

SECTION '2' – Applications meriting special consideration

Application No : 18/02377/FULL1

Ward:
Hayes And Coney Hall

Address : Rouse Farm Nash Lane Keston BR2
6AP

Objections: YES

OS Grid Ref: E: 540291 N: 164344

Applicant : Mr & Mrs E. Matebalavu

Description of Development:

Change of use and conversion of former dairy to one 3 bedroom and one 4 bedroom dwelling, removal of part of adjoining concrete framed barn, provision of associated access, amenity space, parking and landscaping. Variation of terms to Legal Agreement.

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application proposes the change of use and conversion of former dairy to one 3 bedroom and one 4 bedroom dwelling, removal of part of adjoining concrete framed barn, provision of associated access, amenity space, parking and landscaping. In addition it also include a variation of terms to an existing s106 Legal Agreement.

The application states that Rouse Farm is farmed by the applicant and is a mixed livestock farm currently with beef cattle, sheep, pigs and associated grazing.

The supporting statement advises that whilst the farm is active it is not so as a dairy farm; the dairy buildings are vacant and redundant and have been unused for over 20 years. The application includes elevational alteration, including the installation of additional windows; part of an adjoining concrete portal framed building is to be removed to allow for amenity space at the rear of the dairy.

The application also proposes a change in the wording of the existing S106 Agreement dated 28.02.2000 which contains a clause retaining the 95 acre farm in a single ownership and a further clause preventing the owner from submitting a planning application for residential development on any part of the land. The change sought would exclude the redundant dairy from the 95 acres of land referred to and allow consideration of the planning application.

The application was supported by documents including:

- Design and Access Statement
- Planning Statement
- Statement of reasons under Reg 3 for application to vary the terms of a S106 Agreement
- Structural Engineering Appraisal Report
- Ecological Appraisal

Location and Key Constraints

Rouse Farm lies beyond the built up area of Coney Hall. It is in an elevated position overlooking the valley. Access to the site is via an unmade track, from Queensway to the North and from Nash Lane to the south. The bridleway runs through the site. The supporting statement to the application advises that there is around 37.08ha of farmed land.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

Objections

- Query route of construction traffic
- Query if display of site notices requested
- Impact on Highway from extra vehicular traffic during construction and thereafter; debris and drainage issues impacting on Queensway
- Increase traffic will result in increased dust from unmade road resulting in detrimental impact on nearby residential
- Consider resurfacing unmade road and install drainage measures
- The track leading to the farm is not suitable for the increased traffic use during construction and future residence. The current access is a bridle path and footpath only and is not as far as I understand suitable for vehicular access to residential properties
- Also, if approved the construction traffic and future residents' vehicles would be detrimental to the safety of the dogs and horses who use the bridle/foot path that runs through the middle of the farm. Any further development would exacerbate the situation.
- Badger setts are active in the bridle path to Wickham Common school and in Well wood.
- An approved application could lead to further development on this green belt. When the farm was sold it involved a covenant/S106 agreement that prevented further development of land and buildings.
- livestock on the farm would have no shelter in times of severe weather.
- it will set a precedent and further development sought.

Support

- Delighted to hear that the old barn at rouse farm could be developed into two much needed dwelling places. The S106 agreement that prevents the farm land from being sold off was not intended to prevent the re-use of what is basically a redundant dairy building; applicants are clear that they are not trying to change this but have in fact asked for the agreement to be strengthened so the land continues to remain as a single owned farm unit; will greatly improve the appearance of that area of the lane.

Comments from Consultees

Environmental Health (Pollution):

I have looked at this application and in principle would have no objections to permission being granted. I would however recommend that the following Condition be attached:

- A. Before works commence the Applicant shall carry out a full intrusive pre-demolition asbestos survey and a Report of the findings shall be submitted to the Local Planning Authority for written approval. If the Report recommends that asbestos removal is required prior to demolition an Application shall be made to the Health & Safety Executive (the enforcing authority) and a copy of the application, together with details of environmental monitoring shall also be provided to the Local Planning Authority at least seven days before asbestos removal commences.
- B. On completion of the asbestos removal works, copies of all clearance certificates, disposal notes and confirmation from the Health & Safety Executive shall be submitted to the Local Planning Authority.

Environmental Health Housing Officer:

The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.

Drainage Engineer:

No comment

Highways:

The site has the lowest (0) PTAL so the vast majority of trips are likely to be by vehicle. The site is accessed via a registered right of way, Bridleway 216 which connects Queensway to Nash Lane. I assume the applicant would have a vehicular right over the access.

