

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	2 October 2013		
Application Number	N/13/01363/FUL		
Site Address	Newlands Sutton Lane Sutton Benger Chippenham SN15 4RR		
Proposal	Erection of 4 bed dwelling		
Applicant	Mr B Heath & Mrs D Evans		
Town/Parish Council	Sutton Benger		
Electoral Division	Kington	Unitary Member	Howard Greenman
Grid Ref	394962 178637		
Type of application	FULL		
Case Officer	Mandy Fyfe	01249 706638	mandy.fyfe@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been referred to the Northern Area Planning Committee following a call in by the Ward Member on the grounds scale of development, design- bulk, height and general appearance and environmental/highway impact

1. Purpose of report

To consider the above application and to recommend that authority be delegated to the Area Development Manager to GRANT planning permission subject of the signing of S106 Agreement with conditions.

2. Report summary

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

- Impact on the character and appearance of area
- Affect on the privacy and amenity of existing neighbours and potential occupants
- Affect on highway safety
- Affect on prohibited species
- S106 Agreements

The application has generated objections from Parish Council; and 8 letters of objection from the public.

3. Site Description

Newlands is a detached Bradstone bungalow situated to the north of Church View which is a private road leading off Sutton Lane in Sutton Benger. Newlands has a vehicular access onto Church View as well as a long garden that backs onto a track also leading to Sutton Lane to the north. This track which is unmade, very narrow and is not adopted also provides vehicular access to five dwellings which have their rear gardens backing onto this

track. There is also a garage building belonging to No 5 that abuts the access so further restricting its width near the entrance of it onto Sutton Lane. Along the northern boundary of Newlands is a hedge and picket gate which currently forms a rarely used access. The width of the plot is about 20m with a total length of 60m. Of that the rear garden has a depth of about 39m. Within the rear garden is a greenhouse and another shed. Either side of the garden are timber boundary fences. To the east is the garden area of 1 Sutton Lane and to the west is mostly garden of Jasmine Lodge and Conifers which are both Bradstone bungalows that face onto Sutton Lane. Immediately to the west of the unused access is a pre-fabricated garage and area of gravel that also belongs to Jasmine Lodge as does the boundary fence along this party boundary.

The property is not within the Sutton Benger Conservation Area, but is adjacent to it instead as the boundary is the track and some of the rear garden of No 1 Sutton Lane. It would appear from the Council's records that the existing boundary hedge as well as the rest of the rear garden of Newlands is not within this conservation area.

5. Proposal

The proposal is to divide the rear garden into two and erect a detached two storey four-bedroom dwelling and an attached garage in the northern portion. It should be noted that the original plans indicated a three bedroom dwelling, but revised plans have now been submitted that shows four bedrooms instead. The dimensions of the application site are approximately 30m deep by about 20.2m wide. The proposed garden depth for the new dwelling would be 14m, whilst that would remain for Newland would be about 9m deep. A new enlarged vehicular access would be constructed in the northern boundary to allow for vehicle parking in front of the proposed dwelling which would be set back 8.8m back from this boundary.

The proposed dwelling which would be sited centrally in the plot which would have a floor area of 165.2m² with a depth of 6.8m by 11.2m wide. An attached garage of 19.3m² is also proposed to be attached to the west elevation of the dwelling. The eaves height would be 5m and the ridge 8.6m. The proposed design would be traditional in appearance with natural stone to the frontage facing the track with the rest of the elevations in block and render. Originally the plans showed that natural slates were proposed for the roof, but the agent has agreed to use Double Roman Clay tiles instead. UPVc casement windows are proposed too.

An attached garage is proposed that has a floor area of 17m², as this is under the Council's parking standards requirement of 18m², it cannot be considered as a garage for parking purposes. The agent has been asked to enlarge it accordingly. However the scheme shows that much of the front garden area would be down to parking and there would be sufficient space for three cars to park here.

6. Planning Policy

North Wiltshire Local Plan: C3, NE9, NE14, H3, H6, CF3

Central Government Planning Policy: National Planning Policy Framework: Paragraphs 7, 17, 28, 49, 55, 56, 60, 61, 64 and 118.

