in the past.

Leisure Development Manager – A contribution of £1, 023 per dwelling should be made towards the provision of facilities for outdoor recreation and a contribution of £1,785 for each 2+ bedroom dwelling should be made towards children's play provision.

Wessex Water – There is sufficient capacity within the local public sewers to accommodate the development. Points of connection and flow figures may be agreed in due course. The main issue with the location, however, is the presence of a 450mm public combined sewer which crosses through the site. The sewer, due to its size and depth, will require an easement of 6 metres. It may be possible to divert the sewer, at the developers cost, and we recommend the applicant contact our engineers. Please also note that we understand there to be a number of private sewers which cross the site.

Nature Conservation & Reserves Officers - Wildlife survey found no signs of protected species. There were no nests and the buildings showed very low potential to house roosting bats. Agree with the surveyors conclusion that the site is low in ecological value. The two mature variegated trees on site are of local value and should be retained if possible. Recommends condition that wildlife is accommodated within the development.

Principal Environmental Health Officer - Noise & Pollution – No response received.

Representations

9 letters of OBJECTION have been received, raising the following issues:

- This is a busy and dangerous road with cars parked on both sides of the street;
- Cars speed along the street;
- Holyoake Street is a rat run used to bypass the town centre;
- Large lorries travel along the road and often have to reverse due to other traffic;
- Holyoake street is not a quiet road as claimed and it is wrong to claim that there is no air pollution;
- The traffic survey was carried out at one of the quietest times of the day;
- Residents cars are sometimes damaged;
- Query what traffic control arrangements will be provided;
- No parking is shown for the meeting room;
- Only 1 parking space is provided per flat, rather than the government guideline of 1.5 spaces;
- There will be a loss of garage spaces - there would be an increase in street

- parking and query whether compensation will be provided;
- Children with no outside space will have to play on the streets, which will be dangerous;
 - 36 dwellings is an overdevelopment;
 - The proposed development will be out of character with the street scene and general ambiance;
 - The proposed building is too modern;
 - Query why the development plans are so different to the existing properties;
 - A close community of elderly persons will be destroyed;
 - The close proximity of elderly accommodation and social accommodation is a blue print for disaster;
 - The current bungalows have been treated for subsidence in the past and are not sinking as claimed;
 - Query whether similar bungalows in Bovet Street and George Street are 'next on the list'.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
S2 - TDBCLP - Design,
H9 - TDBCLP - Affordable Housing within General Market Housing,
M4 - TDBCLP - Residential Parking Provision,
M5 - TDBCLP - Cycling,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
STR1 - Sustainable Development,
STR4 - Development in Towns,
S&ENPP44 - S&ENP - Cycling,
S&ENPP49 - S&ENP - Transport Requirements of New Development,
PPS1 - Delivering Sustainable Development,
PPS3 - Housing,

DETERMINING ISSUES AND CONSIDERATIONS

The site is within the settlement limit of Wellington and the redevelopment of the site is considered to be acceptable in principle. The main issues relate to the design and layout, highways, and impact on neighbouring property. Consideration must also be given to provision for open space, drainage and wildlife.

Developments of this size trigger a requirement for a proportion of houses to be affordable. This development proposes that all 36 apartments are affordable, but this cannot be enforced by planning permission unless a section 106 agreement is entered into. However, this application affects land that is currently owned by the Council. The Housing Enabling Manager has confirmed that one of the conditions of transfer of the land to the Registered Social Landlord (RSL) will be that the site can only be used for affordable housing. Since the Council will retain control over this element, it is considered that a Section 106 agreement is unnecessary on this occasion.

Design and Layout

The site sits at a junction in Wellington's built form between predominantly Victorian dwellings to the south and west, predominantly late 20th Century dwellings to the east, and industrial buildings to the north and northeast. As such, there is no prevailing

architectural style, with buildings of different characters and from different eras making up the context. Against this background, the principle of introducing of a building that is clearly designed in the early 21st Century is considered to be wholly appropriate and there is no reason why the proposals should seek to copy existing styles in the locality.

