

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	11th July 2018
Application Number	18/02153/FUL
Site Address	Keynes House The Derry Ashton Keynes SN6 6PW
Proposal	Change of Use of land from Agriculture to a Dog Exercise / Training Area, the Erection of a 1.9 m deer proof fence and the creation of a car parking area
Applicant	Mr & Mrs R Macdonald
Town/Parish Council	ASHTON KEYNES
Electoral Division	MINETY – Cllr Chuck Berry
Grid Ref	404676 193677
Type of application	Full Planning
Case Officer	Michael Akinola

Reason for the application being considered by Committee

Application called in by Councillor Chuck Berry for the consideration of the proposals regarding the location of the development, relationship to adjoining properties with regard to noise and the potential impacts on residential amenity; and potential impacts in respect of visual amenity and highways.

1. Purpose of Report

To consider the above application and to recommend **APPROVAL** subject to conditions

2. Report Summary

The main issues in the consideration of this application are as follows:

- Principle of development
- The scale, design and layout of the proposals and impact on visual amenity
- Impact on the residential amenity
- Impact on highways
- Impact on designated heritage assets

Ashton Keynes Parish Council objects to the proposals. 6 representations of support and 38 objections from members of the public were received.

3. Site Description

The application site is located to the south-west of Ashton Keynes within the conservation area, outside but adjoining the Ashton Keynes settlement boundary. The proposal site is relatively large with approx. 1.50ha plot of land available and with residential properties to either side but with open boundaries to the north. The site is agricultural land and was previously in use for hay production and sheep grazing for local farmers. Deer proof fencing was recently erected at this site.

By vehicular access, the site is reached by the Derrys, a single lane track that runs from west to east following access from the B4696 or the High Road. This access has historically been used to accommodate the movement of residential vehicles, large vehicles and buses and is in a poor state of repair.

The site in question is predominantly flat and relatively open from the north and north east of the site; however from east and west of the site it is moderately obscured by hedges and mature trees. The south of the site is the principle access point and is prominent in views in and out of the site. The site is also partially visible from the south east corner, south from the entrance and south west corner.

Various residential properties are located around the site at varying distances; the south west residents of the Derry 1-15, with the closet No.1, approx. 90m, to the east the closet residence is 160m, to the north 245m; and north-west residence 100m away from the application site.

As stated above the site lies within the Ashton Keynes Conservation Area featuring several listed properties including the Derry (no.5), Ashton House, River wall and bridge and the bridge to garden house and Ashton House all listed.

4. Planning History

18/00214/ENF – Change of use of land to secure dog walking area

5. The Proposal

The proposal is for a change of use of land from agriculture to a dog exercise/training area, to erect a 1.9m deer proof fence and the creation of a car parking area. The application follows submissions to the Council that use of the land for dog walking and exercise had commenced and which prompted an Enforcement Investigation.

The existing open site characteristics would largely be retained as deer proof fencing and the resurfacing of an area of the site with sand and gravel to create car parking spaces to accommodate the visiting customers would constitute the only built elements of the proposals.

The proposal is for a facility to securely train dogs or for general dog walking and exercise. The planning statement identifies that extensive research has been carried out in respect of the proposed use and activities. It goes on to state that though there are available public spaces that can be used for these activities, the site would predominately accommodate dogs with social or behavioural issues and whose owners would rather not let them mix with other dogs.

With regards to waste disposal, the planning statement indicates that provision will be made for users to dispose of mess created by their dogs as they would in a public space.

The site is to be of gated access which will be opened by provision of a code that will be provided to users via a receipt once they have payed online; this is intended to help mitigate the amount of dogs in each paddock as well as the amount of cars driving to and from the site at once through The Derry. The proposed hours of operation were originally 07:00hrs to 21:00hrs Monday to Friday, 08.30hrs to 21:00hrs on weekends and bank holiday but following consultation, including with public protection and highways officers, the applicant has revised the proposed opening times to 07.30hrs to 18:00hrs from Monday to Saturday with no use of the site on Sunday and public holidays.

