

PLANNING COMMITTEE – 27 JANUARY 2020**DEFERRED ITEM**

Report of the Head of Planning

DEFERRED ITEMS

Reports shown in previous Minutes as being deferred from that Meeting

Def Item 1 REFERENCE NO - 18/506417/FULL		
APPLICATION PROPOSAL		
Residential development consisting of 72no. 3 and 4 bedroom dwellings with associated garaging, parking and infrastructure.		
ADDRESS Land At Southsea Avenue, Scarborough Drive, Augustine Road, Sexburga Drive And The Broadway Minster-on-sea Kent ME12 2NF		
RECOMMENDATION Grant subject to conditions and the signing of a suitably worded Section 106 Agreement.		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL		
The application site is located within the existing built up area boundary where the principle of development is accepted. The Council is unable to demonstrate a 5 year supply of housing land and as such the proposal would contribute towards addressing this shortfall in a sustainable location. I am of the view that the layout and design has been well considered and any harm to biodiversity is able to be minimised by conditions that have been recommended. I have not identified any unacceptable harm in respect of highway matters and matters such as drainage have been acceptably dealt with.		
REASON FOR REFERRAL TO COMMITTEE		
This application was deferred by the Planning Committee on 10 th October 2019.		
WARD Minster Cliffs	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT Malro Home Ltd AGENT Kent Design Partnership
DECISION DUE DATE 18/03/19		PUBLICITY EXPIRY DATE 18/11/19

1. BACKGROUND

- 1.1 This application was reported to the Planning Committee on 10th October 2019. A copy of the report is attached as Appendix A. The Planning Committee deferred the application for the following reason:

“That application 18/506417/FULL be deferred so that officers discuss with the developer potential amendments to the storey heights and how they related to surrounding dwellings, including the possibility of bungalows replacing some of the proposed houses, a crossing point to be provided to allow easier access to open space and to explore whether open space could be provided within the development site.”

- 1.2 A copy of the minutes of the committee meeting is attached as Appendix B.
- 1.3 The applicant and agent have subsequently met with my Officers. Further to this meeting revisions to the scheme along with further information has been provided as follows:
- The units on plots 4-7 and 72 have been replaced with chalet bungalows;
 - Removal of Juliet balconies and replacement with high level windows on plots 28, 31, 32, 37, 40, 41, 42, 43, 51, 58, 59, 60, 69 and 70;
 - Removal of double height windows serving habitable rooms and replacement with conventional windows at first floor level and roof light in the roofslope on plots 3, 14, 15, 27, 29, 30, 39, 52, 53, 54, 55, 56, 57, 71.
 - Details of site contours, site section drawings and drawing showing separation distances between existing and proposed dwellings;
 - A commitment to contribute to off site highway works to allow for a safe pedestrian crossing to open space.

2. FURTHER REPRESENTATIONS

- 2.1 Due to the amendments to the scheme I have re-consulted with neighbouring occupiers. I have received responses from 27 addresses. The majority of the points raised have already been included in the original committee report (appended to this report) and in the interests of clarity I have not repeated these. The following are the summarised concerns which raise fresh issues:
- The proposed amendments are not adequate to reduce the harm to residential and visual amenity that would be called;
 - Lack of information on the amended drawings;
 - A proposed garage will be required to adjoin an existing garage;
 - The dwellings are not being built for local people;
 - The density of the development is too high;
 - The proposed alleyway will give rise to an increased possibility of crime;
 - A larger number of the dwellings should be amended to chalet bungalows;
 - Is the land being sold by the Council for the optimum value possible?
 - The site should be sold off plot by plot;
 - Has the land been put out to tender?;
 - The retained areas of vegetation should be extended with pedestrian / cycle routes;
 - Previous applications to construct dwellings in the surrounding area have been refused;

- Boundary treatment should be increased in height to prevent overlooking;
- No amendments have been made to the proposed dwellings;
- The NHS estimate of the number of future occupants is inaccurate;
- Vegetation has already been removed;
- Verbal abuse and threats have been made to a local resident by development representatives;
- The development is contrary to paragraphs 127, 128 and 130 of the NPPF in respect of it's design, layout and relationship with the surrounding built environment; and lack of consultation with local residents in formulating the proposals;
- There are no shopping facilities close to the application site / there should be a shop located on the site;
- The Council should pay towards the cost of additional infrastructure rather than the developer;
- There should be a roundabout at the junction of Augustine Road and The Broadway to decrease traffic speeds;
- Bollards should be placed in Scarborough Drive; Augustine Road and Sexburga Drive to prevent them from becoming through roads;
- Would like reassurances that rights of access to an existing garage and parking spaces along Augustine Road will be retained.

