

Application No: 22/0560/FH

Location of Site: 44 Naildown Road, Hythe, CT21 5TB

Development: Demolition of existing dwelling. Erection of an apartment block comprising of 4 x 2 bed with underground parking. Erection of 2 x 3 bed new detached dwellings on southern part of the plot.

Applicant: Mr T. Dufficy

Agent: RX Architects, The Creative Centre, New Road, Rye, TN31 7LS

Officer Contact: Ross McCardle

SUMMARY

This application seeks planning permission for the demolition of a detached bungalow and the erection of a block of four flats and two detached houses within a sustainable urban location. The development, which is of high-quality design, would incorporate appropriate access, parking, turning, garden space and bin storage. Whilst the development would introduce change to the area and street scene, the submitted technical assessments demonstrate there would be no unacceptable harm to the residential amenity of neighbouring residents and on balance, the development is considered to be acceptable. The application is therefore recommended for approval.

RECOMMENDATION:

That planning permission be granted subject to the conditions set out at the end of the report and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

1. INTRODUCTION

1.1. The application is reported to Committee due to an objection from Hythe Town Council.

2. SITE AND SURROUNDINGS

2.1. The application site comprises a detached bungalow set centrally within a private garden and an immediately adjoining plot of open grassland situated at the western end of Naildown Road, within the defined settlement boundary of Hythe.

2.2. The existing dwelling is a simple brick-built bungalow with hipped roof and integral garage, with a patio to the southern side, and an established garden with a dense hedgerow along the boundaries.

2.3. The area is of a mixed character with various types and designs of dwellings, including detached and semi-detached houses, bungalows, and chalet bungalows. There is also a modern flat development at 19 Naildown Road to the southwest (8 flats over three stories) and a three-storey flat-roofed house at no.29 Naildown Road immediately to the west.

Land levels slope significantly upwards to the north with the site levels being much higher to the north than the south. Land to the rear of the application site is designated

as Special Landscape Area with the AONB boundary approximately 30m to the northwest. Public bridleway ref. HB18 lies to the NW of the site (not adjoining). Despite its hillside location the area is not identified as being at risk of land instability.

2.4. A site location plan is attached to this report as **Appendix 1**.



Fig.1: Application site boundaries

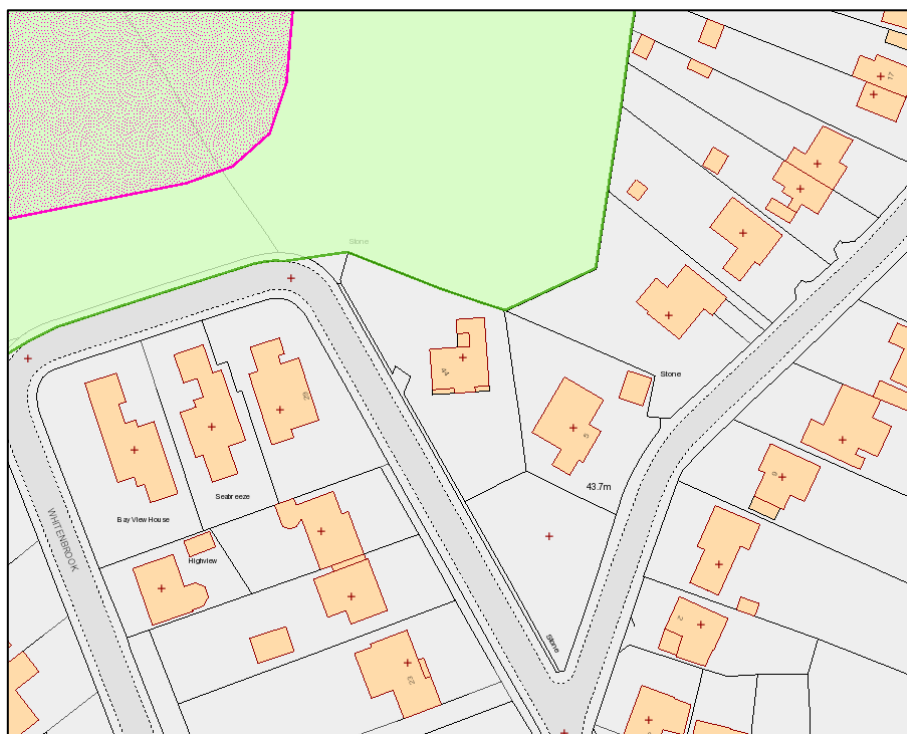


Fig.2: Application site (centre) and SLA (green) and AONB (pink) boundaries



Fig.3: View of site from south

3. PROPOSAL

- 3.1 Full planning permission is sought for the demolition of an existing bungalow and the erection of 4 x two-bed residential flats and 2 x three bed detached houses.

