

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

19 September 2019

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| Application No: | SMD/2019/0142 | |
| Location | 197 High Lane, Brown Edge | |
| Proposal | Outline application with details of Access (All other matters reserved) for the erection of 8no. dwellings | |
| Applicant | AMACOR Capital Ltd | |
| Agent | Rob Duncan Planning Consultancy Ltd | |
| Parish/ward | Brown Edge PC | Brown Edge and Endon |
| If you have a question about this report please contact: James Stannard tel: 01538 395400 ex 4298 james.stannard@highpeak.gov.uk | | |

REFERRAL

- 1.0 The application has been called in to Planning Committee at the request of Councillor Lea due to the potential harm to the neighbouring supermarket business and highway safety

1. SUMMARY OF RECOMMENDATION

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| Approve with Conditions |
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site comprises a parcel of land measuring approximately 0.2ha situated north of High Lane, Brown Edge. The site contains No.197 High Lane - a former newsagents which has been closed for a number of years – on its southern edge, with the rear part of the site currently operating as a car park which serves No.199 High Lane - ‘Keith’s Supermarket and No.209 – ‘Keith’s Workshop’. The car park is currently accessed from Sandy Lane to the east.
- 2.2 This car park was extended northwards following the granting of planning permission firstly in 1982 (SMD/1982/0083) and again in 1984 (SMD/1984/0408). As shown on the Location Plan and certified on the Application Form, the applicant is in full control of this site (i.e. the car park is no longer directly linked to the Supermarket). The Council’s legal team have verified this through obtaining relevant Land Registry and Title Deeds records.

2.3 The site is located within the built-up area of Brown Edge and is not constrained by any designation. The western boundary is currently defined by a metal fence which borders the High Lane Playing Fields and Recreation Ground. The northern boundary is characterised by more mature vegetation which separates the site from properties on Thelma Avenue. The eastern boundary backs on to the rear of Nos. 10, 12, 13 and 14 Sandy Lane.

3. DESCRIPTION OF THE PROPOSAL

3.1 The application in its revised form seeks Outline planning permission including matters of Access for 8no. residential properties. Matters of Layout, Scale, Appearance and Landscape wish to be considered latterly under a Reserved Matters application.

3.2 The plans and documentation for consideration are as follows:

- Location Plan
- Indicative Site Layout
- Car Parking Plan for neighbouring Supermarket
- Topographical Survey
- Planning Statement
- Bird and Bat Survey (Aug 2019)
- Highways Technical Note
- Arboricultural Survey and Report (July 2019)
- Arboricultural Impact Assessment (July 2019)

3.3 The application includes the demolition of No.197 High Lane, replaced by a detached dwelling, and the creation of a new access in to the site from High Lane.

3.4 The above plans and documentation shows the revised layout to comprise 7 x equally sized dwellings positioned towards the rear of the site in a linear pattern, with private garden space to the north and off-street parking provided either directly in front of properties or as part of a designated off-street parking area north of Plot 1, a detached dwelling which would replace No.197 High Lane.

4. RELEVANT PLANNING HISTORY

4.1 The site has formed part of the following previous planning applications:

SMD/1982/0083 Extension to supermarket car park (Approved)

SMD/1984/0408 Proposed extension to car park (Approved)

SMD/1986/0894 Internal alterations and alterations to front elevation (Approved)

SMD/1995/0158 Car Port (Approved)

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

5.2 The Staffordshire Moorlands Emerging Local Plan (Submission Version February 2018) has now been through an Examination by an Independent Planning Inspector and as such planning policies within it can be given appropriate weight, in line with paragraph 48 of the NPPF.