7. Consultations

Sutton Benger Parish Council: Object to this application on the grounds that the:

- building is large and overpowering which is out of context with the other buildings in the area

- would expect to see a height restriction in order to ensure that the surrounding accommodation most of which are bungalow do not have their privacy or daylight compromised
- slate roof does not fit in with other roofing materials used by surrounding accommodation which is largely reclaimed clay tiles and Bridgewater tiles
- large yew hedge is not shown on plans and concerned that this has not been assessed by Case Officer
- Query the Fire Officer's calculates the S106 contribution to be zero (£76.13 is actually shown on submitted document from Fire Service), however with this new residence planned and looking at the calculations the Parish Council believes the new house should generate some S106 funding. Request that this is looked into.

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Highways: *Original Comments:* I have visited the site and am happy with the principle of an additional dwelling taking access from the private access track. I am satisfied that the access onto (Newlands) is acceptable for additional movement associated with the dwelling. No objection subject to a condition on sight lines. I would like to see some improvement to the location of proposed access and this can be achieved by cutting back the existing hedgerow. In summary I wish to raise no highway objection subject to a condition.

Revised comments (1): I have taken notice of the fence when I visited the site, but I am satisfied that given the small number of vehicle movements in and out of the road, I am happy that there should be no be any significant detriment to users of the track and house accesses.

Revised comments (2): I would be happy for the condition to be removed given the nature of the private access track as I am not worried if the visibility remains as it is currently is. However, if an improvement can be made to the east that would be worthwhile. The plan shows what can be achieved which is a hedgerow free of obstruction at/above 600mm across the area of land that they own. I would not raise an objection on the visibility to the west given the low traffic movements and speeds of vehicles using the private access track.

Revised comments (3): I realise that to the west, there is no control, but this was not helped by the plans showing a splay on land that he has no control over. It is acknowledged that this is the direction of vehicle movements, but in reality it will only really be the end of two dwellings that will be passing the new access and the speed of the vehicles will mean that there should be adequate time for vehicles to be aware of each other. I am not insistent upon a visibility splay to the west.

Affordable Housing: This application triggers an affordable housing requirement of £26,000 under Policy H6 of the saved and adopted North Wiltshire Local Plan 2011. There are currently 32 households seeking affordable housing (rented and shared ownership in Sutton Benger and the surrounding villages according to the Housing Waiting List statistics.

Public Open Space: A four bedroom dwelling would either have to provide onsite amenity land or as it is less than 10 dwellings it would be appropriate for a contribution to improve local existing amenity land and or play areas. In this case it would be unreasonable to require the developer to provide a local park or Locally Equipped Area for Play (LEAP), so an offsite contribution will be required. This development generates a need for £7,407.42 in offsite Open Space Contribution to be used to upgrade facilities at Chestnut Road Recreation Ground. The contribution would be secured by a S106 Agreement.

Council's Ecologist: At 0.07ha in area, this application is below the threshold that the Council would normally require a protected species survey (other than for applications that affect existing buildings). Most of the records held by the Wiltshire and Swindon Biological Records Centre within a 1km radius of the site are for badgers and bats – neither of which is likely to present a constraint for this site.

It is possible that the site supports slow worms, but given the size of the plot, the numbers will be low. The developer will need to take the necessary precautions when clearing the site to ensure that it does not breach the Wildlife & Countryside Act 1981 (as amended) and it is suggested that an informative is added to bring it to the developer's attention. Likewise the removal of shrubs or trees should be undertaken outside of the bird nesting period or else immediately after a survey by a competent person who has confirmed that no nesting birds are present. This can be covered in an informative.

There are no records for great crested newts within 1km of the site and I am not aware of any ponds that are suitable to support a breeding population of this species within 100m of the application site. I would not therefore require any further assessment to be made for this species especially given the small scale of the works. If such a pond was present, then we would need to require the developer to produce a working method statement to demonstrate how impacts to newts would be avoided because this particular species is protected by the Habitats Regulations 2010.

8. Publicity

The application was advertised by press advert, site notice and neighbour consultation.

9 letters of letters of objection received of which five were for the original plans and four since the first revised plans received.

