

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	21/00505/FUL	<b>Item</b>	01
<b>Date Valid</b>	09.04.2021	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	38 Looe Street Plymouth PL4 0EB		
<b>Proposal</b>	Conversion of existing shop and flats to create a 11-bed HMO (Sui Generis) inc. internal alterations, replacement doors, repair of sash windows, external repairs (inc. removal of fire escape stairs), new side-door access to courtyard, side bike store, and rear bin store		
<b>Applicant</b>	K Wszolek		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	04.06.2021	<b>Committee Date</b>	10.02.2022
<b>Extended Target Date</b>	18.02.2022		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Mr Sam Lewis		
<b>Recommendation</b>	Grant Conditionally		



The application has been referred to the Planning Committee by Cllr. Ian Tuffin.

### **1. Description of Site**

38 Looe Street is a Grade II listed three-storey end-of-terrace property that is most known for housing part of the Plymouth Arts Centre until its closure in 2018. The former Arts Centre building has since been divided up somewhat, with number 38 containing part of that space. The site falls within the St Peter and the Waterfront ward of the city and the Barbican conservation area.

### **2. Proposal Description**

The proposal is to convert the property into an 11-bed HMO. The ground floor is proposed to house one bedroom, alongside a large communal kitchen/dining/utility room area; with four bedrooms each on the first and second floors, and the final two bedrooms on the third floor. The majority of the rooms are proposed to have en-suite facilities, with some sharing three stand-alone bathrooms. The property's basement is proposed to be retained as storage.

The proposed external alterations to the property are to be minimal. The main change is proposed to be the removal of the side/rear fire escape stairs, which are no longer required, and the replacement of the doors which serve these stairs with windows. A rear bin store is proposed to be created, using the space vacated by the fire escape stairs and by covering the basement stairs with a hatch-like floor. This will allow access to the basement when needed. Part of an internal courtyard to the east of the property is proposed to be fenced off and used for bike storage. The other external alterations consist of repairs to the fabric of the building itself - rather than actual changes, and are covered in the corresponding application for listed building consent (which has not been called to the Planning Committee).

The application has gone through some changes since it was first submitted. The scheme originally was for a 12-bed HMO, with the property's basement utilised as an additional bedroom. Officers considered that this room would have not provided a good standard of living for its occupant, and that the work required to create an internal access to it would have caused significant harm to the fabric of the listed building. Officers also had concerns with how the property's bins were originally proposed to be stored - which was in the property itself and up a flight of steps. The removal of the fire escape stairs was also added to the scheme part way through. The scheme was originally advertised for 21 days between 20th April 2021 and 11th May 2021; with the scheme re-advertised following the changes between 7th December 2021 and 28th December 2021.

### **3. Pre-application Enquiry**

None.

### **4. Relevant Planning History**

A number of planning applications and applications for listed building consent have been made relating to the property over the years, but those which are most relevant to the property's current arrangement are:

19/00252/FUL - Separation of existing premises to create three units and the regularisation of the existing self-contained apartments (Granted Conditionally).

19/00253/LBC - Separation of existing premises to create three units and the regularisation of the existing self-contained apartments (Granted Conditionally).

21/00506/LBC - Conversion of existing shop and flats to create a 11-bed HMO (Sui Generis) inc. internal alterations, replacement doors, repair of sash windows, external repairs (inc. removal of fire escape stairs), new side-door access to courtyard, side bike store, and rear bin store (Under Consideration).

### **5. Consultation Responses**

Highway Authority - No objections, but recommended a condition to protect the proposed cycle storage.

Public Protection Service - No response received.

Historic Environment Officer - The Historic Environment Officer initially objected to the scheme as it was considered that creating an additional bedroom in the basement would have caused significant harm to the fabric of the listed building. They also considered that further information was required pertaining to other elements of the proposal. Further information was provided, and the basement room was removed from the scheme. As such, the Historic Environment Officer withdrew their objection.

Community Connections - Provided some advice regarding the future HMO licence process that the applicant would need to follow, as well as some specific concerns that fall outside of the scope of the planning process.

Natural Infrastructure Team - No response received.

Lead Local Flood Authority - No objections, but recommended that South West Water should be consulted so that they could comment on local sewerage capacity.

South West Water - No objections.

The Barbican Conservation Area - No response received.

## **6. Representations**

23 letters of representation, all objecting to the scheme, have been received by Officers. The material planning considerations raised include:

- The building is unsuitable for the proposed use;
- The proposal amounts to overdevelopment of the site;
- The impact on the balance of the local community due to the transient nature of HMO/Air B 'n' B occupancy;
- The loss of a commercial space;
- The loss of publically-accessible space;
- The impact of the proposal on the listed building;
- The impact of the proposal on the conservation area;
- The proposal will lead to additional noise in the local area;
- The lack of outdoor amenity space at the property;
- The impact on local drainage/sewerage provision;
- The impact on parking in the local area;

Additionally, the following non-material considerations have also been raised. Officers are unable to consider them as part of the application's determination:

- Other alternative uses for the building have not been considered;
- Land ownership questions;
- The alleged poor quality of previous construction work.