3. APPRAISAL

- 3.1 This section deals specifically with the queries raised by the Planning Committee in deferring the application at the 10th October 2019 meeting.

Storey Heights

- 3.2 As set out in paragraph 1.3 above, the house types on plots 4-7 and 72 have been amended from the original submission. The application now includes chalet bungalows to replace the 2 ½ storey dwellings originally proposed on these plots. The result of this is that on plot 4, the ridge height has been reduced by approximately 1.2m and the eaves height reduced by approximately 1m. On plots 5,6 and 7, the ridge height has been reduced by approximately 1.4m and the eaves height, again, has been reduced by approximately 1m. In addition to this reduction, the gables of these properties have been turned 90 degrees which I consider to quite significantly reduce the bulk of these dwellings.
- 3.3 In respect of plot 72, the ridge height has been reduced by approximately 1m, whilst the eaves have been reduced by approximately 2m. Although I previously considered this impact not to be unacceptably harmful, it follows that any the impact upon the adjacent property (an existing bungalow) has been reduced by this amendment. Due to the mix in existing built form in the surrounding area I consider that a chalet

bungalow being located adjacent to a bungalow is acceptable and would not give rise to any unacceptable harm to residential or visual amenities.

- 3.4 The agent has also provided drawings demonstrating the separation distances between the existing and proposed properties, the site topography and site section drawings. In terms of plots 4,5,6 and 7 and their relationship with existing dwellings, I note that the very closest point is between the proposed dwelling on plot 5 and the existing property known as 'Meadowbank', located on The Broadway. This rear to rear separation distance is 22.5m, although the properties are set at an angle. In the cases of plots 4-7, and their relationship with the closest dwellings on The Broadway, the submitted details show that in the worst case scenario, the difference in floor levels is 2.8m (the site slopes down towards The Broadway). As set out in the previous report, as the Council's minimum rear to rear separation distance is 21m I was of the view that this relationship was acceptable. As a result, I believe that due to the reduction in height of these properties that any impact would be further reduced. As such, for these reasons I consider the impact upon these closest properties not to be unacceptably harmful.
- 3.5 In addition to the above, revisions have also been made to a number of the proposed dwellings as also set out in paragraph 1.3 above. This has removed a number of double height windows and Juliet balconies from the plots listed. In my opinion this has further reduced opportunities for overlooking of existing surrounding residential properties. As set out in the original committee report, the separation distances are in a large number of cases, comfortably in excess of the Council's accepted minimum. It is also important to note that there are retained areas of vegetation which further disrupt views. For these reasons I believe that the amendments are appropriate and am of the view that the proposal does not give rise to unacceptable harm in respect of overlooking or a loss of privacy.
- 3.6 In terms of the visual impact, the proposed chalet bungalows are simply designed with pitched roofs. As stated in the original report, the style of properties in the surrounding area is varied and as such, adding this additional dwelling type into the development is in my opinion acceptable. The finishing materials will be controlled by the related condition which I have recommended.
- 3.7 I do note that neighbouring occupiers remain of the opinion that the proposal would give rise to unacceptable harm to both visual and residential amenity. However, I, for the reasons as set out in the original report, and above, do not share this view. I am of the opinion that the development has been coherently considered and believe that the amendments are acceptable and will further reduce the impact.

A crossing point for access to open space

- 3.8 As per the committee resolution, my Officers have explored the opportunity for providing a crossing point to allow for easier access to nearby open space. As set out in the original committee report, the Council requested, and the developer agreed to provide a contribution to the Council maintained open space known as The Glen. Therefore, Officers have explored the possibility of introducing a pedestrian crossing point on Wards Hill Road in the vicinity of this facility.

3.9 During discussions, the applicant made a commitment to meet the reasonable costs of providing this potential crossing and since the meeting I have received written correspondence to the same effect. As a result of this discussions took place between Officers and KCC Highways & Transportation to explore this possibility.

3.10 The first option explored was to provide a zebra crossing on Wards Hill Road. In respect of this issue, KCC Highways & Transportation have commented as follows:

“A zebra crossing would only be recommended where either vehicle or pedestrian flows are high, and pedestrians would otherwise have difficulty crossing the road. Wards Hill Road in the vicinity of Whybornes Chase is not particularly busy enough to meet the criteria for such a provision, and pedestrians do not appear to struggle to cross the road, as the road is not particularly wide, and the traffic is light and slow enough that there are generally plenty of gaps between vehicles to provide ample crossing opportunities.