Staffordshire Moorlands Local Plan (1998)

5.3 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.4 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS2 Future Provision of Development
- SS3 Distribution of Development
- SS4 Managing the Release of Housing Land
- SS6 Rural Areas Strategy
- SS6a Larger Villages Strategy
- SD4 Pollution and Flood Risk
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

Emerging Local Plan Submission Version (2018)

5.5 The Staffordshire Moorlands Emerging Local Plan (Submission Version February 2018) has now been through an Examination by an Independent Planning Inspector and as such planning policies within it can be given appropriate weight, in line with paragraph 48 of the NPPF.

5.6 The following Emerging Local Plan Policies are relevant to this application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy

- SS3 Future Provision and Distribution of Development
- SS8 Larger Villages Area Strategy
- SD5 Flood Risk
- H1 New Housing Development
- H3 Affordable Housing
- DC1 Design Considerations
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

Revised National Planning Policy NPPF (2019)

5.7 The following parts of the National Planning Policy Framework are relevant to this application:-

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| • Achieving Sustainable Transport | Chapter 2 |
| • Delivering a sufficient supply of homes | Chapter 5 |
| • Promoting healthy and safe communities | Chapter 8 |
| • Promoting sustainable transport | Chapter 9 |
| • Making effective use of land | Chapter 11 |
| • Achieving Well Designed Places | Chapter 12 |
| • Meeting the challenge of climate change | Chapter 14 |
| • Conserving and enhancing the natural environment | Chapter 15 |

6. CONSULTATIONS CARRIED OUT

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| Press Notice expiry date: | N/A |
| Site Notice expiry date: | 6 th May 2019 |

Local residents have been notified by letter.

4 x Letters of objection have been submitted by members of the public. The main grounds of objection are summarised below:

- Danger to pedestrians and highway safety
- Lack of remaining spaces for Supermarket (delivery and customer vehicles)
- Loss of the car park serving the village store potentially leading to loss of shop
- Car park is used and relied upon by community for other uses in vicinity
- Impacts on watercourse running through garden of neighbouring property
- Impacts on trees on boundary within the site or in neighbouring properties
- Impacts on living conditions of neighbouring properties
- Impacts on wildlife
- Potential downturn in trading for local business due to loss of parking provision

Brown Edge Parish Council

Object to application on the following grounds:

- Loss of existing shop premises
- Area designated as a commercial area on emerging Neighbourhood Plan
- Safety issues with more traffic emerging onto what would be a crossroad near a blind bend
- Safety of pedestrians at a very near adjacent pedestrian crossing would be compromised
- Loss of large amount of car parking space for the adjacent supermarket

AES Waste

No objections

SCC Minerals and Waste

No Comments

Severn Trent Water

No Objections subject to conditions

SCC Highways

No Objections subject to conditions.

The Informative notes that the initial response from Highways recommended refusal on the grounds of the location of the proposed access and the loss of parking provision for the existing Supermarket.

However, the informative goes on to clarify that the first matter relating to the access has been sufficiently addressed by way of further technical information, and that there are no reasons why a new access serving the development could not be constructed in this position.

With regards to the loss of parking provision for the Supermarket, the informative highlights that having sought advice from the Case Officer - who advised that due to the land ownership context, the existing use of the site as a car park could be withdrawn at any time - the loss of parking provision is not a result of this application and could therefore not form any reasonable grounds for refusal - this reason for refusal has also been withdrawn, resulting in there being no objection subject to appropriate conditions.

SMDC Tree Officer

No objection subject to condition relating to tree protection

Staffordshire Wildlife Trust

No objection subject to conditions

Staffordshire Lead Local Flooding Authority (LLFA)

No objection subject to conditions

7. OFFICER COMMENT AND PLANNING BALANCE

Key Issues

- Principle of Development
- Housing Mix and Affordable Housing Provision
- Design
- Residential Amenity
- Trees
- Ecology
- Access & Highway Safety
- Other Matters