Summary of key relevant points raised:

- Design & Access Statement includes ..."*from an altered access vehicular access from a dead end road*" when in fact the access to the proposed building will be via an unmade track not a road which already supports four 3No & 4No bedroom dwellings and as such is already very congested.
- Further traffic and especially construction traffic will be cause additional wear and tear on this track and increase the amount of traffic accessing Sutton Lane which is a blind junction increasing the risk of further accidents as there have been various near misses in the past 18 months. Concerned that proposal will cause vehicles to park on track and obstruct other track users.
- Owners of the properties which use this track keep it repaired as it not adopted and keep their vehicles off the track to prevent obstructing it.
- The track will definitely not support heavy contractor's vehicles in the building of this house as even the Council HGV's do not come down the track to collect the rubbish.
- Sutton Lane is used by large articulated vehicles serving the chicken farm and other businesses and also for coaches collecting children from the primary school
- Access shown on the plans to the proposed access is currently a small parking area used for a trailer and is only available as a pedestrian access to the existing property, as the occupier did not have car, could not drive and therefore there is no precedent for a vehicular access
- Could address these problems by using the existing vehicular access for Newlands instead off Church View which is metalled

- The plans state that there are no hedges or trees on the property – that is incorrect as there is a mature yew hedge between the track and site which has been used for nesting birds over the years.
- Note that plans show that dwelling would have UPVC joinery for windows. However I could not replace my windows with UPVC why was this?
- Can the village infrastructure support another dwelling as it would be useful to know where the proposed route of water, rainwater and sewage pipes as there are no services along this track – all the services for 1-5 Sutton Lane are along the B4069. Also the Primary School is full
- Question the need for such a large house in area as this is going to ruin the outlook for the surrounding properties as these are mainly bungalows and the development would overlook them.
- Impact on the wildlife: song birds, newts and slow worms live in the vicinity.
- Incorrect that there are no trees on the plot when there are a large hornbeam and 3 No conifers including a Pyracantha hedge and a yew tree next to the track. According to the plans, this Pyracantha hedge and yew tree are to be felled to make way for the entrance to the site and replaced by a wall given less privacy to 2 Sutton Lane. Would ask that neither the tree nor hedge be removed?
- Previous boundary dispute over the boundary to the east with neighbour, so that the fence actually belongs to the neighbour not the applicant.
- It is not just the window overlooking Jasmine Lodge's rear garden that would cause overlooking, but those of the first floor rear windows that would overlook rear garden of No 1 Sutton Lane as well as the rear garden of Kintyre in Church View and Newlands itself.
- Object to the use of slate for roofing, should match the clay roof tiles of adjoining cottages and whole building should be built of stone as it would have less impact on surrounding area
- Proposal will cause overshadowing over garden of Jasmine Lodge

4 letters objecting on the following grounds after the submission of revised plan on 27 June:

- Query whether the proposal is for a 3 or 4 bed dwelling as plans were not clear
- Note that Wiltshire Wildlife have not done a survey in area since 2010
- Note that highways are requesting that the yew tree in the conservation area be removed to achieve sight lines and also that track is kept clear at all times, but this will result in more parking in Sutton Lane causing a bigger risk to road users due to the blind access onto Sutton Lane.
- The track width needs to be maintained so that the neighbours can gain access to their properties and so new wall needs to be built so that it does not encroach further onto track than current fence
- Yew hedge has been cut down to a fraction of its original size which I assume is a way of removing this issue from the scheme
- Want to know how the Council is going to deal with this vandalism in the conservation area and how this will be re-instated
- Revised plans received 16th September show that side boundary fence would be reduced by half. This fence does not belong to the applicant – it is owned by adjoining neighbour instead.

9. Planning Considerations

Principle of Development

Adopted and saved North Wiltshire Local Plan 2011

Policy C3 requires that all development has to respect the local character and appearance of the area with regard to a number of criteria which in this case would be the design, size, scale, materials, siting and layout. The principle issue of this development is the fact that a two storey dwelling is proposed in a residential area that is surrounded by bungalows to each side and to the south. However to the north there is a range of two storey dwellings which have their vehicular accesses onto the track the subject of this application. It is considered that the presence of the two storey dwellings in close proximity to the north of the application site form part of the setting and character of the site. As such the two storey dwelling is not considered objectionable on the grounds that it is out of character with the locality.

Furthermore, the design being traditional in appearance is more suited to the two storey dwellings than the bungalows and with the use of natural stone for the northern and principal elevation; this would be in keeping with the local character. It should also be noted that the applicant has confirmed that instead of a slate roof, Clay Double Roman tiles are now proposed instead. In terms of siting, the dwelling would be centrally positioned on this plot and set back from the frontage to enable sufficient off road parking to be achieved in addition to the attached garage. With regard to the frontage which has resulted in a number of objections, the agent has now confirmed by the submission of a further revised plan that the existing yew hedge would be retained and extended across this boundary to some 12m in length.

