

REPORT SUMMARY

REFERENCE NUMBER: 24/501347/FULL		
APPLICATION PROPOSAL: Erection of detached dwelling, associated parking and access.		
ADDRESS: Land rear of 1 Warmlake Cottages, Warmlake Road, Sutton Valence, Kent		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to conditions		
<p>SUMMARY OF REASONS FOR RECOMMENDATION: The proposal does not accord with policy LPRSP9 of the Local Plan Review, in that there are no exception policies for a new dwelling in this location. However, on this occasion it is considered the proposal would not cause significant harm to the character and appearance of the surrounding area for the reasons set out in the report. Furthermore, it is a strong material planning consideration that a recent appeal decision allowed a new dwelling on the corner of Warmlake Road and Maidstone Road, in a more prominent location that is less than 15m away from this current application site, with the Planning Inspector concluding (inter alia): <i>I am satisfied the proposal could be accommodated at the site without causing harm to the character and appearance of the area. As such, the proposal would accord with policies SS1, SP17, DM1 and DM30 of LP, insofar as it would respond positively to character of area and incorporate soft landscaping. This is an important material consideration given the appeal site’s close proximity to the application site and therefore great weight is attached to this.</i></p> <p>Although referencing 2017 Local Plan policies, the Local Plan Review has largely carried through the referred to policies, with LPRSP9 now stating: <i>Development proposals in the countryside will not be permitted unless they accord with other policies in this plan and will not result in <u>significant harm to the rural character and appearance of the area.</u></i> The proposal is not considered to result in <u>significant harm to the rural character and appearance of the area</u>, and it is also deemed acceptable in all other material planning respects. Therefore, although clearly contrary to the Spatial Strategy set out in the Local Plan Review (i.e. the site is within the countryside), the test of significant harm needs to be applied and it does not fail this test (taking account of a recent Planning Inspectorate appeal which was not challenged).</p> <p>It has been established through case law local authorities should ensure consistency in decision making and in this case there are no overriding reasons to refuse this planning application.</p>		
<p>REASON FOR REFERRAL TO COMMITTEE:</p> <ul style="list-style-type: none"> - Development is departure from the Local Plan Review 2024. - Councillor Trzebinski and Sutton Valence Parish Council have also requested for application to be considered by Planning Committee if officers are minded to recommend approval. These requests are made for reasons outlined in consultation section below. 		
WARD: Sutton Valence & Langley	PARISH: Sutton Valence	APPLICANT: Mrs Ryan AGENT: Building Design Studio
CASE OFFICER: Kate Altieri	VALID DATE: 11/04/24	DECISION DATE: 26/08/24
ADVERTISED AS A DEPARTURE: Yes		

RELEVANT PLANNING HISTORY

Application site

- 23/503029 - Pre-app: 3 options (detached dwelling; or pair of semis; or holiday let).
- There are enforcement notices that cover the site dating from the 1980’s and 1990’s.

1 Warmlake Cottages

- MA/10/1193 - New vehicular access and erection of 1.8m high close boarded fence – Refused

Properties to west (Pavilion View and Boundary House)

- 17/505481 (Pavilion View) – New vehicular access and crossover
- 17/500407 – NMA to both properties subject to 16/500001 – Approved
- 16/500001 - Erection of 2 detached dwellings and garages – Approved

Housing development to south

- 20/505350 - Redevelopment of garden nursery to provide 18 dwellings – Approved

3 Warmlake Cottages

- 22/504287 - Dwelling - Refused (allowed at appeal Feb 2024: APP/U2235/W/23/3322159)

MAIN REPORT

1.0 SITE DESCRIPTION

1.01 The application site is garden land associated to Warmlake Cottage that is located on the junction of Warmlake Road, North Street, Maidstone Road and Chartway Street. The parcel of land in question is the western end of the garden, with Warmlake Road running along its northern boundary. As the site is within a built up area, the site is not considered to be previously developed land in line with the NPPF definition. There are residential properties within the locality of the site that are of differing style, age and size. For the purposes of the Local Plan Review the proposal site is within the designated countryside. The site is also within Flood Zone 1 and partly within an area of archaeological interest.