## **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 19th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030. Additionally, the following planning documents are also material considerations in the determination of the application:

- The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020);
- Licenced Houses in Multiple Occupation (HMOs): Guidance and Standards and Levels of Management Required (2020);
- Barbican Conservation Area Appraisal and Management Plan (2007).

## **8. Analysis**

8.1 This application has been considered in the context of the development plan, the SPD, the Framework and other material policy documents as set out in Section 7.

### **8.2 Principle of Development**

8.2.1 Policy DEV11 of the JLP sets a maximum threshold level of 10% HMOs, including the proposal, within a 100 metre radius of the application site. This is to ensure an adequate balance of residential character and community cohesion and avoid impacts such as parking, antisocial behaviour or noise and disturbance. The Council's records show that there would be a level of 7.4% HMOs within 100m of the application site (including the proposal). This is below the 10% threshold level.

8.2.2 Policy DEV11 of the JLP also sets out that new HMOs should not create the sandwiching of a C3 dwelling between two HMOs. The Council's data shows that the proposal does not create any sandwiching.

8.2.3 A point raised in some of the letters of representation received relates to DEV10.7 of the JLP, and particularly the extract below:

- 4.148 *The LPAs will take the following considerations into account when assessing suitability for conversion:*
- o The proposed development should not cause the loss of a viable use that is considered important to retain, particularly given the LPAs' objective of creating sustainable, linked communities;*
  - o There will be no adverse effect on the vitality and viability of shopping centres; and,*
  - o The location and situation of the premises will provide an acceptable living environment having regard to the nature of the area and adjacent uses.*

8.2.4 Some of the letters consider that the scheme does not accord with the first of the above bullet points; and that the scheme would lead to the loss of a viable community use. Whilst it can be hard to state whether or not the building would be viable for such a use going forward, it is clear that the building's long-term use as an Arts Centre was no longer viable. The Arts Centre closed in 2018 after being in situ for a number of years, with some of its functions moving to Plymouth College of Art. Since then, the large building has been carved up into a number of units - with 38 Looe Street being one of them. The links to the previous buildings that made up the Arts Centre have been closed up. Previous planning applications have also established that residential use within the wider site is acceptable. As such, Officers consider that the proposed HMO use will not lead to the loss of

a viable community use. Ultimately, if the Arts Centre was still viable in its old form then it would still occupy the building; and the previous owner would not have sought to carve up the building.

8.2.5 Officers have also considered the loss of the active frontage that the property currently has. Although currently vacant, a shop recently occupied the ground floor of the property. While it is unfortunate to lose the active frontage, Looe Street does not fall within a local centre. The street itself is mixed in nature, with businesses and houses sitting side-by-side. Officers consider that the dominant use within the street, however, is residential, with the proposed change fitting in with this overall character. If Looe Street fell within a local centre, Officers would be more hesitant to lose the active frontage, and would seek to protect the use in line with DEVI6 - but as things stand Looe Street falls outside of both the officially designated city centre and the Barbican local centre. Officers also note that no changes to the property's front elevation are proposed, meaning that the current appearance of the property will be maintained. This means that the building will be able to be read as having had a commercial past - which will help to maintain the wider character of the street.

8.2.6 While Officers acknowledge that other uses could be considered, they ultimately have no objection to the proposed HMO use and consider that the principle of the change is acceptable. Officers also note that there is no reference to how HMOs should be considered within the Barbican CAAMP. The HMO levels in the surrounding area would not exceed the 10% threshold level and would therefore not be harmful to the balance and sustainability of the surrounding community in accordance with Policies DEVI, DEV2, DEVI0, and DEVI1 of the JLP.

8.2.7 Officers would also like to clarify that they have received confirmation that it is not the applicant's intention to rent the rooms out via Air B 'n' B (or similar), as has been stated in some of the letters of representation received.

### 8.3 External Alterations

8.3.1 The proposed external alterations are relatively minor in nature, and therefore their overall impact is considered to be minimal. The main visual alteration to the property will be the removal of the fire escape stairs, which are to the rear and side of the property. Officers understand that these are in a poor condition, and would not be required if the property was an HMO. Officers consider that these stairs are of no historic value, and the property's rear and side elevations would be improved following their removal. Officers also consider that the windows that are proposed to replace the fire escape doors are in-keeping with the designs found throughout the building - which will ensure that the building's character is maintained.