The existing entrance is off the B4696 and through The Derry that would form the main access into the site, however due to poor nature of The Derry single lane and the regular use by residence it is proposed that vehicles accessing the site would come off the High Road as it represents a shorter journey to the site with less use of the Derry.

6. Planning Policy

National Planning Policy Framework 2012 (NPPF)

Achieving sustainable development – Core Planning Principles (Paragraphs 7, 11, 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18, 19 & 21)

Chapter 3- Supporting a prosperous rural economy (Paragraph 28)

Chapter 4- Promoting Sustainable Transport (Paragraphs 30, 32, 36 & 41)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 58, 65 & 66)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 127, 128, 129, 131, 132 & 137)

Wiltshire Core Strategy (WCS) (Adopted January 2015)

Core Policy 1 - Settlement Strategy

Core Policy 2 - Delivery Strategy

Core Policy 34 - Additional Employment Land

Core Policy 51 - Landscape

Core Policy 57 - Ensuring high quality design and place shaping

Core Policy 58 - Ensuring the Conservation of the Historic Environment

Core Policy 61 - Transport and New Development

Core Policy 62 - Development impacts on the transport network

North Wiltshire Local Plan 2011

NE14 - Trees and the control of new development

NE18 – Noise and Pollution

Ashton Keynes Neighbourhood Plan 2017

INP2- Road and Pedestrian Safety

AMP4 - Car Parking

ENP3 - Enhancing the landscape character of the Parish and retaining the character of the village including the tranquillity of its setting

HCP1- Local character

7. Summary of consultation responses

Ashton Keynes Parish Council:

OBJECT to the application due to a number of reasons;

- The noise generated from dog barking will impact the tranquillity of the conservation area and residents adjacent, especially the proposed opening and closing times of 7am to 9pm Monday to Friday and 8.30am to 9pm on weekends as well as bank holiday all year round.

- The increased level of traffic from the proposed development is unlikely to be served by public transport or encourage walking or cycling and is contrary to the transport guidance and the planning policies. Furthermore, the proposed site lies parallel with a public footpath which could cause users of the footpath further issues.
- The erected fence is contrary to that of the statement made in the application
- The location is not suitable due to close proximity of settlement
- The statement states the users are obligated to clean up after use; but there is no assurance on how waste from dogs will be managed.

Highways:

Initial objection on the basis of the traffic generated from the proposal utilising a road that by virtue of its function in the highway network and its inadequate width and alignment is considered unsuitable to accommodate the increase in traffic from the development.

Following the submission of a Transport Statement Highways Officers withdrew their objection subject to the use of the site being conditioned in respect of hours and method of operation.

Conservation Officer:

No Objections.

Public Protection/Environmental Health:

Approve subject to a number of conditions;

- The opening and closing hours will be between 07:30hrs to 18:00hrs Monday to Saturday with no opening hours on Sunday or public holiday
- The maximum amount of dogs in one paddock at a time should be 2
- Dogs should be supervised at all times by its owner
- Noise management plan detailing how the applicant will mitigate dog barking noise and how noise complaints as the result of this barking will be dealt with, would need to be agreed in writing with the local planning authority within 30 days of approval of the application
- There would be no erection of external lighting installed on site.
- Temporary permission of between a 12 to 18 months trial run to assess the suitability of the site and potential for complaint.

8. Publicity

The application was advertised by neighbour letters, Parish council notification and site notice. This generated 38 letters of objection and 6 letters of support. A summary of the representations is set out below:

Objections

Noise – impact of constant dog barking will affect tranquillity of the Conservation area especially proposed opening and closing time.

Necessity of Developments – Majority of comments online suggest there isn't a need for this type of development in this area especially when there is one nearby in Ashton Rd, Leigh.

Location – Within the village boundary is not a suitable place for such a business. They suggest there are two other dog exercise fields within three miles and both are located away from residential areas. They also question the need for a third field within the vicinity.

