

**Planning Committee 2 February 2021
Report of the Planning Manager**

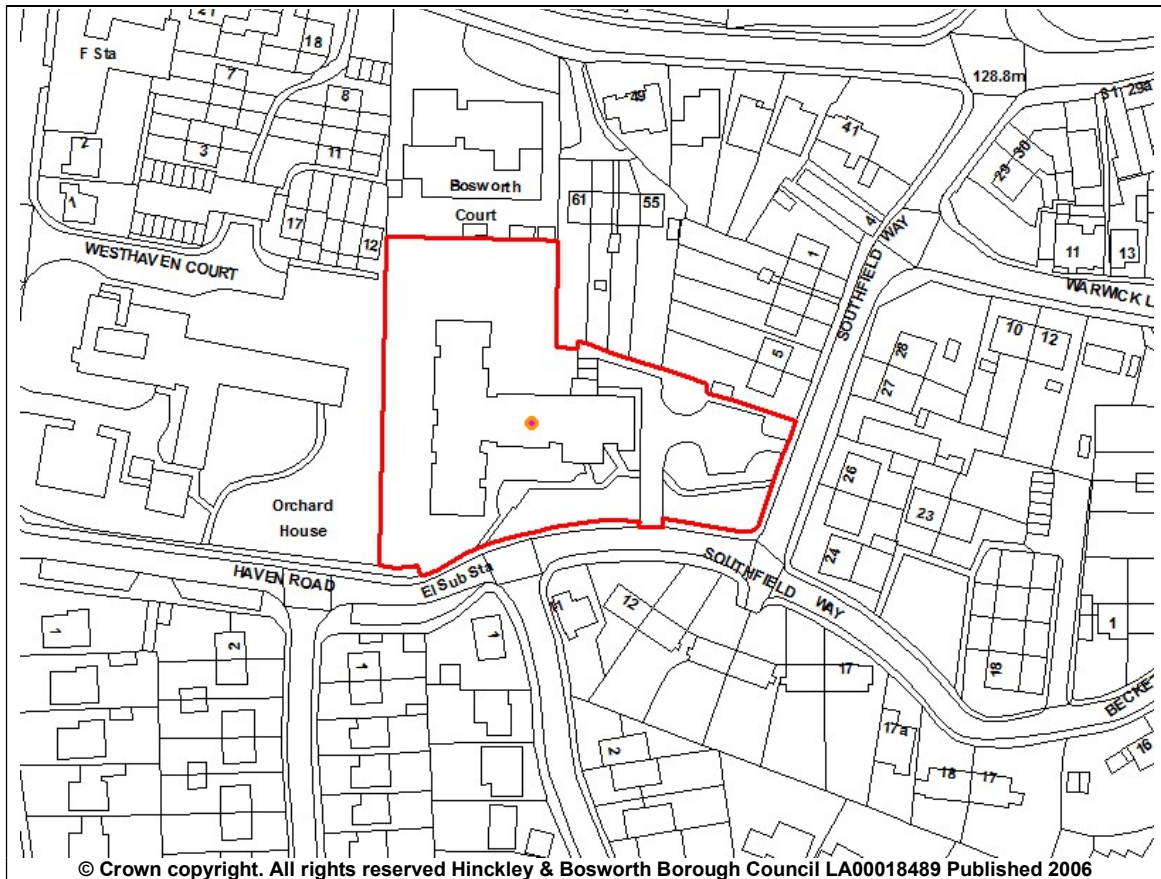
**Planning Ref: 20/01187/CONDIT
Applicant: Ms Fionnuala Mckenna
Ward: Cadeby Carlton M Bosworth & Shackerstone**



**Hinckley & Bosworth
Borough Council**

Site: Ambion Court Southfield Way Market Bosworth

**Proposal: Variation of condition 2 (approved plans) of planning permission
19/00625/DEEM to allow alterations to the elevations and external finishes, and vary
conditions 3,5,9,10,12,14,15,16,18 and 20 to reflect a two phased development**



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

1.2. That the Planning Manager be given powers to determine the final detail of planning conditions.

2. Planning application description

- 2.1.** This application seeks the variation of condition 2 relating to the plans condition due to elevation changes to the proposed building, which include some fenestration changes within the elevations of the home facility. The changes relate and include an amendment to the Photovoltaic solar array positioning, and material finishes which are limited to the open timber eaves proposed to now be grey UPVc fascia

with soffits to match the proposed windows. The proposed bin store and scooter store design has been amended, in so far as the bin store would be an open store with timber fencing surrounding it, and the previously approved flat roof which connected the bin store to the scooter store building has been removed. The proposal also seeks to remove the brise soleil from the southern end of the building, and window design changes.