8.3.2 To create the rear bin store, the metal railings around the steps down to the basement are proposed to be removed. Again, these are considered to have little historic interest. The steps will then be covered by a hatch, with a canopy built over the top with galvanised steel posts and a zinc mono-pitched roof. This will only be visible from within the shared courtyard to the rear, which already has canopy-like structures present relating to other properties. Officers consider that the canopy will have a limited visual impact, and that the proposed materials are acceptable for use within a listed building. Its overall floorspace is proposed to be minimal, and it will largely occupy the space of the existing basement steps and the space to be vacated by the fire escape.

8.3.3 The rest of the external alterations, with the exception of a proposed timber fence within the internal courtyard, are general repairs etc. to the listed building. These are covered in the corresponding application for listed building consent.

8.3.4 Overall it is considered that the proposal will generate limited visual harm, and will likely lead to overall improvements to the look of the building, according with Policy DEV20 of the JLP.

## 8.4 Occupant Amenity

8.4.1 There are no set floorspace requirements for HMOs to ensure occupant amenity, however the Council's HMO Licence standards can be used as a guide to an acceptable level of accommodation. In a property with a shared kitchen and no shared lounge, the standards recommend that each bedroom should be at least 10sqm when occupied by one person. All of the bedrooms accord with this, and most are over the 14sqm that is recommended for double occupancy. Officers note that the layout of the property means that some of the rooms are proposed to have an odd layout. For example, similar rooms on both the first and second floors are proposed to have a section of floor higher than the main floor, and the rooms on the third floor are within the property's roofspace. In all of these instances, Officers have only measured the 'useable' floorspace - although the other floorspace could be used for cupboard space, etc. The measurements do not include any en-suite space either.

8.4.2 With the exception of one bedroom at the front, the rest of the ground floor is to be given over to communal kitchen/dining/utility room space. The total communal floorspace proposed is approx. 57sqm. The standards recommend 3sqm for each bedspace, meaning that the communal area is considered to be of an appropriate size. The bathroom/toilet facilities provided are also considered to be acceptable in the context of the standards. Bin storage is proposed to be provided to the rear of the property, as detailed above. It has been confirmed that this space is considered large enough for the necessary bins - and will provide a bespoke storage arrangement for the property, as one does not exist currently.

8.4.3 As has been raised in many of the letters of representation received, the proposal does not include any outside space - with the exception of part of the internal courtyard. Much of this space is proposed to be given over to bike storage however. Table 11 in the SPD advises that 15sqm of outside space should be provided per bedspace. Clearly the proposal does not include this level of outdoor space. Paragraph 4.158 of the SPD states that all new HMOs should come with outdoor space, but where this is not possible it should be demonstrated that there is good access to local public amenity space.

8.4.4 The area around Looe Street is generally occupied by older properties - many of which have little to no outdoor space. There are a few blocks of flats locally (as well as on nearby Sutton Harbour), which again have little to no outdoor space. It is typical in and around city centres for properties to have little to no outdoor space, and Officers consider that the proposal is generally in-keeping with the area in this case. Officers also note that Sutton Harbour, the Barbican, and the Hoe are all within walking distance of the site, meaning that there is plentiful outdoor space of varying make-up that is accessible from the property.

8.4.5 As such, the site is considered to provide an adequate level of amenity for occupants, in accordance with Policy DEV10 of the Joint Local Plan.

## 8.5 Neighbour Amenity

8.5.1 The property's previous Arts Centre use would have seen a high volume of visitors to the property throughout the day and into the evening. It is considered that the proposed conversion of the property to an HMO will not generate significant amenity impacts for neighbouring properties, with the comings and goings to the property likely to be reduced. The area is residential in scope, albeit with a number of businesses present, and the proposed HMO is not considered to alter the area's character. This view also takes into account the aforementioned low levels of HMOs in the area, which means that the area is not considered to be saturated or dominated by HMO properties.

8.5.2 Concerns were raised in some of the letters of representation received relating to noise and more general disturbance concerns relating to the use of the property as an HMO. Given the low numbers of HMOs in the area, and the fact that the property will need to be licenced, Officers do

not consider that the impact of the HMO will be significantly different to that of other residential uses or the nearby blocks of flats. The Council's Community Connections Team, via the HMO Licence, would be able to respond to any concerns relating to disturbances at the property using their powers of enforcement. Officers have also added a condition that requires the provision of a Management Plan prior to the property's occupation. This will allow further scrutiny of the HMO going forward, and will sit alongside the HMO Licence. Additionally, Officers have conditioned that each new resident of the property be given a Welcome Pack when they move in which, among other things, will set out how to limit disturbances to neighbouring properties.