2.0 PROPOSAL

2.01 This application is described as: *Erection of detached dwelling, associated parking and access.*

2.02 The plan extracts below help to illustrate the current proposal:



3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough Local Plan Review (2021-2038)
- National Planning Policy Framework (2023) & National Planning Practice Guidance
- Landscape Character Assessment (2012 amended July 2013) & Capacity Study

3.01 **Local Plan Review:** The Maidstone Borough Local Plan Review (LPR) was adopted by the Council on 20th March 2024 and this document attracts full weight. There have been two strategic level challenges to adoption. The LPR effectively deletes the 2017 Local Plan from Maidstone's Development Plan and it has no weight as a result. Please note here that elements of the 2017 Local Plan that were still relevant have been absorbed into the LPR. For the purposes of the LPR the proposal site is within the defined countryside. Relevant policies within the LPR are considered to be: LPRSS1 (Spatial strategy); LPRSP9 (Development in countryside); LPRSP10 (Housing); LPRSP10(A) (Housing mix); LPRSP12 (Sustainable transport); LPRSP14(A) (Natural environment); LPRSP14(C) (Climate change); LPRSP15 (Design); LPRHOU5 (Density); LPRTRA1 (Air quality); LPRTRA2 (Assessing transport impacts); LPRTRA4 (Parking); LPRINF3 (Renewable and low carbon energy schemes); LPRQD1 (Sustainable design); LPRQD2 (External lighting); LPRQD4 (Design principles in countryside); LPRQD6 (Technical standards); and LPRQD7 (Private amenity space standards).

3.02 **Landscape Character Assessment:** The Landscape Character Assessment (LCA) identifies the site as falling within the Boughton Monchelsea to Chart Sutton Plateau LCA (Area 29). The landscape guidelines for this area are to 'IMPROVE'. Within the Council's Landscape Capacity Study, the Ulcombe Mixed Farmlands LCA is assessed as being of 'LOW' overall landscape sensitivity and is therefore 'tolerant of change'.

3.03 **NPPF:** The NPPF is clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

3.04 **5yr housing land supply:** In accordance with paragraph 76 of the revised NPPF (published 19th Dec 2023), the Council are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5yrs' worth of housing for decision making purposes. This is because the newly adopted Local Plan is less than 5yrs old and identified at least a 5yr supply of specific, deliverable sites at the time that its examination concluded.

4.0 LOCAL REPRESENTATIONS

4.01 **Local residents:** 12 representations received raising concerns over: Flood risk; highway safety; residential amenity; represents overdevelopment of garden land; impact on character and appearance of area; there is no need for new housing here; and impact on trees.

5.0 CONSULTATION RESPONSES

(Please note that summaries of consultation responses are set out below; and comments are discussed in more detail in the appraisal section where considered necessary)

5.01 **Councillor Trzebinski:** Wishes to see application reported to Planning Committee if officers are minded to recommend approval. In summary, concern is raised about the site access as well as overdevelopment of the area.

5.02 **Sutton Valence Parish Council:** Have not requested for application to be reported to Planning Committee and have commented as follows (in summary):

Although Parish Council cannot see any obvious issue with proposed building itself, we are very concerned about lack of info regarding plans for water run-off in area that has flooded and increasingly worsened since development in area. We feel lack of detail on adequate visibility splays on 60mph road presents issue that should see application rejected if suitable proof cannot be provided. We also request site plan is checked again to be wholly accurate as details of tree placements appear to be at odds with local residents observe.

5.03 **MBC Landscape Officer:** Raises no arboricultural objections to proposal (see main report).

5.04 **KCC Highways:** Raise no objection to proposal (see main report).

5.05 **Environmental Protection Team:** Raise no objection (see main report).

6.0 APPRAISAL

6.01 As stated above the site is within the countryside (despite significant recent development) and so the proposal is contrary to the spatial strategy set out in the Local Plan Review. Numerous planning and appeal decisions in recent years have stated that the Warmlake crossroads area is not unsustainable in terms of reliance on the private motor vehicle and access to basic amenities/services. KCC Highways also confirm that the site is directly served by public transport, with bus stops in walking distance from site. The key issues for consideration therefore relate to:

- Impact upon character and appearance of area;
- Highway safety implications;
- Arboricultural implications;
- Residential amenity;
- Biodiversity implications; and
- Other planning matters.