The architect's design and access statement indicates how the form and scale of the buildings has been influenced by the surrounding development and there are three influences of note. The main elevation has been designed to be punctuated with vertical buttresses supporting each of the balconies, which aims to pick up on the rhythm of the terraced houses to the south and west. Meanwhile, the set back from the front of Holyoake Street of between 5 and 14 metres is representative of the set back of the semi-detached dwellings opposite, which sit around 8 metres from the back of the footway. The proposal is constructed in two elements, with a two-storey element facing Holyoake Street. As such, the scale of this, west facing, aspect is very similar to the scale of the two-storey dwellings opposite measuring 5 metres to eaves (the existing dwellings measure 4.4 metres to eaves but are set on slightly higher ground). It is considered that the part of the development which will form the street scene (the two storey element) will create a balanced street that respects the existing dwellings and is acceptable. Beyond the two storey element, the building rises to three-storeys but this element will not dominate Holyoake Street, rather it can be seen to relate to the larger industrial buildings beyond the site to the east. The curved roof to the two storey element at the south eastern corner of the site will provide an interesting focus at the junction, whilst respecting the scale of the surrounding development.

Much of the proposed building would be finished with glazing, with the areas of solid wall clad in timber boarding or having rendered panels; the roof would be formed of zinc sheets. The materials palette largely responds to the architectural style of the proposed building, but given the context of a mix of brick and render in the area, with industrial buildings behind, is considered to be acceptable. It is the design as a whole that will influence the way that the building can integrate with the street scene, and for the reasons noted above this is considered to work well. The building is intended to use highly performing materials and construction methods that will allow it to achieve Code for Sustainable Homes level 3. The architects have confirmed that they are attempting to meet level 4, so further energy saving features are proposed, however, the ability to achieve level 4 cannot be guaranteed at this stage.

The building proposes 38 parking spaces (see below) to the front and side of the building. Providing so much parking to the front has the potential to create a car dominated street frontage and this is perhaps the most disappointing aspect of the proposed layout. However, a significant amount of new tree and shrub planting is proposed between the parking courts.

The original intention was to retain the two mature trees, and negotiations to slightly alter the parking layout had been made to accommodate them. However, it was subsequently discovered that the proposal would necessitate the moving of a public sewer and the proposed route of this would pass under the retained trees. As the sewer is set at a depth of around 4 metres, significant excavation would be required and it would not be possible to retain the trees around it. The applicants suggested moving the tree, but due to its size, that the costs would be high. It would also have to be moved twice to allow the construction of the sewer and a better option would be to remove the existing trees and include a number of semi-mature trees within the

proposed landscaping scheme. The Landscape Officer has agreed that this would be acceptable. The new landscaping will have the effect of breaking up the frontage such that the trees and building are able to take precedence over the parking area.

In addition to the individual balcony or small external areas available for each apartment, two communal garden areas are proposed – one to serve the sheltered accommodation and one to serve the general needs housing. The areas are not huge, but are able to provide additional outdoor facilities for the future occupiers.

With regard to the foregoing, your officers consider that the proposed building is well designed and will integrate satisfactorily with the surrounding dwellings and other nearby land uses and buildings. The ability of the development to provide all necessary facilities within an acceptable layout indicates that it is an appropriate level of development for the site and is acceptable in these terms.

Highways

It is clear from the representations, that a number of local residents feel that parking and highway safety is of great concern. The proposal, in effect, seeks to provide an additional 21 dwellings on the site, which in general highway movement terms, is not considered to generate a significant increase in traffic. As such, no specific 'traffic control' measures are proposed, nor are they required. The main issues are ensuring that there is sufficient parking provision and that the accesses are safe to use.

The Highway Authority has confirmed that in this location within Wellington, the principle of providing 1 space per dwelling is acceptable. The scheme proposes this level of provision with an additional two visitor spaces indicated. This calculation also assumes that each of the sheltered housing units will have one car per unit, which in reality may be an overprovision given that most of those residents will be elderly. In addition, there is provision for 40 cycles to be stored on site in secure facilities. As such, it is considered that the parking provision is adequate.

Some concern has been raised over the lack of parking provision for the meeting room. The applicants have confirmed that although the room will be available for external use to a limited extent, its main purposes is to provide a communal area for the residents of the sheltered housing scheme. This is evidenced by the fact that access to the room is from within the sheltered housing element of the building and past the front doors to two of the apartments. Whilst there may be a small element of traffic generation stemming from the presence of the room it would be unreasonable to require dedicated parking provision when its primary function was to serve the future occupiers. In any case, the site remains within the urban area of Wellington, with good public transport links available nearby.

It has also been noted that a number the garages that are currently on the site are leased to nearby residents who do not live on the site. As such, there may be a small increase in parking on the highway when these spaces are no longer available. However, this will be a maximum of 10, dispersed through the surrounding area and it is not considered that the increase in on-street parking could be afforded sufficient weight to warrant refusal of the application.

