

<b>Date of Meeting</b>	31st January 2019
<b>Application Number</b>	18/07283/FUL
<b>Site Address</b>	Land at St Marys Close, Potterne, Wiltshire
<b>Proposal</b>	Demolition of garage blocks and erection of a pair of semi-detached dwellings along with the provision of new parking spaces
<b>Applicant</b>	Aster Group
<b>Town/Parish Council</b>	POTTERNE
<b>Electoral Division</b>	Bromham, Rowde and Potterne – Councillor Richard Gamble
<b>Grid Ref</b>	399843 158762
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Morgan Jones

### Reason for the application being considered by Committee

In accordance with the Council's 'Scheme of Delegation Specific to Planning', this application is brought to committee at the request of Councillor Richard Gamble due to the potential impact of the proposed development on existing car parking spaces.

### 1. Purpose of Report

To assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation to grant planning permission.

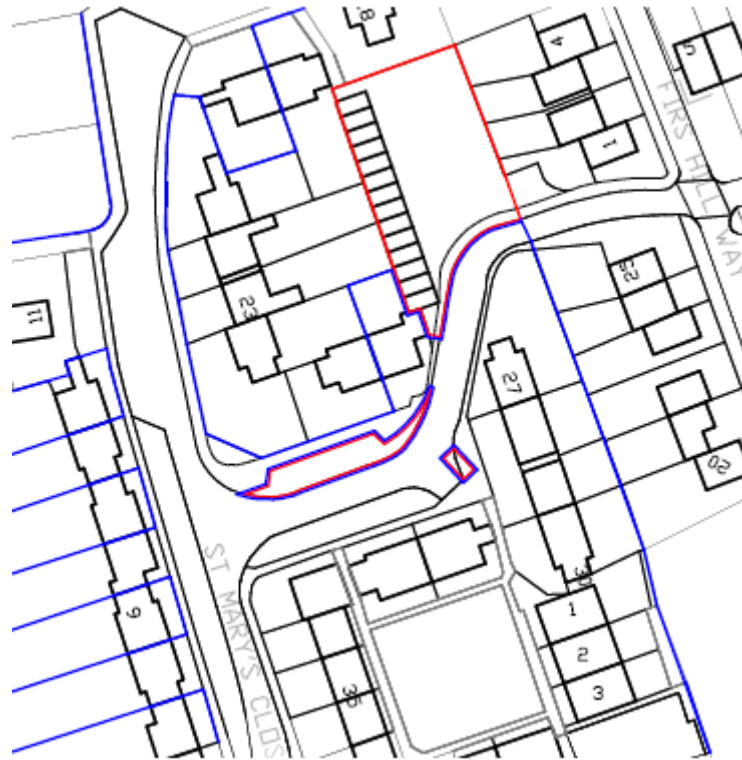
The key issues for consideration are:

- Principle of development;
- Density, design and impact on highway & pedestrian safety;
- Impact on residential amenity.

### 2. Site Description

The application site comprises a 776m<sup>2</sup> area of land within the ownership of Aster Group, which is used for car parking. The site is located to the north-east side of Potterne, within St Mary's Close. There is a block of 12 garages, 2 storage units on the site and 9 open parking spaces. The Planning Statement (dated July 2018) submitted in support of the application explains only 7 of the 12 garages are let to local residents and that the parking spaces are used on an ad hoc basis. The parking spaces are made available to Aster residents.

The application site, as amended, also includes a grassed verge within the applicant's ownership, adjacent to the highway which leads to the existing car parking area. The entire site is defined in red on the location plan shown below:



**Location Plan**

### **3. The Proposal**

The application seeks full planning permission to redevelop the site, which would involve the demolition of the existing block of garages in order to allow for the erection of a pair of semi-detached dwellings with car parking. The scheme as originally submitted proposed a total of 12 car parking spaces - 4 for the new dwellings and 8 to be used by existing Aster residents surrounding the site.

