

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

16 January 2020

Application No:	SMD/2019/0721	
Location	Heather Hills, Birchall Lane, Leek	
Proposal	Change of use of former domestic garden area into single building plot with new dwelling	
Applicant	P.D & S Smart Ltd	
Agent	RLM Associates	
Parish/ward	Leek	Date registered 28/11/2019
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ex 4123 christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

This application is to be decided at Planning Applications Committee as it has been called in by Cllr Worthington so that the impact on the character and appearance of the area can be assessed and also because of the level of local interest. This is also a resubmission of previous proposals which were also previously decided by the Planning Committee.

1. SUMMARY OF RECOMMENDATION

APPROVE with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is within the residential area of Birchall and within the development boundary of Leek (as shown in the former Local Plan). It comprises part of the garden of the residential property named Heather Hills which lies on the north side of Birchall Lane, a private road serving approximately 35-40 properties. The existing dwelling is positioned perpendicular to the road with the side elevation facing to the south and the rear elevation facing the application site to the west. The driveway to the existing house is at the south-west corner of the property and crosses the application site towards the rear elevation of the house and leads round to the front of the house (to the east of it).

2.2 To the north and west of the applications site lies "The Moorings", another residential property with spacious grounds and the house itself lying to the north west of the application site and the driveway abutting the western edge of the application site. There are two residential properties to the other side of the road to the south ("Birchall House" and "Minsmere"). The wider area is characterised by detached dwellings of mixed form and design which are served by Birchall Lane and which lie in spacious plots. There is a higher

density of development further to the west off Rivendell Lane. The site slopes downwards towards the road and towards the west side. The site has an area of 762 sq.m.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a resubmission of a proposal for one detached dwelling which has twice previously been refused (following Planning Applications Committee decisions) and dismissed at planning appeals. The most recent of these was for a 3-bedroom bungalow with a dormer window and two bedrooms in the roofspace and a detached garage, refused on 3.11.17 for the following reason:

1. The proposed dwelling, by virtue of its scale and siting in relation to the plot size and proximity to the road would lead to an overcrowded form of development which would be harmful to the open and spacious character and appearance of the immediate surrounding area. The proposed development, by virtue of the engineering and levelling works involved, would also result in a form of development that would harm the character and appearance of the area. The particular design of the dwelling would also not harmonise with the character and appearance of the surrounding built environment. The proximity of the proposed dwelling to the existing dwelling at Heather Hills and the positional relationship between both dwellings would also lead to a form of development which would be harmful to the character and appearance of the area. The proposed development would therefore not comply with Policy DC1 'Design Considerations' of the Council's Core Strategy Development Plan Document (adopted March 2014) which, amongst other things, seeks to ensure that new development respects the site and its surroundings. The proposal would also therefore not be in line with government planning guidance contained in Section 7 'Requiring Good Design' of the National Planning Policy Framework (NPPF).

3.2 The application was dismissed on appeal by the government's Planning Inspectorate on 20.12.18. The Inspector considered the proposal would harm the character and appearance of the area.

3.3 The revised scheme under this new application further reduces the size of the dwelling and removes the detached garage. It would remain with the same dormer bungalow form and design as previous, including a front dormer, three rooflights and front and rear gable projections, off-white render walls and a tiled roof. The scale, height, siting and layout of the dwelling are the main changes. The access and driveway has also been switched from one side of the site to the other.

3.4 The height of the dwelling has been reduced from 6.4 to 5.8 metres and there is one bedroom in the roof (reduced from two) with one further bedroom at ground floor resulting in two bedrooms, one less than previous. The width has been reduced from 12.4 to 11.8 metres. The max depth has been reduced from 9.4 to 8.85 metres. The new dormer window appears to have been enlarged from a 4-light to 5-light window.