Impact on Traffic – The Derry is a narrow lane used by residents, it's already in a poor state and additional number of car movements could see traffic increase by up to circa 1,100 per week.

Visual Impact – the site is visible from public view; the fencing already erected can be seen. These views are important as the existing agricultural land forms important vistas that are intrinsic to the village character.

Support

Dog safety – some of the dogs in the area are rescued, it's a great idea for dogs with behavioural issues to walk/run freely without running with others dogs.

Dog theft – there has been an increase in amount of dogs being stolen whilst people are out on walks, it's why it would be a good idea...a secure and safe field.

Impact on waste – usually left around pavements or public fields, the proposed training area will have an impact on the way dog faeces are disposed.

9. Planning Considerations

Policy and principle of development

Under the provisions of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006) and the Ashton Keynes Neighbourhood Plan (AKNP) (made May 2017).

The site is located outside of but adjoining the defined settlement boundary for the village and is not allocated for any specific use. The adopted development plan documents contain no specific policy expressly dealing with this type of land use in this location. The proposal is a commercial facility and therefore can be considered in terms of rural employment policies at national and local level. CP34 of the WCS and paras 18, 19, 21 & 28 of the NPPF are of relevance. CP34 and para 28 of the NPPF support such proposals subject to a range of criteria and site specific policies. In this instance the proposal is considered to meet a number of objectives in terms of local employment and rural diversification whilst relating to a site situated in close proximity to a large village. The proposals themselves will generate local income and provide for a local community service. Whilst not of large scale and significance in employment and economic terms there are some benefits and a broad level of compatibility with national aims and objectives for rural employment and diversification such that it is not considered appropriate and defensible to refuse the application on the basis of an in principle conflict with the development plan and local and national policies.

In this context it is noted that the need for the development is disputed, however it is a well-established principle that Local Planning Authorities should not refuse applications purely on the grounds that they consider that there is no need for development. Commercial considerations are a matter for the applicants and developers, and the markets will determine the success and delivery of proposed development. As is noted above the applicant has undertaken their own research into this matter and do consider that there is a need and demand for this form of commercial operation.

It is therefore considered that the proposals are not in conflict with the development plan in principle such that consent ought to be refused on this basis and it is therefore necessary to consider the site specific impacts of development and compliance with other development plan policies. This is addressed under subject specific headings below.

Impact on visual amenity and the character and appearance of the locality

Core Policy 57 requires that proposed development must relate positively to the landscape setting and existing pattern of development in terms of building layouts, built form, height, mass, scale, building line, plot size, etc in order to effectively integrate into its setting. Development must also make efficient use of land whilst taking into account of the characteristics of the site and local context to deliver appropriate development which relates effectively to the immediate setting and the wider character of the area. Core Policy 51 requires that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. AKNP Policy ENP3 requires that development in the Parish should protect, conserve and where possible enhance landscape character. These policy requirements reflect and accord with the relevant paras of the NPPF including para 17.

Submitted representations identify that the proposal site is visible and if a change of use was granted, the existing agricultural land, which forms important vistas for the village, would be lost and as a result would impact the visual character of the locality.

The proposal site will feature approximately 4 car parking spaces with a mixture of sand and gravel surface partially shielded by mature trees to the south alongside the deer proof fencing and the activity of individuals on site with their dogs. The existing landscape features and mature trees will partially mitigate the visual impact of the parking area fencing and use of the site, as these features significantly reduce views into the site. When viewed from the adjacent highway and surrounding residential development the proposed development is not considered to result in any significant adverse impact on the character and appearance of the locality such that consent should and could defensibly be refused on this basis.

A number of Objectors have made specific reference to the erection of the deer proof fence and its impact on visual amenity of the surrounding neighbours. Objectors have referenced the Ashton Keynes Neighbour Plan 2015 policy ENP3; however, given the already erected fence falls under permitted development rights which states that fences should be no more than 2m in height for it to be classed as permitted development it is not considered that this constitutes a sound and defensible basis for a refusal. In addition the fencing is not entirely unusual in this type of locations and not so out of character as to be considered harmful and in conflict with policies for the protection of landscape character and appearance.