The application was amended on the 8<sup>th</sup> November 2018 through the submission of the following amended plans:

- Drawing ref. BDS-10-18 (Topographical Survey), received 08.11.18;
- Drawing ref. P1\_1761plan6.dwg (Proposed Plans & Elevations), received 08.11.18;
- Drawing ref. Site Loc 1761plan5.dwg (Site Location Plan), received 08.11.18.

The applicant's agent provided the following information in support of the revised scheme:

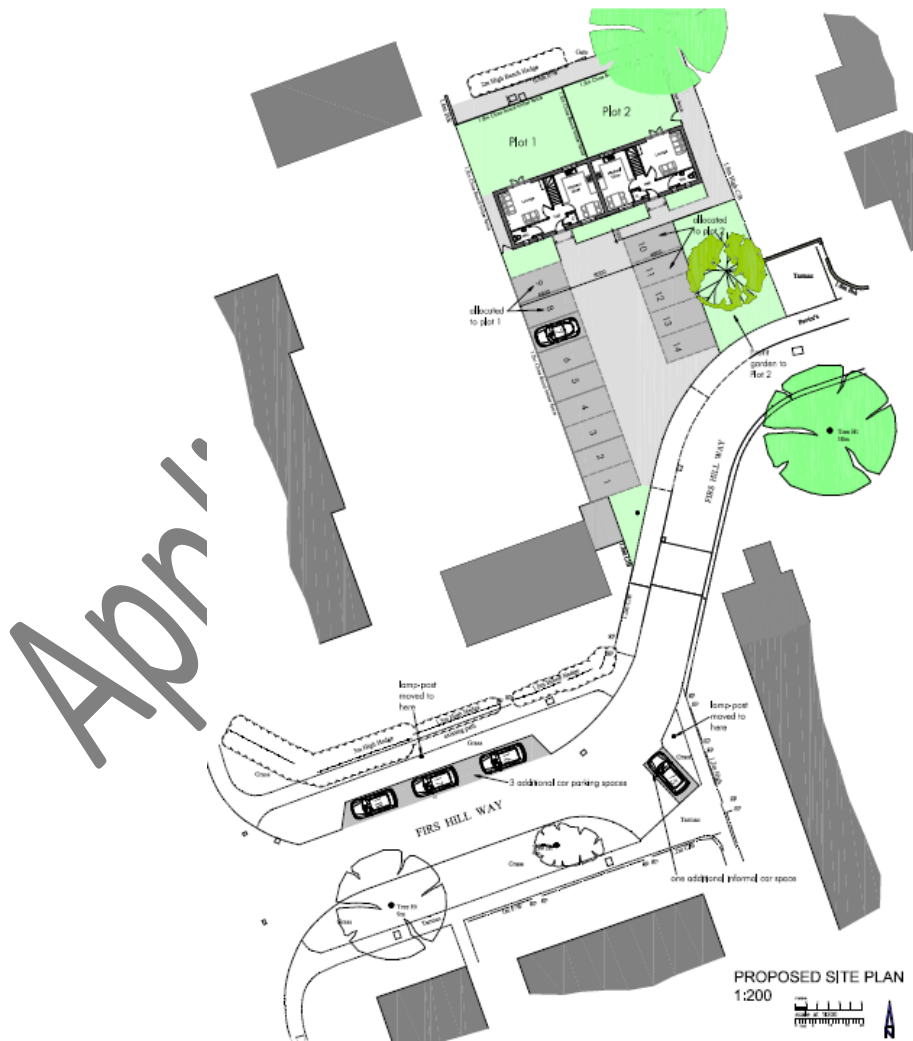
- The number of garages rented out is now 4 (previously 7 of the 12 garages) which results in 8 of the 12 garages being vacant at the site and only 4 displaced parking spaces as a result of the proposed scheme.
- The revised scheme proposes the creation of 16 spaces within the application site (the additional spaces have been created by a reorganisation of the layout of the parking area and the proposed dwellings) and the creation of 4 new spaces on land within Aster's ownership outside of the original application site. The 4 new spaces outside of the site have been created by extending an existing parking bay and creating a new parallel parking bay within an overly large grass verge. This results in a total of 20 spaces to meet the demand for 17 displaced spaces (4 rented garages,

- 4 spaces for the new houses and 9 parking spaces). This is a net gain of 3 spaces.
- The revised plans include a new planning design drawing showing the units at different heights to respond to the topography, with specific Finished Floor Levels marked on the ground floor plan.
- The revised scheme shows the boundary treatments around the shared boundary of the site - the site layout plan shows 1.8m close boarded fencing.
- It is confirmed that the scheme does not involve any works to the landscaping along the northern boundary of the site, apart from the trimming back of the neighbour's hedge where it has encroached onto the site.