The bridleway is unmade and unsuitable for a significant increase in traffic. Surfacing it is unlikely to be practical and horse riders are generally not in favour of surfacing.

When the dairy was in use it would have generated its own trips. I would ask therefore that the applicant demonstrates the change in trip generation between the previous/current use and the proposed residential units.

Given the access is a registered right of way, the Ramblers Association should be consulted on the application and potentially the Bromley Bridleway Access Group.

Additional information was supplied:

From the information supplied here it seems unlikely that the proposed use will have a significant increase in trips over the existing. On that basis I would have no objection to the application.

As the access is also a bridleway I would want to make sure any damage that may occur to the surface during the construction period is repaired.

Conditions are suggested in the event of a planning permission.

Ramblers Association:

No Comments received

Bromley Bridleway Access Group:

No comments received

West Kent Badgers:

I carried out a walk-over survey on the above site on 13th July 2018. No badger setts or traces of badgers were found on the application site; however, there are numerous badger setts in the surrounding area.

If the application is successful, and permission granted, care should be taken to ensure the safety of badgers. Under the 1992 Badger Act, the badger and its home (sett) is fully protected

Conditions must be applied re: no leaving of wet concrete overnight; chemicals must be in a secure compound.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

London Plan Policies

3.3 Housing

7.4 Local character

7.6 Architecture

7.16 Green Belt

Unitary Development Plan

T3 Parking

T18 Road safety

BE1 Design of new development

G1 The Green Belt

H1 Housing

H7 Housing Density and Design

NE3 Nature Conservation

ER10 Light Pollution

Draft Local Plan

1 Housing

30 Parking

37 General Design of Development

49 Green Belt

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows:

Application Number	Description	Decision
97/02844/FUL EXTENSIONS	SINGLE STOREY SIDE AND TWO STOREY SIDE/REAR	Permission 22.01.1998
98/00937/FUL	DETACHED FOUR BEDROOM REPLACEMENT FARM- HOUSE WITH GUEST LODGE GARAGE AND GREENHOUSE	Permission subject to a legal agreement 02.07.1998
99/02667/FULL1	Detached four bedroom replacement farm house with guest lodge, garages and greenhouse (Revised siting to that permitted under refs: 98/00937 and 99/01159) (RETROSPECTIVE APPLICATION)	Permission 10.11.1999
14/04908/FULL6	Single storey rear infill extension	Permission 24.03.2015

Considerations

The main issues to be considered in respect of this application are:

- Existing Section 106
- Green Belt
- Design
- Standard of residential accommodation and impact on neighbouring amenity
- Highways
- Sustainability
- Other - ecology
- CIL
- S106

Existing Section 106

The applicants are aware that an existing legal agreement relates to the land and the application is supported by an application to vary the terms of the existing agreement, specifically clause 2.2, which states:

2.2 "...The 95 acres comprising Rouse Farm shall be retained in single ownership and no further planning applications will be submitted seeking permission for residential development on any part of that land whether for agricultural purposes or otherwise...".

The application states that the planning obligation does not give a reason 'why' the single ownership element of the clause was necessary to make the replacement of

the previous farmhouse acceptable in planning terms. It assumes that the authority sought at the time to prevent the sell-off of the replacement farm house free of its farmland to avoid the potential for a further planning application for a new agriculturally-justified agricultural workers dwellings to service it.

The supporting statement goes on to explore the merits of the Section 106 in detail and includes proposed wording for a Variation of the Agreement:

"2.2 The 95 acres comprising Rouse Farm minus the area shown as Excluded Land shown on PLAN 1 attached shall be retained in single ownership and no further planning applications will be submitted seeking permission for residential development on any part of that land whether for agricultural purposes or otherwise".

The Council's legal team have advised that the planning application should be considered on the planning merits of the proposal and in the event that the scheme is considered acceptable the decision can be made subject to a legal agreement, at which point the variation to the legal agreement can be addressed.

The planning merits are considered below.

Green Belt

The site is within the Green Belt.

The NPPF advises that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.

Policy G1 applies: within the Green Belt, as defined on the Proposals Map, permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.

The re-use of a building in the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;
- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.

