

**REPORT SUMMARY**

<b>REFERENCE NO - 19/501221/FULL</b>			
<b>APPLICATION PROPOSAL</b>			
Section 73 application (MMA) to amend approved plans condition to include altering road layout, layouts to plots 17, 18, 19, 20 and design of plots 16, 17, 25, 27, 28, 31-39, 43 and associated works of planning permission 14/504795/FULL (erection of 30 no. open market homes and associated garaging, and erection of 20 no. affordable homes, construction of access road and bridge, and provision of open space, ecology park and new public footpath. Demolition of 24 bay garage court and redevelopment to provide a 16 bay garage court and amenity storeroom).			
<b>ADDRESS</b> Land To The South Of Cross Keys Bearsted Kent			
<b>RECOMMENDATION – GRANT PLANNING PERMISSION</b> subject to conditions and Section 106 agreement (Deed of Variation).			
<b>SUMMARY OF REASONS FOR RECOMMENDATION</b>			
The proposals constitute relatively minor changes to the previously approved scheme on the site for the erection of 50 residential units and are considered to be acceptable and in accordance with the site allocation policy, and all other relevant Development Plan policies.			
<b>REASON FOR REFERRAL TO COMMITTEE</b>			
Councillor Springett has requested the application be reported for Committee for the reasons set out in section 4 of this report.			
<b>WARD</b> Bearsted	<b>PARISH/TOWN COUNCIL</b> Bearsted	<b>APPLICANT</b> Country House Development Limited <b>AGENT</b> Barton Willmore	
<b>DECISION DUE DATE</b> 05/07/19	<b>PUBLICITY DATE</b> 14/06/19	<b>EXPIRY DATE</b> 25/03/19	<b>OFFICER SITE VISIT DATE</b>
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
14/504795/FULL	Erection of 30 no. open market homes, 20 no. affordable homes, site access road, open space, ecology park and new public footpath. Demolition of 24 bay garage court and redevelopment to provide a 16 bay garage court and amenity storeroom.	Approved	06/07/16
16/507318/SUB	Submission of Details Pursuant to Condition 7 - Heritage Interpretation, Condition 8 - Archaeological, Condition	Approved	09/02/17

	10 - Highways/Parking Details, Condition 11 - Materials, Condition 12 - Boundary Treatments, Condition 14 - Facilities, Condition 15 - Site Levels, Condition 16 - Lighting, Condition 18 - Landscaping Scheme, Condition 20 - Ground Protection, Condition 21 - Arboricultural Method Statement, Condition 23 - Pedestrian Route Details and Condition 27 - Materials of planning permission MA/14/504795		
17/500672/SUB	Submission of Details to Pursuant Condition 13 - Habitat Management Plan	Approved	17/03/17
17/500961/SUB	Submission of Details to Discharge Condition 9 (Parts 1, 2 and 3 Contamination Risk)	Approved	21/04/17
17/500963/NMA	Removal of condition 17 - Code for Sustainable Homes	Approved	13/03/17
17/502189/NMA	Amendment to Condition 4, 25, & 26 in order to enable the garage demolition to take place immediately, & in advance of the finalisation of the drainage details and S278 agreement	Approved	24/05/17
17/503100/SUB	Submission of details pursuant to condition 25 (Foul Drainage)	Approved	19/08/17

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 The site comprises an area of land located to the east of Cross Keys and to the west of Sutton Street and to the south of The Street / Roundwell. The site is located within the urban boundary of Maidstone and is allocated in the Maidstone Borough Local Plan 2017 Policy H1(31) for approximately 50 dwellings. Planning permission exists for 50 dwellings, granted in 2016. The decision notice and approved plan are attached as Appendices.
- 1.02 The site is also located within an area of Archaeological Importance with the remains of Mott Hall, located in the south western section of the site adjacent to the Lilk stream.
- 1.03 An ordinary water course, the Lilk, flows broadly north to south across the site and is culverted under Roundwell. The site has a flat plateau area running through the middle with the Lilk stream. To the west of this the land rises sharply in places to its boundary with Cross Keys and to the east there is a gentle rise to the rear of the properties on Sutton Street.
- 1.04 The land is largely not maintained and includes areas of established grassland, trees and planting. The central and western part of the site is located within flood zone 2 and 3.