The application was amended for the final time on the 19<sup>th</sup> December 2018 through the submission of the following amended plan:

- Drawing ref. P1\_1761plan7.dwg (Proposed Plans & Elevations), received 19.12.18;

The revised scheme removes two parking spaces from the former proposal in response to comments made by the Council's Highways Development Control Engineer. The final proposal is for a total of 18 spaces to meet the demand for 17 spaces (4 rented garages, 4 spaces for the new houses and 9 open parking spaces). This is a net gain of 1 space.



**Proposed Site Plan**

#### 4. Planning Policy

The **National Planning Policy Framework (NPPF) (2018)** with particular regard to Chapters 4 'Decision-Making', 5 'Delivering a sufficient supply of homes', 9 'Promoting Sustainable Transport', 11 'Making Effective Use of Land', 12 'Achieving Well-Designed Places', 15 'Conserving & Enhancing the Natural Environment', and 16 'Conserving & Enhancing the Historic Environment'.

The adopted **Wiltshire Core Strategy** with particular regard to: Core Policy 1 Settlement Strategy; Core Policy 2 Delivery Strategy; Core Policy 12 Spatial Strategy: Devizes Community Area; Core Policy 50 Biodiversity & Geodiversity; Core Policy 57 Ensuring High Quality Design and Place Shaping, Core Policy 60 Sustainable Transport, and Core Policy 61 Transport and New Development.

The made **Potterne Neighbourhood Plan** (made January 2017) with particular regard to General Policy PNP1 and Housing Policy PNP6.

**Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy** (March 2011).

#### 5. Consultations

**Wessex Water** – No objection.

Wessex Water has advised that there are existing water mains and sewers within the area (but not within the application site); however, new water supply and waste water connections will be required from Wessex Water to serve the proposed development. Furthermore, separate systems of drainage will be required to serve the proposed development. The foul sewage will be disposed of via the main sewer. No surface water connections will be permitted to the foul sewer system. The application, however, advises that the surface water will be disposed of via soakway which is acceptable to Wessex Water but will need to be approved by the Lead Local Flood Authority. This can be secured at a later date via a condition should planning permission be granted.

**Wiltshire Council Highways** (the highway authority) – No objection to the amended scheme, subject to a condition to secure the access and parking spaces prior to the occupation of the new dwellings.

**Potterne Parish Council** – “unanimously objects to this application for the following reasons:-

- The Application does not comply with para 83(d) of the NPPF because it would constitute the loss of a very important open space in an area of high density housing.
- The Council does not accept the claim (para 5.25 of the Planning Statement) that the loss of the garage blocks “will not give rise to an adverse impact upon parking provision in the area”. It believes it would, in fact, constitute a significant loss of valuable parking space in an area already seriously short of parking facilities. We are told by local residents that (contrary to para 5.25 of the Planning Statement) there is in fact no lack of take-up of the garaging on the Site and that it is well-used; its loss would mean yet more dangerous parking on pavements/grass verges, and friction in the community as people compete for parking. There is already inadequate disabled parking for the increasingly-elderly population of St Mary's Close and for their carers, who visit residents several times a day.