The Highway Authority recommended that enhanced visibility of the footway would be required than had been shown on the original layout plan. This can be achieved by

moving the trees proposed to be planted at the entrances slightly to the side, out of the required visibility splays. Whilst this will reduce the enclosure and visual screening afforded to the parking areas, it is considered that the priority should fall with highway and pedestrian safety on this aspect. The revised plan now clearly shows an acceptable provision and a condition should be imposed to ensure that visibility is maintained.

Damage to residents cars from the traffic already using the highway is not a matter for control through the planning system.

With regard to the above, the impact of the development on highway safety is considered to be acceptable.

Neighbouring property

The proposed building sits between 26 and 34 metres from the existing dwellings on the opposite side of Holyoake Street, with large windows facing in this direction at ground and first floor. Second floor windows are high level, serving only the internal corridor and are a further 8 metres back from the front of the building. The building is also 21 metres from the single storey dwellings on the south side of Seymour Street, again with ground (meeting room) and first floor windows in that elevation.

It is considered that the building is sufficiently distanced from those existing dwellings that no undue overlooking will arise. As noted above, the front portion of the building is of a comparable height to the existing dwellings on Holyoake Street, with a shallow pitched roof, such that it will not be unreasonably overbearing. The curved roof fronting Seymour Street replaces an existing two storey building and will not be unreasonably dominant on the closest dwellings. With regard to these factors, the impact on neighbouring dwellings is considered to be acceptable.

Open space provision

The proposed development makes provision for either balconies for first and second floor apartments or comparably sized private garden areas for ground floor apartments for each dwelling. The ground floor spaces are separated from the front parking or communal rear areas by low post and rail fences and a 'defensible' planting buffer. These areas would give each apartment space to sit outside if desired. In addition the development provides around 150 square metres of communal amenity space for the general needs housing and a further 160 square metres for the sheltered housing. This will provide further immediately available facilities for the residents.

Further afield, the development is approximately 400m (by foot) from the recently commissioned play area at Howard Road. This is considered to provide adequate facilities for the development and it is not considered that neighbours' concerns about children being forced to play on nearby streets can be given much weight.

As is customary on developments of this scale, the Leisure Services Manager has sought contributions towards the provision of off-site recreation facilities, both for children's play and for general outdoor recreation. It is anticipated that any contributions would further develop the facilities at Howard Road and be used to enhance playing fields in the locality. The contributions would only apply to the 20 general needs units as it is not anticipated that the residents of the sheltered housing

would place a great demand upon recreation facilities. Further, these units replace existing dwellings on the site.

The applicant has submitted that it would make the scheme unviable to pay the requested contribution in full on the basis that the development is providing 100% affordable housing and is dependent on grant funding to achieve this. It is suggested that the terms of the grant will not allow it to be used for any purpose other than carrying out development (i.e. it excludes use for the payment of Section 106 contributions). In addition, the site is subject to extraordinary development costs, as the existing dwellings have to be demolished and site is liable to subsidence. Deep pile foundations are required in the construction. For these reasons, the applicant has confirmed that it is only able to pay contributions to the general outdoor recreation provision and not to the children's play area as well. Given that the development is to be served by the new Howard Road play facilities and that it is providing a considerable amount of affordable housing, it is recommended that only the contribution to general outdoor recreation is sought.

Drainage

The development proposes to discharge foul drainage to the public sewer, which is acceptable. Roof water is also proposed to be discharged to the public sewer, although some water butts will be provided to slightly reduce the flow and to provide for watering the trees, shrubs and communal garden areas. The parking area will be surfaced with a permeable surface which allows water to percolate and then be held to evaporate later. Given the size constraints of the site and the presence of existing development on the site it is considered that the proposal is acceptable in drainage terms.

Wildlife

A wildlife survey has been submitted with the application. It confirms that the site is very poor in wildlife terms, offering a poor range of habitats. No protected species were identified on the site, so there are no wildlife implications for the required demolition works. Planning Policy Statement 9 advocates the enhancement of wildlife habitats through development and this usually takes the form of specific provision for bats or owls etc. The Nature Conservation and Reserves Officer has recommended a condition that a strategy to accommodate wildlife is submitted and agreed with the Local Planning Authority. This has been discussed with the applicant and they are concerned about the costs of further works jeopardising the viability of the 100% affordable housing scheme.