1.05 To the north, east and west, the site is bordered by built development, while the area to the south has a more rural character.

1.05 Located to the west and north of the site are established residential properties in Cross Keys and The Street. The area to the east of the site also comprises residential properties, which front Sutton Street, with their rear gardens generally backing onto the application site. The residential development along Sutton Street is mainly located along the west side of the street with some sporadic development along the eastern side. The western side of Sutton Street has a much more built up character than the eastern side with a fairly close knit line of residential properties stretching from the junction with Roundwell down to a property known as The Barn. Sutton Street and the area to the east are located within the open countryside together with Gore Cottage; a grade II listed building. Sutton House and barn, a grade II listed building is located on the west side of Sutton Street.

## **2.0 PROPOSAL**

2.01 The application proposes a 'Minor Material Amendment' to application 14/504795/FULL for residential development for 50 units, including the following main amendments:

- reconfigured internal access road (to address highway safety concerns associated with the approved layout);
- alteration to the design and layout of plots 16, 17, 25, 27, 28 and 43;
- inclusion of a 4 x 3.7m electrical substation;
- roof configuration amended to the block containing units 31-39, with the removal of the step between plots 35 and 36.

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: SS1, SP1, SP18, SP18, SP19, SP23, ID1, H1(31), DM1, DM2, DM3, DM4, DM6, DM8, DM12, DM19, DM21, DM23

## **4.0 LOCAL REPRESENTATIONS**

**Bearsted Parish Council** – Object on the following summarised grounds:

- Drainage and flood management has not been approved.
- Properties moved closer to boundaries result in loss of amenity to Sutton Street residents.
- Increase in roof heights resulting in harm to outlook to residents along Sutton Street.
- Loss of protected trees.
- Road layout will result in additional surface run off.

**Councillor Val Springett:**

- Proposed changes will impact on adjoining properties. Request the application to be determined at Committee in order to allow affected residents to make representations to the committee.

### **Bearsted and Thurnham Society:**

- Re-orientation of properties would result in them being closer to existing properties in Sutton Street.
- Consideration of increased building volume and roof heights is needed.
- Changes to plot 25 will cause harm to the grade II listed Sutton House.
- Request a condition be applied to require all external finishes be as stated in the original application, or to an agreed higher standard.
- Essential that SUDS conditions are carried forward.

**Local Residents:** Twenty two letters of objection have been received from neighbouring properties. Comments are summarised as follows:

- Increase in heights and footprint of properties would harm amenity.
- Repositioning and reorientation of properties would result in loss of amenity.
- Pollution.
- Loss of green space.
- Harm to the grade II listed Sutton House due to the amendment of plot 25.
- Change to less attractive building materials would be out of character with the surrounding area, near listed buildings or the setting of the AONB.
- Change to road layout will lead to antisocial behaviour.
- Loss of protected tree.
- Drainage and flood issues not addressed.
- Lack of infrastructure for new residents.
- Emergency access from Sutton Street would increase traffic along Sutton Street.
- Previous planning permission has not been implemented and has expired.

## **5.0 CONSULTATIONS**

5.01 KCC Flood and Water Management – No further comment to make.

5.02 KCC Highways – No objection.

5.03 MBC Landscape – The submitted plans appear essentially the same as that already approved and therefore raise no arboricultural objection. The submitted landscape planting plan follows the principles of the approved scheme and therefore there are no landscape objections.