3.5 With regard to the siting, the dwelling has been pushed back further into the plot although the tilted orientation to respond to the contours of the slope remains largely the same. The dwelling has also been pushed further away from the west side boundary. The previous dwelling would have been set back a minimum 7.5 metres from the front boundary whereas the new scheme would leave a minimum gap of 13.8 metres. The siting further back of the dwelling and the removal of the garage from the scheme has resulted in more engineering works to the rear of the house but less at the east side in comparison with the previous scheme. Whereas the previous dwelling required extraction up to 1.5 metres deep at the rear, the new scheme would require 2.6 metres deep extraction at the rear (although extraction would be less towards the west where the land also drops). The sectional and site drawings show a stepped retaining wall with planting beds for shrubs on the “step”.

3.6 The planting scheme would also change. There is a more consistent line of new trees along a rebuilt stone wall (0.45m high) alongside the front boundary. There is more tree planting alongside the west side boundary alongside the proposed driveway. The hedge planting along the east side boundary has been retained.

3.7 The application is accompanied by a Design and Access Statement, Arboricultural Report (Nov 2019) and archaeological report (same as in the 2017 submission).

3.7 The application, the details attached to it, including the plans, comments made by residents and the responses of consultees can be found on the Council’s website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=131717>

4. RELEVANT PLANNING HISTORY

4.1 The outline permission for a housing development comprising 18 housing plots off Rivendell Lane and Birchall Lane and which includes two building plots on the Heather Hills property, was granted in 1971 (ref: Leek Urban District application 2551). Most of the plots appear to have been built on. Plots 17 and 18 cover the overall Heather Hills property although only one of the plots (Plot 18) has been built on, comprising the existing dwelling at Heather Hills. The application site for this new application appears to be Plot 17 on the approved 1971 outline plan.

4.2 Since the 1971 approval, there have been four applications to provide dwellings on this plot. The first was submitted in 2016 and was withdrawn (Ref: SMD/2016/0548). The second was for a conventional two-storey 4-bed dwelling and was refused permission in June 2017 following a decision by Members at the Planning Applications Committee and the planning appeal was dismissed (Ref: SMD/2017/0147). The third, for a 3-bed dormer

bungalow was refused at Planning Applications Committee in November 2017 and the appeal for this was also dismissed in December 2018 (SMD/2017/0513). The most recent application for a dwelling on the plot was submitted last year but was withdrawn in August 2019 so that further changes could be undertaken (Ref: SMD/2019/0385), culminating in this current new application.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)
- The Minerals Local Plan (adopted December 1999) Saved Policies 2007
- Staffordshire & Stoke on Trent Joint Waste Core Strategy (adopted March 2013)

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

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5a Leek Area Strategy
H1 New Housing Development
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF)

Chapter 5 – Delivering a Sufficient Supply of Homes

Chapter 12 – Achieving Well Designed Places

Other Relevant Policy Documents

National Planning Policy Guidance (NPPG)

Local Plan Submission Version (February 2018) and weighting

SS1 Development Principles - Moderate
SS1a Presumption in Favour of Sustainable Development - Significant
SS5 Leek Area Strategy - Limited
H1 New Housing Development - Limited
DC1 Design Considerations - Moderate
T1 Development and Sustainable Transport - Moderate

5.3 Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the

Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They will be held on 4th and 5th February. The Inspector will outline the timetable for next steps in the process at the close of the hearings.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.
- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council’s view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight. However, policies that are subject to the February hearing sessions can only be given moderate weight as they are subject to outstanding objections and scrutiny.

6. CONSULTATIONS CARRIED OUT

Neighbour letters	Expiry date for comments: 19.12.2019
Site Notice Posted	Expiry date for comments: 2.1.2020
Press Notice	01.01.2019

6.1 At the time of writing the report, 15 letters of objection had been received. Any further letters will be reported to the Planning Applications Committee Meeting. The concerns primarily relate to the impact on the character and appearance of the area but other points relating to access and impact on residential amenity are also raised. The points raised are as follows:

- House is small and out of keeping with the types of house in the area
- Overcramped form of development as plot is too small
- Harm to the spacious character and appearance of the area
- Design alien and out of keeping with area, including flat-roofed dormer
- Orientation of house out of keeping with area
- Overlooking of other properties
- Inadequate amenity for future residents
- Harm to residential amenities of the adjacent house
- Inadequate access
- Absence of garage out of keeping with area
- Increase in slab level leads to more prominence
- Highway danger
- The access road (Birchall Lane) safety would be compromised due to it being a narrow "Byway Open to All Traffic" (BOAT) with several different users and vehicles and without pavements or lighting and increased traffic using it
- Harm to green road verges
- Damage to the road caused by construction vehicles
- The application fails to address the numerous reasons why the previous applications were declined
- Architecturally the proposal takes no attributes from the surrounding properties
- The archaeological advisor at Staffordshire should be consulted.
- Engineering works should be controlled to reduce the impact on neighbours
- Any new walling should be in keeping with others in the area
- Hardsurfacing should comprise tarmac and cobble edging
- No details are provided for refuse storage
- The swards should be kept clear and unbuilt on.
- Roadways should be kept clear during any works
- Contractors vehicles should be kept within the site and not on the Lane
- The development conflicts with the NPPF
- The original permission granted consent for two houses, but only one larger property was built to account for both properties.

Leek Town Council

6.2 Harmful to the character and appearance of the area. Contrary to policies to H1 and DC1 of the Core Strategy 3, which seek to ensure that all development is well designed and reinforces local distinctiveness by positively contributing to and complementing the special character of the area.

SCC - Highways Authority

6.3 Comments awaited and will be reported at the meeting.

Trees and Landscaping Officer

6.4 Comments awaited and will be reported at the meeting.

Environmental Health

6.5 Comments awaited and will be reported at the meeting.

Severn Trent Water

6.6 No objection.

SMDC Waste Services

6.7 No issues

Staffordshire County Council (Rights of Way Officer)

6.8 The County Council's Definitive Map of Public Rights of Way shows that no public rights of way cross the application site.

Leek Town 25 is a BOAT (Byway open to all traffic) and runs along the track which would give access to the proposed development. It is indicated in the site plan that an access would be created on to the BOAT. Therefore because the BOAT may be affected the applicants will need to contact the Staffordshire Highways Team who are responsible for the management of BOATs in Staffordshire.

7. OFFICER COMMENT

Planning Policy

7.1 The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in

so far as material to the application and to any other material considerations. The Council's Development Plan is formed by the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map/Settlement Boundaries (adopted 1998) which remain in force until the Council's Development Plan Document is adopted.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (the Framework) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in that Framework indicate that development should be restricted.

7.3 The NPPF states that, where local planning authorities cannot demonstrate a 5 year supply of housing land relevant policies are to be regarded as out of date and applications should be considered in the context of the presumption in favour of sustainable development. Given that the Council cannot currently demonstrate a 5 year supply of housing land, policies in the Core Strategy which seek to constrain housing delivery must be regarded as out of date. That is not to say that such policies are no longer relevant nor does it alter the status afforded to these policies being part of the Development Plan. However in such cases the weight attributed to out of date policies is a matter for the decision-maker, but it needs to be balanced against the provisions of the Framework as a whole.

Main Issues

7.4 The key issues for consideration in the assessment of this application are the principle of the development, the impact on the character and appearance of the area, the impact on residential amenity and the impact on highway safety.

Principle of Development

7.5 The site is within a residential area within the development boundary of Leek. The site is also about a mile from the town centre and close to public transport links and therefore the application site can be described as being in a sustainable location. The principle of a new house in this location is therefore acceptable under the Council's Core Strategy and NPPF which seek to provide new housing within the largest settlements (i.e. towns and large villages) and in sustainable locations. However, the acceptance of the proposal is also dependant on its compliance with other policies in the Core

Strategy and other parts of the NPPF (as outlined above in this report) and this is addressed below.

Impact on the character and appearance of the area.