Flats

- 3.2 The block of flats would sit at the northern end of the site and would measure a maximum of approximately 19m deep x 17.8m wide x 12.5m tall (10.3m above ground level, with a sunken basement parking area). The flats would be of a simple contemporary design and have a stepped profile with the second and third storeys being increasingly brought away from the eastern site boundary. The flats would feature a flat roof and inset balconies on the southern elevation. External materials are proposed as vertical timber cladding, white bricks, frameless glass balustrades, and aluminium doors and windows. The lower flat roof area formed by the step in from the boundary and the principal (topmost) roof would be planted as green roofs.
- 3.3 Internally the building would feature parking, cycle parking, and plant/storage at ground floor, two flats at first floor, and one flat each at second and third floor levels. Each flat would have two bedrooms, and flat 3 would have a study area adjacent to the lounge that could potentially function as a third bedroom.
- 3.4 Parking for 6 vehicles (including a minimum of two EV charging points) would be provided to the front of the building, and a communal garden provided to the rear. Two small private gardens are shown to the rear of the lower flats to provide an area of defensible space. Bin storage would be at the southwestern corner of the site.
- 3.5 The building would be set a minimum of 8.8m from no.5 High Ridge, 17m from 29 Naildown Rd, and 22m from the proposed houses (see fig.8 below).

Houses

- 3.6 The proposed houses would sit at the southern end of the site fronting on to High Ridge and would be of a simple contemporary design similar to the flat block, with flat roofs, vertical timber cladding, white bricks, and large windows. The western unit would have a first floor terrace to the side.
- 3.7 Internally the units would provide open-plan accommodation at ground floor and three bedrooms at first floor. Externally there would be two off-street parking spaces for each property and rear gardens measuring between 9.5m and 16.5m deep. Dedicated

bin storage would be provided to the front of each unit, and an area of soft landscaping and native planting would be retained at the southwestern corner of the site adjacent to the junction of Naildown Road and High Ridge. Both properties would have green roofs. The two buildings would be set back from the pavement edge by between 2.7m and 3.9m.

3.8 The houses would be a minimum of 4.7m from the flank of no.5 High Ridge and 20m from the front elevations of nos. 2 and 4, opposite (see fig.8 below).



Fig.4: Proposed block plan

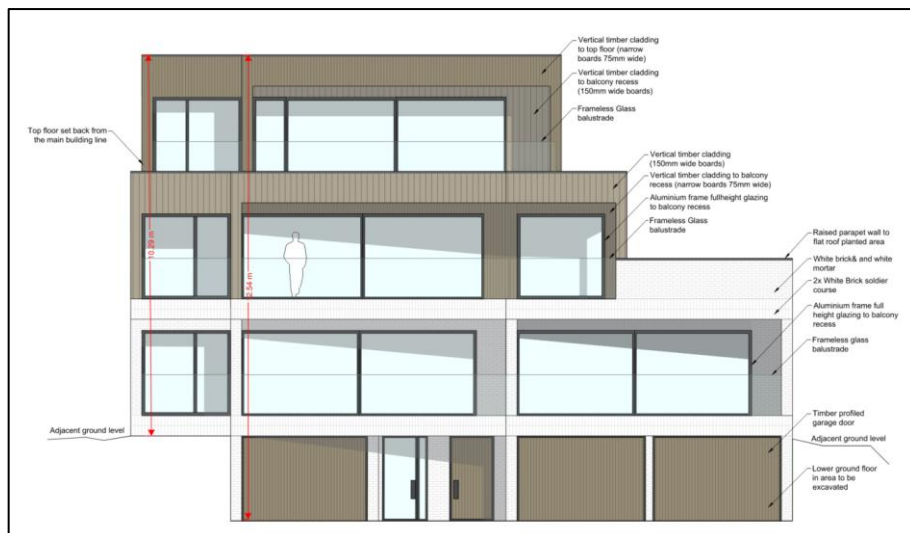


Fig.5: Front (south) elevation of proposed flats



Fig.6: Front and rear elevations of proposed houses



Fig.7: Axonometric model of proposed development



Proposed development



Proposed flats

3.9 The following reports were submitted by the applicant in support of the proposals:

Planning Design & Access Statement

3.10 This sets out the background to the development, the design evolution further to pre-application discussions, and the site context in terms of local character and applicable policies.

Preliminary ecological appraisal and walkover survey

3.11 An ecologist has visited and inspected the site for protected species, returning to carry out a walkover survey after receipt of objections suggesting badgers were present on the site. Both documents conclude that there is no evidence of protected species living on the site, although it is acknowledged that badgers may cross the land while foraging.