Principle of Development

- 7.1 The application site comprises an area of previously developed (brownfield) land within the development boundary of Brown Edge, which is not protected by any statutory designation, and classified within the Rural Settlement Hierarchy in Core Strategy (CS) Policies SS6 and SS6a as a Larger Village. These strategic policies state that Larger Villages have an important role in terms of supporting their immediate surroundings and shall provide for the bulk of the local housing needs of the rural areas.
- 7.2 CS Policy H1 states that residential development on unidentified (windfall) sites of up to 9 dwellings within the development boundaries of towns and larger villages.
- 7.3 CS Policy C1 states that proposals that involve the loss of a community facility should be resisted unless an alternative facility of the same type is available or can be provided in an accessible location in the same locality.
- 7.4 Paragraph 68 of the NPPF stresses amongst other things that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and that Local Authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements.
- 7.5 Paragraph 118 of the NPPF states amongst other things that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 7.6 The application site comprises an area of previously developed (brownfield) land which lies within the development boundary of a Larger Village, within walking distance of a number of day-to-day services and facilities, and is considered to be a sustainable location for new housing development. The proposed eight dwellings in this location constitute a windfall site, which is supported under CS Policy H1.
- 7.7 Whilst the proposal would see the demolition of a redundant small newsagent (No.197 High Lane), the large adjacent convenience store 'Keith's Supermarket', would remain, and represents a similar facility within the locality. As such, the application would comply with the requirements of CS Policy C1.
- 7.8 It is acknowledged that the proposed development would lead to the loss of car parking provision which currently serves Keith's Supermarket and the adjacent smaller unit 'Keith's Workshop'. This matter is discussed in detail within the 'Access and Highway Safety' section.
- 7.9 The Local Planning Authority have verified, by obtaining Land Registry and Title Deeds records, that the area of car parking within the application site proposed to be developed is now in separate ownership to the Supermarket and Workshop. As such, there is nothing to stop the owners of the application site from preventing the use of the land within the site (edged red on the Location Plan) as a car park (e.g. by erecting a fence).
- 7.10 Therefore in summary, given that the site is considered to be a sustainable location for housing; the application is for small-scale housing under 10 units; is previously developed; is not constrained by any statutory designation; and that a larger convenience store lies adjacent to the smaller newsagent that would be lost; the principle of development is considered acceptable, subject to all relevant material considerations.

Housing Mix and Affordable Housing Provision

- 7.11 CS Policy H1 states that housing proposals of 10 dwellings or more will be required to provide a mix of housing in terms of size, type and tenure based on the local housing needs as informed by the Strategic Housing Market Assessment (SHMA). Given that the site falls below this threshold, the Council has no policy grounds to negotiate the housing mix on site.
- 7.12 CS Policy H2 requires that outside of the towns, residential development of 5 dwellings or more shall provide a target of 33% affordable housing on-site contributions unless there are exceptional circumstances which dictate otherwise.
- 7.13 However, paragraph 63 of the NPPF states that provision of affordable housing should not be sought for residential developments that are not major development, other than in designated rural areas (e.g. a National Park). As such, CS Policy H2 is no longer consistent with the NPPF, and as such, CS Policy H2 can be given little weight in this case. Given that this is a minor

application for 8 x dwellings, there is no requirement for any affordable housing provision.

Design

- 7.14 CS Policies SS1 and DC1, together with the Staffs Moorlands 'Design Guide' & 'Design Principles' Supplementary Planning Documents (SPD's) contain the design objectives and principles for new development. Paragraph 127 of the NPPF states amongst other things that developments should add to the overall quality of the area; are visually attractive; and are sympathetic to local character including the surrounding built environment.
- 7.15 The applicant originally sought to apply for matters of Layout as part of this Outline application. However the description of development has subsequently been amended so that the only matter for determination is Access. As such, the detailed design of the proposal would be assessed and determined at the Reserved Matters stage.
- 7.16 An indicative Site Plan has been submitted which shows that 8 x dwellings can be accommodated on site in the form of one detached dwelling in the location of No.197 High Lane, and a row of 7 x terraced dwellings towards the northern end of the site, together with off-street parking and amenity space.
- 7.17 The 'Technical Housing Standards - Nationally Described Space Standard' document published by DCLG sets out the minimum internal space requirements at a defined level of occupancy. Whilst it is not possible to determine the detailed design as part of this Outline application, it is considered both appropriate and necessary to attach a condition which requires that all proposed dwellings shall comply with these national space standards in the interests of both Design and Residential Amenity.