The Highway Authority would only consider introducing a formal crossing facility where there was a proven demand with sufficiently high volumes of traffic, or a crash record identifying an existing safety issue that could be addressed. Statistically, introducing a feature such as this is likely to attract personal injury crashes over time, so it is not considered appropriate to construct these features where there is no apparent history of crashes.”

3.11 Further to the above, Officers also explored whether there was the opportunity to install an alternative facility, such a build out in the highway which would naturally direct pedestrians to cross at a certain point. In respect of these discussions KCC Highways & Transportation have commented as follows:

“Similarly, if build-outs or other obstructions to traffic were introduced on Wards Hill Road to assist pedestrian movement, this would equally be expected to generate crashes over time and the same justification for not providing them would apply.”

3.12 As a result, although the applicant's commitment is to be acknowledged, it is clear from the above that the technical advice considers that a formal crossing point would result in a reduction in highway safety. I am also very mindful of paragraph 56 of the NPPF which states that, amongst other matters, planning obligations should only be sought where they are ‘*necessary to make the development acceptable in planning terms*’. On the basis of the advice received, I am of the view that the development would be acceptable without this crossing point.

Whether open space could be provided within the development site

3.13 During the meeting between Officers and the applicant / agent, the matter of providing open space on the site was discussed. It was agreed that Officers would liaise with the Council's Greenspaces Manager as to whether this was a feasible option to take forward. In respect of this the comments of the Greenspaces Manager are as follows:

3.14 *“Given the development's location close to Minster Leas, The Glen and Scrapsgate Field, a reasonable plot size and areas of retained biodiversity value, we do not feel that additional open space within the development is necessary. With the development*

being essentially infill there is little opportunity for a focal point and small pockets of open space lend little biodiversity value and require on-going maintenance.”

- 3.15 In respect of the above comments, I am of the view that it is important to consider that this scheme is essentially, as set out in the original committee report, a large infill scheme. It is entirely surrounded by existing residential properties with an existing network of highways running through the site. The development is in the most part proposed to be constructed along these existing highways and as a result there is no logical place to introduce a meaningful area of open space.
- 3.16 It is also important to consider the retained corridors of vegetation, for which their primary purpose will be to provide opportunities for biodiversity. KCC Ecology are of the view that for these corridors to operate effectively that they receive minimal management in the long term. As such, this further eats into the available area on site. In addition, the properties all have private amenity space which in the case of many of the plots is generous in size. Therefore, I am of the view that future occupants of the units will have opportunities to access a good provision of private amenity space, in addition to the areas of public open space within the vicinity of the site.
- 3.17 As a result of the above I am of the view that the development is acceptable without the introduction of additional open space upon the site.

Other Matters

- 3.18 The public consultation exercise carried out as a result of the amended drawings and additional information received has generated a sizable response. A large number of the comments received repeated concerns which were set out and considered within the original committee report and for clarity have not been reproduced in this supplementary report.
- 3.19 Of those fresh issues which were raised, and which have not been considered by virtue of the discussion above, I comment as follows. In respect of the future occupants of the dwellings, comments regarding the value of the land, comments that may have been made by individuals, built form adjoining existing structures and rights of access, Members will be aware that these are not material planning considerations. As a result I am unable to comment further in respect of these, other than to say that they should have no bearing on the way in which this application is considered.
- 3.20 In terms of the alleyway, this provides access to the rear garden of a proposed property, I consider this to be a fairly typical arrangement and was included on the drawings previously. Kent Police were consulted and did not raise an objection, although requested a condition requiring details to be submitted which demonstrated how the development meets ‘Secure by Design’ principles. I have recommended this condition and as such consider that this deals with this matter appropriately. In respect of the comment regarding additional pedestrian and cycle routes through areas of vegetation, this would have the impact of requiring removal of this vegetation, this would, based upon the comments of KCC Ecology, have the impact of reducing the biodiversity benefits that these areas provide.

- 3.21 I note the comment that other residential schemes have been refused, however, it is also relevant to point out that an application on the site for one dwelling was approved under 16/508687/FULL. In any case, each application should be judged on its merits and I am of the view that this application is compliant with local and national planning policies. I was previously made aware of the potential that vegetation had already been removed, however, after further investigation it was clarified that this was not taking place within the boundary of the application site.
- 3.22 Comments have also been received regarding the requirement for a roundabout. In respect of this I refer back to the responses from KCC Highways & Transportation as set out in the original report where the need for this has not been raised. Finally, in respect of bollards being required to prevent the roads becoming through roads, it is considered a benefit of the scheme that the roads would be made up to adoptable standards and therefore providing better connections to the existing surrounding highway network. I also note that KCC Highways & Transportation do not require the provision of the suggested bollards.