## **6.0 APPRAISAL**

6.01 The application seeks to vary the approved drawings (condition 28) of planning permission 14/504795/FULL to include the changes outlined in section 2 of this report. Under the terms of a Section 73 application, recognising that the approved development has lawfully commenced, it is only the impact of the proposed minor changes that are before Members

for consideration. The principle of the housing development, including the highways impacts, drainage, landscaping, ecology and planning obligations will not be revisited as these aspects are not considered to be affected by the proposed amendments. As such, it is considered that the key considerations are:

- Design including visual impact; and
- Residential amenity.

6.02 Some consultees question whether the previous planning permission has expired. Section 56(4) of the Town and Country Planning Act 1990 states '*development is taken to be begun on the earliest date on which a material operation is carried out*'. A material operation is defined in the Act and can include any relevant works of construction or demolition. In this case, it is considered that applicant commenced the 2016 permission with the demolition of the 24 bay garage court in 2017.

### **Design and Visual Impact**

6.03 Policy DM1 of the Maidstone Borough Local Plan promotes development that is of a high quality design which is sympathetic to the character and distinctiveness of the site and surroundings.

6.04 The proposal relates to minor-material amendments to the built form and appearance of some of the approved dwellings, including their footprint, position and design. The relevant changes are set out below.

#### Relocate plots 17-20

6.05 The position of these properties has been altered to accommodate the new loop road within the western section of the site. The revised road layout addresses safety concerns associated with the cul-de-sac arrangement previously approved, which would have necessitated significant reversing movements for refuse and other delivery vehicles. These properties are located centrally within the site and changes to these properties would not be significantly visible, save from within the site. The design of these plots remains acceptable within the context of the overall housing development and its wider setting.

#### Plot 16

6.06 To accommodate the loop road this property has been moved further south within the site. The house design has been altered to include a stepped back elevation in order to maintain a separation distance to the closest existing property at 'Broadacre' which is located approximately 32m to the south east. The changes to this house design are considered to be acceptable in the overall context of the site and the relationship of this plot to existing neighbours.

#### Plot 25

- 6.07 This proposed house would be visible from Sutton Street. Original proposals to move this building materially closer to the site boundary have been withdrawn following comments from neighbours and at the request of Officers, and amended plans were received on 13/06/2019 reverting the position of the dwelling broadly back to the design as approved under application 14/504795/FULL. Whilst the dwelling has been repositioned approx. 1m further to the south west, slightly closer to Sutton House, this would not result in any further harm to the setting of the grade II Sutton House, nor any material impact on the character of the wider area.

#### Plot 27 and 28

- 6.08 The design treatment of these dwellings remains as previously approved with a maximum ridge height of 9.2m. When compared to the approved layout the slight repositioning of plot 27 would not have a significant material impact upon the design of the development as a whole, nor affect the visual impact of the development on the surrounding area.
- 6.09 With regard to plot 28, the dwelling has been repositioned slightly within the plot, but as this plot is located centrally within the site, it has little impact upon the scheme and no impact on the wider townscape.

#### Plots 31-39

- 6.10 The amended design of these terraces has resulted in the reconfiguration of the roof shape and the removal of the step between plots 35 and 36. The plots have increased in ridge height from approx. 9.2m to 9.6m. The increased ridge height would not be readily discernible when viewed from outside of the site and does not affect the overall character, appearance or design quality of the development.

#### Plot 43

- 6.11 This dwelling has been repositioned north east within its plot. Both the previously approved dwelling and this amended design are visible from Roundwell to the north. The dwelling would provide a facing principal elevation to both the internal roads and to Roundwell. The minor re-position within the plot is considered to have no adverse affect upon the overall appearance or quality of the development.

#### Revised garage locations

- 6.12 The revised scheme sees the repositioning of garages for plots 30, 40 and 43, which would have no impact on the quality of the scheme or surrounding area.