It has been confirmed that the existing site does not provide any significant habitat potential. The proposed development, by contrast, includes a significant amount of new tree planting and landscaping, which will increase its wildlife potential. In the context of the existing site, the nature of proposed development and the landscaping proposed it is recommended that no formal provision is made. An informative note should be included to request the applicant to provide as much voluntary enhancement as possible.

Other matters

The application is also accompanied by noise and air quality assessments. They

confirm that there are no air quality implications for or stemming from the proposed development and that the adjoining industrial uses will not lead to unnecessary noise disturbance for the future occupiers of the site.

There is a Hazardous Substances Installation in the vicinity, in the form of LPG tanks at Swallowfield PLC on Station Road. However, the site is outside the consultation zone for the Health and Safety Executive and, therefore, they have no objection to the proposal.

Concern has been raised by neighbours that the mix of social housing with housing for the elderly will lead to poor living conditions and relationships between the future occupiers of the site. However, the two parts of the building are clearly separated and two separate amenity areas are proposed. More importantly, the precise future tenure and likelihood of cooperation between future neighbours is not a material planning consideration.

Comments have also been made that off-street parking should be provided for neighbours and that replacement facilities should be provided for those who currently rent garages on the site. However, as noted above, the Highway Authority have confirmed that the local highway network has sufficient capacity to meet the needs of the development and that any displaced parking can be accommodated. There are no grounds, therefore, for the provision of additional facilities elsewhere.

Some suggestion has been made that the existing buildings are not subject to subsidence and that there is no need for their removal. No evidence has been submitted to indicate the subsidence, although the Housing Enabling Officer has said that this is the case and there is no reason to doubt the situation. Previous remedial works have been required, indicating that there are problems with the underlying land. Regardless of the situation, the instability of any existing structures does not have to be demonstrated to make the current proposal acceptable – the development is acceptable on its own merits.

Conclusions

It is considered that the proposed development is acceptably designed and will sit comfortably in its context. There will be no adverse impact upon the local highway network and the level of parking provision is acceptable. The parking proposed sits to the front of the site, where it will be clearly within the street scene, however it will be heavily landscaped which will help to screen the parking and assimilate the development into the locality, whilst providing enhanced ecological potential for the site. The development will not have an unreasonable impact on existing neighbouring property and there is adequate external amenity space, including nearby public children's play facilities, available to the development in the form of communal and private spaces. With regard to these factors, and the other comments noted in the preceding report, the development is considered to be acceptable. It is, therefore, recommended that planning permission is granted.

RECOMMENDATION AND REASON(S)

Subject to the applicant entering into a Section 106 agreement to secure a contribution of £1,023 per general needs dwelling (20 units) toward the provision of outdoor recreation facilities, **Grant** subject to the specified conditions for the following

reason:

- 1 The proposal is considered not to have a detrimental impact upon visual or residential amenity or highway safety. It is considered to be well designed with an acceptable layout, providing necessary facilities for the future occupiers of the site. It is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1, S2, H9, M4, M5, and C4; Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1, STR4, 44 and 49 and guidance contained in Planning Policy Statements 1 and 3.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area in accordance with Policy S2 of the Taunton Deane Local Plan.

3.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
 - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

4. Prior to the commencement of the development hereby permitted a scheme for the disposal of surface water shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include measures that will

prevent the discharge of water to the highway. The agreed details shall be implemented prior to the occupation of any of the dwellings hereby permitted and shall thereafter be retained as such.

Reason: To ensure that adequate facilities exist for the disposal of surface water, to help to prevent off-site flooding and in the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, policy S1 of the Taunton Deane Local Plan and advice contained in Planning Policy Statement 25.

5. Each access shall incorporate pedestrian visibility splays on both sides to the rear of the existing footways based upon co-ordinates of 2.0m x 2.0m.

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

6. The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of any of the dwellings hereby permitted, and thereafter retained for those purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities are included for the storage of cycles, in accordance with policies S1 and M5 of the Taunton Deane Local Plan and policies STR1, 44 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

7. The areas allocated for parking and turning on plan 2771/PL/101 B (received 03.04.2009) shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site, in the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

8. The accesses hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross over constructed across the footway fronting the site for the width of the access.

Reason: To ensure than an adequate access is available for the future occupiers of the site in the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Notes for compliance

1. You are requested to provide as many enhancement features to attract wildlife to the site as possible. The Council's Nature Conservation and Reserved Officer can be contacted for further advice if required.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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