Residential Amenity

- 7.18 CS Policy DC1 requires that all development protect the amenity of an area, including residential amenity, in terms of satisfactory daylight; sunlight; outlook; privacy; and soft landscaping, reflecting the requirements of paragraph 127 of the NPPF.
- 7.19 The Staffs Moorlands 'Space about Dwellings' SPD sets out the minimum separation distances for windows serving habitable rooms in existing and proposed developments, as well as setting out the minimum requirements for private garden areas.
- 7.20 The detailed design of the scheme, such as the positioning of properties within the site and their relationship to each other and neighbouring dwellings, which includes the internal layout of each dwelling and positioning of habitable windows, is a matter for consideration at the Reserved Matters application stage.
- 7.21 The indicative Site Layout is considered to be satisfactory with regards to demonstrating that 8 x dwellings can be accommodated on this site without

resulting in any adverse harm to the residential amenity for future occupiers of the proposed scheme and current occupiers of neighbouring development. A Reserved Matters application will be required to demonstrate full compliance with the above policy considerations, and will be subject to a full assessment of such impacts.

Trees

- 7.22 CS Policy NE1 requires developments to ensure that assets of the natural environment are protected. Policy NE2 of the Emerging Local Plan relates specifically to veteran trees, woodland and hedgerow and requires that existing healthy trees and hedgerows are retained and integrated within a proposed development; resisting development that would directly or indirectly damage existing ancient woodland, veteran trees or species-rich hedgerow. As this emerging policy attracted no objections during the examination, it can be given significant weight in the determination of this application.
- 7.23 Further to initial comments from the Council's Tree Officer, who raised concerns in connection with Root Protection Areas and shadowing of properties, a Tree Survey and Report has been submitted accompanied by a revised Indicative Site Layout, which has seen the reduction in the number of proposed units from 9 to 8, and a move away from the western and northern boundary of the site, where veteran trees are present.
- 7.24 The revised Indicative Site Layout has been reviewed by the Tree Officer who has confirmed that, subject to an appropriate condition, the reduction in number of dwellings and the amended indicative layout in combination now demonstrate that the site could acceptably accommodate a development of this type and scale for 8 dwellings, without adverse direct impact on the off-site trees along the north-west and south-west boundaries, and with acceptable proximity relationship between dwellings and garden areas.
- 7.25 As such, it is considered that initial concerns relating to direct and indirect impacts upon veteran trees have been addressed and that subject to the approval of the detailed design at Reserved Matters stage, there would be no harm to Trees, in line with CS Policy NE1 and Emerging Local Plan Policy NE2.

Ecology

- 7.26 CS Policy NE1 requires developments to ensure that assets of the natural environment are protected which include protected species and habitats, and that where appropriate; developments should provide a nett gain in biodiversity – reflective of the overarching national planning policies contained in Chapter 15 of the NPPF.
- 7.27 Due to the proposed development involving the demolition of a building, the applicant was required to submit suitable Preliminary Ecology Surveys and further surveys as required.

- 7.28 The updated version of the Ecology Survey (dated 5th August 2019) has been reviewed by Staffordshire Wildlife Trust who has confirmed that their initial objection has been addressed and that there are subsequently no objections subject to appropriate conditions being applied to any decision notice.
- 7.29 On that basis, it is the judgement of the Case Officer that subject to compliance with appropriate conditions, the application will not result in any harm to any ecological assets including protected species, and can provide a nett gain to biodiversity, in accordance with CS Policy NE1 and Chapter 15 of the NPPF. The objections raised by members of the public in relation to impacts on wildlife have therefore been addressed.