#### Internal access road and substation

- 6.13 The revised layout involves the removal of the cul de sac layout in the southern part of the site, to be replaced with a new loop road layout. The redesign of the road layout is considered to be acceptable. However, as the re-alignment would result in boundary treatments for plots 17, 18 and

20 fronting on to the highway, condition 9 will require the submission of details for boundary treatments and require the boundaries of plots 17, 18 and 20 to be set back from the highway with landscaping in front. The revised plans also include the provision of a 4x3.7m substation in the north of the site adjacent to plot 43. However, due to the minor nature of the substation building and its location, it is considered to be acceptable.

- 6.14 A number of objectors suggest that materials have being altered within the submitted plans. The materials for the site and each plot have been approved under application reference 16/507318/SUB which includes, slate and clay roof tiles, ragstone and dark brickwork, clay hanging tiles and ebony, white and cream weatherboarding. Condition 8 would require that the development be carried out in accordance with the written details and samples of these approved materials unless otherwise agreed in writing with the local planning authority.
- 6.15 In conclusion, the proposed design and layout alterations are considered to be acceptable. The dwellings are are consistent with the previous approval and are considered to be of an acceptable scale, massing and design and relate sympathetically to the wider locality. The amendments still ensure a high quality development that complies with the site policy and policy DM1 of the Local Plan.

### **Residential Amenity**

- 6.16 Policy DM1 of the Local Plan states that development should respect the amenity of neighbouring properties and provide adequate residential amenities for future occupiers of the development by ensuring that development does not result in, for example, vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupiers of nearby properties.
- 6.17 A number of objections have been raised in respect of potential overlooking, loss of privacy and loss of outlook caused by the alterations to the approved dwellings. These concerns primarily relate to the revised layout of the site and the position and increase in height of some of the dwellings.
- 6.18 The majority of the properties fronting onto Sutton Street benefit from long rear gardens which back onto the application site. The proposed built development would be set away from the boundaries of the site, which in most cases would allow sufficient separation distances of more than 20m between the proposed dwellings and existing properties.
- 6.19 The closest properties to Sutton Street that are proposed for amendment are plots 16, 25, 27, 28, 30 (garage), 40 (garage) and 43.
- 6.20 Plot 16 has been reoriented with the front elevation facing north and repositioned approx. 7.5 m further south east within the plot. However, in order to manage this relationship, the design of the building has been altered and now steps in at the back to maintain a separation distance of

approx. 32m from the rear elevation of this plot to the 'Broadacre' property – which is as per the approved scheme.

- 6.21 Plot 25 has been repositioned approx. 1m further to the south west. Side elevations between this property and 'Sutton House' to the south east would be separated by approx. 17m, compared to the approved 18m. Plot 25 would not be located directly behind any neighbouring residential properties fronting onto Sutton Street therefore limiting the impact of this building and only oblique views would be afforded between habitable windows. The proposed amendment is not considered to cause harm to residential amenity.
- 6.22 Plot 27 has been repositioned approx. 0.5m further north than the previous approval and would maintain the separation distance to 'The Cottage' and 'Knocklofty' of approx. 27m between rear elevations. The ridge height of the dwelling remains at approx. 9.2m.
- 6.23 Plots 31-39 remain in the approved position, but the ridge height has increased from approx. 9.2m to 9.6m. A separation distance remains of approx. 37m between the rear elevation of plots 31-33 and properties along Sutton Road. The increased ridge heights of these plots would continue to respect the amenities of adjoining residents and would not cause harm.
- 6.24 Plot 43 has been repositioned approx. 1m further north within the plot and would be located some 20.5m distance from the rear / side elevation of 'Roundwell Cottage'. This separation distance would continue to ensure that there is no harmful impact upon the amenity of the existing residents.
- 6.25 The garages for plots 30, 40, 42 and 44 would be repositioned within each plot, however the garage buildings would be single storey, would be screened by existing and proposed boundary treatment and therefore is not considered to result in an unreasonable loss of amenity.
- 6.26 As such, the proposed amendments are not considered to result in harm to the amenities of the neighbouring properties, in accordance with Policy DM1 of the Maidstone Borough Local Plan 2017.