Furthermore, when considering the minor alterations made, the site would largely still be viewed and perceived as an open green space and it is considered that the development on site and the use of the site would not have an adverse impact on the visual amenity of the neighbours that is significant enough to warrant refusal.

Core Policy 51 states that any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. It is considered that the limited impact of development could be further mitigated by some limited planting and landscaping to augment existing boundaries and features. This matter can be addressed via the use of condition. In addition conditions are proposed to control the use of lighting on site which further reduces visual impact of the proposals.

The proposal is therefore considered to be in accordance with Core Policies 51, 57 and AKNP Policy ENP3 and thereby also meets the relevant provisions of CP34.

Residential amenity

Core Policy 57 and NPPF para 17 seek to ensure that proposed development has regard to the compatibility of development with adjoining buildings and uses, alongside minimising the

impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development. This includes consideration of privacy, overshadowing, vibration and pollution (e.g light intrusion, noise, smoke, fumes, effluent, waste or litter).

The nearest residential properties are built around the site of varying distances from the site; the south west residents are The Derry 1-15, with the closet No.1, approx. 90m, the east residents is 160m, the north residents 245m and north-west residence 100m away from the proposed site.

The application has generated 38 letters of objections and 6 letters of supports, and there is clearly a degree of local concern as to the impact of development particularly in relation to noise. This is to a certain extent reflected in the consultation response of the council's public protection department. Objectors have raised concerns relating to noise pollution generated from dog barking and additional noise such as whistles from dog owners.

The Council's public protection officers have proposed a suite of conditions aimed at mitigating concerns in respect of noise and harm to residential amenities. These include in respect of hours of operation. The original proposal was 07:00 to 21:00 Monday to Friday and the operation hours 08:30 to 21:00 on weekends as well as public holidays. Following consultation a revision was proposed to 07:30 to 18:00 Monday to Saturday with no opening on Sunday and bank holiday. This is agreed by the applicant.

The proposed number of dogs in one paddock was originally 5, however public protection officers suggested the maximum amount of dogs in one paddock at any one time should be limited to 2 and these dogs should be supervised at all times by their owners. Furthermore, Officers requested a noise management plan detailing how the applicant will mitigate dog barking noise and how noise complaints as the result of this dog barking will be dealt with, and it was suggested that this would also need to be agreed in writing with the local planning authority within 30 days of approval of the application. Conditions are proposed in this respect and are agreed by the applicant.

Additionally officers recommended that no erection of external lighting should be installed on site meaning during winter months as a result of shorter days and as hours of operation were likely to be significantly shorter without such provision, which was consider to be intrusive and a potential cause of disturbance to neighbouring properties and residential amenities.

Finally, and of most importance Officers proposed that the application be limited to a temporary period to assess the impact of development. The suggestion of between 12 to 18 months as a trial run to assess the suitability of the site was made. This approach is considered appropriate and in accordance with the national guidance on the use of conditions. The applicant has agreed to a 12 month period of test operation and a condition is proposed in this respect.

Given this suite of conditions and in particular the temporary test period for consent it is considered that potential impacts to residential amenity are capable of being sufficiently mitigated such that conflict with relevant plan policies is not so significant as to warrant refusal at this stage.

Impact on Highways

Core Policy 61 requires that proposed developments are capable of being served by safe access to the highway network and that new development should be located and designed to reduce the need to travel particularly by private car. Core Policy 62 stipulates that developments should provide appropriate mitigating measures to offset any adverse impacts

on the transport network at both the construction and operational stages. AKNP Policy INP2 Road and Pedestrian Safety states that development proposals that lead to an increase in road and pedestrian safety risk will not be supported.

The majority of the objections received from the public and residents placed emphasis on the proposals' adverse impact on the single lane track of the Derry, which is utilised frequently by the residents. Highways officers initially raised objection to the proposed development due to the impact to the Derry given the potential increase in vehicle movements and the form and nature of the lane.