- Parking in Potterne as a whole has long been a serious problem (74.44% of the parishioners responding to the pre-NDP questionnaire in 2015 thought it was a 'very important' issue, and the situation has deteriorated since 2015). St Mary's Close has already lost a significant amount of its parking when St Mary's House was demolished (along with its garages and parking) for the development of Mead Close.
- Access to the area by the emergency services and amenity vehicles is difficult enough already; if Permission were to be granted then the inevitable increase in on-street parking would raise serious safety issues. The Council is of the view that this would unquestionably have an unacceptable impact on highway safety and that the cumulative impact on the road network would be severe. Permission should therefore be refused pursuant to para 109 of the NPPF.
- The proposed development does not comply with the Potterne Neighbourhood Development Plan.
- There is very strong local opposition to the Application, and residents St Mary's Close have held several public meetings to discuss how they can best prevent this development; indeed 12 of them attended the Parish Council Meeting to voice their opposition, and we understand that a petition/letter signed by 103 residents opposing the Application has been sent to Wiltshire Council."

**Potterne Parish Council** also "unanimously objects in the strongest terms to the amended plans ("the Amendments") put forward by Aster Group in respect of this proposed development:

1. The Amendment fails to address any of the points made in PPC's earlier Objection Notice or those of the large (over 100) number of members of the community who had taken the trouble to send in their objections – indeed the Amendment professes to address only the concerns raised by the Highways Officer. PPC's Objection Notice was unanimously reconfirmed last night, both in respect of the original Application and also the Amendments, but should now be read in conjunction with this email.
2. The Potterne NDP already deals (Allocation Sites A3 and A4) with any future development in the St Marys Close area so Aster's Application would (if approved) have a major adverse effect on the NDP because when added to the two NDP Allocation Sites it would make what is already a densely-developed area of the village into one that would be extremely over-developed. For that reason alone, the Application should be refused.
3. The Amendments include the creation of 4 new parking spaces in Firs Hill Way, to be carved out of existing grass verges. In the view of PPC these would be wholly impractical, for several reasons: manoeuvring to park there would be dangerous and difficult as the spaces would be positioned close to a blind bend round which vehicles tend to drive fast; it would destroy more green land and an area where children play; it would create a danger to such children; and it would mean relocating 2 streetlights. The reality therefore is that the Amendments do not properly or satisfactorily address the severe parking problems faced by the local community, but rather exacerbates them by providing only 16 spaces as against the 21 currently available.
4. It was noted that Potterne is by no means unique in facing an application by Aster to build over one of its car parks – it seems to be part of a general policy: Market Lavington (14/08830, 15/08292 and 16/00857), West Lavington (18/04209) and

Collingbourne Ducis (18/08304) have also been targeted, each application strongly opposed by the local parish council and the local community – generally on the same grounds as apply to Potterne (loss of scarce parking, loss of open space etc). Other car parks built on by Aster include Devizes (14/08967) and Rowde (16/05408). In the view of PPC parking areas such as the Site in question are assets of community value which further the social well-being and social interests of the local community and which should not be removed or diminished. In that context concern was expressed at the repeated reference to the Site being “a private parking area, the benefit of which could be removed at any time”. Aster is a not-for-profit Industrial & Provident Society whose principal object is (according to its website) to carry on business for the benefit of the community.

5. Various members of the community in the St Marys Close area have informed PPC that they dispute Aster’s suggestion that if a garage is vacant or unused then that means it is not required: we are told that the main reason a garage is unused is because rents have been raised to make them unaffordable to most members of the community; also at least one applicant claims to have been told no garages are available. PPC notes that this point has also been made by other communities referred to in para 4 above.

Should Wiltshire Council be minded to grant permission, Potterne Parish Council on behalf of the village will feel very let down by the total disregard of its Neighbourhood Plan, together with the overwhelming objections by the many that will be affected, and would expect there to be imposed a condition under section 106 TCPA 1990 that Aster permanently endows PPC with all 20 parking spaces for the benefit of the community in Potterne”.

