

Committee Report 27th June 2023
Report of the Head of Planning (Development Management)

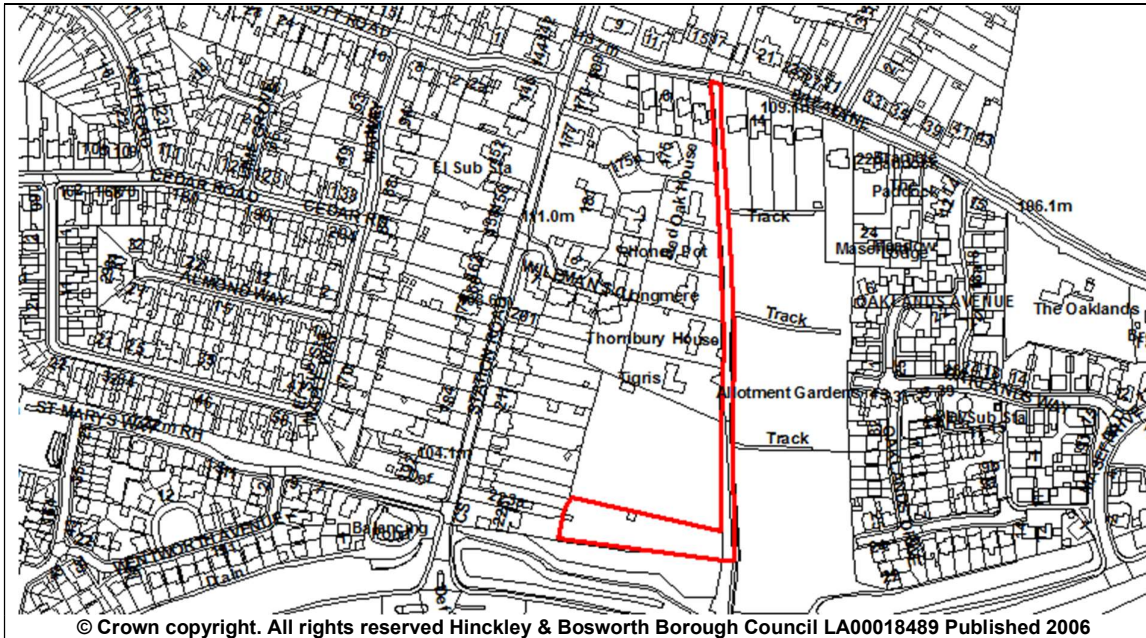


Hinckley & Bosworth
Borough Council

Planning Ref: 23/00298/FUL
Applicant: Mrs Karen Waldron
Ward: Earl Shilton

Site: 223 Station Road Earl Shilton Leicester Leicestershire LE9 7GG

Proposal: Erection of 4 dwellings with associated parking and landscaping



1. Recommendations

- 1.1. **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full permission for the erection of 4 detached dwellings with associated parking and landscaping on land to rear of 223 Station Road comprising 3x 4 bed detached dwellings and 1x 5 bed detached dwelling, all with detached garages and car parking provision on site.

3. Description of the site and surrounding area

- 3.1. The application site is located to the east of Station Road, close to the junction with the A47 which lies to the south. It is accessed via Breach Lane to the east, which runs off to the north from the site. There have recently been a number of new dwellings constructed along this part of Breach Lane.
- 3.2. The application site is located within flood zone 1 and is at low risk of flooding.

4. Relevant planning history

19/00644/OUT

- Residential development of two dwellings (Outline - access only)
- Refused
- 27.08.2019

19/01050/OUT

- Erection of one dwelling (outline - access only)
- Approved
- 12.11.2019

22/00169/OUT

- Outline application for 3 detached dwellings with access from Breach Lane
- Approved
- 02.08.2022