6.02 The details of the submission will now be considered.

Impact upon character and appearance of area

6.03 The proposal site relates to the western part of the garden for 1 Warmlake Cottages, with its northern boundary being adjacent to Warmlake Road.

6.04 It is acknowledged that the proposal would change the character of the site by introducing more built form, and the development would be publicly seen at short range from Warmlake Road, Maidstone Road and Spring Gardens to the south. However, the new dwelling would be set back from the road and would be seen in the context of the two detached properties to the immediate west of the site, with it positively reflecting the scale, traditional design, layout, and building line of these properties; to the south of the site is a new cul-de-sac development (20/505350); to the west there is 1 Warmlake Cottages; and on the opposite side of the road there are dwellings. The plan extract below helps illustrate the context of the application site:



6.05 Further to this, the proposal would create a plot size not too dissimilar to neighbouring houses, whilst allowing 1 Warmlake Cottages to retain ample garden space; and the scheme would not adversely change the rhythm of the streetscene, with the spacing between the new dwelling and Pavilion View (at first floor level) being greater than the existing gap between Pavilion View and Boundary House, providing a better sense of space. On this basis, it is difficult to argue that the development would appear incongruous in terms of relating to the existing pattern and grain of development in the locality, and that it would harmfully erode important space within a rural location.

6.06 There is also scope to improve the quality of landscaping to the front of the site; and to further safeguard the amenity of the area, suitable conditions are recommended to secure details of external materials; hardsurfacing; boundary treatments; external lighting; and establishing existing and proposed land levels (a pre-commencement condition that has been agreed by the agent). Further to this, the quality of the appearance of the dwelling will be improved through the insistence of a quarried ragstone plinth.

6.07 Whilst each application should be considered on its own merits, it is a strong material planning consideration that a recent appeal decision (in Feb 2024) allowed a new dwelling on the corner of Warmlake Road and Maidstone Road, in a more prominent location:



6.08 For this appeal the Planning Inspector made the following comments (inter alia and in summary):

9. Proposal would occupy a corner plot at crossroads and increase bulk and massing of development in site. However, dwelling would retain appropriate spacing to side boundary with Warmlake Rd and to rear boundary with Maidstone Rd. This separation, together with generous grass verge, would ensure dwelling would be comfortably accommodated in plot and sense of openness around junction would be retained.

10.Introduction of planting could be secured....This would ensure long term, viable impact of proposal would be limited and dwelling and associated domestic paraphernalia would not appear intrusive. Indeed, vegetation would be used as a positive tool to help assimilate development in a manner which would reflect local character, thereby ensuring proposal would not result in a suburban appearance.

11. Given clear variety in scale, design and materials of dwellings located around crossroad....proposal would relate well to neighbouring properties and would be a congruent addition to streetscene.

12. In conclusion, I am satisfied proposal could be accommodated at site without causing harm to character and appearance of the area. As such, the proposal would accord with policies SS1, SP17, DM1 and DM30 of LP, insofar as it would respond positively to the character of the area and incorporate soft landscaping. The proposal would accord with the Landscape Character Assessment as it would protect the landscape character of the area. Further, the proposal would be in accordance with the Framework as it would be sympathetic to local character and use effective landscaping.

6.09 Although referencing 2017 Local Plan policies, the Local Plan Review has largely carried through the referred to policies, and the similarities between the two developments are difficult to ignore when assessing the merits of this current application in terms of its impact upon the character and appearance of the area hereabouts.

6.10 In conclusion, the proposal would not result in the loss of any important view; it would not appear cramped, or harmfully at odds with the prevailing pattern of development in the locality; and nor would it appear unacceptably dominant or visually incongruous when viewed from any public vantage point. So whilst it is acknowledged that the proposal would be a departure from the Local Plan Review in that there is no exception policy to support a new house here, it has been determined that the development would not cause significant harm to the character and appearance of the area hereabouts. Furthermore, it is a strong material planning consideration that a recent appeal decision allowed a new dwelling opposite the application site, on the corner of Warmlake Road and Maidstone Road.