Policy NE9 deals with protected species. The agent has confirmed that there are no ponds or any other features that would encourage the types of wildlife referred to in the neighbour's letters. The Council's Ecologist takes a similar view, but points out that if such a pond was present there would be a need to undertake a Working Method Statement to demonstrate how impacts to great crested newts could be avoided because this species is protected by the Habitats Regulations 2010. Furthermore should permission be granted this would be subject to two informatives setting out the protected species requirements.

Policy NE14 deals with trees, site features and control of new development. It is important to say that the application site is not within the Sutton Benger Conservation Area and therefore formal consent is not required for removal of trees or hedges from the Council. It is noted that reference is made to various shrubs and trees on the site by the neighbours. The agent confirms that other than the hornbeam tree along the western elevation and a section of yew hedge to the northern boundary there are no trees or shrubs of note. The applicants are prepared to retain and plant new hedging to extend the yew hedge right across the northern boundary and details to protect this hedge during the construction of the site will be submitted later.

This part of Sutton Benger is within the settlement framework boundary and therefore the proposal for a new dwelling is compliant with policy H3 of the Local Plan.

Policy H6 is also relevant here as Sutton Benger is considered to be a smaller type of village in the countryside (unlike larger settlements where Policy H5 which deals with affordable housing in urban areas would apply). In villages such as Sutton Benger, the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments within Framework boundaries. The applicants have been advised that because only one dwelling is being built here, then an off-site contribution of £26,000

will be required as part of the development. The applicants have confirmed that they are prepared to enter into a legal agreement.

Equally under Policy CF3, there is also a requirement to provide an off-site contribution for this proposed four bedroomed dwelling. The amount would be £7,407.52 and would be used to upgrade facilities for Chestnut Road Recreation Ground. Again the applicant has confirmed that they will be paying the required sum via a S106 Agreement.

National Planning Policy Framework 2012

Paragraph 7 states that there are three dimensions to sustainable development that of economic, social and environmental. So that development should contribute to build a strong, responsive and competitive economy by ensuring that the right type of development is available in the right places as well as supporting growth too. There is also a requirement that providing a supply of housing to meet the needs of the present and future generations by creating a high quality built environment and at the same time protecting and enhancing the natural, built and historic environment and helping to improve biodiversity.

Paragraph 17 states that development should always try and achieve high quality design but with a good standard of amenity for all the existing and future occupants of the land and buildings.

Paragraph 28 deals with supporting a prosperous rural economy by supporting sustainable growth and expansion through well designed new buildings.

Paragraph 49 makes reference to the fact that housing application should be considered in the context of the presumption in favour of sustainable development.

Paragraphs 55 to 64 are in Chapter 7 which deals with 'Requiring Good Design'. As indicated above the government considers that good design is a key aspect of sustainable development and new development should contribute positively to making places better for people. The view is taken that with regard to this proposal that the design of dwelling is traditional in mind in that it reflects the cottages to the north and not the bungalows around it.

Equally, there is also a need to seek to promote local distinctiveness. Now that the roofing materials have been changed to that of Clay Double Romans and that natural stone is proposed for the frontage, the view is taken that this will indeed promote the local distinctiveness associated with the nineteenth century cottages to the north especially as window joinery will use casement windows. Furthermore, the applicants have confirmed that the yew hedge along the northern boundary will be retained and planted up to extend to some 12m in length this will retain the rural appearance of the area.

Finally paragraph 118 deals with the aim to conserve and enhance biodiversity. It is clear that the issue of biodiversity has been of concern to one of the objectors who has appears to have seen a wide variety of protected species in her rear garden. However the information from the applicant and following consultations with the Council's Ecologist suggest that the site is too small in area to need a protected species survey to be submitted as part of the application. However, should protected species be found on the site then the applicants would need to be investigate this matter further. Two informatives are recommended by the Council's Ecologist regarding this matter.

Impact on the character and appearance of the area

It is acknowledged that the proposed two storey dwelling would be prominent when viewed from the adjoining bungalows and from Sutton Lane, but in the context of the existing range of nineteenth century two storey cottages immediately to the north of the access track; it would be of similar form albeit with more spacious grounds. The character of this part of the village is not based solely on bungalows or by the three single storey dwellings that exist immediately adjacent to the site, as the Council has over the last few years permitted the housing development of Sharplands further down Sutton Lane just beyond the south side of College Green which are all two storey dwellings. Also as noted above with close proximity to the site there are a range of two storey cottages. Furthermore, there is nothing to prevent the bungalows from being re-developed in the future to two storey dwellings either. It is therefore considered that the scheme is appropriate development for this part of the village and would not result in harm to the character and appearance of the area.