7.6 Policy H1 of the Council's Core Strategy requires that new housing development should be compatible with the character of the surrounding area. Policy DC1 requires all new development to be designed to respect the site and its surroundings in terms of its scale, density, layout, siting, landscaping, character and appearance.

7.7 The previous scheme was refused because it was considered to not harmonise with the character and appearance of the surrounding area contrary to Policy DC1. This was upheld by the Planning Inspectorate at the subsequent appeal against the refusal of permission. The new revised scheme seeks to address the above reason for refusal. The main amendments include the reduction in the scale and height of the dwelling in relation to the previous proposed dwelling, the change in the siting of the dwelling further back into its plot and also the removal of the detached garage from the scheme. The form and style of the dwelling, a dormer bungalow with front and rear gables, remain largely the same.

7.8 The Planning Inspector, in dismissing the appeal against the refusal of the previous dormer bungalow, made the following comments in relation to the impact on the character and appearance of the area as a result of the previous scheme:

7.9 *"The development would occupy much of the plot's width with less space between the built development and the site's boundaries than for other houses in the area. This lack of spaciousness would result in the development appearing cramped and incongruous against the more spacious arrangement of existing properties."*

7.10 *"The proposed dwelling would also be much closer to Birchall Lane than the existing houses within the street....positioned in this way the dwelling would appear overly dominant within the street and harmful to the area's spacious character. Exacerbating this effect would be the wall and hard landscaping to the front of the site in connection with ground excavations required. The soft landscaping proposed would help to lessen the visual harm of these works. Nonetheless the trees proposed would not obscure the wall entirely, nor would they mitigate the visual impact of any vehicles parked on the frontage. As such vehicles parked on the frontage, combined with the wall would be unduly prominent within local views, adding to the harm that I have identified."*

7.11 With regard to the points raised in para 7.9 of this report, these relate to the overcramped nature of the previous scheme, out of keeping with the spacious nature of development in the immediate surrounding area. The new scheme removes the detached garage and therefore leaves a significantly larger gap between the development and the east side boundary. The

dwelling has also been moved away from the west boundary. The size of gap between buildings and the side boundaries is therefore more comparable to other plots in the immediate surrounding area and it is considered the new scheme would not lead to an overcrowded appearance and would not be out of keeping with the nature of development in the immediate area.

7.12 The points raised in para. 7.10 relate more to actual visual impact of development. The new scheme seeks to address these points by setting back the dwelling considerably further away from the road. This new siting, together with the significant further reduction in the width and height of the dwelling, would significantly reduce the visual dominance of the dwelling and therefore would sufficiently avoid harm to the spacious character of the area. The Inspector comments that the impact is exacerbated by the presence of the wall (presumably the retaining wall to the rear) and hard-surfacing to the front. These aspects of the scheme would still remain and would not be reduced in their scope, although it is noted that the wall would be broken up by a step/terrace with soft landscaping/shrub planting. The wall and hardstanding would nevertheless be no less visible from the road than the previous scheme despite the revised tree planting scheme and row of new trees parallel to the road. Details of materials for hardsurfacing and the proposed wall have been included in the application and are considered to be acceptable, reflecting the general character of the surrounding area. By virtue of the new set-back distance, removal of detached garage and the reduction of the height and scale of the dwelling, the overall amended development would not lead to a harmfully prominent visual impact significantly affecting the overall character and appearance of the area.

7.13 With regard to the particular design of the dwelling, this remains the same as the previous dormer bungalow scheme and the Planning Inspector comments *“I find nothing about the design of the bungalow to consider it out of keeping with the form or styles of existing properties”*. The particular style of design of the new scheme would therefore be no less out of keeping than previous although it is noted that the dormer has been widened. This feature would harmonise less with the bungalow than previous and therefore should be amended to the size of the previous.