Highway safety implications

6.11 Vehicle access to and from the site would be via Warmlake Road, and this section of the road is at national speed limit, although a short distance to the east of the access the road speed is at 30mph. The submission is accompanied by a plan showing visibility splays and KCC Highways have raised no objections to the scheme in this respect. The proposal would also benefit from 2 independently accessible onsite parking spaces and secure bicycle storage, in accordance with LPR policy; KCC Highways are satisfied that the development is unlikely to generate significant levels of traffic onto highway network; no objections are raised to the scheme in terms of refuse storage/collection; and KCC Highways confirms that on review of the Personal Injury Collision reports for last 5yrs, there have been no reported incidents along this section of Warmlake Road.

6.12 The highways authority, having considered the proposal and the effect on the highway network, raise no objection and there is no reason/evidence to go against this view. On this basis, it is considered that the proposal would not have an unacceptable impact on highway safety.

Arboricultural implications

6.13 The submitted Arboricultural Impact Assessment identifies 3 Grade C (non-native) trees to be removed from the front of the site. The Council's Landscape Officer has no specific objection to this. The report also outlines that 2 of the retained trees will have their root protection area (RPA) compromised due to proposed access and parking area, and that mitigation measures for no dig cellular confinement system will be installed. Such details can be secured by condition. The Council's Landscape Officer also recommends that an Arboricultural Method Statement and Tree Protection Plan are secured by way of condition, as the submission fails to identify where the

detailed tree protection fencing will actually be sited. Such a pre-commencement condition is considered reasonable in planning terms and its imposition has been agreed by the agent.

Residential amenity

- 6.14 The nearest property to the proposal is Pavilion View. There are no flank openings that would directly overlook this neighbouring property; the new dwelling would be set off some 1m from the shared boundary, with the separation gap between the two main houses being some 5m (which is a much larger gap than between Pavilion View and its existing neighbour Boundary House); and there would be a relatively modest projection of the proposed dwelling from the rear elevation of Pavilion View, of some 3m (that passes both the floor plan and elevation plan light tests). With this all considered, the view is taken that the proposal would not have an adverse impact upon the amenity of this neighbour, in terms of privacy, outlook and light (both internally and externally). The residential use, including the access and parking arrangement that is not so different to the properties to the west of the site, would also not harm this neighbour's living environment in terms of general noise and disturbance.
- 6.15 Given the separation distance between 1 Warmlake Cottage and the proposed dwelling; and given that there are no openings in the facing flank of the new dwelling, the proposal would not have an unacceptable impact upon the living conditions of this neighbour when they are trying to enjoy their own property (both internally and externally).
- 6.16 The proposed dwelling would be more than 9m from the northern boundary of the new housing development to the south of the site (20/505350) and given this separation distance and the layout of the new housing development, the proposal would not result in unacceptable harm to the living conditions of any of its occupants when they are trying to enjoy their own property (internally and externally).
- 6.17 Future occupants of the dwelling would also benefit from acceptable living conditions (both internally and externally); the proposal would accord with the technical and private amenity space standards, as described under policies LPRQD6 and LPRQD7; and the proposal would not have an adverse impact upon the amenity of any other local resident when they are trying to enjoy their own property.
- 6.18 On this basis, no objection is raised to the proposal in residential amenity terms.

Biodiversity implications

- 6.19 Given the nature/condition of the site, it is accepted that the proposal is unlikely to have an adverse impact upon any protected species and habitats, and no further details at this stage are required. Notwithstanding this one of the principles of the NPPF is the opportunity to improve biodiversity in and around new development, and conditions will be imposed to secure such details, including through landscaping and integrated methods into the design and fabric of the building. It is noted that the proposed layout plan shows features such as a bat tube, swift brick, bee brick and log pile.
- 6.20 Please also note that this application was made to the Council before 2nd April 2024 and so it is not caught by BNG legislation introduced by the Government. Further to this, as the application was submitted before the legal BNG requirements for small sites, it was made valid without a BNG assessment and has therefore not been considered against policy LPRSP14(A) that refers to the 20% BNG. On this basis, it is considered unreasonable to impose a condition requiring 20% BNG.