## **6. Publicity**

The application has been publicised via site notices and letters sent to properties within close proximity of the site. As a result of the publicity, eighteen letters (excluding two duplicates) have been received objecting to the application on the following grounds:

- Aster has not informed local residents and users of the garages of their proposal for the site;
- The existing car park and garages are well used by local residents;
- The development will result in the displacement of parking spaces to the detriment of highway safety;
- There will be nowhere to park if the garages are demolished;
- Cars will be forced to try and park on the already congested streets and laybys within the estate;
- Parking is already a problem within the estate and the development will compound this problem;
- The proposed eight parking spaces for community use is not enough give the current parking usage of the site and the proposed loss of garage parking;
- The existing parking spaces will all be unavailable during the construction period;
- St Mary’s Close is narrow, only allowing parking on one side of the road. This leaves a narrow space which is insufficient for the safe passage of larger vehicles such as refuse trucks and, more importantly, the emergency services.
- Over congested streets may block access for emergency vehicles;
- The exit road from the A360 has become dangerous due to the number of cars parked on the site of the road and this will be made worse by the development;
- Vehicles drive at an excessive speed on the roads approaching the site;
- There is a significant volume of traffic throughout the day and evening, and some of it is going faster than is safe in an environment where children and older people live;

- The garages are not rented to full capacity but this is probably down to the high rent increase Aster has put on them;
- Children would be forced to cross roads between parked vehicles;
- Access by carers and doctors to an ageing and already aged population in the area would be adversely affected;
- The day to day activities / living space of both properties will result in noise pollution to the detriment of the existing peaceful environment enjoyed by the residents of the property to the rear of the site;
- The development will harm the open outlook of the property to the rear and create a sense of enclosure due to the proposed dwellings;
- There could be a degree of overshadowing from the proposed properties;
- The dwelling to the rear of the site half is a meter lower than the level of the site which means the proposed dwellings could prove to be more over-bearing/dominant, affecting the level of daylight;
- These two houses will add to the overcrowding of this area and the impact on the residence with more houses being built in an area that is overcrowded;
- The development will increase the friction and decrease the quality of relationships between neighbours when residents need to jostle for parking spaces.
- We need further information on the details of the demolition of the garages. Our rear wall of our garden forms part of these garages, so how are you proposing to ensure our boundary continues to be private?
- The landscape of our garden will need to greatly change due to the re-rooting of well-established plants, some of which are growing across the wall itself;
- The proposed dwellings may overlook neighbouring gardens.

The letters of objection primarily relate to the impact of the proposed development on highway safety. One of the letters of objection, on the grounds of highway safety and impact on neighbour amenity, requests that the Local Planning Authority considers the following conditions should it be minded to grant planning permission:

1. The protection of the Willow Tree on the northern boundary of the site;
2. The submission and approval of a construction management plan;
3. The removal of permitted development rights to prevent the alteration or extension of the proposed dwellings;
4. Confirmation of the type and height of new boundary treatments;
5. The provision of the new parking spaces before the occupation of the dwellings;
6. The transfer of the parking spaces to the Highways Authority, who would then be responsible for future maintenance and management of the parking area.

A petition has been received with 103 signatures, objecting to the proposed development. The document does not provide the addresses of the signatories or any reasons for the objection but it is assumed the grounds of objection are the same as the points highlighted above.

A re-consultation exercise was carried out following the submission of revised plans on the 8<sup>th</sup> November 2018. As a result of the publicity, four letters have been received objecting to the revised scheme on the following grounds:

- Parking space 18, 19 & 20 will result in the loss of an open green amenity area and will pose a danger to highway and pedestrian safety;
- Parking space 18, 19 & 20 will prevent adjacent properties from installing off-street parking spaces;
- The safety of the estate would surely decline with increasing traffic;

- The perceived lack of demand for the garages is in part due to the high rent and it is felt that the applicant has been disingenuous;
- The car parking spaces within the car park could be at risk at not being made available to the public, or not created by the new land owner;
- The height of the dwellings will result in a loss of light to neighbouring properties;
- The proposed two dwellings would risk unbalancing this site and community, leading to a more pressurised environment;
- The existing mature wall flowers/landscaping would be damaged with the removal of the wall which forms the west boundary of the site. We purchased the house with a rear wall, and feel this should at least be replaced like for like.

## **7. Planning Considerations**

### **7.1 Principle of Development**

The local development plan document is made up of the Wiltshire Core Strategy (WCS) (adopted January 2015) and the Potterne Neighbourhood Plan (PNP) (made January 2017). In the interest of promoting sustainable development and the protection of the countryside, the policies of the local development plan seek to restrict all new residential development to locations within the Limits of Development / Settlement Boundary defined for the towns and villages. The site lies within the Settlement Boundary defined for Potterne, as delineated on the map 'New Potterne Settlement Boundary' within Appendix E of the PNP.