Climate and Biodiversity Emergency

- 3.23 In June 2019 the Council passed a motion declaring a Climate and Biodiversity Emergency. As part of this motion, the Council resolved, amongst other matters *“To undertake actions including, but not be limited to, spatial and transport planning to make fewer journeys necessary, improvement to the energy efficiency of new and existing housing and buildings, improved public transport especially in rural areas; encouraging active transport, developing the infrastructure for EVs; deploying renewable energy at every opportunity, while continuing to safeguard our wild places, ancient woodlands and hedgerows.”*
- 3.24 The Council has, subsequent to the motion being passed, written to Central Government, seeking support for the resolution. A response has been received, which, amongst other points, states the following:
- 3.25 *“In determining both applications and any subsequent appeals the passing of a climate emergency motion would be a material consideration. However, as set out at paragraph 2 of the National Planning Policy Framework, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The same applies to appeals decided by the Planning Inspectorate. Therefore, in decision making it is the development plan that has primacy rather than any material consideration.”*
- 3.26 As a result of the above, it is acknowledged that the declaration is a material consideration. In terms of this I am, as set out in the original report, of the view that the site lies in a sustainable location due to its setting within the built up area boundary, and the services and facilities which are within a reasonable distance of the site. In addition to this, it is important to note in this case the applicant is a local developer and employs a local workforce. It is also important to point out the recommended conditions relating to sustainable construction techniques (condition 4), electric vehicle charging points (condition 25) and biodiversity (conditions 7-10).

- 3.27 Furthermore, the adopted Local Plan remains the key consideration which very significant weight should be given to. In this respect, I am of the view that the proposal satisfies the requirements of the Local Plan, including matters of climate change and biodiversity.

4. CONCLUSION

- 4.1 I am of the view that the amendments and additional information that have been submitted are a rational response to the committee resolution as set out above. Although I considered previously that the impact of the dwellings would be acceptable, I am of the view that any impact would now be further reduced by the amendments to the dwelling types as discussed and also the alterations made to a large number of the remaining plots. I consider that the proposal has been coherently designed and responds to what is recognised as being a challenging site.
- 4.2 In terms of potential off site highway works, based upon the technical advice received it is not considered appropriate in these circumstances and as such for the reasons set out above I believe that the development remains acceptable without this. In addition, upon further liaison with the Council's Greenspaces Manager, for the reasons as set out above the introduction of on site open space is not considered necessary to make the development acceptable.
- 4.3 Due to the above considerations, I am of the view that the application is acceptable and would contribute towards an identified housing need in a location where the principle of development is accepted. For these reasons I recommend that subject to the conditions listed below and the signing of an appropriately worded Section 106 Agreement which secures the contributions as set out in the original report, planning permission is granted.

5. RECOMMENDATION

GRANT Subject to the following conditions and the signing of a suitably worded Section 106 Agreement:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance 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 approved shall be carried out in accordance with the following drawings: 16.16.10P; 16.16.100B; 16.16.101A; 16.16.102A; 16.16.103A; 16.16.104; 16.16.105; 16.16.106; 16.16.107; 16.16.108; 16.16.109; 16.16.100B; 16.16.111; 16.16.112; 16.16.113; 16.16.114A; 16.16.116A; 16.16.117; 16.16.118; 16.16.119; 16.16.120; KDP/1520/18 B; KDP/1520/18 B; KDP/1588/19.

Reason: For clarity and in the interests of proper planning.

- 3) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby

permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- 4) No development beyond the construction of foundations shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first use of any dwelling.

Reason: In the interest of promoting energy efficiency and sustainable development.

- 5) The development shall be carried out in accordance with the submitted flood risk assessment (Herrington Consulting Limited, dated September 2018) and no dwelling shall be occupied until the finished floor level for all living accommodation has been set at a minimum of 4.9m AOD, and the finished floor level for all sleeping accommodation has been set at a minimum of 5.2m AOD for that dwelling.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 6) The development hereby approved shall not commence until details have been submitted to and approved in writing by the Local Planning Authority demonstrating how the development will meet the principles of 'Secure by Design'. The development shall then be completed strictly in accordance with the approved details.