- 2.2. In addition the proposed application also seeks to vary conditions 3, 5,9,10, 12, 14, 15, 16, 18 and 20 of planning permission 19/00625/DEEM, to allow for the development to be delivered in phases. The first phase being the delivery of the sheltered housing and the second phase being the delivery of the bungalows. At present the conditions are worded in such a way as to preclude development in phases.

3. Description of the site and surrounding area

- 3.1. The application site is situated within the settlement boundary of Market Bosworth, and within an existing residential area. The existing sheltered housing building is currently vacant and takes the form of a 'T' shaped red brick and tile building, and is two storeys in scale, however the roof pitch is shallow. Parking and access serving the building is situated to the east of the building. The site is relatively flat, however levels do fall towards the east.
- 3.2. To the north of the application site, the building backs onto Bosworth Court, and a row of terraces houses, all of which are two storey in scale, and to the south two storey semi detached dwellings, set back from the highway. Facing onto the site to the east, are a number of bungalows. To the west, the site is immediately bound by Orchard House, which is a care home facility, however between the application site and Orchard House planning permission has been granted for the development of 4 two storey dwellings.
- 3.3. Development on site has commenced and the existing sheltered housing building has been demolished and works commenced.

4. Relevant planning history

19/00625/DEEM

- Demolition of the existing sheltered flats and the construction of 24 sheltered flats (for the over 60s) and three bungalows with associated car parking and landscaping
Permitted
17.10.2019

20/00576/DISCON

- Application to discharge conditions C5 (landscaping), C7 (Tree Protection), C9 (Levels) 10 (Land Contamination), C12 (Construction Environmental Management Plan) C14, (Drainage - foul and surface water), C15 (Management of surface water during construction) C16, (SuDS), C20 (Waste and Recycling) attached to planning permission 19/00625/DEEM
Partial Discharge of Condition
08.10.2020

89/01156/4D

- Erection of 6 x 2 bedroom bungalows and alterations to 2 existing flats
Permitted
24.10.1989

74/00009/4D

- Erection of o a p flat lets
Permitted
25.06.1974

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press and no representations have been received during the course of the application.

6. Consultation

- 6.1. No objections have been received from:-
Environmental Health (Pollution)
Lead Local Flood Authority
Leicestershire County Council (Highways)
Leicestershire County Council (Highways)
Waste Services
Market Bosworth Parish Council
Leicestershire County Council (Ecology)
- 6.2. No comments have been received from:-
Cycling UK
Leicestershire Fire and Rescue Service
Market Bosworth Neighbourhood Forum

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan 2014-2026
- CE1: Character and Environment
- 7.2. Core Strategy (2009)
- Policy 7: Key Rural Centres
 - Policy 15: Affordable Housing
 - Policy 16: Housing Density and Mix
- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2019)
 - Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) (2017)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Previously imposed conditions

Assessment against strategic planning policies

8.2 Paragraph 11 of the National Planning Policy Framework (NPPF) provides a presumption in favour of sustainable development and states that planning applications that accord with the policies in the Local Plan should be approved unless material considerations indicate otherwise.

8.3 Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless materials consideration indicate otherwise.

8.4 This application is a variation of condition application and the original scheme has been assessed as being sustainable and in accordance with the adopted strategic policies, the principle of development on this site is therefore established and is not for discussion through this application.

Design and impact upon the character of the area

8.5 Policy DM10 of the SADMP states that developments will be permitted providing that the design respects the scale, proportions and height of the existing building, neighbouring structures and overall street scene, and building materials respect the materials of existing, adjoining/neighbouring buildings and the local area generally. Policy CE1 requires that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place.

8.6 The site is identified as being within character area D 'Suburban residential' within the Market Bosworth Neighbourhood Plan (MBNP). This area is characterised by:

- Detached and semi-detached, two storey dwellings
- Long open aspect front gardens providing a sense of openness
- Wide, open aspect grassed verges at road entrances
- Public open spaces dividing housing
- Well proportioned uniform plots with properties set back from the pavement;
- Garages and driveways

8.7 The proposed amendments subject to this application are limited, and would have no impact upon the approved scale and layout of the development, nor siting of the built form. The proposed changes in large relate to the elevations and fenestration details, with the north and south elevations seeing the most notable changes within the street scene. The proposal seeks to remove the floor to ceiling window arrangement with brise soleil from the southern and north end of the building being removed, and replaced with windows to match that of the wider building. The

previously approved Photo voltaic array was to be provided across the west facing roof slope in 5 separate clusters. This amendment proposes a single array centrally located within the west facing roof slope. The roof has also been removed from the bin store, and would be enclosed with timber fencing to provide a soft appearance within the wider streetscene. The proposed bin store would be physically disconnected from the scooter store with the flat roof from the bin store having been removed.