8.5.3 As a result, the proposal is considered to accord with Policy DEVI of the JLP.

### 8.6 Highway Considerations

8.6.1 The Highway Authority were consulted on the scheme, and did not raise any objections to the proposal. The property falls within an area covered by a Controlled Parking Zone (CPZ), which means that the local on-street parking is controlled by a mix of pay-and-display bays and areas for those with residents' permits to park. Due to the conversion of the property, the future residents of the proposed HMO would not be able to obtain parking permits and would therefore not be able to park in the nearby streets. The Highway Authority therefore consider the development to essentially be car free.

8.6.2 Cycle parking is proposed within the property's eastern courtyard. The information provided suggests that 1 space for each room will be provided. This exceeds the recommended standard of 1 space for every two rooms set out in Table 32 of the SPD. A condition protecting the cycle storage space going forward has been included.

8.6.3 As a result, the proposal is considered to accord with Policy DEV29 of the JLP.

### 8.7 Drainage

8.7.1 Officers consulted with both the Lead Local Flood Authority and South West Water regarding the site's flood risk and drainage capacity. Neither party raised any objections to the proposal. The Lead Local Flood Authority wanted to ensure that the local combined sewers had capacity for the development. South West Water were then contacted and advised that they had no objections to the proposal.

8.7.2 A number of comments regarding drainage have been made in the letter of representation. Officers understand that these are concerned with sewerage connections due to the increase in toilets etc. on site. As above, the Lead Local Flood Authority and South West Water have no objections to the proposal in terms of capacity and permissions for connectivity must be sought outside of the planning process.

### 8.8 Other Impacts

8.8.1 Additionally the proposal underwent a Habitat Regulations Assessment (HRA) to ascertain whether there is an impact on the Tamar Estuary Marine Site. The scheme does trigger a sum of money to be paid through the HRA, however, given that the scheme is £0 CIL liable, this money will not come from the applicant.

## 9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

None.

## **11. Planning Obligations**

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

## **13. Conclusions and Reasons for Decision**

The principle of the proposal is deemed to be acceptable and to accord with DEV1, DEV2, DEV10, DEV11, DEV20, and DEV29 of the JLP. Officers consider that the proposed HMO will provide good level of amenity for future occupants; and no significant highway or neighbouring amenity impacts have been raised. The proposal is not considered to be harmful to the balance and sustainability of the surrounding community as a result. Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal does accord with policy and national guidance and is therefore recommended for conditional approval.

## **14. Recommendation**

In respect of the application dated 09.04.2021 it is recommended to Grant Conditionally.

## **15. Conditions / Reasons**

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

### **I      CONDITION: APPROVED PLANS**

Location Plan 55-38LS 01 - received 09/04/21

Site Plan 55-38LS 02 - received 09/04/21

Proposed West Elevation 20 Rev B received 30/11/21

Proposed East Elevation 18 Rev B received 30/11/21

Proposed Basement Plan 12 Rev C received 30/11/21

Proposed Ground Floor Plan 13 Rev C received 30/11/21

Proposed First Floor Plan 14 Rev C received 30/11/21

Proposed Second Floor Plan 15 Rev C received 30/11/21

Proposed Third Floor Plan 16 Rev C received 30/11/21

Proposed South Elevation 19 Rev C received 30/11/21

Proposed Bin Store 22 Rev C received 30/11/21

Basement Section AA 23 Rev C received 30/11/21

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

## **2      CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

## **3      CONDITION: ACCOMMODATION MANAGEMENT**

### PRE-OCCUPATION

No bedrooms shall be occupied until a management plan for the operation of the accommodation, which shall include contact details (including postal address, email address, and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and shall include a commitment to keep this information up to date, have been submitted to the Local Planning Authority. The management plan shall thereafter be adhered to strictly at all times.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with Policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Framework.

## **4      CONDITION: BIN STORAGE**

### PRE-OCCUPATION

The approved house in multiple occupation shall not be occupied until the bin storage area shown on the approved plans has been made available for use. The bin storage area shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority. Bins shall be stored in this area at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage in accordance with Policies DEV1, DEV2 and DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Framework.

## **5      CONDITION: CYCLE PROVISION**

### PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the site in accordance with the approved plan for a minimum of 6 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Framework.

## **6 CONDITION: WELCOME PACK**

Each new occupant of the HMO hereby approved shall be provided with a welcome pack setting out how to limit disturbances to neighbouring properties, providing details of public transport and cycle routes and setting out how and where refuse and recycling bins should be stored and their location for collection.

Reason:

In the interests of the amenity of occupants and the amenity of the surrounding area and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with Policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Framework.

## **INFORMATIVES**

### **1 INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see [www.plymouth.gov.uk/cil](http://www.plymouth.gov.uk/cil) for guidance.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructuralevy>

More information and CIL Forms can be accessed via the Planning Portal:

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

### **2 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

### **3 INFORMATIVE: PROPERTY RIGHTS**

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

#### **4      **INFORMATIVE: RESIDENT PARKING PERMIT SCHEME****

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.