Transport statement

3.12 This assesses the proposals in terms of its location and relationship to the local highways/transport network and potential impact thereon. It shows that the site lies close (<1km) to public transport links, shops, and services, and would provide a surplus of parking over current adopted requirements. The document also examines local collision data and concludes that the development would not prejudice highway safety.

Daylight and sunlight report

3.13 This document assesses the potential impacts on neighbouring properties using recognised technical methods. It concludes that *“all windows and associated rooms will continue to experience excellent levels of daylight and sunlight...the effects of the proposed development in relation to daylight and sunlight is fully BRE compliant.”*

4. RELEVANT PLANNING HISTORY

4.1 No relevant planning history for the application property.

4.2 Y13/1277/SH granted permission for demolition of no.29 Naildown Road and erection of a detached three-storey contemporary dwelling with basement garaging.

- 4.3 20/1784/SH granted planning permission for demolition of no.19 Naildown Road and erection of a block of 8 x two-bed flats. That development was designed by the same architect as the current proposals and approved by planning committee at the August 2021 meeting.

5. CONSULTATION RESPONSES

- 5.1 The consultation responses are summarised below.

Consultees

Hythe Town Council: object on the grounds that the proposal is over-intensive and out of character with the street scene; insufficient parking provision; overlooking; and loss of sunlight to neighbouring properties.

KCC Highways and Transportation: no objection subject to the standard conditions set out below. They have requested a condition requiring pre- and post-development surveys of the road and a commitment for the developer to fund any required repairs, but this falls outside of the scope of planning and would be a private legal matter between the developer and KCC.

KCC Ecology: no objection subject to the conditions set out below. They particularly comment on the submitted ecological surveys in regards bats, reptiles, and badgers, and are satisfied that there are no signs of activity within the application site (although acknowledge that there is evidence of a badger sett nearby but advise this would not be affected by the proposed development).

Southern Water: advise that a formal application for connection to the network will be required.

Local Residents Comments

- 5.2 Five neighbours directly consulted and a site notice posted. 29 letters of objection received in response (including several from the same addresses).
- 5.3 I have read all the letters received. The key issues are summarised below:

Objections

- Scale and design
- Visual impact
- Out of character
- Highways safety and amenity
- Inadequate parking
- Overshadowing / loss of light
- Overlooking / loss of privacy
- Loss of views
- Loss of open space
- Impact on local drainage
- Impact on ecology / wildlife, and potential presence of protected species
- Inadequate local services
- Light, noise, and air pollution
- Bin storage

- Noise and disturbance during development
- Safety and security
- Would not be affordable
- Development already commenced on site [CPO comment: no development has commenced on site]
- Request for site meeting

5.4 Responses are available in full on the planning file on the Council's website:

<https://searchplanapps.folkestone-hythe.gov.uk/online-applications/>

6. RELEVANT PLANNING POLICY

6.1 The Development Plan comprises the Places and Policies Local Plan 2020 and the Core Strategy Local Plan 2022.

6.2 The relevant development plan policies are as follows:

Places and Policies Local Plan 2020

HB1 (general criteria)
 HB3 (space standards)
 HB8 (alterations)
 HB10 (development of residential gardens)
 E8 (fibre to the premises)
 T2 (parking)
 T5 (cycle parking)
 NE2 (Biodiversity)
 NE3 (protected landscapes)
 NE6 (land stability)
 CC1 (carbon emissions)
 CC2 (sustainable design and construction)

Core Strategy Local Plan (2022)

SS1 (spatial strategy)
 SS3 (sustainable settlements)
 CSD1 (balanced neighbourhoods)
 CSD2 (residential needs)
 CSD3 (tourism)
 CSD4 (natural networks and open spaces)
 CSD7 (Hythe)

6.3 The following are also material considerations to the determination of this application.

Government Advice

National Planning Policy Framework (NPPF) 2021

Members should note that the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. A significant material consideration is the National Planning Policy Framework (NPPF). The NPPF says that less weight should be given to the policies above if they are in conflict with the NPPF. The following sections of the NPPF are relevant to this application:-

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 47 - Applications for planning permission be determined in accordance with the development plan.

Para. 68 requires Councils to have an identifiable five-year supply of housing land, and para. 69 comments that small and medium sized sites can make a valuable contribution to meeting this requirement.

Para. 110 requires provision of safe access to all users of the site, and para. 111 sets out that development should only be 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.