- 8.8 Notwithstanding these changes, when having regard to the wider context of the application site, the proposed changes would not have an impact upon the application site nor wider street scene. Therefore it is considered that the proposed amendments by virtue of the scale and appearance would still maintain and complement the character and appearance of the surrounding area and would therefore be in accordance with Policy DM10 of the adopted SADMP and Policy CE1 of the Market Bosworth Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.9 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings.
- 8.10 The application site is situated within a predominately residential area, to the south east and north of the site is flanked by residential dwellings, and to the west is a further care home facility. The proposed amendments are contained to a number of small changes to the design features and changes to the fenestration, the siting and layout of the development would remain unchanged. The changes to the south facing elevation, relate to the design of the openings within this elevation. The south elevation faces towards No.1 Northumberland Avenue and would maintain a separation distance of approximately 22 metres with an intervening road into between, which was previously considered to be sufficient to ensure that the proposed development would not be unduly overbearing upon this dwelling, nor result in any adverse overlooking. Therefore the changes to this elevation would not result in any additional impacts in terms of amenity.
- 8.11 The proposed scheme would not result in any significant adverse impacts on the residential amenity of any neighbouring occupiers and would accord with Policy DM10 of the SADMP.

Previously imposed conditions

- 8.12 The application proposes to amend a number of conditions to reflect the development coming forward in a phased format. As such it is necessary to consider the impact of this on existing conditions and re-word where necessary. Planning permission 19/00625/DEEM was subject to 22 condition. This permission specifically seeks to amend conditions 2, the plans conditions, which is discussed above and conditions 3, 5, 9, 10, 12, 14, 15, 16, 18 and 20 which will be considered below.
- 8.13 Condition 1, relates to the implementation of planning permission within 3 years, as development has commenced on site, this condition is no longer necessary and would not be necessary to re-impose should permission be granted.
- 8.14 Condition 3 relates to the submission of materials prior to development going beyond foundation level. Given the phased nature of the proposal in that the development would be brought forward in two phases. The samples for phase 1 have been received, however phase 2 would be required to be agreed. Therefore it is considered necessary to reword the condition to reflect the agreed materials for phase 1 and impose an additional condition to secure the agreement of materials

for phase 2. This condition is considered reasonable and necessary to ensure that the development has a satisfactory finish and reflects the local vernacular.

- 8.15 Condition 4 relates to the restriction of the occupation of the development to those 60 years and over. This condition is reasonable and necessary to re-impose as the development relates to a specific need and demographic to accord with Policy 15 and 16 of the Core Strategy.
- 8.16 Condition 5 relate to hard and soft landscaping, including boundary treatment prior to development. Details for phase 1 have been previously considered and discharged, therefore the condition is necessary to re-word the landscaping details for phase 1 and impose an additional condition for a landscaping scheme to be submitted for phase 2. This condition is considered necessary to ensure that the development has a satisfactory finish.
- 8.17 Condition 6 relates to laying out of the communal garden within one month of first occupation of the application site. This condition is reasonable and necessary as it provides an essential amenity space for residents.
- 8.18 Condition 7 requires the erection of tree protection measures prior to development and its retention during the course of the development. The tree protection measures have been provided and discharged, and relate to each phase, therefore this condition shall be re-worded to reflect the agreed tree protection measures. This condition is necessary and reasonable to safeguard the existing trees identified to be retained in the interest of amenity.
- 8.19 Condition 8 relates to the removal of permitted development rights Schedule 2, Part 1, Classes A, B, C, D and E, which are necessary to be re-imposed to safeguard residential amenity
- 8.20 Condition 9 requires the agreement of existing and proposed ground levels prior to commencement. This condition does not differentiate or reflect the phasing of development. The levels details are necessary to ensure that the development has a satisfactory appearance and relationship within the streetscene, and the levels details for the sheltered housing phase have already been agreed. Re-wording the condition to reflect a phased approach to the development would not result in any impact upon the development, as regard to phase 1 would be had when considering the levels for phase 2. It is therefore considered that this condition can be amended to reflect the agreed levels details for the Sheltered housing (Phase 1) and an additional condition imposed to ensure that the level details are secure prior to the commencement of phase 2.
- 8.21 Condition 10 relates to the recommendations contained within the Phase II investigation, the findings of which have been reported to allow the commencement of the sheltered housing and have been agreed. Environmental Health during the course of the application has considered the application, and have no objections to amending the condition to reflect the phased approach to the development on site. Therefore it would be necessary to reword the existing condition to reflect the agreed details and recommendations of that contained within the Phase II report are followed, and an additional condition is necessary to secure the approach to phase II is adequately mitigated.
- 8.22 Condition 11 seeks that prior to the occupation of the development, details are submitted of any equipment and apparatus contained within the ground floor plant of the sheltered housing is submitted and agreed. This condition is necessary to ensure that the development does not become a source of annoyance, accordingly this condition shall be re-imposed and does not require any amendments.