Other planning matters

- 6.21 The Council's Environmental Protection Team have raised no objection to the proposal, subject to restricting external lighting; a precautionary land contamination condition; and a condition requesting details of the proposed method of foul sewage treatment. The recommended conditions are considered reasonable and would be duly imposed. The site is in Flood Zone 1 and surface water would be disposed of by way of soakaway and no objections are raised to the proposal in flood risk terms. Whilst it is understood that surrounding roads can sometimes flood,

there is no evidence to suggest that surface water from the scheme itself cannot be satisfactorily dealt with on the site, in order to ensure that the risk of flooding would not increase elsewhere. There are no objections to the proposal in archaeology terms and no further details are required in this respect; and in accordance with LPR policy, conditions will also be imposed regarding water efficiency and securing an adaptable building.

6.22 The representations made by Councillor Trzebinski, Sutton Valence Parish Council and local residents have been considered in the assessment of this application; and due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty. The proposed development is also CIL liable. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

7.0 CONCLUSION

7.01 The proposal does not accord with LPR policy LPRSP9, in that there are no exception policies for a new dwelling in this location. However, in this instance the report sets out why the development would not cause significant harm to the character and appearance of the countryside hereabouts; and it is a strong material consideration that a new dwelling opposite the site has been recently allowed at appeal. The proposal is also considered to be acceptable in all other material planning respects. It has been established through case law that local authorities should ensure consistency in decision making and in this case there are no overriding reasons why a different decision should be reached. On this basis, a recommendation to approve this planning application, subject to conditions, is therefore made.

8.0 RECOMMENDATION - GRANT PLANNING PERMISSION subject to following conditions with delegated powers to the Head of Planning and Development to be able to settle or amend any necessary planning conditions and/or informatives in line with the matters set out in the recommendation and as resolved by the Planning Committee:

Conditions

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

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

2. The development hereby approved shall be carried out in accordance with the following approved plans/documents: BDS-WLC-PO1 Rev A; P02; P03; P04; Design and access Statement; and Arboricultural Impact Assessment (by Silva Arboriculture Ltd, dated: March 2024).

Reason: To clarify which plans have been approved and in the interests of proper planning.

3. No development shall take place until details of the proposed finished floor levels of the building(s), all ground levels of the development, and existing site levels shown at 0.5m contour intervals have been submitted to and approved in writing by the Local Planning Authority. The proposed finished floor levels of all buildings shall be as close to existing site levels as feasible with land raising and retaining structures being avoided where possible. Where any land raising or retaining structures are required they must be clearly justified and kept to the minimum height necessary. The development shall be completed strictly in accordance with the approved details.

Reason: Details are required prior to the commencement of development to ensure ground levels are properly recorded and in order to secure a satisfactory form of development having regard to topography of site.

4. No development shall take place until details of an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the local planning authority, and the development shall be carried out in accordance with the approved details.

Reason: Details are required prior to the commencement of development to safeguard trees identified to be retained and the character and appearance of the area.

5. The development hereby approved shall not commence above slab level until written details of the following materials to be used for the external surfaces of the development hereby approved shall be submitted to and approved in writing by the local planning authority:

- (i) Red multi-stock brickwork;
- (ii) Plain clay roof tiles;
- (iii) Plain clay tile hanging; and
- (iv) Kentish ragstone plinth (with quarried ragstone).

The development shall be carried out in accordance with approved details and shall be maintained as such thereafter.

Reason: In the interests of landscape, visual impact, and amenity of the area.

6. The development hereby approved shall not commence above slab level until details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the dwelling and shall be maintained as such thereafter.

Reason: In the interests of landscape, visual impact, and amenity of the area; and to safeguard the enjoyment of their properties by existing and prospective occupiers.

7. The development hereby approved shall not commence above slab level until details of a scheme of landscaping, using indigenous species, together with a programme for the scheme's implementation, has been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees and hedgerows on the land to be retained and shall also include:

- (i) A scheme designed in accordance with principles of Council's landscape character guidance (Landscape Character Assessment Supplement 2012);
- (ii) Details of the number, size, species, maturity, spacing and position of proposed native trees and landscaping to be planted within the site;
- (iii) Details of mixed (100% native) double staggered hedgerows to be planted within and around the application site;
- (iv) A minimum of 1(no) native tree to be planted with the site, a minimum of Standard size;
- (v) A ten year landscaping management plan; and
- (vi) Details of all hardsurfacing on the site.

Only non-plastic guards shall be used for the new trees and hedgerows, and no Sycamore trees shall be planted. The landscaping of the site and its management thereafter shall be carried out in accordance with the approved details.