The WCS includes a settlement strategy and identifies Potterne as a Large Village. Core Policy 1 'Settlement Strategy' and Core Policy 2 'Delivery Strategy' outline that there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns, Local Service Centres and Large Villages. Furthermore, General Policy PNP1 of the PNP supports new residential development within the settlement boundary of Potterne.

In light of the above planning policy framework, the proposed residential development would be consistent with the settlement strategy of the WCS and housing policies of the PNP. However, the proposal would have to conform to the character of the prevailing area and other relevant policies within the development plan; in particular, the policies which seek to secure high quality design and protect highway safety, as discussed with the following sections.

### **7.2 Density, Design & Impact on Neighbour Amenity**

The proposal involves the construction of a pair of semi-detached dwellings which will be set back within the site from Firs Hill Way to allow space for private and communal car parking spaces. The Planning Statement explains that the dwellings have been purposely designed to reflect the simple appearance of the surrounding estates and to ensure that there would be no adverse impact upon the privacy of the occupiers of both the new dwellings and existing residents.

The overall density of the development and the plot ratios will be in-keeping with the established pattern of development, which is a high-density residential environment. The scheme would not therefore appear out of place within the context of the site. The depth of the rear gardens are smaller than expected, however, the dwellings are set back within the plot as far as possible to enable replacement parking spaces to be provided. The overall mass, design and appearance of the dwellings is considered to be in-keeping with existing neighbouring dwellings and each proposed dwelling would benefit from a sufficient amount of parking spaces. The detailed elements of the scheme, such as proposed external



materials, hard and soft landscaping, the design of boundary treatments etc. can be secured via conditions should planning permission be granted.

The rear elevations of the dwellings are specifically designed with no first floor windows to ensure there is no overlooking of the property to the rear (no.18 St Mary's Close). The dwellings are also sited a sufficient distance from the dwelling to the rear and those either side to ensure no unacceptable loss of light or an overbearing impact. The development accords with the standard planning tests (i.e. the 25 degree rule) which assess the potential impact on neighbour amenity as a result of a loss of light or overbearing impact. In order to guard against any potential future impacts, it is considered reasonable to remove permitted development rights via conditions should planning permission be granted to enable the Local Planning Authority to manage future alterations to the dwellings.

The development involves the erection of a 1.8m close-boarded timber fence along the shared boundaries with neighbouring properties and the gardens of proposed dwellings. The existing (private) pedestrian right of way across the site will remain, with a new walkway around the site and to the rear of the new dwellings. The existing hedge along the northern boundary will need to be cut where it overhangs the site. The applicant can be advised via an informative should planning permission be granted, of the need to enter into a Party Wall Agreement with neighbouring landowners in relation to works on or near a shared boundary.

### **7.3 Impact on Highway Safety**

The loss of the existing garages and open parking spaces as a result of the development is the key concern of the local community. The redevelopment of the site will result in the loss of the existing block of 12 garages, 2 storage units and 9 open parking spaces. The scheme, however, includes new parking spaces to ensure that none of the parking spaces currently used are displaced as a result of the development. The scheme proposes a total of 18 spaces to meet the demand for 17 spaces (4 rented garages, 4 spaces for the new houses and 9 open parking spaces). This is a net gain of 1 space.

The Parish Council and local residents feel that the revised scheme would constitute a significant loss of valuable parking spaces in an area already seriously short of parking facilities. The provision of new parking spaces on the grass verge along Firs Hill Way is also considered by them to be unsuitable and detrimental to highway and pedestrian safety because of the configuration of the road; and would lead to the loss of more green land.