- 8.23 Condition 12, requires the submission of a Construction Environmental Management Plan prior to commencement, to minimise disruption from the development. The details of which have been provided and agreed for phase 1. Environmental Health (Pollution) have been consulted and have no objection to the rewording and amending of this condition to reflect a phased approach. Therefore it is considered that this condition shall be reworded to reflect the agreed CEMP for Phase 1, and proposed a new condition to require the details of a CEMP to be submitted prior to Phase 2.
- 8.24 Condition 13, relates to the hours of construction on site, this condition it necessary and reasonable to minimise the disruption to neighbouring residents, accordingly this shall be re-imposed without variation.
- 8.25 Conditions 14, 15 and 16 are conditions relating to surface water drainage, including its disposal, the management of it during construction and long term maintenance, the details of which are required prior to commencement. These conditions relate to the application site as a whole. The Lead Local Flood Authority who requested the conditions have considered the application and have no objections to the phased approach on site. The details of phase 1 have already been considered and agreed by the LLFA who are satisfied with a phased approach on site. Therefore conditions 14, 15 and 16 shall be reworded to reflect the agreed details for phase 1, and a new condition would be necessary to impose to secure the phase 2 drainage details. These conditions are reasonable and necessary to ensure that the development is adequately drained and does not exacerbate flooding.
- 8.26 Condition 17, relates to adequate visibility being secured prior to occupation of the development, and thereafter permanently maintained. This condition is necessary in the interests of highway safety and is a condition to be complied with, therefore this condition shall be re-imposed.
- 8.27 Condition 18 and 19 also relates to adequate visibility and parking and turning facilities is provided for the bungalows. Although this condition relates to the "phase 2" element of the development the condition does not preclude development, but it does limit their occupation until the visibility is provided. Therefore this condition is necessary in the interests of highway safety and shall be re-imposed.
- 8.28 Condition 20 relates to the provision of waste management across the site to be agreed. The details of which for phase 1, have been submitted and agreed. Waste management have been consulted during the course of the application, and have no objections to rewording of the condition to reflect a phased approach. The condition would therefore require rewording to reflect the agreed waste collection points for phase 1, and an additional condition would be required to secure details for phase 2. These conditions would be considered necessary to ensure adequate waste disposal and collection points are provided in the interests of amenity.
- 8.29 Condition 21 requires the development to be carried out in accordance with the recommendations of the Ecology report. This condition is necessary to protect the protected wildlife species and their habitats that are known to exist on site and shall be re-imposed.
- 8.30 Condition 22 requires on site full fibre broadband connection to be available and ready for use prior to occupation of each dwelling/unit. This condition is necessary to be re-imposed to ensure the provision of a high quality and reliable communications.

9. Equality implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1. The proposed amendment to the sheltered housing scheme would maintain the building appearance, and would not result in any adverse impacts in terms of character or visual amenity of the surrounding area. The proposed building would also maintain a satisfactory relationship with neighbouring residential dwellings, as the separation distances would be maintained and unaltered. The proposal also seeks to amend a number of conditions to allow the development to come forward in two phases, with the first phase being the sheltered housing building, which has commenced and the second development phase being the development of the bungalows, to which would not result in any adverse impacts on the development as a whole. As such the proposal would continue to be in accordance with Policies 7, 15 and 16 of the Core Strategy, Policies DM1, DM3, DM6, DM7, DM10, DM11, DM13, DM17, DM18 and DM19 of the adopted SADMP and Policy CE1 of the Market Bosworth Neighbourhood Plan, and is therefore recommended for approval subject to the amended conditions

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 **Conditions and Reasons**

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
2523/P103B Proposed site plan, Floor plans: 2523/C201H, C202i, C203F &