Reason: In order to secure a satisfactory form of development having regard to the nature of the site.

- 7) No development shall take place until an ecological design strategy (EDS) has been submitted to and approved in writing by the local planning authority addressing:

- 1) Retention and protection of existing habitats during construction;
- 2) Provision of ecological features.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of biodiversity.

- 8) No development shall take place until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:
- a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) details of the body or organisation responsible for implementation of the plan;
 - h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity.

- 9) No development shall take place (including any ground works, site or vegetation clearance), until a method statement for the protection of biodiversity, including bats, reptiles, nesting birds and hedgehogs, during vegetation clearance and construction works has been submitted to and approved in writing by the local planning authority. If two years from the submitted surveys (undertaken in June 2019) has elapsed before works commence, the Biodiversity Method Statement shall be informed by updated ecological survey(s). The content of the method statement shall include the:
- a) Purpose and objectives for the proposed works;
 - b) Working method, including timings, necessary to achieve stated objectives;
 - c) Extent and location of proposed works shown on appropriate scale plans;
 - d) Provision for species rescue;
 - e) Persons responsible for implementing works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works.

The works shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity.

- 10) No development shall take place until a "lighting design strategy for biodiversity" for the site has been submitted to and approved in writing by the local planning authority. The lighting strategy will:
- a) Identify those areas/features on site that are particularly sensitive;

- b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals);
- c) Provide for construction phase and operational phase of development.
All external lighting will be installed in accordance with the specifications and locations set out in the strategy and will be maintained thereafter in accordance with the strategy.

Reason: In the interests of enhancing biodiversity opportunities.

- 11) No dwellings hereby approved shall be occupied until the highway works indicated on drawing 16.16.10P have been carried out in accordance with a design and specification to be submitted to and approved in writing with the Local Planning Authority. The details shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of enhancing biodiversity opportunities.

- 12) Prior to the works commencing on site, details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority to include the following:
- 1. Routing of construction and delivery vehicles to / from site;
 - 2. Parking and turning areas for construction and delivery vehicles and site personnel;
 - 3. Timing of deliveries;
 - 4. Provision of wheel washing facilities;
 - 5. Temporary traffic management / signage;
 - 6. Measures to minimise the production of dust on the site;
 - 7. Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery and use of noise mitigation barrier;
 - 8. Design and provision of any site hoardings;
 - 9. Measures to manage the production of waste and to maximise the re-use of materials.

Reason: In the interests of residential amenity and road safety.

- 13) The area shown on drawing no. 16.16.10P as car parking and turning space shall be provided before any of the dwellings are occupied and shall be retained for the use of the occupiers of, and visitors to the dwellings, and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity.

- 14) Pedestrian visibility splays 2m x 2m with no obstruction over 0.6 m above the access footway level shall be provided at each private vehicular access prior to it being brought into use and shall be subsequently maintained.

Reason: In the interests of highway safety.

- 15) The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 16) Before the first occupation of a dwelling the following works between that dwelling and the adopted highway shall be completed as follows:
- (A) Footways and/or footpaths shall be completed, with the exception of the wearing course;
 - (B) Carriageways completed, with the exception of the wearing course, including the provision of a turning facility beyond the dwelling together with related:
 - (1) highway drainage, including off-site works,
 - (2) junction visibility splays,
 - (3) street lighting, street nameplates and highway structures if any.

Reason: In the interests of highway safety.

- 17) Prior to the commencement of development a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/of site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 18) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report,

pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 19) Prior to the commencement of development the measures undertaken to divert the public sewers shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Southern Water).

Reason: To ensure the protection of the public sewers.

- 20) Construction of the development shall not commence until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that foul water is adequately dealt with.

- 21) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours, Saturdays 08:00 – 13:00 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 22) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-

Monday to Friday 0900-1700hours unless in association with an emergency or with the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 23) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway without the consent in writing of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 24) The development shall be completed strictly in accordance with details in the form of finished floor levels for all the dwellings which shall firstly have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure a satisfactory form of development having regard to the sloping nature of the site.

- 25) Each dwelling shall be provided with 1 electric vehicle charging point and no dwelling shall be occupied until the charging point for that dwelling has been installed.

Reason: To encourage the use of electric vehicles, in the interests of climate change and reducing pollution.

- 26) No development beyond the construction of foundations shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include means of enclosure and hard surfacing materials.

Reason: In the interests of the visual amenities of the area

- 27) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 28) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