The AKNP identifies that there are congestion issues within the village, specifically at peak times around school drop off and pick up times and this is also evident to officers through site visits to the Ashton Keynes village.

On this basis, a site visit was suggested by the agent and highways officers to assess matters and consider how the proposed development could avoid creating additional impact to the narrow lane of the Derry. Following their meeting, the submission of a transport statement was made.

The transport statement issued demonstrated how the impact of the proposed development in highways terms could be mitigated, including:

- Max of 10 slots per day per paddock
- 50mins slots at a time and booking for second paddock will resume 30 mins after
- On this basis, there would be one car per paddock with 10mins period to enable previous users to leave.
- The reduction to 20 cars a day and shorter hours of operation in winter of 08.00hrs – 16:00hrs will result in less impact to the Derry.
- The direction to the site will also be changed from the west (B4696) to the east (High Road) to reduce travel time from the Derry to 265m from 330m avoiding houses on the west that use the road frequently.
- To implement this action the pre-booking information will state what road to use on the receipt and a sign would be mounted on site stipulating vehicles can only turn left to eastern route out of the Derry.

Subsequently after the submission and consideration of the transport statement highways officers withdrew their objections and are now in position to support the application, subject to the use of the site being conditioned along the lines of the proposed hours and method of operation found within the above bullet points. Officers considered that the staggering of time slots would significantly reduce the impact the proposal would cause on the Derry, as there would only be one car exiting at a time. Furthermore, the majority of the residents using the Derry are heading to the west of the site where the majority of residential properties are located. By changing the direction of exit to the east, the users of the site would avoid homes or creating additional traffic within the western area. Consequently Officers consider that the impact of the proposals on the highways network could not be assessed as severe in cumulative impact terms and therefore not in conflict with para 34 of the NPPF and CP61 of the WCS.

Therefore the proposal is considered not to have a significant detrimental impact on highway safety in accordance with Core Policies 61 and 62 and AKNP Policy INP2.

Impact on the historic character and appearance of the Ashton Keynes Conservation Area

Core Policy 58 states that development should protect, conserve and enhance where possible the historic environment, including the special character and appearance of Conservation Areas. In addition, Core Policy 57 requires proposals to be sympathetic to and conserve historic buildings and landscapes. AKNP Policy HCP1 details that styles, proportions, materials and finishes used for new build and conversions of both residential and commercial properties must be in harmony with their surroundings, in particular when these are in close proximity to Listed Buildings and Scheduled Monuments.

The proposal site is within the Ashton Keynes Conservation Area which features a number of listed buildings some within the locality of the site. The nearest Listed Buildings are however a significant distance from the proposal site, with the nearest being 162m to the north east and 178m to the South West.

In regards to the conservation area of Ashton Keynes the existing hedge and mature trees already provides a degree of screening and because the built structures associated with the development are modest in scale it is not considered to significantly impact the setting of the Conservation Area or the setting of the listed buildings in the locality. Similarly the use of the site itself is not considered to result in harm to the setting of designated heritage assets given existing site characteristics including mature vegetation and the use of conditions for additional landscaping and planting.

The Council's Senior Conservation Officer was consulted and has raised no objection to the proposed development and identified no harm to designated heritage assets.

As noted above the site is subject to a degree of screening by existing vegetation and it is proposed to utilise conditions to augment this situation through additional landscaping and planting. Similarly conditions are proposed in respect of lighting and hours of operation.

On this basis it is not considered that the proposed development and land use activity will have any harmful impact on the setting of the Conservation Area or setting of nearby listed buildings and is in accordance with Core Policies 57, 58 WCS and AKNP Policy HCP1.

Other matters

The application site is subject of some constraints in respect of drainage however given the nature and form of the proposals, including very limited built structures, it is not considered that there would be any significant impact in this respect.

With respect to on site waste the proposals include a statement as to approach but it is considered reasonable and necessary to seek further details for agreement in this respect. This matter can be satisfactorily addressed by condition.