The Council's Highways Development Control Engineer has, however, advised that the revised proposal will provide a sufficient amount of car parking spaces to ensure that no cars will be displaced as a result of the development. It is recognised that the site currently has 21 car parking spaces, however only 13 are currently within use (4 rented garages and 9 open parking spaces). The proposed development will deliver 14 spaces to ensure no net loss parking spaces currently within use, and 4 spaces to serve the new dwellings. A refusal of planning permission on the grounds of the loss of existing car parking spaces is therefore not considered to be justified. Furthermore, the proposed parking spaces are considered to be of an acceptable layout, subject to the repositioning of two lamp posts, and will not encroach onto or affect the existing highway.

In terms of the future ownership and management of the car parking spaces, the intention of the applicant is to sell the land containing the houses and their associated car parking spaces, but retain the remainder of the site within their ownership. An easement would be granted across the site for the new landowner(s). The need to provide the parking spaces prior to occupation of the dwellings and to ensure their retention in perpetuity can be secured via a condition should planning permission be granted. The Local Planning Authority is

unable to demand that the parking spaces be transferred to the ownership and / or management of the Parish Council or residents of St Mary's Close. The provision of the parking spaces can, however, be secured prior to the occupation of the new dwellings via a condition should planning permission be granted. A construction method statement could also be secured via condition to manage and limit the neighbour amenity and highway safety impacts associated with the construction process.

#### **7.4 Other Matters Raised by the Parish Council**

The Parish Council indicated that it would “feel very let down by the total disregard of its Neighbourhood Plan” should planning permission be granted. It is worth highlighting therefore that the PNP is an integral part of the local development plan and (to the extent that development plan policies are material to an application for planning permission) the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The proposed development is not considered to conflict with any policies of the PNP.

General Policy PNP1 specifically specifies that “new residential development will be permitted within the settlement boundary of the village” and the proposal is not considered to conflict with any other policies of the plan. It is recognised that the PNP allocated various sites for development, however, each application must be assessed on its own merits and the proposed scheme is not considered to prejudice the aims and objectives of the wider plan. It is also recognised that within the Community Aspirations section of the PNP it is specified that “parking problems in Potterne are perceived by many to be increasing” and the Parish Council is of the opinion that this current proposal would compound parking problems. A refusal of planning permission is not, however, considered to be justified for the reasons outlined above.

The Parish Council feel that the parking facility could be classed as an Asset of Community Value (ACV). A building or other land is an ACV if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future. The Localism Act states that ‘social interests’ include cultural, recreational and sporting interests. The area of land accommodates a private car parking area within the ownership of the Aster Group and is available for use by its residents. As such, it is not considered to be classed as an ACV.

#### **8. Conclusion**

The proposal involves the redevelopment of the Aster Group garage site through the construction of a pair of semi-detached dwellings and the provision of replacement parking spaces. The principle of a residential scheme on the site is in accordance with the settlement strategy of the Wiltshire Core Strategy and the residential policies of the Potterne Neighbourhood Plan.

The layout, scale and appearance of the development is considered to be in-keeping with the existing built environment, and the proposed new car parking areas will ensure there are no displaced vehicles as a result of the development.

The scheme is considered to be in accordance with both national and local planning policies and subject to suitably worded conditions; it is recommended that planning permission is granted.

## RECOMMENDATION

That planning permission be **GRANTED** 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:

- Drawing ref. Site Loc 1761plan5.dwg (Site Location Plan), received 08.11.18.
- Drawing ref. BDS-10-18 (Topographical Survey), received 08.11.18;
- Drawing ref. P1\_1761plan7.dwg (Proposed Plans & Elevations), received 19.12.18;

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

- 3 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: 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 that the development can be adequately drained.

- 4 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: 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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 5 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) measures to control the emission of dust and dirt during construction;
- e) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period.

The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: 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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 6 No above ground development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: 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, in the interests of visual amenity and the character and appearance of the area

- 7 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 8 No development shall commence on site until 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:-
1. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  2. finished levels and contours;
  3. all hard and soft surfacing materials;

REASON: 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.

- 9 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 10 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the Willow tree on the site boundary has been enclosed by protective fencing, in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction -Recommendations".

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations unless agreed in writing by the Local Planning Authority.

REASON: In order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 11 No part of the development hereby permitted shall be occupied until the access, turning area and all 18 parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the sides and rear elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

15 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.

16 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.

Application Withdrawn