Paras. 119 and 120 encourage making effective use of land, including through development of previously developed land and under-utilised land and buildings “especially if this would help to meet identified needs for housing.” Para. 125 then states “it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”

Para. 130 requires all developments to be well-designed and appropriate to their setting.

Paras. 174 and 180 require development to be sensitive to ecology and biodiversity, enhancing biodiversity in all cases, and avoiding harm to protected species unless that harm can be appropriately mitigated.

National Planning Policy Guidance (NPPG)

National Design Guide October 2019

7. APPRAISAL

7.1 In light of the above the main issues for consideration are:

- a) Principle of development and sustainability
- b) Scale/design/layout/visual amenity
- c) Space standards
- d) Residential amenity
- e) Ecology and biodiversity
- f) Drainage
- g) Highway safety
- h) Other matters

a) Principle of development and sustainability

7.1 The application site is situated within the defined settlement boundary of Hythe and is therefore considered to be a sustainable urban location. Core Strategy policy SS3 seeks to permit new residential infill development within the established settlement hierarchy subject to material planning considerations (as set out below), and PPLP policy HB10 allows development of residential gardens subject to consideration of layout, scale, design, etc. The existing dwelling is not considered to be of any special architectural or historic merit that would warrant retention. The immediate area is predominantly characterised by detached dwellings situated within large plots, but there is also evidence of flatted development nearby. Although the proposal seeks the introduction of an apartment block, this would not be unprecedented within the area, and redevelopment of underused residential land for additional housing is broadly supported by national policy as noted above.

7.2 The principle of development is therefore considered to be acceptable.

b) Scale/design/layout/visual amenity

7.3 The application site comprises a generous plot that could comfortably accommodate additional dwellings and a larger built footprint than at present. The current site circumstances amount to a density of 10 dwellings per hectare (dph) which is significantly below the *minimum* 30dph recommended by the NPPF to ensure best use of land; the proposed development amounts to 40dph. This density is not considered to be inappropriate given the urban location

7.4 The number of dwellings has been reduced since the original pre-application submission (as referred to in the D&A Statement) to allow the block of flats to be stepped away from the common boundary with no.5 High Ridge and minimise the potential harm to the residential amenity of those neighbouring residents (in terms of outlook and overshadowing). In that regard the applicant has been accommodating to officer's suggestions in respect of scale, design, and layout. The number of dwellings allows for an acceptable site layout, including parking and turning areas, bin storage, and appropriately sized private rear gardens for the proposed houses (which will feature a patio area adjacent to the rear elevation and then steps up to an upper area of lawn towards the rear of the site – the gardens are generous and usable even accounting for this terraced form).

7.5 The scale of development has been raised as a concern by neighbouring residents. Whilst this is acknowledged as a primary consideration in this case, it should also be noted that the scale would not be alien within the context of the wider area. There is a three-storey house on the other side of Naildown Road, directly opposite the proposed flat block, and a three-storey building being erected at no.19, to the southwest of the site. The proposed houses would be two storey but comparable to the neighbouring bungalow at no.5 due to the change in levels – the flat roof form also helps to keep the overall height to approximately that of a typical chalet bungalow.

7.6 The proposed buildings would be of a contemporary design with flat roofs (green roofs to the block of flats), recessed balconies, and elevations featuring white brick and vertical timber cladding. The existing mixed character of the area is noted, and officers also note the use of white finish and timber cladding on other developments within the wider area, such as 29 Naildown Road, Bay View, and Seabreeze immediately to the west of the site; and recently erected dwellings at Naildown Close to the south. The design is therefore considered acceptable. Similarly it is noted that there are three storey buildings within the immediate area and the proposed block of flats therefore would not be out of scale with existing local development. The use of flat roofs is not

uncommon within the area (no.29 to the west features a flat roof) and would help to keep the height of the buildings low compared to the use of traditional pitched roofs. The flat roofs are considered to suit the contemporary aesthetic of the proposed units and will contribute to a clean and simple appearance.

- 7.7 The application site lies close to the AONB and SLA (as set out at para. 2.4 and fig. 2). The two houses would not adversely impact those designations as they would be situated at the southern end of the site and viewed in the context of the wider housing estate. While the flats would be closer to the edge of the woodland, they would not unacceptably affect or obstruct views above and beyond the existing situation as only a small additional area of woodland backdrop would be obscured in views from the public highway. The development as a whole would be viewed within the context of the surrounding built form rather than in isolation against the AONB and SLA backdrop. Similarly views from the footpath to the north would see the buildings against the context of both the surrounding development and the wider context of the developed area of Hythe, and the buildings would not be unacceptably harmful within that context.
- 7.8 In terms of impact on the street scene, the proposed houses would be set closer to the pavement edge than neighbouring existing dwellings and would introduce significant change to the area, but this is not unacceptable or harmful in itself. While many houses nearby tend to feature generous front gardens there is no prescribed or identifiable building line that the development would cut into, and it is noted that no.5 (adjacent) has a front garage that sits close to the highway. It is considered that the particular defining characteristic is of verdant front gardens softening the impact of the built form, and the proposed front gardens (particularly the planting in the SW corner of the plot) will maintain this local feature. Soft landscaping is secured by condition below should Members seek to grant planning permission.

c) Space standards

- 7.8 The proposed dwellings would all meet or exceed the adopted minimum floorspace standards, have suitably sized balconies or gardens, and be well served with natural daylight. They would all provide a good standard of amenity for future occupants.

d) Residential amenity

- 7.9 Due to their position, orientation, and scale the proposed houses would not give rise to any unacceptable amenity impacts for neighbouring residents. They would maintain a good separation distance to existing surrounding properties (min.4.7m to the flank of 5 High Ridge, and min. 20m to the front of 2 and 4 High Ridge – see fig.8 below) which and would not overlook any existing rear gardens. The proposed roof terrace on the corner unit would provide views but these would be of front gardens and no worse than views already available to pedestrians; the private rear gardens of neighbouring properties would remain unaffected.

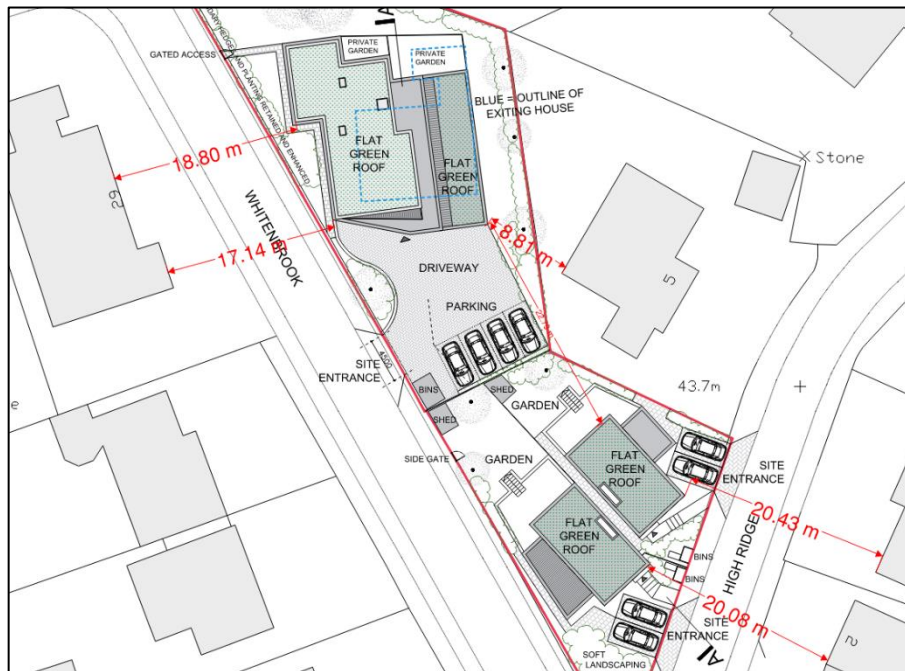


Fig.8: Separation distances

7.10 The proposed flats would be a significant structure in comparison to the diminutive bungalows at 5 and 7 High Ridge, but this is not harmful or unacceptable in itself. As set out above the building would be staggered so that the upper storeys are increasingly set away from the common boundary with no.5 in order to minimise any sense of enclosure or overbearing presence. The ground and first floors would be located 8.m from the rear elevation of no.5, the second floor would be 14.5m away, and the uppermost floor would be 16.6m from no.5 (as shown in fig.9 below).

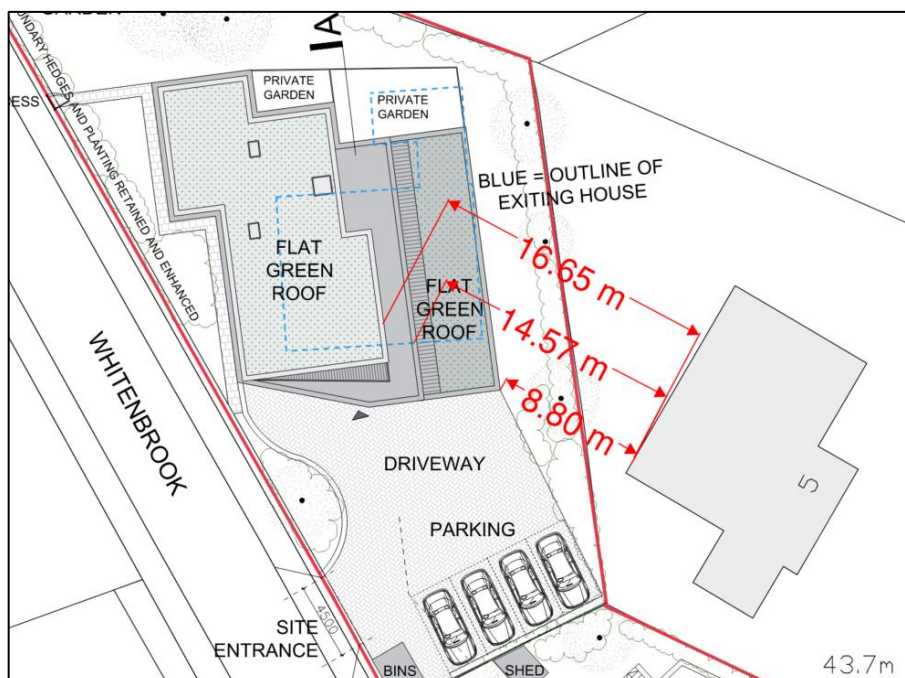


Fig.9: Separation distances (proposed flats)

7.11 No.5 High Ridge is set down from the level of the existing bungalow and proposed flats, and its outlook is therefore onto a raised bank with a 1.8m garden fence beyond. The step back of the successive floors as proposed would ensure that that outlook is not further unacceptably impinged upon, and officers consider that the relationship between the two would be acceptable.

- 7.12 The submitted Daylight and sunlight report demonstrates that neighbouring properties would not be unacceptably affected, and light levels reaching their windows would remain in excess of BRE standards (BRE guidance changed in 2022, but principally in regard to calculating daylight in proposed developments, and without significant amendments to calculating the impacts upon neighbouring properties). There may be some minor overshadowing of the front of no.5 during the winter months when the sun is lower in the sky and directly to the south, but otherwise the positioning of the dwellings would maintain an open aspect for no.5. There may also be some minor overshadowing of no.29 Naildown Road (to the west) in the early hours when the sun is due east, but this would be for a very short time and not seriously harmful. Other neighbouring properties would not be affected due to separation distances involved and the position of the proposed buildings.
- 7.13 The proposed flat balconies have been designed to incorporate side walls/privacy screens that would prevent direct views of the rear garden of no.5, thereby protecting the privacy and amenity of those residents. The condition below secures obscure glazing to flank windows and the insertion of new windows on the flats would require planning permission as they do not benefit from PD rights.
- 7.14 Officers note concerns raised in respect of residential amenity; however a residential use is not in itself likely to generate unacceptable noise and disturbance, and any general disturbance during construction would be short-lived and for the duration of the works only. Officers note concerns about safety and security but there is no evidence to suggest that these units would affect the security or privacy of neighbouring properties any more than the current circumstances.
- 7.15 Officers therefore consider the development, whilst introducing substantial change to the site, on balance to be acceptable in respect of its impact on residential amenity.

e) Ecology and biodiversity

- 7.16 Local concern is noted and the applicant's ecologist has visited the site on multiple occasions to carry out inspections. Their reports confirm that there are no protected species on the site and that there will be no ecological harm arising from the development. KCC Ecology agree with these conclusions and officers therefore consider the potential ecological impacts to be acceptable.
- 7.17 It is noted that there is a badger sett near to the site (approximately 30m to the north), but it is not within the site and any foraging/commuting badgers would not be unacceptably affected by the development, as set out within KCC's comments.
- 7.18 The conditions set out below will ensure the development is carried out sensitively and makes a positive contribution to ecology and biodiversity once complete.

f) Drainage

- 7.19 Public sewers run along Naildown Road and the development can therefore be connected to the network. Southern Water has no objection and formal drainage arrangements / applications will be carried out as part of the Building Control process. Nevertheless, the standard condition set out below will ensure relevant details are provided so that officers and Members can be satisfied that the appropriate arrangements have been made.

g) Highway safety and amenity

7.20 The proposed development provides access, parking, and turning in accordance with current adopted guidance and requirements. The development would not generate vehicle movements in excess of highway capacity and, while local concern in regards highway safety is understood, there is no evidence that the development would give rise to any harm such that a reason for refusal on highways grounds could be justified or defended. KCC Highways have no objections as set out above.

7.21 The conditions below would secure cycle parking and EV charging in accordance with the Council's sustainable development policies.

h) Other matters

7.22 Local objections are noted and resident's concerns are understood. These have been addressed in the paragraphs above but a number of issues such as loss of views and the affordability (in terms of market value) of the units are not material planning considerations.

7.23 The development would be liable for CIL, which is used for the direct provision/enhancement of local services.

7.24 There has been some objection regarding the loss of the corner plot as an area of open space, but this is in private ownership and there is no right for locals to use this land. As set out above the scheme includes a generous planting buffer on the corner to maintain the green aspect of the site.

Environmental Impact Assessment

7.25 In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

Local Finance Considerations

7.26 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the Act defines a local finance consideration as a grant or other financial assistance that has been, that will, or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy. There is no CIL requirement for this development.

7.27 In accordance with policy SS5 of the Core Strategy Local Plan the Council has introduced a Community Infrastructure Levy (CIL) scheme, which in part replaces planning obligations for infrastructure improvements in the area. The CIL levy in the application area is charged at £117.73 per square metre for new residential floor space.

Human Rights

7.28 In reaching a decision on a planning application the European Convention on Human Rights must be considered. The Convention Rights that are relevant are Article 8 and Article 1 of the first protocol. The proposed course of action is in accordance with domestic law. As the rights in these two articles are qualified, the Council needs to

balance the rights of the individual against the interests of society and must be satisfied that any interference with an individual's rights is no more than necessary. Having regard to the content of this report, it is not considered that there is any infringement of the relevant Convention rights.

Public Sector Equality Duty

7.29 In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

Working with the applicant

7.30 In accordance with paragraphs 38 of the NPPF, Folkestone and Hythe District Council (F&HDC) takes a positive and creative approach to development proposals focused on solutions. F&HDC works with applicants/agents in a positive and creative manner.

8. CONCLUSION

8.1 The application seeks planning permission for demolition of a detached bungalow and erection of a block of four flats and two detached houses within a sustainable urban location. The development is of high-quality design and would incorporate appropriate access, parking, turning, garden space, and bin storage. It is recognised that the development would introduce change to the area and street scene, however, the submitted technical assessments demonstrate there would be no unacceptable harm to the residential amenity of neighbouring residents. The scale of development is different to that of neighbouring plots but would not be out of character within the context of the wider area, which features three-storey buildings and residential flat blocks and as such, on balance, the development is considered to be acceptable. The application is therefore recommended for approval.

9. BACKGROUND DOCUMENTS

9.1 The consultation responses set out at Section 5.0 are background documents for the purposes of the Local Government Act 1972 (as amended).

10. RECOMMENDATIONS

That planning permission be granted subject to the following conditions and that delegated authority be given to the Chief Planning Officer to agree and finalise the wording of the conditions and add any other conditions that he considers necessary.

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. No development shall take place other than in accordance with drawings 01021 50, 150, 225, 226, 227, 228, 229, 350, 351, 352, 500, 450 rev. A, and drawing RCo410/Fig.01 rev. 01.

Reason: For the avoidance of doubt.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors.

- ii. loading and unloading of plant and materials.

- iii. storage of plant and materials used in constructing the development.

- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

- v. wheel washing facilities.

- vi. measures to control the emission of dust and dirt during construction.

- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of the area and highway safety and convenience.

4. 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 0800 – 1800 hours

Saturdays 0800 – 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.

5. Prior to the commencement of development (and no more than 6 months before development commences) a walk over badger survey shall be completed and results submitted to and approved in writing by the Local Planning Authority. If badgers are found to be present on site then a full mitigation strategy shall be provided for written approval and all works shall proceed in accordance with the agreed details.

Reason: To minimise potential harm to protected species.

6. No development shall take place until the proposed Precautionary Method Statement measures detailed in the Ecological Walkover Survey Letter, PJC, 17th May 2022 have been carried out to ensure no harm occurs to reptiles and badgers during the proposed development.

Reason: To minimise potential harm to protected species.

7. No development shall take place until an ecological enhancement plan detailing all enhancements within paragraph 4.4.1 of the Preliminary Ecological Appraisal (PJC Consultancy, 22nd October 2021) and setting out how these will be incorporated into the site has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In the interest of ecology and biodiversity.

8. No development beyond the construction of foundations shall take place until details to demonstrate that the dwellings hereby permitted shall use no more than 110 litres of water per person per day have been submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as agreed.

Reason: In the interest of sustainable development and minimising water consumption.

9. No development beyond the construction of foundations shall take place until details demonstrating the development as a whole will reduce carbon emissions by a minimum of 10 percent above the Target Emission Rate, as defined in the Building Regulation for England approved document L1A: Conservation of Fuel and Power in Dwellings, (or any document which supersedes or updates that document) have been submitted to and approved in writing by the Local Planning Authority. Upon approval the measures shall be implemented as agreed and thereafter retained and maintained in perpetuity.

Reason: To support the transition to a low carbon future through the use of on-site renewable and low-carbon energy technologies.

10. 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. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

11. No development beyond the construction of foundations shall take place until the relevant details set out below have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details unless otherwise agreed by the Local Planning Authority in writing. Where relevant, the following details should be provided on drawings at an appropriate scale of 1:50 (where detail needs to be considered contextually related to a façade) and at 1:20 in other cases:

- (a) full details of glazing and external doors, including all external joinery and framing methods and external colour (1:20).

- (b) 1:20 horizontal and vertical cross sections through typical sections of each of the facades sufficient to show the relationship between the façade and those elements of detail to be embedded within the façade as well projecting from it (such as the extent of recessing of glazing and doors in openings created in the façade, the consequential treatment of window reveals, the details of cills and the extent of projecting elements from the façade).
- (c) 1:100 elevation detailing the locations of all expansion joints in facades.
- (d) prior to installation - Details of any plant or machinery proposed on the roof and associated screens.
- (e) prior to installation - Details of any satellite dishes or antenna.
- (f) prior to installation - Details of rainwater goods, eaves, fascia and entrance canopies (including materials and finish, details of any supporting posts and related brick plinths and roofing materials).
- (g) prior to installation - Details of vents, louvres, extractor vents, external pipes, meters etc.
- (h) prior to installation - Details of screens and windbreaks.
- (i) prior to installation - 1:50 scale details of the parapet capping.
- (j) prior to installation - Details of external entrance steps, handrails and balustrades.
- (k) mortar colour(s).

Reason: Further details are required to ensure that the external appearance and fine detailing are of an appropriate high quality.

12. No development beyond the construction of foundations shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: In order to prevent pollution of water supplies.

13. No development beyond the construction of foundation shall take place until details of measures to prevent the discharge of surface water from the driveways of the dwellings hereby permitted onto the highway have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and amenity.

14. No development beyond the construction of foundations 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 amenity of the area and encouraging wildlife and biodiversity.

15. 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 amenity of the area and encouraging wildlife and biodiversity.

16. 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 amenity of the area and encouraging wildlife and biodiversity.

17. Within 3 months of development commencing a “sensitive lighting strategy” for the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall:
- a) Take into account measures as described in paragraph 4.3.5 of the Preliminary Ecological Appraisal report;
 - b) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - c) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory (including details of light spill which shall not exceed 1LUX on and outside the red line boundary of the site).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

Reason: To minimise potential harm to wildlife.

18. The flat roof areas of the flat block hereby permitted shall not be used as balconies or sitting out areas and there shall be no other use of the roof areas unless for maintenance.

Reason: To prevent overlooking and loss of amenity to adjoining properties.

19. Prior to the first occupation of any dwelling hereby permitted, a minimum of one electric vehicle charging point per dwelling shall be provided in accordance with specifications and in location(s) that have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of sustainable development and reducing carbon emissions.

20. The vehicle parking spaces shown on drawing 01021-PL-150 - Rev.A shall be provided and made available prior to the first occupation of the any of the dwellings hereby approved, 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(s) hereby permitted.

Reason: In the interests of highway safety and convenience.

21. The visibility splays shown on drawing 800.0044.001 Revision A shall be provided prior to the first use of any dwelling hereby permitted and thereafter retained and maintained with no obstructions over 0.6 metres above carriageway level within the splays.

Reason: In the interest of highway safety and amenity.

22. No doors, gates, or other means of enclosure shall be installed, erected, or placed on the car port serving the block of flats hereby permitted.

Reason: To ensure that the area is used for the parking of vehicles in accordance with the terms of the application and in the interest of highway safety and amenity.

23. The cycle parking facilities as shown on drawing 01021-PL-150 - Rev.A shall be provided prior to the occupation of each of the dwellings as to which the cycle parking spaces serve.

Reason: in the interest of encouraging sustainable modes of transport.

Informatives:

1. It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.
2. There is some potential for hedgehogs to be present on site. Any areas in which mammals could be sheltering must be hand searched prior to disturbance. Excavations must not be left open for animals to fall into, or planks of wood should be placed to enable any animals which may fall into such a hole to escape. Any clearance of boundary vegetation must be undertaken between April and October.
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Hedges, shrubs and trees are likely to contain nesting birds between 1st March and 31st August inclusive. Hedges, shrubs and trees are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

4. All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing up to 7kw) and

SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

Appendix 1 – Site Location Plan