Affect on the privacy and amenity of existing neighbours and potential occupants

Following the submission of revised plans, the secondary bedroom window for bedroom 2 has now been omitted from the scheme. This window would have been less than 21m away from the rear garden of Jasmine Lodge and was considered unneighbourly. However there are other windows to consider in this scheme. There are habitable windows that face the north which would only be some 12m away from the edge of the rear gardens of 1-5 Sutton Lane, but the track is between this boundary and the application boundary. As for the windows on the rear elevation, there would be some overlooking into the rear gardens of No 1 Sutton Lane, Kintyre, Jasmine Lodge and Conifers as well, but the distances vary between 10 to 24m. Whilst the shorter distance is not ideal, it is considered on balance to be acceptable for this development especially as the windows are reasonably small casements.

Affect on highway safety

Concern has been raised by the objectors regarding the use of this unadopted and unmetalled track for this housing development. However the Highway Authority has not recommended refusal for the scheme, nor do they now wish to impose any conditions regarding sight lines as they consider them to be adequate for the number of vehicles, the traffic conditions and traffic generation related to the site and the development proposed. They also acknowledge that the applicants do not control any other land either side of the site or the adjoining fence lines either. The scheme shows that there would be sufficient off-road parking for at least three cars which is the number required for a four bedroom house and in addition the existing yew hedge will be retained and indeed planted up further to extend along 12m of the northern boundary.

Affect on protected species

The neighbour's comments are noted regarding the possible protected species that are in the vicinity, but due to the size of the site being below 1ha, no protected species survey is required as part of this scheme and the Council's Ecologist does not consider that the application site would provide the suitable habitat for these species. Nonetheless two informatives will be imposed with any permission stating that if protected species are found then the applicant will have to take further advice prior to completing the development.

S106 Contributions

The applicant has agreed to enter into a S106 agreement for both the affordable housing contribution of £26,000 and the Public Open Space Contribution of £7,407.42. The monies would have to be made payable on commencement of development.

10. Conclusion

This proposal for a two storey dwelling within the settlement framework of Sutton Benger, but it would be outside of the Conservation Area. It is considered to be acceptable development in that the overall design and scale would be similar to the existing range of cottages that back onto the communal access track and as such would also represent a dwelling that is appropriate for both current and future users in accordance with the Government's requirement to provide high quality sustainable housing development.

11. Recommendation

Authority to grant Planning Permission be DELEGATED to the Area Development Manager subject to the signing of a S106 Agreement and 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:

Revised Dwg No: EVA/801/PL/09/13/001/C Rev C Dated 16th September 2013
Revised Dwg No: EVA/801/PL/09/13/SK1/B Rev B 16th September 2013

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

3. No development shall commence on site until details and samples of the materials to be used for the external walls of both the house and the boundary wall as well as house roofs have been made available on site and the details submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. No development shall commence on site until details of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall be constructed in accordance with the approved details.

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

5. No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in

writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

6. No development shall commence on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

7. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys and vents 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: In the interests of visual amenity and the character and appearance of the area.

8. No development shall commence on site until details of the design and external appearance of the stone boundary wall, any fences and other means of enclosure 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 development being occupied.

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

9. 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:-

- Location and current canopy spread of all existing trees and hedgerows on the land;
- Full details of any to be retained, together with measures for their protection in the course of development;
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities including that for extending the yew hedge;
- All hard and soft surfacing materials;

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

10. 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 building(s) 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.

11. 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 a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012. Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. 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.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12. 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) Wheel washing facilities;
- e) Measures to control the emission of dust and dirt during construction;
- f) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) Measures for the protection of the natural environment.
- h) Hours of construction, including deliveries;
- l) Measures for the protection of the access road during construction.

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: 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 east and west elevations above ground floor ceiling level 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) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

INFORMATIVES:

1. 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.

2. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.

3. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

4. All species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding and planning consent does not override this statutory protection. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. The season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits. In the event of uncertainty you should seek the advice of a suitably qualified and experienced ecologist. Please see Natural England's website for further information on protected species.

5. There is a risk that reptiles could occur on the application site. These species are legally protected from harm and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species being harmed during site clearance works, the developer is advised to clear vegetation affected by the development during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible. If these species are found during the works, the applicant is advised to stop work and seek the advice of a suitably qualified and experienced ecologist. Please see Natural England's website.