The application proposes the change of use and conversion of former dairy to one 3 bedroom and one 4 bedroom dwelling, removal of part of adjoining concrete framed barn, provision of associated access, amenity space, parking and landscaping. The re-use of buildings can be considered as being not inappropriate development within the Green Belt provided they are of permanent and substantial construction, preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

A Structural Engineering Appraisal Report is submitted to support the application; the report concluded that '... in our view, the barn is a permanent and substantial construction and is structurally capable of the proposed conversion...'. which seeks to demonstrate that the building is of substantial construction and would not require extensive works to enable its reuse for residential purposes.

The report does advise that the roof will need to be strengthened with the work including new ridge beam and timber rafters to support the new roof covering; existing steel trusses to be strengthened via steel plating as necessary. Cracking and frost affected brickwork is identified and will need repair; the report advises that generally the concrete slab can be re-used with some repair work depending of floor level considerations. In terms of the foundations two x trial holes were dug in order to provide information on the existing foundations; no work is envisaged to the foundations given the exploration revealed they are at least 1m deep.

Based upon officer site visit the building had the appearance of permanent rather than temporary construction. The fact that trial holes were dug to explore the foundations and the findings of the structural report and given the substantial appearance of the buildings, it is accepted that some of the repair and refurbishment works would be expected for a residential conversion scheme. On balance it is considered that the existing buildings could be re-used for residential purposes.

An area adjacent to the existing building is identified to form part of the residential curtilage. Part of the proposed curtilage is to the north of the dairy building and is exposed to wider views beyond; two of the proposed parking spaces will be adjacent to this exposed area of residential curtilage. Some planning concern is raised in this respect due to the open nature of this part of the site. However, the area currently has a steel type frame structure which was likely used in connection with the dairy use; there is also a degree of open storage in the vicinity and there is an existing field gate and access point. Proposed fenestration would use existing openings plus the creation of new; the existing windows are steel frame and these will be replaced with matching plus new openings to be fitted with units to match.

The remaining curtilage proposed to both dwellings will be to the south of the dairy building and will be mostly contained within the cluster of built development on the site.

It is noted that the removal of part barn will facilitate proposed residential curtilage to the south of the dairy building and will create a degree of openness to that space. Native species hedging is the proposed boundary treatment to the outer edges of the curtilages. Restriction of permitted development rights could also be applied in order that the scheme would not result in built development encroaching into the open countryside and therefore the purposes of the Green Belt would not be harmed.

The site is in an elevated position overlooking the valley; it is within undulating open and verdant countryside which, in this area, includes individual residential properties as well as the main farmhouse building. The buildings retain the appearance of a group of farm buildings. The scheme proposes the part removal of the portal framed barn and retains the dairy buildings; it is considered that the proposed fenestration changes and the slate roofing materials would not materially detract from the current appearance of the property and its contribution to the visual amenity of the Green Belt.

The scheme does not require extensions to the property although it does create a domestic curtilage. The proposed residential curtilage whilst not excessive is considered of sufficient size to avoid the appearance of a cramped form of development and there would be adequate amenity space associated with both dwellings. Further, the general appearance of the property and its contribution to the character and appearance of the surrounding area would not be materially altered. Suitable conditions could be imposed concerning boundary treatments and the restriction of additional development to assist with the assimilation of the proposed dwellings into the wider landscape.

The re-use of the buildings therefore may be considered as development not inappropriate in the Green Belt and that the proposal will preserve its openness and does not conflict with the purposes of including land within it.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or

discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

It is considered that the character of the dairy buildings will be retained by this proposal and the use of steel framed windows in keeping with the original appearance of the building. The use of slate to re-roof the building will accord with the adjacent calf shed and original features such as the retention of the existing loading bay serve to identify the proposed development with its origins as well as provide continuity with the future use as residential.

Standard of residential accommodation and impact on neighbouring amenity

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

Policy BE1, amongst other matters, requires development to respect the amenities of neighbouring buildings including by reason of harm associated with noise, disturbance and loss of privacy. It is consistent with the Framework's core principle of securing a good standard of amenity for all existing and future occupants of land and buildings.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Technical housing standards - nationally described housing standard (2015).

The proposal is considered to meet the London Plan requirements in that Unit A has 121.86m² floor area and Unit B has 100.46m². The agent has advised: "the architect has designed on the basis of the capacity of each unit as max 7 for Unit A and max 6 for Unit B, although this level of occupation may be the exception rather

than the rule. Unit A has 121.86m² floor area which exceeds the London Plan policy 3.5 minimum floorspace of 108m² for single storey 7 person dwellings. Unit B has 100.46m² and the same policy requires a minimum 95m²".