C204G, Elevations: 2523/C205D, Sections: 2523/C206C, Roof plan: 2523/C209C, Bin & scooter store: 2423/C210D, Site Phase Plan Drg No. 2523/C103E received by the Local Planning Authority on the 30.10.2020. Site Location Plan Drg No.2523/P100, Block plan No.2523/P203 and proposed Bungalow Plan Drg No.2523/P204 received by the Local Planning Authority on the 5 June 2019.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

2. The materials in relation to phase 1, as identified on Site Plan 2523/C103E received on the 30 October 2020, shall be completed in strict accordance with the materials schedule contained on drawing number 2325/C205 Rev D.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No development above foundation level shall commence on phase 2, as identified on Site Plan 2523/C103E, until representative samples of the types and colours of materials to be used on the external elevations of the dwellings hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The occupation of the development hereby approved shall be limited to persons aged 60 years and above.

Reason: To ensure that the development caters for the older demographic in accordance with Policies 15 and 16 of the Core Strategy 2009.

5. The hard and soft landscaping scheme for phase 1 as identified in Site Plan 2523/C103E, shall be carried out in accordance with the following scheme:-

Proposed Landscaping Phase 1 C500 Rev G
Received 11 August 2020
Boundary Fences Details Drg No C501C Phase 1
Received 15 June 2020

The scheme shall be carried out in full accordance with the details prior to the first occupation of phase 1 of this development. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted or those that are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

6. No development of Phase 2, as identified on site plan 2523/C103E, shall take place until a scheme of hard and soft landscaping, including boundary

treatments and replacement tree planting along with a implementation scheme, has been submitted to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved details prior to the first occupation of the development. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted or those that are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. The communal garden shall be laid out within one month of the first occupation of any of the flats within the development and be permanently available for use by the occupants of all the flats to which this permission relates.

Reason: In the interests of residential amenity, as this communal garden is an essential element of the development in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. During the course of any development hereby approved tree and hedgerow protection shall be erected and maintained in accordance with Tree and Hedgerow Protection Plan Dwg No H73.19d. 01 Rev A received by the Local Planning Authority on the 15 June 2020.

Reason: To ensure that the existing trees on the site are retained and protected in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2019).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that order with or without modification) development within Schedule 2, Part 1, Classes A, B, C, D and E shall not be carried out without the grant of planning permission for such development by the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring properties in accordance with Policy DM10 of the Site Allocations and Development Management Policies DPD.

10. Phase 1 of the development as identified by site plan 2523/C103E shall be carried out in strict accordance with the level details contained within Levels_Proposal ACMB-BSP-ZZ-XX-DR-C-0210-P03_ received by the Local Planning Authority on the 11 August 2020

Reason: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. No development of Phase 2 as identified on site plan 2523/C103E, shall take place on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and

agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Development of Phase 1 as identified by site plan 2523/C103E, shall be carried out to accord with the recommendations and findings contained within Geo Environmental Appraisal 071369-CUR-00-XX-RP-GE-00003-V02_Phase 2 GI received by the Local Planning Authority on the 15 June 2020.

Reason: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

13. No development shall commence on Phase 2 as identified on site plan 2523/C103E until the recommendations contained within the Phase II investigation have been reported to the Local Planning Authority and agreed in writing.

Reason: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

14. Prior to first occupation of the development hereby approved, details shall be submitted of the equipment and apparatus to be contained within the ground floor plant shall be submitted to and agreed in writing by the Local Planning Authority, this shall include all noise data associated with the proposed plant equipment. The agreed details shall be completed and installed prior to first occupation of the development hereby approved.

Reason: To ensure that the proposed use does not become a source of annoyance to nearby residents in accordance with Policy DM10 and DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

15. Development of Phase 1 as identified by site plan 2523/C103E, shall be carried in accordance with the Construction Environmental Management Plan Rev A received by the Local Planning Authority 29 July 2020 for the duration of the development.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

16. No development of Phase 2 as identified by site plan 2523/C103E, shall commence until a Construction Environmental Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise,

smoke, light and land contamination. The plan shall detail how such controls will be monitored.