Highway Safety

- 7.30 CS Policy T1 states that new developments should be located where they can be satisfactorily accommodated within the existing highway network, support, and promote development which reduces reliance on the private car for travel journeys.
- 7.31 Policy T1 of the Emerging Local Plan refers to emerging parking standards set out at Appendix 8 which states that A1 retail use such as this should provide 1 x space per 14 square metres. At this time, this policy can be afforded little weight in the overall planning balance.
- 7.32 Paragraphs 108 NPPF requires that new proposals ensure that safe and suitable access to the site can be achieved for all users. Paragraph 109 of the NPPF states 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.
- 7.33 The majority of objections received in relation to this application relate to the loss of the car parking currently associated with Keith's Supermarket, and the safety of road users and pedestrians as a result of the new proposed access on to High Lane.
- 7.34 The Council have obtained Land Registry and Title Deeds records that show the area of car park within the application site to be in separate ownership to the remaining part of the car park. This means that the use of the land within the application site (red line on the Location Plan) as a car park could be withdrawn at any time (for example by erecting a private fence). As such, the loss of car parking for the existing Supermarket is not a direct consequence of this planning application and cannot form any reasonable grounds for refusal.
- 7.35 Following the initial objection from the Highways Authority in respect of the proposed access, the applicant has submitted a Transport Technical Note prepared by SCP, together with a revised Indicative Site Layout and accompanying Site Plan showing the remaining parking provision for the Supermarket which could be provided. The Highways Officer has provided

updated comments which confirm that initial concerns relating to the location of the access have been overcome.

- 7.36 The applicant has submitted a Plan showing that 40 x parking spaces (3 of which are disabled parking bays) and a turning area for delivery vehicles to serve the Supermarket and neighbouring Workshop can be provided. In his updated comments, the Highways Officer has acknowledged that whilst this falls short of the required parking standards set out in the Emerging Local Plan by 6 x parking spaces, formalising the carpark would represent an improvement, comparable to the existing situation. The Emerging Local Plan parking standards can at this time be afforded little weight in the overall planning balance as the policy which they relate to (T1) has not been adopted.
- 7.37 The parking standards referred to above concern A1 retail use, which can range from a small newsagents or convenience store to a large scale Supermarket (e.g. Tesco's). The retail unit in this case is of a smaller nature (akin to a convenience store such as Tesco Express), and given its location within the centre of a larger village, much of its trade will be from customers visiting on foot and / or making short visits for "top-up" shopping. As such the need for parking would be less, comparable to a larger Supermarket with a much wider catchment, where people are likely to spend more time browsing and buying more goods which necessitate travel by car. As such, the resultant capacity of 40 x parking spaces is considered to be compatible for the scale and nature of the retail units it serves.
- 7.38 The Highways Officer had requested a condition be attached which requires the implementation of this formalised parking provision. However due to this land being outside of the applicant's control this is not possible. It nevertheless demonstrates what could be achieved should shortage of on-site parking become problematic for the retailer.
- 7.39 In light of the above and the latest comments from the Highways Authority, it is considered that subject to appropriate conditions and the detailed design to be assessed at Reserved Matters, the application will not result in any unacceptable impacts on highway safety, nor would there be any severe cumulative impacts, given the small number of residential units proposed.

Other Matters

Flood Risk and Drainage

- 7.40 An objection has been received from a neighbouring resident citing potential impacts of the proposed development on a nearby watercourse that runs through their property and across the site. The Highways Officer has also referred to this watercourse on his informative.
- 7.41 In light of the above, the Lead Local Flooding Authority (LLFA) were consulted, who after their initial response, have confirmed that this issue can be suitably addressed by way of a pre-commencement condition. The

application has agreed in writing to this condition and as such, it is considered that the proposed development would not result in any increase in flood risk on site or elsewhere, in line with CS Policy SD4, Emerging Local Plan Policy SD5 and paragraph 163 of the NPPF.