Impact on Residential Amenity

7.14 The previous scheme was not considered at the appeal to have a harmful impact on the living conditions/residential amenities of surrounding residential properties. The siting further back of the dwelling from the properties opposite (on the other side of the road) and reduction in scale and height would even further reduce the impact on the dwellings opposite, to the south and east. However, as a result, the dwelling would be pushed closer to the rear elevation of the existing dwelling at Heather Hills, although the overall development would be no closer than previous, due to the detached garage in the previous scheme, removed from this new scheme. It is not considered the bungalow would appear harmfully intrusive or dominant to the occupants of Heather Hills as the dwelling would be the height of a conventional single-storey dwelling and would be viewed down a slope, considerably reducing

dominance. With regard to privacy, there would be no primary windows at the upper floor level overlooking directly into Heather Hills and the rooflights on the rear roof-slope are secondary windows which can have obscured glazing inserted into them by way of a planning condition. With respect to the Moorings to the north west of the proposed dwelling would be positioned nearly 40m from this neighbour and therefore at a sufficient distance to ensure that existing privacy levels are maintained.

7.15 Despite the rearward siting, the rear garden for the new dwelling complies with the size standards in the Council's Space About Dwelling Supplementary Planning Guidance.

Other Planning Issues

7.16 A large number of objections were again received from local residents relating to the impact on the character and appearance of the area. This impact has been addressed above. Another concern raised again relates to the impact on the road and highway safety. The previous application was not refused on this basis and the situation with the road remains the same as previous. The scheme provides for a sufficient level off road parking to serve the dwelling. The formal consultation response of the Local Highways Authority will be reported at the Committee meeting.

7.17 There is archaeological potential in the area, as outlined by Staffordshire County Council archaeologists. In the event of planning permission being granted a condition would be added requiring archaeological work to be undertaken before works commence. Moreover matters relating to potential disruption to surrounding residents during the construction works can be addressed by appropriate planning conditions.

8. CONCLUSION & PLANNING BALANCE

8.1 Housing proposals in this sustainable location within the developed area of Leek are acceptable in principle. It is considered that the revised scheme addresses and overcomes the reasons set out by the Planning Inspector when considering the previous planning application. Moreover the resiting of the dwelling does not raise any new concerns such as the impact on residential amenity. This particular revised proposal for one dwelling, based on its layout, scale, height and design and robust tree planting scheme would not harm the open and spacious character and appearance of the area or the amenities of the area in general. The proposal would therefore comply with the Council's Core Strategy and government planning guidance contained in the National Planning Policy Framework.

8.2 The proposal would provide the some limited benefits including one additional dwelling, a contribution to the mix of dwellings (size and type) within the area (particular as this would be a two-bedroom unit) and minor economic benefits (associated with eg. the construction works, Council tax and new homes bonus).

8.3 The Council cannot demonstrate a 5 year supply of housing land. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the Council cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances paragraph 11 of the NPPF requires Local Planning Authorities to approve residential development unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework as a whole; or
- Specific policies in the Framework indicate development should be restricted.

8.4 It has been concluded that there are no significant and demonstrable impacts from the proposal that would outweigh the benefits and there are no other policies within the Framework which suggest that development should be restricted. In these circumstances there is no sustainable reason to refuse the application.

9. RECOMMENDATION

Subject to the comments of the Local Highways Authority, SMDC Trees/Landscaping Officer and Environmental Health Section and subject to alteration of the roof dormer, that the application be APPROVED subject to the following conditions:

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

Reason:-

To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved, including all building, hardsurfacing and boundary wall materials specified for the development, shall be carried out in complete accordance with the submitted plans and specifications as follows:-

**RLM821/4 Revision E
RLM821/6 Revision B
RLM821/8 Revision C
RLM821/12 Revision L**

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason:-

To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

4. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason:-

To protect the amenities of the area and prevent air pollution

5. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:-

To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

6. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk

assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason:-

To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

7. Prior to the first occupation of the development hereby permitted, the parking area shown on the site plan shall be provided and retained for the parking of cars for the lifetime of the development and shall at no time be obstructed or used for outdoor storage purposes.

Reason:-

In the interests of the character and appearance of the area and in the interests of highway safety.