The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

17. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays and at any time on Sundays and Bank Holidays unless other agreed in writing.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

18. Development of Phase 1 as identified by site plan 2523/C103E, shall be carried out in accordance with the drainage details for the disposal of surface water and foul sewage contained in the following documents:

Received 28 August 2020

C14 TP1 Soakaway Report

C14 TP1 (re-test) Soakaway Report

C14 Test Pit 2

C14 Drainage Layout DR-C-0240-P04

C14 Impermeable Areas DR-C-0241-P01

C14 Control Chamber Construction Details DR-C-0261-P03

C14 Surface Water Model Calculations SC-D-P2

C14 Test 3 Soakaway Report TP3

C14 Test 2 Soakaway Report TP3

C14 Test 1 Soakaway Report TP3

C14 BRE 365 Test Location

Received 22 July 2020

C14 Private Drainage Construction C0260-P01

C14 Private Stone Soakaway C0262-P02

C14 Attenuation Infiltration Tank C0263-P01

C14 Private Construction Details C0235-P01

C14 Private Construction Layout C0230-P01

C14 Site Access Construction Layout C0130-P01

C14 S106 Drainage Layout C0140-P01

C14 S106 Drainage Construction C0160-P01

Received 15 June 2020

C14 Trench Soakaways Model Calcs ACMB-BSP-ZZ-XX SC-D-P1

C14 Permeable Paving Model Calcs ACMB-BSP-ZZ-XX SC-D-P1

C14 Attenuation Tank Soakaway model Calcs ACMB-BSP-ZZ-XX SC-D-P1

The approved details listed above shall be implemented in full before the development is first occupied.

19. No development of Phase 2, as identified by site plan 2523/C103E, shall commence until drainage details for the disposal of surface water and foul sewage have been submitted in writing to and approved in writing by the

Local Planning Authority. The approved details shall be implemented in full before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

20. During the course of the construction of the development of Phase 1, as identified by site plan 2523/C103E, the management of surface water during construction shall be in strict accordance with SW Management during construction Revised (22.09.2020) received by the Local Planning Authority on the 22 September 2020.

Reason: To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

21. No development of Phase 2, as identified by site plan 2523/C103E, shall commence until details in relation to the management of surface water on site during construction of the development have been submitted to, and approved in writing by, the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Reason: To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

22. The long term maintenance of the sustainable water drainage system on Phase 1, as identified by site plan 2523/C103E, shall be maintained in strict accordance with the following details:-

SuDS System Management Details

Received 10 September 2020

20-0209 SuDS Maintenance Manual Report MM MR01 V08-2020

Received 28 August 2020

SUDS Maintenance Manual Data Sheet Ref MM-AT-01 V1 Nov 2016

SUDS Maintenance Manual Data Sheet Ref MM-CSA-V1 06 20 (Chamber Soakaway)

SUDS Maintenance Manual Data Sheet Ref MM-PP-01 V2 June 2015

Received 15 June 2020

23. Prior to commencement Phase 2, as identified by site plan 2523/C103E, details in relation to the long term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also

include procedures that must be implemented in the event of pollution incidents within the development site. The agreed details shall be thereafter followed in strict accordance.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

24. No part of Phase 1, as identified by site plan 2523/C103E, hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4; metres by 43; metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework.

25. Bungalows B2 and B3 as shown on Pelham Architects drawing number 2523/P102, shall not be occupied until such a time as the access arrangement shown on Pelham Architects drawing number 2523/P102 have been completed with vehicular visibility splays of 2.4 metres by 43 metres in a northerly direction and 2.4 metres by 17 metres in a southerly direction and pedestrian visibility splays of 1.0 metre by 1.0 metre on Southfield Way. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of pedestrian safety, and in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework.

26. Bungalows B2 and B3 as shown on Pelham Architects drawing number 2523/P102 shall not be occupied until such a time as the parking, and turning facilities have been completed in accordance with B2 and B3 as shown on Pelham Architects drawing number 2523/P102, and thereafter maintain in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

27. The waste and recycling storage and collection points for Phase 1, as identified by site plan 2523/C103E, shall be implemented in accordance with Refuse Collection Site Plan Phase 1 C502 Rev A, and thereafter maintained.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of

the Site Allocations and Development Management Policies Development Plan Document (2016).

28. Prior to commencement Phase 2, as identified by site plan 2523/C103E, details for the provision for waste and recycling storage and collection across shall be first submitted in writing to and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details and thereafter maintained.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

29. The development shall be carried out in full accordance with the recommendations and mitigation strategy, specified in the Ecological Assessment dated September 2019.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

30. Prior to the occupation of each dwelling/unit on site full fibre broadband connection should be available and ready for use.

Reason: To ensure the provision of a high quality and reliable communications infrastructure network to serve the development to accord with paragraph 112 of the National Planning Policy Framework (2019).