Site designated as a 'Commercial Area' on Emerging Neighbourhood Plan

- 7.42 Brown Edge Parish Council have objected on a number of grounds which includes the designation of this space as a 'Commercial Area' within an emerging Neighbourhood Plan. The Local Planning Authority have not been in receipt of any draft neighbourhood plan, and as such, no weight can be given to any such document, given the early stage in production.

Downturn in trading for local businesses due to loss of parking provision

- 7.43 A local resident has objected on the grounds of the potential impact on local businesses whose customers use the existing car park to access them. As previously explained, the area of car park within the red line is not legally tied to the Supermarket, is privately owned, and could therefore cease to be used as such at any time without warning or consent. Whilst it is acknowledged that this car park is utilised by various individuals and groups within the community, there are no reasonable grounds for refusal based on the loss of this car parking, and any resultant impacts on local businesses.

Planning Balance/Conclusion

- 7.44 Policy S1a of the Core Strategy reflects the presumption in favour of sustainable development set out at paragraph 11 of the NPPF. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.45 The application seeks Outline permission for 8 x dwellings with all matters reserved apart from Access. The development would constitute a windfall site under Policy H1 of the Core Strategy and has the benefit of providing a modest but nevertheless important contribution to the District's housing supply, together with the standard indirect benefits relating to the local economy.
- 7.46 The application site comprises an area of previously developed (brownfield) land situated within the development boundary of Brown Edge; defined as a Larger Village in the Core Strategy, and is not constrained by any sensitive statutory designation. The site is very well connected to local services, facilities and transport links and is judged to be a sustainable location for new housing development.

- 7.47 The application would see the loss of a building (197 High Lane) that was previously in use as a small newsagents premises. However, the larger Keith's Supermarket adjacent to the site ensures that a similar community facility can be accessed within the immediate vicinity thereby satisfying the requirements of CS Policy C1.
- 7.48 The revised indicative layout is considered to satisfactorily demonstrate that eight dwellings with necessary amenity space and off-street parking provision can be accommodated on site – details of which would be assessed and determined by way of a Reserved Matters application, and that subject to conditions, there would be no adverse harm to any ecological assets, veteran trees, or hedgerows.
- 7.49 The initial objection from the Highways Authority in connection with the location of the proposed access has been suitably addressed by way of further supporting technical information. Whilst there would be a loss of car parking to the Supermarket, this is not as a result of this planning application, due to a change in the ownership of the land, and as such the loss of parking for the Supermarket does not warrant reasonable grounds for refusal. The Plan showing formalised 40no. car parking spaces for the Supermarket together with turning areas for delivery vehicles is considered by the Highways Officer to represent an improvement comparable to the current situation and demonstrates that any resulting parking capacity issues could be addressed. As such, there are not considered to be any adverse impacts to highway safety as a result of this application that justify grounds for refusal.
- 7.50 In conclusion, the application has been found to comply with all relevant local development plan policies and all other material considerations including the NPPF, and thus comprises a sustainable form of development. As such, the application is judged to constitute a sustainable form of development, and in line with Policy SS1a of the Core Strategy and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions and a subsequent Reserved Matters application.

RECOMMENDATION: Approve with Conditions

- 1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

Reason:- To comply with Section 51 of the Planning and Compulsory Act 2004

- 2. An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and thereafter the development shall only be carried out in accordance with the details as approved**

Reason:- To comply with Section 51 of the Planning and Compulsory Act 2004

3. Details of the scale, layout, landscaping, and appearance (hereinafter called 'the Reserved Matters') shall be submitted to and agreed in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act

2004 and Articles 4 and 5 of the Town and Country Planning (Development Management Procedure) Order 2015.

