

<b>2.4 REFERENCE NO - 24/501182/FULL</b>		
<b>PROPOSAL</b> Replacement of existing permanent mobile home with a 2-bedroom bungalow		
<b>SITE LOCATION</b> Bell Grove Stud Farm, Halstow Lane, Upchurch, Kent, ME9 7AB		
<b>RECOMMENDATION</b> Delegate to the Head of Planning to grant planning permission subject to appropriate safeguarding conditions with further delegation to the Head of Planning to negotiate the precise wording of conditions as may be consequently necessary and appropriate.		
<b>APPLICATION TYPE</b> Minor		
<b>REASON FOR REFERRAL TO COMMITTEE</b> The recommendation of Officers is contrary to an objection received from Upchurch Parish Council.		
<b>Case Officer</b> Graham Parkinson		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b>  Upchurch	<b>APPLICANT</b> Mr Tye Simms  <b>AGENT</b> DHA Planning
<b>DATE REGISTERED</b> 06/03/24	<b>TARGET DATE</b> 22/05/24	
<b>BACKGROUND PAPERS AND INFORMATION:</b>  Documents referenced in report are as follows: - All drawings submitted All representations received  Design and Access Statement dated 28/02/24 (uploaded 01/03/24) Additional Supporting Information dated 26/04/24 (uploaded 26/04/24)  The full suite of documents submitted pursuant to the above application are available via the link below: -  <a href="https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=SAJAHQTYGLT00">https://pa.midkent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=SAJAHQTYGLT00</a>		

## 1 SITE LOCATION AND DESCRIPTION

- 1.1 The application site is located to the north of Halstow Lane. The site measures 0.2 hectares but is part of a wider site that is shown to extend to 2.5 hectares. The site is located in open countryside, outside of the village of Lower Halstow. The site is currently occupied by a mobile home which serves the wider commercial stud farm that is shown to be within the applicant's control.
- 1.2 The mobile home at the site was permitted under planning permission ref: SW/10/0485. That permission was subject to 7 conditions, with condition 4 being of particular relevance to the subsequent planning history as it limited the number of

caravans at the site to one, the occupiers of that caravan and the number of nights when it could be accommodated. Planning permission ref: 18/503080/FULL subsequently allowed unrestricted overnight use of that mobile home by the applicant, employees and customers of the stud farm.

- 1.3 The applicant's submissions set out that the stud farm comprises three birthing stables, an insemination laboratory, 7 stables, paddocks and a sand school.

## 2 PLANNING HISTORY

- 2.1 19/504375/FULL: Erection of building to house laboratory, equine stock and welfare unit and the erection of 3no. birthing stables. Approved. Decision Date: 28.07.2020
- 2.2 18/503080/FULL: Variation to condition 4 of application SW/10/0485 (change of use from stabling for private use to commercial stud farming and livery) to allow unrestricted overnight use of an existing caravan/mobile home by the applicant, employees and customers of the stud farm. Approved. Decision Date: 07.05.2019.
- 2.3 SW/13/1563: Variation of condition 4 of SW/10/0485 to allow unrestricted overnight use of the caravan/mobile home by employees and customers of the stud farm. Refused. Decision Date: 21.02.2014
- 2.4 SW/10/0485: Change of use from stabling for private use to commercial stud farming and livery to site a caravan on site for use of permanent staff and owners of pregnant mares for 4 nights in any week and all day time use. Approved. Decision Date: 28.05.2010

## 3 PROPOSED DEVELOPMENT

- 3.1 The application seeks planning permission for a single storey 2 bedroom dwelling to replace a mobile home on the same site.
- 3.2 The proposed dwelling would measure 8.6 metres deep and 16.5 metres wide, with a pitched roof built to an eaves height of 2.5 metres and a ridge height of 6.7 metres. A single storey porch projection is proposed to the front of the dwelling. The submissions set out that the dwelling would feature timber cladding to the elevations and plain tiles to the roof. The application site includes an access to the dwelling from Halstow Lane.
- 3.3 Supporting information has been provided which is summarised below:
- Activities at the site now principally comprise a commercial stud farm which has been commercially viable for some time.
  - The planning permission granted under ref: 18/503080/FULL allowed in effect a permanent residential presence on site in support of the commercial stud farm use.
  - Replacing the mobile home with a house will have no material impact on activities carried out at the site.
  - The proposed house will only be slightly larger than a mobile home that could be stationed on site, being 142 square metres compared to the maximum size of a caravan which is 120 square metres.
  - In visual terms the proposed dwelling having a steeply pitched roof with timber cladding will give it a barn like appearance more in keeping with nearby buildings compared to the mobile home it would replace.
  - Surrounding the area where the proposed house is to be sited is a native species tree screen planted to screen the mobile home from the rest of the site.
  - The above trees screen is to be retained and supplemented with additional planting.

#### 4 CONSULTATION

- 4.1 One round of consultation has been undertaken, during which letters were sent to neighbouring occupiers and a site notice was displayed at the application site. No comments have been received. Cllr Richard Palmer initially called-in the planning application for determination by the Planning Committee but subsequently retracted this request.

#### 5 REPRESENTATIONS

- 5.1 **Upchurch PC:** The Parish Council has objected on the following grounds (Full details of representations are available online):

<b>Comment</b>	<b>Report reference</b>
The Parish Council do not want a permanent dwelling erected at the site.	See paragraphs 7.2 to 7.15
The proposed dwelling would have an unacceptable impact on the rural character and the established boundary between the villages of Upchurch and Lower Halstow.	See paragraphs 7.16 to 7.24
The development would set a precedent for further developments.	See paragraph 7.48
A commentary of the history of the site has been provided and it is set out that conditions restricting the occupation of the dwelling are imposed to align with the previous permissions at the site and, if the stud farm ceases operating, the dwelling should not be occupied.	See paragraph 7.49

- 5.2 **Natural England:** No HRA assessment provided. Before granting planning permission on development that which is likely to have a significant effect on a European Protected Site a HRA must be carried out.
- 5.3 **KCC Minerals and Waste:** No objections or comments to make.
- 5.4 **Health And Safety Executive:** No comment.
- 5.5 **Agricultural Consultant:** The dwelling will meet the established and continuing accepted essential needs of the equine enterprise and ensure that the management and welfare of all the horses kept on site is not compromised. The details provided demonstrate that the business is well established, viable and sustainable presently and likely to remain so in the long term.

#### 6 DEVELOPMENT PLAN POLICIES

- 6.1 **Bearing Fruits 2031: The Swale Borough Council Local Plan 2017**

**ST 1** Delivering sustainable development in Swale

<b>ST 3</b>	The Swale settlement strategy
<b>CP 2</b>	Promoting sustainable transport
<b>CP 3</b>	Delivering a wide choice of high-quality homes
<b>CP 4</b>	Requiring good design
<b>DM 3</b>	Rural Economy
<b>DM 7</b>	Vehicle Parking
<b>DM 12</b>	Dwellings for rural workers
<b>DM 14</b>	General Development Criteria
<b>DM 19</b>	Sustainable design and construction
<b>DM 24</b>	Conserving and enhancing valued landscapes
<b>DM 28</b>	Biodiversity

## 6.2 **Supplementary Planning Guidance/Documents – Swale Borough Council Parking Standards SPD 2020**

## 7 ASSESSMENT

7.1 This application is reported to the Committee due to the objection received from Upchurch Parish Council. The committee is recommended to carefully consider the following main points:

- The Principle of Development
- Character and appearance
- Living Conditions
- Transport and Highways
- Ecology
- Other Matters

### **The Principle of Development**

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that the starting point for decision making is the development plan unless material considerations indicate otherwise.

7.3 The National Planning Policy Framework provides the national policy context for the proposed development and is a material consideration of considerable weight in the determination of the application. The NPPF states that any proposed development that accords with an up-to-date local plan should be approved without delay. At the heart of the NPPF is a presumption in favour of sustainable development and for decision-taking this means approving development that accords with the development plan.

7.4 Paragraph 84 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless, amongst other things, there is an essential need for a rural worker.

7.5 Paragraph 88 of the NPPF states that planning policies and decisions should enable amongst other things, the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings, the development and diversification of agricultural and other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside.

7.6 Policy DM3 of the local plan states, amongst other things, that planning permission will be granted for the sustainable growth and expansion of business and enterprise in rural areas. For all proposals there is a requirement to firstly consider the appropriate

re-use of existing buildings or the development of other previously developed land, unless such sites are not available or it is demonstrated that a particular location is necessary to support the needs of rural communities or the active and sustainable management of the countryside.

- 7.7 Policy DM12 of the local plan states that planning permission will be granted for new, permanent, rural worker dwellings in the countryside subject to:
1. There being a clearly established, existing, essential need for the proper functioning of the enterprise for a full-time worker to be readily available at most times;
  2. There being no suitable existing dwelling available nearby or in a nearby settlement;
  3. The location, scale and design of the dwelling maintaining or enhancing landscape and countryside character; and
  4. The siting of the dwelling should, firstly, explore whether there are suitable buildings available for conversion at the enterprise, or secondly, in the case of a demonstrated need for a new building, that it is located as close as possible to existing buildings on previously developed land at the enterprise, or if this is not possible, within the immediate locality on an acceptable site.
- 7.8 In relation to the first criteria, the case of the applicant is that the operations of the stud farm and the presence of valuable items at the site require a permanent presence. Moreover, it has been demonstrated that a full-time presence is required with many of the tasks undertaken by the occupiers of the site listed within the Planning Statement.
- 7.9 In general, the need for a dwelling at the site has previously been accepted by the Council, through the granting of the previous planning permissions at the site. The case of the applicant has been independently assessed on behalf of the Council and it has been concluded that there remains a requirement for a permanent residential presence at the site in the interests of animal welfare and security. The review undertaken for the Council has also found that the applicant's business is well-established and financially sound with a clear prospect of remaining so. The proposal is therefore compliant with national and local planning policy in this regard.
- 7.10 In terms of criteria 2 and the availability of other dwellings, it is considered that the animal welfare requirements significantly reduce the catchment area that is appropriate to be assessed, noting that the dwelling is required to be in close proximity to the animals kept at the site. The test appears to have been complied with before. Moreover, as the dwelling is to replace an existing caravan that is able to be occupied on a full-time and permanent basis, it is considered that the applicable test falls away in this instance.
- 7.11 The third element of Policy DM 12 relates to visual, character and landscape requirements, which are assessed in full below. However, it is relevant to note that the assessment below concluded that the development is acceptable and, therefore, this criteria is complied with.
- 7.12 With respect to the fourth criteria and the requirement to explore whether there are suitable buildings available for conversion at the enterprise, it is considered that there are not. Moreover, as the proposed dwelling is replacing an existing caravan it is considered that it would be illogical to require an alternative building to be converted, particularly as this could leave a redundant caravan at the site. In addition, in relation to the second part of the fourth criteria, it is considered that the dwelling would be

located as close as is appropriate to existing buildings within the immediate locality on an acceptable site.

- 7.13 For the reasons given, the proposal accords with Policy DM12. For similar reasons, the proposal accords with the above mentioned elements of the NPPF which allow for rural workers dwellings in locations where residential development might otherwise be discouraged.
- 7.14 Whilst residential development in this location would otherwise conflict with policies ST1 and ST3, as a result of the exception set out at Policy DM12 being applicable, the principle of development is acceptable in this case. A condition can and should be imposed to ensure that the dwelling is occupied in the manner that is expected and in such a way that the exception set out within Policy DM12 remains applicable.
- 7.15 This is compounded by the fallback position which exists as a result of a caravan already being present at the site. Whilst there are inherent differences between a caravan and a dwelling, the planning permission that exists allows for a full time and permanent residential presence at the site, subject to an occupancy restriction. In terms of land use, the replacement of the caravan with a dwelling represents a status quo.

#### **Character and appearance**

- 7.16 The National Planning Policy Framework attaches great importance to the design of the built environment and that design should contribute positively to making places better for people. The Local Plan reinforces this requirement.
- 7.17 Policy CP 4 of the Local Plan requires development proposals to be of high quality design and to be in keeping with the character of the area. It states that particular regard should be paid to the scale, height, materials, detailing, mass, bulk, articulation and site coverage of any future proposals. Similar requirements are set out within policy DM 14 of the Local Plan.
- 7.18 The environmental elements of policy DM12 require the location, scale and design of the dwelling to maintain or enhance the landscape and countryside character of the area.
- 7.19 As set out above, the application site currently hosts a caravan. Trees and other soft landscaping exist at the site and within the immediate locality and, as a result, the caravan has a limited impact on the character and appearance of the area and the landscape in general. This is also aided by the presence of other buildings upon land within the applicant's control and within the wider area which add to the screening of the application site.
- 7.20 As a result of its increased footprint but particularly due to its greater height, the proposed dwelling would have a substantially greater visual impact than the existing caravan at the site. However, as a result of its permanence and the elevational treatment of the dwelling, it is considered that the provision of a dwelling at the site represents an enhancement compared to the existing situation.
- 7.21 Whilst larger, the building would continue to be reasonably well-screened from the surrounding public domain by other buildings and landscaping and, from where fleeting views of the building would be possible, it is considered that the dwelling would be visually acceptable and appropriate to its rural surroundings. The dwellings within the

surrounding area have a varied appearance and, as such, it is considered that the dwelling would sit comfortably within its setting.

- 7.22 Whilst the impact of a dwelling is more permanent than that of a caravan, it is noted that the caravan has permission to be at the site full-time, with no requirement for it to be moved within the site or removed even if the Stud Farm were to cease operation. Therefore, it can be expected that the caravan would be at the site in perpetuity and, as such, no objection is raised on visual grounds to the greater permanence that would result from this proposal.
- 7.23 It is noted that the dwelling at the site could be extended significantly under the terms of permitted development rights, realistically amounting to 8 metre deep extensions to the rear and 8 metre wide extensions to each side of the dwelling. The dwelling could also be extended within the roof space. All or any of these developments could cause the dwelling to have a far greater visual impact, to the extent that the dwelling could become harmful to the character and appearance of the site and the locality. To avoid this, it is considered that some permitted development rights should be removed. This does not prevent applications coming forward, but it also helps to ensure that the dwelling remains of a size that is commensurate to the functional need that has been established above.
- 7.24 Overall, the development is considered to be visually acceptable and in accordance with the abovementioned policies of the development plan, including policy DM12 which is of relevance to the acceptance of the principle of development. The proposal would also accord with the NPPF in respect of this matter.

### **Living Conditions**

- 7.25 The Local Plan requires that new development has sufficient regard for the living conditions of neighbouring occupiers. Specifically, policy DM 14 states that any new proposed developments should not cause significant harm to the amenities of surrounding uses or areas and due consideration will be given to the impact of the proposed development upon neighbouring properties. Any new proposed schemes should not result in significant overshadowing through a loss of daylight or sunlight, in an unreasonable loss of privacy, in an unreasonable loss of outlook or in excessive noise or odour pollution.
- 7.26 The proposed dwelling would be set well away from all nearby dwellings. As a result, it would not give rise to any unacceptable impacts in relation to the light, outlook or privacy of existing occupiers. Moreover, the living conditions for future occupiers would be acceptable in these respects for the same reason.
- 7.27 As a caravan can lawfully be occupied at the site, with all the associated activity that can arise from that occupation, there is no reason to conclude that the provision of a dwelling would cause any greater impacts in those respects.
- 7.28 For these reasons, the proposal is considered to be acceptable and in accordance with the abovementioned Local Plan policy and the NPPF in terms of the acceptability of living conditions for future and existing residents. Although not determinative, it is noted that no objections from neighbouring residents have been received and it is considered that this supports the assessment that the proposal is acceptable in relation to this matter.

### **Transport and Highways**

- 7.29 The NPPF promotes sustainable patterns of development and expects land use and transport planning to work in parallel in order to deliver such. A core principle of the NPPF is that development should: “Actively manage patterns of growth to make the fullest use of public transport, walking and cycling and to focus development in locations which are sustainable.”
- 7.30 The NPPF also states that: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 7.31 Local Plan policy DM6 promotes sustainable transport through utilising good design principles. It sets out that where highway capacity is exceeded and/ or safety standards are compromised proposals will need to mitigate harm. Moreover, Policy DM 7 states that parking requirements in respect of any new proposed developments should be in accordance the Councils vehicle parking standards SPD.
- 7.32 Although poorly located relative to shops, facilities and services, the dwelling would be appropriately located with respect to the functional purpose that it serves. It is considered that a more sustainable location would not be practical and, therefore, no objection is raised on that ground. Moreover, noting that the application relates to a single dwelling which would use an existing access, that is already used in conjunction with the stud farm at the wider site and the caravan at the application site, it is not considered that the proposal would cause an increase of vehicle movements relative to the existing situation.
- 7.33 Parking is not shown on the submitted plans, but it is considered that there is ample space at the site for vehicles to park. Further details of parking provision can be required by condition in this case with it being reasonably certain that the dwelling would not lead to on-street parking.
- 7.34 For these reasons, the proposal is considered to be acceptable and in accordance with the abovementioned Local Plan policy and the NPPF in terms of the acceptability of the transport and highways arrangements.

### **Ecology**

- 7.35 The Conservation of Habitats and Species Regulations 2017 (‘the Habitats Regulations’) affords protection to certain species or species groups, commonly known as European Protected Species (EPS), which are also protected by the Wildlife and Countryside Act 1981. This is endorsed by policies CP 7 and DM 28 of the Local Plan, which relates to the protection of sites of international conservation importance including Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar Sites.
- 7.36 Under the Natural Environment and Rural Communities Act (2006), the authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions for the purpose of furthering the general biodiversity objective of conserving and enhancing biodiversity in England. Furthermore, the National Planning Policy Framework states that ‘the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible’. The National Planning Policy Framework states that ‘if significant harm resulting from a development cannot be avoided (through locating on



an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for then planning permission should be refused.'

- 7.37 Policy DM28 of the Local Plan requires amongst other things, that development will conserve, enhance and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.
- 7.38 Paragraph 186 of the NPPF states, amongst other things, that when determining planning applications if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 7.39 The nature of the immediate site area means it is highly unlikely that protected species or their habitats are present. However, policy DM28 brings with it a requirement for wildlife mitigation or enhancements. Given the small scale of the proposed development a requirement for bird and bat boxes is considered a proportionate response to satisfying the requirements of policy DM28. A condition is recommended below.
- 7.40 A Biodiversity Net Gain (BNG) assessment has not been submitted with this application as it predated the requirement to do so and introduction of the mandatory requirement to achieve a 10% net gain.

*Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.*

- 7.41 This Appropriate Assessment (AA) has been undertaken without information provided by the applicant.
- 7.42 The application site is located within 6km of The Swale Special Protection Area (SPA) which is a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
- 7.43 SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.
- 7.44 The proposal therefore has potential to affect said site's features of interest, and an Appropriate Assessment is required to establish the likely impacts of the development.
- 7.45 In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 63 and 64 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation and site remediation satisfactory to the EA, the proposal is unlikely to have significant effects on these sites.

- 7.46 The recent (April 2018) judgement (*People Over Wind v Coillte Teoranta*, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, “it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.” The development therefore cannot be screened out of the need to provide an Appropriate Assessment.
- 7.47 As the proposal involves replacing a mobile home (which has permission to be occupied on a permanent and full time basis), with a permanent dwelling there is no net gain in terms of the number of residential units at the site and no increase in residential activity. Therefore, as no additional housing is involved, there is no requirement to secure a SAMMS payment. Even without such a contribution, the proposed development is of small scale and, in itself and in combination with other development, would not have an adverse effect on the integrity of the SPA.

### **Other Matters**

- 7.48 The objection of Upchurch Parish Council in relation to the provision of a dwelling at the site is noted but, for the reasons given above, the principle of development is considered acceptable. Moreover, whilst the concerns of the Parish Council are noted, granting planning permission would not set a precedent for other developments within the vicinity as all developments are required to be considered on their own planning merits, and any decision in respect of this application would not be binding on the assessment of other applications.
- 7.49 The comments of the Parish Council in relation to the retention of previously imposed conditions are noted. The previous condition in relation to the occupancy of the accommodation at the site can be replicated. It would be unreasonable to impose a condition requiring the dwelling to not be occupied if the stud farm is not operational. The conditions recommended below are reflective of this.
- 7.50 The position of the proposed dwelling, the access to the site and the majority of the garden area fall within Flood Zone 1 as defined by the Environment Agency mapping. Whilst the northeastern most corner of the site falls within Flood Zone 2, it is considered appropriate to take a pragmatic approach to the sequential test in this instance. This is on the basis that the key elements of the development would be outside the flood zone, the requirement to live at the site and the fact that the dwelling is to replace an existing caravan, it is considered that the proposal should be found acceptable in relation to the sequential test. The siting of the dwelling also means that the exception test is passed and in this regard it is considered that the content of the applicant's Planning Statement is sufficient to meet the requirements of a Flood Risk Assessment in this case.
- 7.51 It is considered that a condition can be imposed to address the requirements of Policy DM 19 of the Local Plan which relates to sustainable construction. A condition has also been imposed in relation to water usage in order to comply with policy DM21 and an electric vehicle charging point as required by the Council's Parking SPD.

## **8 Conclusion**

- 8.1 The key conclusions are considered to be that, whilst a dwelling might not conventionally be accepted in this location, the criteria of Policy DM 12 has been met and therefore the exception set out within that policy is applicable. There is, therefore, no objection to the principle of development. The dwelling is considered to be

acceptable in all other respects and therefore, subject to appropriate conditions, it is recommended that planning permission is granted.

### **CONDITIONS**

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 strictly in accordance with the details shown on drawing nos: 23/3643, 21/2550A, 23/3642 and amended site location plan received on the 4<sup>th</sup> July 2024.

Reason: To ensure the development is carried out in accordance with the approved plans in the interests of amenity.

3. Occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working at the Bell Grove Stud Farm, Halstow Lane, Upchurch, Kent, ME9 7AB or a widow or widower of such a person, and to any resident dependants.

Reason: The site is in an area where new residential development is not normally permitted unless essentially required for the proper functioning of the enterprise concerned.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Class(es) A, B, C and E to that Order shall be carried out without the permission of the Local Planning Authority.

Reason: To safeguard the character, appearance and functioning of the surrounding area.

5. Prior to construction of any part of the roof of the dwelling hereby permitted details of the size, design and siting of one bird and one bat box shall be submitted for prior approval in writing by the Local Planning Authority. The approved bird and bat boxes shall be installed prior to first occupation of the dwelling hereby permitted and retained in good condition for the life of the development.

Reason: In the interests of achieving a biodiversity net gain at the site.

6. Prior to the first occupation of the dwelling hereby approved a scheme of hard and soft landscaping at the site (including car parking for at least 2 cars) shall be submitted to and approved in writing along with a timetable for the provision of that hard and soft landscaping. All hard and soft landscaping detailed within the approved scheme shall then be implemented in accordance with the approved timetable.

Reason: In the interests of protecting the character and appearance of the site and the surrounding area and ensuring the provision of adequate car parking.

7. Prior to the commencement of the development hereby approved, an Energy Strategy shall be submitted to and approved by the Local Planning Authority. The Energy Strategy shall demonstrate that the dwelling will achieve a minimum 50% reduction in

Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended). The development shall be carried out in accordance with the approved details.

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

8. Prior to their use within the development hereby approved, details of the plain roof tiles used within the development shall be submitted to and approved in writing by the Local Planning Authority. No other roof materials shall be used in the construction of the roof and the elevations of the dwelling shall be constructed with materials as set out within the application form that has accompanied the application hereby approved.

Reason: In the interests of protecting the character and appearance of the site and the surrounding area.

9. Prior to the occupation of the dwelling hereby permitted, one electric vehicle charging point (EVCP) shall be installed at the site.

Reason: In the interests of climate change and lowering pollution levels.

10. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwelling shall not be occupied unless the notice for the dwelling of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

### **The Council's approach to the application**

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), 2023 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.