Reason: In the interests of landscape, visual impact, and amenity of the area; and in the interests of biodiversity enhancement.

8. All landscaping specified in the approved landscape details shall be carried out in the first planting season (1 October to end of February) following the first occupation of the dwelling hereby approved. The approved landscaping shall be retained for at least 10 years following its implementation and shall be managed and retained strictly in accordance with the approved specification/management plan, and any approved or retained seeding or turfing which fails to establish or any trees or plants which, before a period of 10 years from the completion of the development has expired, die or become so seriously damaged or diseased that their amenity value has been adversely affected, shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme.

Reason: In the interests of landscape, visual impact, and amenity of the area; and in the interests of biodiversity enhancement.

9. In accordance with submitted drawing reference: BDS-WLC-P01 Rev A, the development hereby approved shall not commence above slab level until details of biodiversity enhancements, including through integrated methods into the fabric of the building, shall be submitted to and approved in writing by the local planning authority. These details shall include identifying the location and height of the enhancements and the make/specification of the enhancements; and the development shall be implemented in accordance with the approved details prior to the first occupation of the dwelling hereby approved, with all features being maintained as such thereafter.

Reason: In the interests of securing biodiversity enhancements.

10. The development hereby approved shall not commence above slab level until details on the proposed method of foul sewage treatment(s), along with details regarding the provision of potable water and waste disposal, have been submitted to and approved in writing by the local planning authority. These details shall include the size of individual cess pits and/or septic tanks and/or other treatment systems; the exact location of these treatments(s) on the site; and where these system(s) will discharge to. The approved details shall be fully implemented prior to the first occupation of the dwelling hereby approved and shall be maintained as such thereafter.

Reason: To ensure adequate foul waste disposal.

11. The development hereby approved shall not commence above slab level until details and evidence of the measures necessary to incorporate at least 10% on-site renewable or low carbon energy production measured as a percentage of overall consumption have been submitted to and approved in writing by the local planning authority. Such details shall include measures for battery energy storage unless this is demonstrated with evidence to be unfeasible. The approved details shall be implemented prior to the first occupation of the dwelling and it shall be thereafter retained as such.

Reason: To ensure a sustainable form of development.

12. The vehicle visibility splays, as shown on submitted drawing reference: BDS-WLC-P03, shall be in place prior to the first occupation of the dwelling hereby approved (without any obstructions to visibility over 1.05m above carriageway level), and shall be maintained as such thereafter.

Reason: In the interests of highway safety.

13. Secure bicycle storage on the site, for a minimum of one bicycle, shall be provided and useable prior to the first occupation of the dwelling hereby approved and it shall be maintained as such thereafter.

Regards: In the interests of sustainable development.

14. The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment (by Silva Arboriculture Ltd, dated: March 2024), including the use of no-dig construction within the root protection area of identified tree T15), and the site shall be maintained as such thereafter.

Reason: To safeguard trees identified to be retained and the character and appearance of the area.

15. If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of:

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of public health.

- 16. No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme and shall be maintained as such thereafter.

Reason: In the interests of amenity.

- 17. The dwelling hereby approved shall meet the higher level of water efficiency of 110 litres per person, per day as set out under the building regulations Part G2 or any superseding standard. The dwelling shall not be occupied unless this standard has been met and it shall be maintained as such thereafter.

Reason: To ensure a sustainable form of development.

- 18. The dwelling hereby approved shall meet the accessible and adaptable dwellings building regulations Part M4(2) standard or any superseding standard. The dwelling shall not be occupied unless this standard has been met and it shall be maintained as such thereafter.

Reason: To ensure the development is in accordance with local and national policy and meets acceptable standards of accessible and adaptable dwellings.

- 19. The approved details of the parking and turning areas shall be completed prior to the first use of the dwelling hereby approved and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.

Reason: Development without adequate parking/turning provision is likely to lead to parking inconvenient to other road users and in the interests of road safety.

Informative(s)

- 1. The proposed development is CIL liable. The Council adopted a Community Infrastructure Levy on 25th October 2017 and began charging on all CIL liable applications approved on and from 1st October 2018. The actual amount of CIL can only be confirmed once all the relevant forms have been submitted and relevant details have been assessed and approved. Any relief claimed will be assessed at the time planning permission is granted or shortly after.

NB: For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.