10. Conclusion (The Planning Balance)

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise as do paragraphs 2, 11 and 196 of the NPPF

The proposal site is outside but directly adjoining the defined settlement boundary of the large village of Ashton Keynes but is located within the village conservation area. The site is not allocated for any form of development in the adopted development plan documents. There are no specific policies dealing with the proposed use of land for dog walking proposals. The proposed development is a commercial scheme in a rural location and so falls to be considered as an employment/rural diversification type of land use proposal. NPPF guidance in particular para 28 is supportive of proposals of this nature. CP34 WCS provides some level of support for new employment related uses. The proposal will result in

some level of local benefits. It is also inappropriate to refuse applications for development solely on the basis of an assertion that the development is not required. As such it is not considered that the scheme could defensibly be refused as unacceptable and in conflict with the development plan in principle.

Site specific impacts in terms of visual amenity, character and appearance of the area and harm to designated heritage assets are considered to be very limited given the nature of the proposals incorporating limited built development; and given the nature and existing characteristics of the site. The limited impacts in these respects are readily capable of mitigation through the use of conditions and it is considered unreasonable and indefensible to refuse the proposals on these grounds given this context.

With respect to impact to residential amenities, especially in terms of noise, a suite of conditions are proposed which are considered to mitigate the potential for significant harm to arise such that consent can be recommended. In this respect the proposed temporary nature of the consent in order to test the impact of the proposals is particularly relevant and is in direct accord with national guidance as to the appropriate approach in such circumstances.

Regarding traffic generation and impact to the highway network submissions have been made including proposals for mitigation which have been assessed and considered by Highways officers in the context of the site circumstances. Subject to conditions requiring the implementation of these mitigation measures officers raise no objection and consider the impacts to be significantly reduced. Given these provisions it is not considered that the proposals would result in a severe cumulative impact such that there is conflict with national guidance and development plan policy and that consent ought to be refused on this basis.

As such it is considered that the proposal is acceptable in planning terms and in accordance with the provisions of the Wiltshire Core Strategy, Ashton Keynes Neighbourhood Plan and the NPPF.

11. Recommendation

Planning Permission is 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 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: KCC 1, KCC 2 and KCC 3 [Received on the 13th of March 2018]

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 The use hereby permitted shall not commence until a Noise Management Plan detailing how the applicant will mitigate dog barking noise and how noise complaints as the result of this barking will be dealt with has been submitted to and agreed in writing with the local planning authority. The development hereby approved shall be implemented and operated in accordance with the approved details thereafter.

REASON: In the interest of residential amenity

- 4 That the Dog exercise/training facility operating hours shall be limited to 07:30 to 18:00 hrs Monday to Saturdays with no operations on Sunday and public holidays and in winter operations hours shall be limited to 08:00 to 16:00 hrs Monday to Saturday with no operations hours on Sunday and public holidays

REASON: In the interests of Residential Amenity

- 5 The maximum amount of dogs in one paddock at a time shall be limited to 2 Dogs and these dogs shall be supervised at all times by their owners.

REASON: In the interests of Residential Amenity.

- 6 There shall be no erection of external lighting installed on site without the prior consent of the Local Planning Authority.

REASON: In the interests of Residential Amenity and the character and appearance of the locality.

- 7 The change use from agriculture to dog exercising facility hereby permitted shall be discontinued and the land restored to its former condition on or before [11th of July 2019] in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority prior to that date.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building/use for which permission can be justified only on the basis of a special temporary need.

- 8 The development shall be carried out as specified in the approved Transport statement KCC2531 prepared by Kernon Countryside Consultants Limited dated 21st June 2018.

REASON: In the interests of highway safety and impact.

- 9 Prior to the development first being brought into use a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- car park layouts;
- all hard and soft surfacing materials;
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing

important landscape features.

- 10 The development hereby permitted shall not be brought into use until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

- 11 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 12 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

- 13 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 14 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.