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.
- 5.2. 5 letters of objection have been received from neighbouring properties/third parties which raise the following concerns:
- It's absolutely ridiculous if you give the go ahead to a fourth house. There should only be one down there. Now the applicant wants 4 on a tiny bit of land with access down our road which we have maintained for 20 years!!! Yes it's no man's land, no one owns it, but we look after it with tarmac and hedges.
 - The Council has already granted permission for 9 large houses next to the applicant's land which shouldn't have been passed, it's just greed, there is no infrastructure large enough for 40 extra cars down this road. The visual splay at the top isn't enough. There are no passing places except on our driveways and land, the road is extremely busy in summer with dog walkers and allotment cars. It is going to be dangerous with all this extra traffic. If someone gets killed or a dog run over I will personally blame Hinckley and Bosworth Council. If you grant this extra house on this development I will personally write a front page article in the Hinckley Times. Greed for granting large developments is taking over the health and safety and suitability. Even builder friends agree and say it's ridiculous and also say no building should have been granted down there because of the road and sewage problems etc.
 - We have previously shown the visibility display to be inadequate. This small "Breach Lane" part of Breach lane, managed to cope with 5 large houses, the allotment and two horse fields. Planning Requests so far:-
 5 Large houses withdrawn prior to being rejected.
 3 Large houses granted, which made sense.
 Request to change 3 to 9 granted permission.
 Additional 2 large houses granted permission.
 Request to change 2 to 3 granted permission.
 = 12 Large additional houses granted permission so far.
 Now:- Request to change 3 dwellings to 4 being considered.
 - Highways appear to say yes to anything, which I simply don't understand. I hope it doesn't take an accident or death in the lane to make them stop saying it is OK! I understand it is a private lane and therefore it is not the highways

concern. In which case highways should stop saying it is ok, as the only thing they are saying is ok, is their highway. Who should be giving approval on our private lane, as you are ignoring our comments? Can I ask at what point you will consider the limit has been reached?

- The single track, unadopted road has not been designed for the amount of traffic that will be expected, on top of the 5 present houses, plans have also been passed for 9 houses which is next to the field for these extra 4 houses, it all seems to be very inappropriate to cram in houses with very poor access on diminishing green spaces.
- We object to the construction of the described four houses which are not in keeping with the existing area.
- I object to the scheme on the grounds of excessive building, increased vehicle traffic in a quiet lane, and the damage to the lane during 2 separate building projects. Breach Lane is a quiet narrow road which is enjoyed by local dog walkers, allotment users and pedestrians because of the fact it has minimal vehicle traffic, and is safe. I have an allotment and I regularly walk my dog, with my children, in this lane. There is no pedestrian foot way.
- We have major concerns that this proposed development is not acceptable in view of the inappropriate access to the proposed development by means of an inadequate roadway directly adjacent to our house and fence/hedge as well as no consideration being given to the vastly increased amount of traffic associated with the current adjacent proposed development (allowing a minimum of two vehicles per property would equal eighteen) added to which will be an additional minimum of two cars per property for the four houses in this proposal which would equal a further eight, totalling at least twenty six additional vehicles using a road which is not suitable for this amount of traffic. It seems that the planning committee does not take into consideration the physical nature of the neighbouring area at all. This site area is an overdevelopment of the local area.
- We would like to bring to the attention of the Planning Committee the following matters for its consideration:
 - The amount of increased traffic using the access road
 - The potential damage to our house/boundaries by the proximity of any traffic using the access way, particularly heavy construction lorries etc
 - Unsocial delivery hours and noise of 'vehicles reversing' due to the limited turning space at the bottom of the lane
 - Security of the site (previously during construction, the development attracted undesirable elements during darkness, necessitating police CCTV equipment being installed in our house to monitor activity 24 hours a day)
 - Full reparation of any damage or inconvenience to the properties or their services adjacent to the roadway and the site - with the constructors being held accountable for this by the Council - we and other local residents are already keeping photographic records of the areas adjacent to the proposed development
 - The impact of the construction traffic and increased resident traffic on the road surface and verges of the roadway and the entrance onto Breach Lane
 - Clarification of whose responsibility will be the upkeep of the roadway
 - Due consideration be given to the fact that Breach Lane is a very busy school route for cars and pedestrians at peak school times

6. Consultation

- 6.1. No objection has been received from:
- LCC Highways – Condition required relating to the proposed access details
 - HBBC Drainage – Condition required relating to surface water drainage
 - LCC Ecology – Condition required (bat and bird boxes)
 - HBBC ES Pollution – Conditions required relating to land contamination, landfill gas and construction hours
 - HBBC Waste

7. Policy

7.1. Core Strategy (2009)

- Policy 2: Development in Earl Shilton
- Policy 5: Transport Infrastructure in the sub regional centres
- Policy 16: Housing Density, Mix and Design
- Policy 24: Sustainable Design and Technology

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4. Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide
- Housing Needs Study (2019)

8. Appraisal

- Principle of Development
- Housing Land Supply
- Impact on Highway Safety
- Design and Character
- Impact on Residential Amenity
- Flood Risk and Drainage
- Ecology and Biodiversity
- Planning Balance