4. The development shall be carried out in accordance with the following approved plans: Location Plan (Ref: N1081 AL(0)06)

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework

5. Prior to commencement of development, details of all external and hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings

6. Prior to commencement of development details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings

7. Prior to commencement of development, details of the positions, design, materials, and types of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of privacy and visual amenity

8. Prior to commencement of development, a suitable drainage strategy which incorporates details of mitigation for all potential impacts of surface water flood risk, and a scheme for the disposal of foul and surface water from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall provide satisfactory assurances that access to the existing watercourse within the

immediate vicinity of the site is maintained for maintenance purposes. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of preventing flooding on site and elsewhere and the satisfactory disposal of surface water from the site.

9. Prior to the commencement of development (including any demolition, site clearance, site stripping or site establishment) full details of all tree protection measures shall be submitted to and approved by the LPA. Such details shall include proposals for any temporary tree protection measures during construction, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees adjacent to the application site in particular in relation to the removal of the existing car park hardstanding and surfacing, establishment of plot gardens and installation of all underground services. Provision for supervision and monitoring of arboricultural issues shall also be included. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.

Reason:- In the interests of preserving veteran trees in accordance with Policy NE1 of the Core Strategy and Policy NE2 of the Emerging Local Plan

10. Prior to commencement of development, a Lighting Scheme shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that light pollution of tree and hedgerow corridors are minimised to an acceptable level.

Reason:- In the interests of protecting ecological assets and habitats in line with Policy NE1 of the Core Strategy

11. Prior to commencement of development, a Bat Protection Method Statement which incorporates enhancements as recommended within the Preliminary Bat Roost Assessment and Bird Survey dated 5th August 2019 shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of protecting ecological assets and habitats in line with Policy NE1 of the Core Strategy

12. Prior to commencement of development, an Amphibian Protection Method Statement for during the site clearance and construction phases of development, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:- In the interests of protecting ecological assets and habitats in line with
Policy NE1 of the Core Strategy**

- 13. All pre-construction and clearance works including removal of vegetation shall be carried out outside of the bird breeding season (March – September inclusive) unless a nesting bird check has been carried out by a suitably qualified professional, and a report submitted to and approved in writing by the Local Planning Authority demonstrating that no nests have been found. If an active nest is found, an exclusion zone shall be implemented around the nest and access point being used by birds, which shall remain in situ until any chicks have fledged their nest and thus the nest become inactive.**

**Reason:- In the interests of protecting ecological assets and habitats in line with
Policy NE1 of the Core Strategy**

- 14. Prior to commencement of development, full details relating to the provision of parking, turning and servicing areas within the site; means of surface water drainage; surfacing materials; and means of boundary treatment between access and car park/servicing areas shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason:- In the interests of highway safety in accordance with Policy T1 of the Core
Strategy and paragraph 108 of the NPPF.**

- 15. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway have been completed.**

**Reason:- In the interests of highway safety in accordance with Policy T1 of the Core
Strategy and paragraph 108 of the NPPF.**

- 16. Prior to commencement of any works to the new access from High Lane, details relating to the construction of the access; drainage provision; tactile paving and pedestrian dropped kerbs across the access on the line of the existing footway; and the replacement of the existing pedestrian guardrail (PGR) at the zebra crossing with visibility panel (PGR); shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and highway works completed prior to the development first being brought into use.**

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and paragraph 108 of the NPPF.

- 17. The development hereby approved shall not be brought into use until details of the reinstatement of the part of the site access between the Supermarket and No.197 High Lane, to include the access crossing between the site and the carriageway edge, have been submitted to and approved in writing by the Local Planning Authority. The part of the existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as a footway with full height kerb in accordance with the details to be approved. The development shall be carried out in accordance with approved details.**

Reason:- In the interests of highway safety in accordance with Policy T1 of the Core Strategy and paragraph 108 of the NPPF.

- B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.**

Site Plan:

