

2.2 REFERENCE NO - 15/509875/FULL			
APPLICATION PROPOSAL Erection of a three bedroom detached dwelling with associated parking and access to both the existing and proposed dwellings.			
ADDRESS 35 Orchard Way Eastchurch Kent ME12 4DS			
RECOMMENDATION: Grant subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION In light of the appeal decision for land adjacent to 11 Range Road noted below (copy attached at Appendix A) the Council's longstanding approach of resisting new residential development in the area would not be sustainable at appeal given the almost identical circumstances in this case. The site is considered to be a sustainable location for the dwelling proposed with no other material considerations indicating that permission should be refused.			
REASON FOR REFERRAL TO COMMITTEE At the request of Councillor Prescott.			
WARD Sheppey East	PARISH/TOWN Eastchurch	COUNCIL	APPLICANT Mr & Mrs Lee Marshall AGENT Kent Design Partnership
DECISION DUE DATE 02/06/16	PUBLICITY EXPIRY DATE 25/02/16	OFFICER SITE VISIT DATE 28/1/16	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
No relevant planning history for the application site.			
Relevant history at land adj 11 Range Road, Eastchurch, ME12 4DU.			
Swale Borough Council reference 14/506821/FULL. Appeal reference APP/V2255/W/15/3135783	A pair of 3 bedroom semi detached dwellings with associated garages and parking.	Refused by Swale Borough Council and allowed on appeal.	28/1/16

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The site consists of the front, side and part of the rear curtilage of 35 Orchard Way. The site gently rises to the north. The site is located at the eastern end of Orchard Way. The dwellings to the west are semi-detached and two storey with either on site parking to the front or no on site parking. Directly to the east and south is an equestrian development which is owned by the applicant, as is 35 Orchard Way. To the north is the former route of the Sheppey Light Railway. The wider area is characterised by residential development and the surrounding countryside ,which is

dominated by the Sheppey Prison Cluster to the south. The site is located within the countryside as defined by the proposals map of the Swale Borough Local Plan 2008.

2.0 PROPOSAL

- 2.01 The existing garage to the side of 35 Orchard Way would be demolished and replaced by a three bedroom detached dwelling with two car parking spaces to the front and two additional car parking spaces to the front of number 35 to serve this dwelling.
- 2.02 The dwelling would measure a maximum of 6 metres wide, 10.5 metres long and 8.4 metres to ridge height. The design includes a brick plinth, front dormer window, and a dual pitched roof with full hips to the front and rear. The external finishing materials are described as multi buff facing in natural mortar for the main facing bricks, plain red facings in natural mortar for the plinth and feature brickwork, red/brown plain concrete hip and roof tiles and tile hanging, and light oak coloured upvc windows and doors.
- 2.03 The applicant intends to build the dwelling to level 4 of the code for sustainable homes.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Parking Spaces	4	4	0
No. of Residential Units	0	1	+1

4.0 PLANNING CONSTRAINTS

The site is of potential archaeological importance and is located within the countryside.

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) regarding Achieving sustainable development; 1. Building a strong, competitive economy; 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 11. Conserving and enhancing the natural environment; 12. Conserving and enhancing the historic environment.

Development Plan: Policies SP1, SP2, SP3, SP4, SP5, SP6, TG1, SH1, E1, E6, E9, E12, E16, E19, RC3, H2 and T3 of the Swale Borough Local Plan 2008.

Policies ST1, ST2, ST3, ST4, ST6, CP1, CP2, CP3, CP4, CP7, CP8, DM7, DM14, DM19, DM21, DM28 and DM34 of Bearing Fruits, the Council’s emerging local plan.

6.0 LOCAL REPRESENTATIONS

- 6.01 Eastchurch Parish Council raises no objection.
- 6.02 Councillor Prescott states “Further to my verbal request re the above I will be grateful if you will bring this app to committee should you be mindful to approve it.”
- 6.03 No other representations have been received in respect of this application.

7.0 CONSULTATIONS

- 7.01 Kent County Council Highways and Transportation makes no comment.

- 7.02 Kent County Council Archaeology Unit advise that no archaeological measures are Necessary.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The applicant has provided a design and access statement, planning statement and sustainability statement.

9.0 APPRAISAL

Principle of Development

- 9.01 Normally, I would consider development in the countryside (outside the built up area of Eastchurch,) unacceptable as a matter of principle. However – I am mindful of the appeal decision made on 28th January 2016 at 11 Range Road (attached as an appendix to this report) which granted permission for 2 dwellings approximately 100m from the site. The Inspector in that case considered that the principle of residential development in that location was acceptable and that the proposal contributed towards the social, economic and environmental strands of sustainable development. In particular, he considered the proximity of public transport and access to Eastchurch village centre appropriate. Whilst Members are not bound to follow the Inspector's reasoning, it is a material consideration of substantial weight, and Members must have regard to it. In my view, bearing the appeal decision in mind, the principle of development here is acceptable.
- 9.02 The Council cannot demonstrate a 5 year supply of housing land. Therefore, the Council's policies that seek to influence the location of such development are to be considered out of date, as set out in paragraph 49 of the NPPF. This means that primarily policies E6 (Countryside) as far as it relates to housing, H2 (Providing for New Housing) and RC3 (Helping to Meet Rural Housing Needs) of the adopted Swale Borough Local Plan 2008 (SBLP) are out of date because they seek to restrict housing development in the countryside and outside built up area boundaries as defined by the Proposals Map of the SBLP. As such these policies are afforded limited weight.
- 9.03 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. It dictates that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the whole framework, or where specific policies in the framework indicate development should be restricted.
- 9.04 The framework identifies three dimensions to sustainable development; economic, social and environmental, and states that planning needs to perform roles in all three dimensions. Each is considered in turn below.
- 9.05 The site is in the countryside to the south of Eastchurch, around $\frac{3}{4}$ of a mile from the settlement boundary and 1 mile from the village centre with good and services available there. Church Road which links the area to the village centre benefits from a footway and lighting which gives pedestrians safe access to the village centre. Church Road has a bus stop approximately 250 metres from the site which is served by three bus services providing links to the village centre and larger towns further afield. Accordingly, because of the sites accessibility to goods, services and public transport links, the provision of housing in this location would support the well being of the village and help to perform the social role in sustainable development.

- 9.06 There is potential for future residents of the proposal to find work at this prison cluster and the construction phase will generate short term employment. Therefore, the proposal would contribute to the local economy and the economic role of sustainable development, albeit in a small way (I give this matter limited weight) The immediate area has a primarily residential character and therefore no harm would be caused to the character and appearance of the countryside as a result of the development.
- 9.07 Paragraph 55 of the NPPF advised that isolated homes in the countryside should be avoided. However, due to the size of the settlement within which the site is located and the links to the village centre, it is not considered isolated as defined. There would be no adverse impacts from the proposal, there would be benefits when considered against the NPPF as a whole and there are no specific policies in the NPPF which indicate that development should be restricted. The proposal constitutes sustainable development and should be approved in my opinion.

Impact on character and appearance of the area

- 9.08 Given the description of the site above, in my view the site relates more strongly to the neighbouring residential street than to the countryside to the south and east which is used for equestrian purposes. The form and scale of the proposal is in keeping with the dwellings to the west. The proposal is marginally smaller, approximately 0.5 metres, than 35 Orchard Way and whilst the design is different from its immediate neighbours it is acceptable as it is well designed in its own right and accords with the area.
- 9.09 The proposed parking arrangement would not be harmful to the character and appearance of the streetscene because a significant amount of the existing front garden is already given over to hardstanding, and the creation of two additional car parking spaces would accord with the area given that properties to the west have a mixture of frontage parking and on street parking.
- 9.10 Consequently the development would not harm the character and appearance of the area, including the countryside, and would comply with policies E1 and E19 of the SBLP.

Residential Amenity

- 9.11 The proposal has one near neighbour, 35 Orchard Way, and it would project 1.2 metres to the rear of it and be 2 metres away from it. To the front, the proposal would project 1 metre to the front of 35 Orchard Way and be 2 metres away from it. These projections comply with the guidance within the Council's adopted SPG entitled 'Designing an Extension: A Guide for Householders' and would have an acceptable impact on residential amenity in my opinion. The proposal has 4 windows to the western elevation which are in close proximity to the obscure glazed side door and windows of 35 Orchard Way therefore it is reasonable to attach the condition below requiring the side openings are similarly obscure glazed to prevent harmful overlooking of the neighbouring property. Given the lack of other nearby neighbouring dwellings and subject to the condition noted the impact on residential amenity is acceptable in my opinion.

Highways

- 9.12 The provision of two car parking spaces for the proposed dwelling and two for the existing dwelling accords with adopted KCC Highways and Transportation standards.

Their size, layout and manoeuvrability into and out of the spaces are similarly acceptable. The impact on highway safety and convenience is acceptable in my opinion.

Other Matters

9.13 There is no requirement for archaeological measures in light of the comments of Kent County Council Archaeology.

9.14 I note that the intention here is to build the dwelling to level 4 of the Code for Sustainable Homes. The code has though been abolished. I recommend imposing condition (3) below, which requires details of sustainable construction techniques to be used.

9.15 I have carried out a Habitats Regulations Assessment below, which concludes that a contribution to off site mitigation is not required.

10.0 CONCLUSION

10.01 The proposal constitutes sustainable development as defined by the NPPF because it secures social, environmental and economic gains, with no harm arising and as a result I recommend that permission is granted.

11.0 RECOMMENDATION – GRANT Subject to the following conditions;

CONDITIONS to include

(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) Prior to the commencement of development, details of the external finishing materials to be used on the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure that such matters are agreed before work is commenced.

(3) No development 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 as approved.

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

(4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features,

planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity, and to ensure that such matters are agreed before work is commenced.

- (5) 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.

- (6) 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.

- (7) The vehicle parking spaces numbered 1 and 2 shall be used solely by occupiers of and visitors to the dwelling hereby permitted, and the vehicle parking spaces numbered 35 and 35 shall be used solely by the occupiers of and visitors to 35 Orchard Way, as shown on submitted drawing number SK01 Rev A. These vehicle parking spaces shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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; such land and access thereto shall be provided prior to the occupation of the dwelling hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- (8) 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 0730 - 1900 hours, Saturdays 0730 - 1300 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.

- (9) No development shall take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period unless any variation has been approved by the local planning authority.

Reason: To protect the amenities of neighbouring residents.

- (10) The openings to the west facing elevation of the dwelling hereby permitted shall be obscure glazed prior to the occupation of the dwelling and shall remain so in perpetuity.

Reason: To prevent harmful overlooking of a neighbouring property.

- (11) The development shall proceed in accordance with the following approved plan numbers: SK01 Rev A, SK02, SK03, SK04 and SK05.

Reason: For the sake of clarity.

INFORMATIVES

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

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

Habitat Regulations Assessment screening

This HRA has been undertaken without information provided by the applicant.

The application site is located approximately 1.8 miles north of the Swale Special Protection Area (SPA) and Ramsar site both of which are European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitat Regulations).

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. The proposal therefore has potential to affect said site's features of interest.

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 61 and 62 of the Habitat Regulations require a Habitat Regulations Assessment. NE also advises 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 and can therefore be screened out from any requirement for further assessment. It goes on to state that when recording the HRA the Council should refer to the following information to justify its conclusions regarding the likelihood of significant effects; financial contributions should be made to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG); the strategic mitigation will need to be in place before the dwellings are occupied.

In terms of screening for the likelihood of significant effects from the proposal on the SPA features of interest, the following considerations apply:

- Due to the scale of development there is no scope to provide on site mitigation such as an on site dog walking area or signage to prevent the primary causes of bird disturbance which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats.
- Based on the correspondence with Natural England, I conclude that off site mitigation is required. However, the Council has taken the stance that financial contributions will not be sought on developments of this scale because of the practicalities of securing payment. In particular, the legal agreement would cost substantially more to prepare than the contribution itself. This is an illogical approach to adopt; would overburden small scale developers; and would be a poor use of Council resources. This would normally mean that the development should not be allowed to proceed, however, NE have acknowledged that the North Kent Councils have yet to put in place the full measures necessary to achieve mitigation across the area and that questions relating to the cumulated impacts on schemes of 10 or less will need to be addressed in on-going discussions. This will lead to these matters being addressed at a later date to be agreed between NE and the Councils concerned.
- Developer contributions towards strategic mitigation of impacts on the features of interest of the SPA- I understand there are informal thresholds being set by other North Kent Councils of 10 dwellings or more above which developer contributions would be sought. Swale Council is of the opinion that Natural England's suggested approach of seeking developer contributions on single dwellings upwards will not be taken forward and that a threshold of 10 or more will be adopted in due course. In the interim, I need to consider the best way forward that complies with legislation, the views of Natural England, and is acceptable to officers as a common route forward.

Swale Council intends to adopt a formal policy of seeking developer contributions for larger schemes in the fullness of time and that the tariff amount will take account of and compensate for the cumulative impacts of the smaller residential schemes such as this application, on the features of interest of the SPA in order to secure the long term strategic mitigation required. Swale Council is of the opinion that when the tariff is formulated it will encapsulate the time period when this application was determined in order that the individual and cumulative impacts of this scheme will be mitigated for.

Whilst the individual implications of this proposal on the features of interest of the SPA will be extremely minimal in my opinion, cumulative impacts of multiple smaller residential approvals will be dealt with appropriately by the method outlined above.

For these reasons, I conclude that the proposal can be screened out of the need to progress to an Appropriate Assessment. I acknowledge that the mitigation will not be in place prior to occupation of the dwelling proposed but in the longer term the mitigation will be secured at an appropriate level, and in perpetuity.

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.

APPENDIX A



Appeal Decision

Site visit made on 5 January 2016

by **Andrew Owen MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 January 2016

Appeal Ref: APP/V2255/W/15/3135783

Land adjacent to 11 Range Road, Eastchurch, Sheerness, Kent ME12 4DU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Lee Marshall against the decision of Swale Borough Council.
 - The application Ref 14/506821/FULL, dated 22 December 2014, was refused by notice dated 12 August 2015.
 - The development proposed is a pair of 3 bedroom semi detached dwellings with associated garages and parking.
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Decision

1. The appeal is allowed and planning permission is granted for a pair of 3 bedroom semi detached dwellings with associated garages and parking at land adjacent to 11 Range Road, Eastchurch, Sheerness, Kent ME12 4DU in accordance with the terms of the application, Ref 14/506821/FULL, dated 22 December 2014, subject to the conditions listed in the attached Schedule.

Main Issues

2. The main issues in this appeal are the effect of the proposal on the character and appearance of the area and whether the development would constitute sustainable development.

Reasons

Character and Appearance

3. The site is within a small settlement dominated by three prisons forming the Sheppy prison cluster and also including a fire station and around 70 dwellings. It effectively comprises an undeveloped corner plot as it faces Range Road to its south and east. The adjacent development to the north is a row of two-storey, semi-detached properties and the dwellings to the west are of a similar form, design and appearance. There is a playing field to the rear of the site, Swaleside prison car park to the south and a paddock opposite. The paddock and the car park are visually separated from the site by bushes and hedgerows of around five metres in height and hence contribute little to the visual context of the site. As a result the site relates more strongly to the neighbouring residential development than to the rural land opposite. Consequently the development would have little impact on the character or appearance of the countryside.
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4. The dwellings on Range Road are of a regular form, scale and appearance being exclusively semi-detached, two-storey properties constructed of red or yellow brick and accompanied in parts by hanging tiles or weatherboarding. The development would reflect this form and scale and would incorporate weatherboarding at first floor level. The building would differ from the adjacent units by being marginally higher, incorporating dormers and having half hipped roofs. However these differences would not result in the development appearing incongruous in its setting.
5. The garage to the rear of plot 1 would be detached from the main house and would front the part of Range Road that runs parallel to the south boundary of the site. The garage would be largely screened from views from the west by the boundary fence and by a large tree that is positioned just beyond the south west corner of the site. The driveway in front of this garage would project forward of the rest of the development and would be visible in the street scene. However even when a car is parked on here, the driveway would not appear unduly prominent in the street scene. Indeed many of the other properties along Range Road have driveways forward of the dwelling. As such, in this respect the development would also not appear incongruous in its setting.
6. Consequently the development would not harm the character and appearance of the area, including the countryside, and would comply with Policy E1 of the Swale Borough Local Plan (SBLP) which seeks to ensure development is appropriate to its location, and Policy E19 of the SBLP which requires development to be of a high quality design.

Sustainable Development

7. It is not disputed that the Council cannot demonstrate a five year supply of housing land. In such circumstances, paragraph 49 of the National Planning Policy Framework advises that relevant policies for the supply of housing should not be considered up to date. Policies H2 and RC3 of the SBLP relate to the provision of housing and so should not be considered up to date. Policy E6 of the SBLP relates to development generally in the countryside and should also be considered out of date in so far as it relates to housing supply. As such, I can give these policies only limited weight.
8. The presumption in favour of sustainable development is set out in Paragraph 14 of the Framework. It adds that where relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole, or where specific policies in the Framework indicate development should be restricted.
9. The Framework identifies three dimensions to sustainable development: economic, social and environmental, and states that planning needs to perform roles in all three dimensions. It is necessary to consider the proposal in terms of all three roles to establish whether it constitutes sustainable development.
10. The site is located outside the defined settlement of Eastchurch, being approximately $\frac{3}{4}$ mile from the settlement boundary and around 1 mile from the village centre and the goods and services available there. Church Road, which links the Sheppy prison cluster to the village centre, does have a footway along its length and some lighting and so provides a safe pedestrian access to the village centre. Furthermore, on Church Street there is a bus stop around

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300 metres from the site which is served by three bus services providing links to the village centre and larger towns further afield. Accordingly because of the site's accessibility to goods, services and public transport links, the provision of housing in this location would support the well-being of the village and help to perform the social role in sustainable development.

11. The prison cluster dominates the context of the site, and the appellant has commented that the neighbouring houses were originally built to house prison staff and their families. It is not unreasonable to consider that the prisons could provide employment opportunities for future residents of the dwellings which would be accessible by walking or cycling. Furthermore there may also be a short term gain for the local economy during the construction period. Consequently, the development would contribute to the local economy and fulfil the economic role.
12. As set out above, the immediate area has a primarily domestic character and therefore no harm would be caused to the character or appearance of the countryside as a result of the development. As such the development would protect the countryside and the environmental role would be met.
13. In terms of complying with specific policies in the Framework, Paragraph 55 advises that isolated homes in the countryside should be avoided. However due to the size of the settlement within which the site is located and the links to the village centre, I do not consider that the development would be isolated.
14. In summary, there would be no adverse impacts arising from the proposed dwelling, there would be benefits when considered against the Framework as a whole and there are no specific policies in the Framework which indicate that development should be restricted. For all the above reasons, I find that the proposed dwelling would constitute sustainable development as defined in the Framework. The development would also accord with Policy H2 of the SBLP which supports sustainable forms of development, and Policy E6 of the SBLP which requires development to protect the character of the countryside.

Conditions

15. I have considered the conditions put forward by the Council against the requirements of the national Planning Practise Guidance and the Framework. Where necessary and in the interests of clarity and precision, I have altered the conditions to better reflect this guidance.
16. In addition to the standard timescale condition, I have attached conditions for the avoidance of doubt, to protect the character and appearance of the area, in the interests of sustainable development, in the interests of highway safety and in the interests of the residential amenity of neighbouring residents. Some conditions require compliance prior to the commencement of development so that the effects of the development are properly mitigated for.

Conclusions

17. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed and planning permission granted subject to the conditions in the attached Schedule.

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Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14.48.01B, 14.48.02B and 14.48.03A.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details have been submitted to and approved in writing by the local planning authority which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling and energy efficiency. Such measures shall be carried out as approved.
- 5) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved before the occupation of the development. These details shall include existing trees, shrubs and other landscape features; schedules of plants noting species (which shall be native species), plant sizes and proposed numbers/densities where appropriate, means of enclosure, hard surfacing materials and an implementation programme.
- 6) If within a period of five years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written approval to any variation.
- 7) No dwelling shall be occupied until the garages and vehicle parking and manoeuvring areas have been provided within the site in accordance with drawing No 14.48.01B.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garages, vehicle parking and manoeuvring areas shall be kept available for vehicle parking and manoeuvring at all times.
- 9) Construction works shall not take place outside 0730 hours to 1900 hours Mondays to Fridays and 0730 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays, unless with the prior written approval of the Local Planning Authority.
- 10) No development shall take place until a programme for the suppression of dust during the construction of the development has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period unless any variation has been approved by the local planning authority.