Principle of Development

- 8.1. Paragraph 2 of the National Planning Policy Framework (NPPF) July 2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations

indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) (CS) the Site Allocations and Development Management Policies DPD (2016) (SADMP).
- 8.3. The Emerging Local Plan for 2020-39 has previously been out for consultation at Regulation 19 draft stage (February to March 2022). The latest Local Development Scheme (LDS), was approved at Full Council on 13 December 2022. The updated LDS extends the Local Plan period to 2041, revises the timetable for production of the Local Plan and establishes key milestones for public consultations, including a second Regulation 19 Consultation which is not scheduled until May-June 2024. The Replacement Local Plan is therefore delayed. Therefore little weight can be given to this.
- 8.4. The Core Strategy (CS) sets out the settlement hierarchy for the Borough. The application site is located within the settlement of Earl Shilton, an urban area within the Borough of Hinckley with an array of services and facilities which is able to support development. Policy 2 of the Core Strategy is relevant. The application is therefore considered to be acceptable in principle subject to the detailed matters discussed below.

Housing Land Supply

- 8.5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.6. Using the standard method as outlined by MHCLG, Hinckley and Bosworth Borough is able to demonstrate 4.89 years of deliverable housing at 1st April 2022. However, at a recent appeal (application ref: 21/01131/OUT, appeal Ref: APP/K2420/W/22/3301735, determined 4 January 2023) the Council signed a Statement of Common Ground which updates the monitoring position. On this basis, the Council have agreed that the 5 year housing land supply currently stands at 4.76 years, as of 1st April 2022. Due to this and the change in the housing figures required for the borough paragraph 11(d) of the NPPF is triggered. Therefore, this application should be determined in accordance with Paragraph 11(d) of the National Planning Policy Framework (NPPF) whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is weighed in the balance of the merits of the application when considered with the policies in the SADMP and the Core Strategy which are attributed significant weight as they are consistent with the Framework. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.

- 8.7. Under these circumstances, the NPPF sets out, in paragraph 11d) that, for decision makers:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8), granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”

- 8.8. Footnote 8 in the NPPF states that the application of this approach “includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years”.
- 8.9. Therefore, currently the ‘tilted’ balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.10. Development on this site would contribute to the housing land supply the provision of 4 dwellings within the settlement boundary of Earl Shilton is considered to be a benefit of the proposal and weighs in favour of the scheme.

Impact upon Highway Safety

- 8.11. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highways authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.12. Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.13. Paragraph 111 of the NPPF outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.14. There have been a number of concerns and objections raised by third parties/local residents in respect of highway/access matters specifically the inadequacy of the unadopted part of Breach Lane as an access for this proposal.

- 8.15. The local highway authority have been consulted on the proposals and note that there have been a number of previous applications at the site, most recently an outline application (22/00169/OUT) for the construction of three dwellings with all matters reserved. The LHA established that access would be off Breach Lane and advised it had no objection to that application subject to a condition.
- 8.16. As with the previous application, access to the site for this application is via an existing access onto an un-adopted section of Breach Lane, which is single track. Where the un-adopted part of Breach Lane connects to the adopted section of Breach Lane, it is an unclassified road subject to a 30mph speed limit, approximately 310m north of the proposed site access. The private lane currently serves 5 existing dwellings and it is noted that a further 9 dwellings were permitted by the LPA on land off the private lane under application reference 21/00607/FUL on 10 January 2022. The private lane also provides access to allotments to the east of the application site.
- 8.17. As part of the previous application, the LHA advised that the applicant had considered the effective width of the access where vehicles from the site would meet the adopted highway. It was stated an effective carriageway width of 4.8m for the first 15m was available with minimum margin of 0.5m on either side. The applicant also confirmed that visibility splays of 2.4m by 43m could be achieved in both directions. It was subsequently advised by the LHA that where the private road met the public highway accorded with Leicestershire Highway Design Guide.
- 8.18. The applicant has also proposed to widen the existing access track to 4.25m from the site access up to the proposed access of the neighbouring development (21/00607/FUL), as well as provide hard surfacing. This is in accordance with Part 3, Figure DG17 of the LHDG for the number of dwellings proposed. It should be noted that in the event this development progresses prior to application reference 21/00607/FUL (subject to planning permission being granted by the LPA), a small amount of additional widening to the existing track may be required to prevent a pinch point. Given this is a private road however, the LHA consider it could not condition the additional widening.
- 8.19. An access width of 4.80m is proposed within the development, which is accepted by the LHA. The applicant has detailed a 2.4m x 17m vehicular visibility splay at the site access for a '30mph carriageway'. The LHA advise that for a road where vehicle speeds are 30mph it would expect a 2.4m x 43m visibility splay to be provide as per Part 3, Table DG4 of the LHDG and that the proposed splay is only suitable for speeds of up to 15mph. Nevertheless, given the access is situated at the end of the private road, which is a cul de sac, vehicle speeds are highly unlikely to reach 30mph. Under the site specific circumstances, the LHA would not seek any further information in respect of vehicular visibility splays as it could not be demonstrated that the site access was a danger to highway safety.
- 8.20. The LHA has reviewed its Personal Injury Collision (PIC) database and there have been no recorded PICs in the vicinity of the proposed site access onto the adopted section of Breach Lane within the last five years.
- 8.21. The layout of the proposal shows that each property will have a detached garage and two car parking spaces in front of the garage. The largest property will have a detached garage and four car parking spaces. The LHA has reviewed the parking and garage provision and advises that parking has been provided in accordance with Part 3, Paragraphs 3.151 and 3.200 and Figure DG13 of the LHDG. The LHA

are satisfied that the proposals are unlikely to result in on-street parking issues within the public highway.

- 8.22. The LHA do not object to the proposals for the reasons set out above and therefore the application is considered to have a negligible impact on the highway network. As such, subject to the conditions requested by the Local Highways Authority in addition to an electric charging vehicle points condition, the proposal will satisfy Policies DM17 and DM10(g) and the NPPF.

Design and Character

- 8.23. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.24. The Good Design Guide SPD provides guidance upon how to design an appropriate new residential development. This includes appraising the context, creating appropriate urban structures through blocks, streets, enclosure, open space and landscaping, parking, amenity space and design detailing. The SPD advocates the use of a Building for Life Assessment.
- 8.25. The layout plan illustrates that the development will comprise 4 detached dwellings with access into the site from Breach Lane. Currently the site benefits from extant permission for 3 detached dwellings (22/00169/OUT). This application seeks to add 1 further detached dwelling with separate garage and parking area. Objections have been received from local residents in relation to overdevelopment concerns.
- 8.26. This part of Breach Lane comprises large detached dwellings in spacious plots. Planning permission has been granted for 9 dwellings on the adjacent parcel of land ref (21/00607/FUL). Whilst this proposal does not seek to replicate the size and spacing of existing dwellings along this part of Breach Lane, the proposed dwellings are still a considerable size and complement the size and layout of the approved dwellings on the adjacent development site. The proposal is therefore considered to be acceptable with respect to density and layout and makes efficient use of the land situated within the Earl Shilton settlement boundary.
- 8.27. The proposed dwellings are contemporary in appearance and suitable spacing will be provided between each dwelling. External materials are to be submitted to the local planning authority for approval as a condition and will ensure the quality and suitability of the materials for this site.
- 8.28. The proposed dwellings are two storey in scale and compatible in height and scale with neighbouring forms of development.
- 8.29. The proposal is considered to be acceptable in terms of design and character considerations and in accordance with Policy DM10 of the SADMP and the Good Design Guide SPD.

Impact upon Residential Amenity

- 8.30. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

- 8.31. The Good Design Guide SPD outlines that development will need to provide high quality internal amenity space as this is critical to the quality of life of residents. The guide states that new developments should meet minimum standards of garden sizes and separation distances between dwellings. The National Design Guide also promotes a healthy, comfortable and safe internal and external environment.
- 8.32. Paragraph 130 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 8.33. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 8.34. The plans as submitted show adequate separation distances between the proposed dwellings and adjacent neighbouring properties which comply with the Good Design Guide with respect to privacy and outlook. Good rear garden sizes are proposed for each dwelling with adequate spacing for parking and access provision.
- 8.35. It is noted that 5 letters of objection have been received from third parties/local residents which raise residential amenity as a concern.
- 8.36. The Environmental Health Officer has requested conditions in respect to land contamination, landfill gas and working hours on site. These are all reasonable requests that can be appropriately sought through condition. It is also considered to be pertinent in this instance that a construction management plan is imposed as a condition due to the amount of development taking place along Breach Lane and to ensure that the amenity of existing neighbours is protected as much as possible during the construction period.
- 8.37. The Council's waste team are content with the storage and collection of waste on site and the revised layout plan submitted shows a bin collection area point at the front of the application site by the edge of Breach Lane which they are satisfied with.
- 8.38. Subject to conditions this application is considered to be acceptable in amenity terms and in compliance with Policy DM10 a and b of the SADMP, The Good Design Guide SPD and the requirements of the NPPF.

