

### Changes to conditions and informatives

Delete condition 19 (below) as the condition is not considered to meet the tests set out in the NPPG as it would be unenforceable and unreasonable, duplicating the responsibilities of KCC Highways and the Police.

- (19) Prior to the commencement of development in any phase or sub-phase details of facilities, by which vehicles will have their wheels, chassis and bodywork cleaned so as to be free of mud and similar substances at the application site, details of construction vehicle loading/unloading and turning facilities and details of parking facilities for site personnel and visitors during construction phase for that phase or sub-phase shall be submitted to approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to construction work in any phase or sub-phase commencing on site and maintained as such in an effective working condition and used before vehicles exit the site and enter onto the adopted highway for duration of the construction works.

Reason: To ensure that no mud or other material is taken from the site on to the neighbouring highway by wheels of vehicles leaving the site to the detriment of highway safety and the amenities of local residents and to ensure that adequate space is available on site to ensure construction phase can be carried out without a detrimental impact on highway safety and local amenities. Details are required prior to commencement in any phase or sub-phase to avoid unacceptable implications during the construction phase.

Add the following Informative to provide advice on mud deposits on the highway :

The developer should implement a scheme for the use of wheel cleaning, dust laying and road sweeping, to ensure that vehicles do not deposit mud and other materials on the public highway in the vicinity of the site or create a dust nuisance.

Remove condition 22 (below) relating to foul drainage, as based on recent advice from Southern Water, their powers under the Water Act 1991 and their responsibilities negate the need for a planning condition to replicate legislation elsewhere.

- (22) Construction of any phase or sub-phase development shall not commence until details of the proposed means of foul drainage for that phase or sub-phase have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To avoid pollution of the surrounding area and required prior to commencement of development in any phase or sub-phase due to the means of foul drainage suggested in the planning application and the implications this may have on the layout of the development.

**Recommendation as set out at 8.0 of the report be amended to read :**

**The Head of Planning and Development BE DELEGATED POWERS TO GRANT planning permission subject to the prior completion of a legal agreement to provide the following (including the Head of Planning and Development being able to settle or amend any necessary terms of the legal agreement in line with the matters set out in the recommendation resolved by Planning Committee)**

**Conditions set out in 8.0 to remain unchanged except for the deletion of conditions 19 and 22 and the re-numbering accordingly.**