8. The proposed drainage scheme shall be implemented in exact accordance with the drainage details submitted with the planning application before the development is first brought into use.

Reason:-

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A to F and Part 2 Class(es) A to C, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to control the development and so safeguard the visual and residential amenities of the area.

10. Before the commencement of development (including any further site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees to be retained shall be erected in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in Tree Heritage Arboricultural Report reference THR16-114 submitted in support of the application and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the Local Planning Authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

In the interests of the character and appearance of the area.

11. The planting plan shown on RLM Associates “Amended Schematic Proposals” Drg. No. RLM821/12 Rev L, together with the SCC “Standard specification for replacement tree planting in areas of soft landscape” shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:-

In the interests of the character and appearance of the area.

12. No development shall take place other than in accordance with the approved ‘Written Scheme of Investigation for Archaeological Works’ (Archaeological Research Services Ltd 2017) document submitted with the planning application. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation document and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:-

In the interests of the archaeological potential of the site and surrounding area.

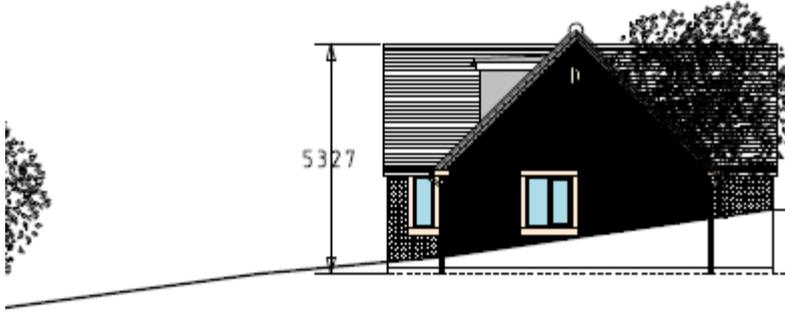
13. The proposed rear windows above ground floor level, facing north-west, as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:-

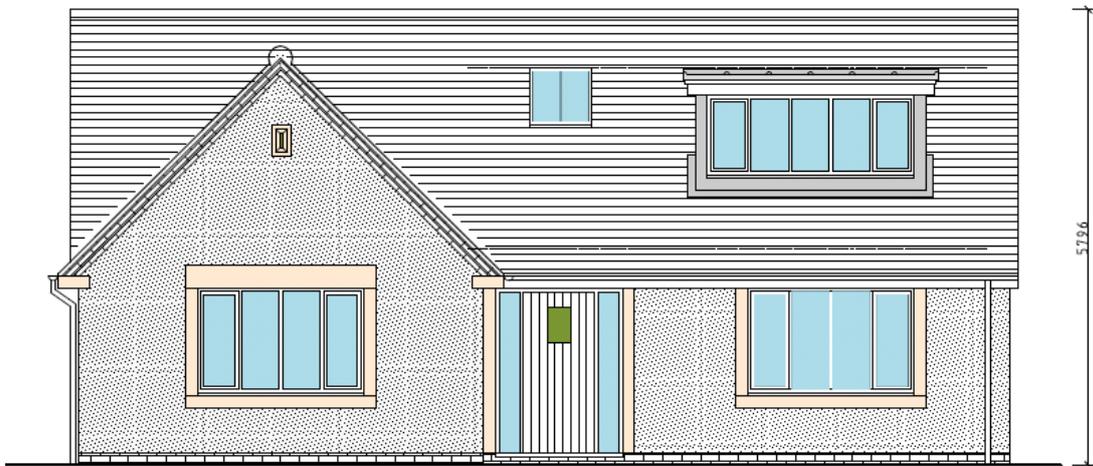
To protect the amenity and living conditions of the adjoining residential property from overlooking or perceived overlooking.

14. Any other conditions recommended by Local Highways Authority, SMDC Tree Officer and Environmental Health.

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 Executive



extent of site from road to rear boundary



FRONT ELEVATION