Flood Risk and Drainage

- 8.39. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.40. Paragraph 167 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the LLFA, have appropriate

proposed minimum operating standards, have maintenance arrangements for the lifetime of the development and where possible provide multifunctional benefits.

- 8.41. The proposal is located in an area at low risk of flooding.
- 8.42. The HBBC Drainage Officer advises that the proposals are acceptable subject to a condition to secure a surface water drainage scheme. The County Drainage Team (LLFA) have not objected to the scheme but have provided standing advice. Subject to the suggested condition by HBBC Drainage, the development is considered to satisfy Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

Ecology and Biodiversity

- 8.43. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 174 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.44. The County Ecologist has been consulted on this application and has not objected to the proposal subject to compliance with the submitted Ecological Review Report which recommends the provision of bat and bird boxes on site. Site clearance is requested outside the nesting season for birds. These matters can be dealt with by means of suitably worded conditions. Therefore this application is considered to be acceptable with respect to ecology and biodiversity matters and is considered to comply with Policy DM6 of the SADMP and the requirements of the NPPF.

Planning Balance

- 8.45. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.46. The Council cannot demonstrate a 5-year housing land supply and the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. Therefore, the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.47. The provision of 4 new dwellings within the settlement boundary for Earl Shilton is considered to be a benefit of the proposal and weighs heavily in favour of the scheme.
- 8.48. There are no material considerations in this instance which significantly and demonstrably outweigh the benefits of the scheme. Therefore subject to conditions this application is deemed to be acceptable and recommended to Members for approval.

9. Equality implications

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

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.

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. Recommendation

10.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11. Conditions and Reasons

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- Site Location Plan drawing 7637-01-01 Rev A received 27 March 2023
- Revised Proposed site plan drawing 7637-03-01 Rev E received 20 April 2023
- Plot 1 Plans & Elevations drawing 7637-03-04 Rev B received 27 March 2023
- Plot 2 & 3 Plans & Elevations drawing 7637-03-05 Rev B received 27 March 2023
- Plot 4 Plans & Elevations drawing 7637-03-06 Rev A received 27 March 2023
- Garage Plans & Elevations drawing 7637-03-07 received 27 March 2023

Reason: To ensure the development is carried out in accordance with the approved details.

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the dwellings hereby approved 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. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

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

5. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

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

6. No development approved by this permission shall be commenced until a scheme for the monitoring of landfill gas on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any landfill gas shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

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

7. Site preparation and construction shall be limited to the following hours;

Monday - Friday 07:30 - 18:00

Saturday 08:00 - 13:00

No working on Sundays and Bank Holidays

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

8. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. 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 help mitigate adverse impacts from pollution in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016.

9. Development shall not begin until surface water drainage details, incorporating sustainable drainage principles (SuDS) have been submitted in writing to and approved in writing by the Local Planning Authority (LPA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

10. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with HSSP drawing number 7637-03-01 Rev E. Thereafter the onsite parking and turning provision shall be kept available for such uses 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 accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2017 and the National Planning Policy Framework (2021).

11. No part of the development hereby permitted shall be occupied until such a time as the access arrangements shown on drawing number 7637-03-01E have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway in a slow and controlled manner in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

12. No development shall commence above foundation level until a scheme for the installation of electric vehicle charging points is submitted in writing to and approved in writing by the local planning authority. The scheme shall identify the number of units to benefit from electric charging points, together with full

details of the location fitting and timetable for installation of the units. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposals meet the requirements of Policy DM10 (g) of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 112 (e) of the National Planning Policy Framework.

13. No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. 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 at which time shall be specified 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 adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Notwithstanding the submitted details no development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted in writing 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).

15. The development hereby permitted shall only be carried out in accordance with the recommendations and requirements contained within the Ecological Review CBE Consulting document dated Feb 2022 and received by the local planning authority 27 March 2023. Details of Bird and Bat boxes are to be submitted in writing to and approved in writing by the local planning authority and provided on each dwelling prior its occupation.

Reason: In order to help protect wildlife in accordance with Policy DM6 of the Site Allocations and Development Management DPD 2016 and the requirements of the NPPF.

16. To avoid harm to nesting birds, site clearance should only take place outside March - July inclusive (the nesting season), or within 24 hours of the 'all-clear' following a site inspection for nesting birds by a suitably qualified ecologist.

Reason: In order to help protect wildlife in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.