## **Other Matters**

### Highways

- 6.27 The purpose of the application is to respond to concerns over the reliance of the previous scheme on cul-de-sacs and to accommodate a revised configuration based upon a short internal loop road. This will reduce the risk of conflicts between reversing vehicles and pedestrians, which is a benefit, whilst in terms of wider highway safety or traffic impact issues the proposal would not result in any different impacts when compared to the approved scheme. KCC Highways has been consulted and do not raise any objections on highways safety or parking grounds.

### Heritage

- 6.28 It is considered that the proposed amendments would not result in a significantly different impact upon the nearby grade II listed buildings and Conservation Area and the impact, as before, is less than substantial. The design continues to demonstrate that the scheme minimises the impact upon heritage assets, whilst the public benefits arising from the delivery of new houses on a sustainable allocated housing site would continue to outweigh the limited harm that the development as a whole would have on the character and appearance of the conservation area, archaeological remains and the setting of grade II listed buildings - as per the previous planning permission. This assessment is in accordance with policy DM4 of the Local Plan and the NPPF.

### Drainage

- 6.29 A number of comments have been received that have raised concerns that condition 4 – Surface Water Drainage of the original planning permission has not yet been discharged. The drainage condition will be re-attached to this planning permission and will require discharge prior to the commencement of construction activity. KCC SUDS team has been consulted but have not raised an objection.
- 6.30 Matters relating to foul water drainage are controlled under the Water Industry Act and do not fall within the realms of the planning consent and Local Planning Authority control.

## **7.0 CONCLUSION**

- 7.01 The principle of residential development has been accepted by the planning permission 14/504795/FULL and the site was subsequently allocated in the Local Plan under Policy H1(31) for approximately 50 dwellings. The proposals do not alter the quantum or overall character of the development. It is considered that the amendments are modest, serve to maintain the overall design quality of the development and do not impact upon neighbours. The amendments are therefore considered to, accord with the Local Plan, are acceptable and it is recommended that planning permission be granted subject to completion of a section 106 agreement (Deed of Variation). The S106 Deed of Variation will tie the decision for this application to the previously agreed and signed S106 in order to secure the agreed contributions including towards health, education, and management and monies towards the open space, woodland and ecology area. All previous conditions will be attached where relevant.

## **8.0 RECOMMENDATION**

Subject to the prior completion of a variation to the previous legal agreement to link it to this planning permission and subject to the conditions as set out below, the Head of Planning and Development **BE DELEGATED POWERS TO GRANT PLANNING PERMISSION**, and to be able to settle or amend any necessary Heads of Terms and planning

conditions in line with the matters set out in the recommendation and as resolved by the Planning Committee.

## CONDITIONS

- (1) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (14\_504795\_FULL-FLOOD\_RISK\_ASSESSMENT, 12th November 2014) approved under application reference 14/504795/FULL. Specifically, the mitigation measures detailed within the FRA include:

1. Finished floor levels are set no lower than 39.95m above Ordnance Datum (AOD) (paragraph 4.7 FRA)
  2. The minimum level of the access road bridge is set at 39.50mAOD (paragraph 4.9, FRA) and the lowest level of this bridge is greater than one metre above the 39.20m (paragraph 4.10)
  3. Limiting the surface water run-off to the watercourse of 5 litres per second, generated by the 100 year critical storm (including climate change allowance), so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
  4. Provision of compensatory flood storage (for the bridge piers) on the Lilk, as detailed in section 5 of the FRA and Appendix 12.0.
  5. Confirmation of culvert construction and improvement works, detailed in paragraph 4.4 and drawing A2164-SK1500 in Appendix 12.0.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### Reasons:

1. To reduce the risk of property flooding to the proposed development and future occupants
  2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and ensure safe access and egress from and to the site.
  3. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
  4. To reduce the risk of flooding from blockages to the existing culvert (s).
  5. To reduce the risk of flooding (from all sources) to the proposed development and existing road infrastructure and properties surrounding the site.
- (2) Prior to the commencement of building operations (excluding demolition) a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years critical storm (including climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The

scheme shall subsequently be implemented in accordance with the approved details before the development is completed. These details shall include:

- The appropriate locations on the development site where infiltration techniques are appropriate. This will be informed by specific ground conditions (e.g. groundwater levels and infiltration rates) at each location where soakaways are proposed.
- Where soakaways are not appropriate, sustainable surface water drainage systems will be designed and incorporated into the development, in line with the FRA, paragraph 6.13. Updated rainfall runoff calculations based upon the detailed design will be included with the surface drainage scheme.
- Details of how the overall scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, both on and off site.

- (3) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- (4) The development shall be carried out in accordance with the programme of heritage interpretation approved under application 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that heritage interpretation is appropriately integrated into the development.

- (5) The development shall be carried out in accordance with the phase 3 Archaeological Investigation and Archaeological Evaluation Part A approved under application 16/507318/SUB unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

- (6) The development shall be carried out in accordance with the contamination scheme approved under application 17/500961/SUB unless otherwise agreed in writing with the local planning authority. A Closure Report shall be submitted to and approved in writing by the local planning upon completion of the works and shall include full verification details.

This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Reason: In the interests of protecting the health of future occupants and the prevention of pollution.

- (7) The construction vehicle loading/unloading and turning facilities, provision of parking facilities for site personnel and visitors, provision of wheel washing facilities, provision and permanent retention of the vehicle parking spaces and/or garages, provision and permanent retention of the vehicle loading/unloading and turning facilities shall be provided in accordance with the approved details under application reference 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

These facilities shall be provided in accordance with the approved details and remain available for the duration of the construction and where relevant shall be retained for use at all times thereafter.

Reason: In the interests of highway safety.

- (8) The development shall be carried out in accordance with the written details and samples of the materials approved under application reference 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: To ensure a satisfactory appearance to the development.

- (9) Notwithstanding the details approved under application reference 16/507318/SUB, 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 building(s) or land and maintained thereafter. The details shall show the boundaries for plots 17, 19 and 20 set back from the highway with landscaping in front.

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

- (10) The development shall be carried out in accordance with the Habitat Management Plan approved under application 17/500672/SUB unless otherwise agreed in writing with the local planning authority.

Reason: To ensure a satisfactory appearance and setting to the development and in the interests of biodiversity protection and enhancement.

- (11) Prior to the commencement of building operations (excluding demolition) details of the proposed slab levels of the buildings and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development.

- (12) Prior to the commencement of building operations (excluding demolition) details of any lighting to be placed or erected within the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, inter alia, details of measures to shield and direct light from the light sources so as to prevent light pollution and illuminance contour plots covering sensitive neighbouring receptors. The development shall thereafter be carried out in accordance with the subsequently approved details.

Reason: In the interest of residential amenity

- (13) The development shall be carried out in accordance drawing numbers 2020-14-b-4D landscape Planting Plan – Area A and 2020-14-b-5d Landscape Planting Plan – Area B and the landscape management plan Parts 1-4 approved under application 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: To ensure a satisfactory landscaped setting for the development.

- (14) The use or occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within ten years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term 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 unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory landscaped setting for the development.

- (15) All construction activities, tree protection, access facilitation pruning and pre-emptive root pruning shall be carried out in accordance with the approved tree protection plan outlined in drawing no. CHQ.17.12334.PL12B unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the protection of trees on the site in the interests of visual amenity and ecology.

- (16) The development shall be carried out in accordance with the Arboricultural Reports approved under application 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

- (17) No equipment, machinery or materials shall be brought onto the site prior to the erection of approved barriers and/or ground protection except to carry out pre commencement operations approved in writing by the local planning authority. These measures shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed, nor fires lit, within any of the protected areas. No alterations shall be made to the siting of barriers and/or ground protection, nor ground levels changed, nor excavations made within these areas without the written consent of the local planning authority.

Reason: To ensure the protection of trees on the site in the interests of visual amenity and ecology.

- (18) The development shall be carried out in accordance with the Ecology Park Plan – Drawing No. 500/RP/048 approved under application 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: In pursuit of sustainable transport objectives.

- (19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class(es) B, C, and F and Schedule 2, Part 2, Class(es) A; shall be carried out without the permission of the Local Planning Authority;

Reason: To safeguard the character and appearance of the development and the enjoyment of their properties by prospective occupiers and surrounding neighbours.

- (20) Prior to the commencement of building operations (excluding demolition) a signed S278 Agreement, covering the alterations to Cross Keys road layout, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the highways works covered in the S278 have been completed.

Reason: In the interests of highways safety.

- (21) The development shall be carried out in accordance with Swift and Bat Box Data Sheet approved under application 16/507318/SUB unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of ecological enhancement.

- (22) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

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

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CK/TSP/915-01A, CK/TRP/915-02A, CK/TRP/915-03A; dated 26 June 2014 and 500/RP/048, 500/RP/061; dated August 2014 and A2164-SK1500 P5, A2164-SK1501 P2, A2164-SK1505 P3, A2164-SK1506 P3, A2164-SK1510 P1, A2164-SK1612 P3, A2164-SK1613 P3; dated June 2014 and 500/RP/001, 500/DA/008; dated April 2014 and 500/RP/004; received 12/11/2014 and 500/RP/009, 500/RP/010, 500/RP/015; dated June 2014 and 500/RP/46, 500/RP/049, 500/RP/054; dated July 2014 and 500/RP/039, 500/RP/040, 500/RP/062; dated September 2014 and 500/RP/007, 500/RP/011, 500/RP/016, 500/RP/024, 500/RP/025, dated February 2015 and 500/RP/026/C, and LaDellWood Woodland Management Plan & Wetland Habitat Ref: 2020/14/B/3/B; dated February 2015 and Arboricultural Impact Assessment REF: SA/915/14A; dated 7 October 2014, Ecology Phase 1 habitat survey and reptile survey; dated September 2014, Flood Risk Assessment A2164/October 2014, Habitat creation and woodland management, Issue 2; dated September 2014, Phase 1 Geo Desk Study Ref: 3082/14; dated October 2014, Phase 2 archaeological investigation Ref: 2014/51; dated October 2014, Transport Assessment A2164/October 2014, CHQ.17.12334-PL60, CHQ.17.12334-PL16 Rev.A, CHQ.17.12334-PL17 Rev.A, CHQ.17.12334-PL25 Rev.A, CHQ.17.12334-PL28 Rev.A, CHQ.17.12334-PL43 Rev.B, CHQ.17.12334-PL50 Rev.A, CHQ.17.12334-PL51 Rev.A, CHQ.17.12334-PL53 Rev.A, CHQ.17.12334-PL54 Rev.A, CHQ.17.12334-PL70, CHQ.17.12334-PL71, CHQ.17.12334-PL12A Rev.A and 2020/14/B/4C submitted 6<sup>th</sup> March 2019 and CHQ.17.12334-PL10 Rev.D, CHQ.17.12334-PL11 Rev.B, CHQ.17.12334-PL12 Rev.B, CHQ.17.12334-PL19A, CHQ.17.12334-PL27 Rev.B, CHQ.17.12334-PL52 Rev.B and 2020/14/B/5D submitted 30<sup>th</sup> May 2019.

Reason: For the purpose of clarity and to ensure a satisfactory appearance to the development and a high quality of design.

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