The scheme does present a close juxtaposition between the two proposed dwellings as well as between the proposed dwellings and the farm use. Outlook between dwellings and between dwellings and farm would be offered some protection by the proposed boundary wall. Despite the close proximity of the proposed dwellings to the working farmyard no environmental health objections are raised in this respect. On balance it is accepted that there is sufficient protection of amenity and that the proposed development would not result in unacceptable living conditions for future occupiers.

A number of neighbour concerns are raised in respect of the suitability of the access, particularly for the use by construction traffic. There will likely be some impact arising from additional vehicular movements required for works in connection with the residential conversion. In the event of a planning permission a Construction Management Plan planning condition may be considered appropriate. In respect of impacts arising on neighbouring amenity from the residential use, given the distance of nearby residential the impacts arising in respect of considerations outlined above the impact is unlikely to be so great as to raise planning objection.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

Parking provision and cycle parking have been identified as part of the proposal. Highways have considered the application including information relating to trip generation and raise no objection in respect of the proposed residential use and proposed access and parking provision. They note that registered bridleway 216 runs past the application site and advise "It is outside of the site and should not be affected by the granting of planning permission. However, due to its close proximity to the development, the applicant should be made aware, by means of an informative attached to any permission, of the need to safeguard people using the route, and that it must not be damaged or obstructed either during, or as result of, the development".

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies

advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The application advises that the scheme, by re-use of vacant buildings, is supportive of economic aspects of sustainable development initially through construction work and on-going through future occupation; that it supports sustainable development by the provision of two new homes and that environmental aspects of sustainable development are supported by improvements to external appearance of the former dairy.

No specific sustainability measures are outlined in respect of the renovations however, this is not mandatory for this type of small development.

Ecology

An ecology appraisal has been submitted in support of the proposal and whilst no further survey work is recommended consideration is to be given to the design of any lighting scheme and any site clearance should take place outside of the nesting season.

West Kent Badger Group were consulted on the application. No evidence of badger setts were found in the immediate vicinity although there are setts within the wider area. Conditions are recommended in the event of a planning permission.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that the re-use of the buildings may be considered as appropriate development in the Green Belt and that the proposal will preserve its openness and does not conflict with the purposes of including land within it. Additionally it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

as amended by documents received on 30.07.2018 05.09.2018 26.10.2018

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- 1** The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

Reason: To comply with Section 91, Town and Country Planning Act 1990.

- 2** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the UDP and in the interests of visual and residential amenity.

- 3** The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 4** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 5** Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 6 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 7 Upon commencement of the development and for the duration thereof there shall be no leaving of wet concrete overnight and chemicals must be in a secure compound.**

Reason: In order to comply with Policy NE3 of the adopted Unitary Development Plan and in order to safeguard the interests and well-being of badgers.

- 8 Before works commence the Applicant shall carry out a full intrusive pre-demolition asbestos survey and a Report of the findings shall be submitted to the Local Planning Authority for written approval. If the Report recommends that asbestos removal is required prior to demolition an Application shall be made to the Health & Safety Executive (the enforcing authority) and a copy of the application, together with details of environmental monitoring shall also be provided to the Local Planning Authority at least seven days before asbestos removal commences.**

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment

- 9 On completion of the asbestos removal works, copies of all clearance certificates, disposal notes and confirmation from the Health & Safety Executive shall be submitted to the Local Planning Authority.**

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment

- 10 Details of a scheme of landscaping, which shall include use of native plant species where possible, details of all boundary treatment, the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become**

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. Furthermore all boundary treatments shall be maintained in perpetuity.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy BE1 of the UDP.

- 12 Details of any external lighting shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before the development hereby permitted is commenced and no additional external lighting shall be provided at the site other than that approved in writing by or on behalf of the Local Planning Authority.

Reason: In order to comply with Policy NE3, ER10 and BE1 and in order to safeguard the interests and well being of bats in the vicinity which are specifically protected by the Wildlife and Countryside Act 1981 (as amended).

- 13 Any site clearance work should take place outside the bird nesting season (end February to August) or following a site inspection by an ecologist to determine that there are no nesting birds present.

Reason: In the interest of the protection of wildlife and in order to comply with Policy NE3

You are further informed that :

- 1 Registered bridleway 216 runs past the application site. It is outside of the site and should not be affected by the granting of planning permission. However, due to its close proximity to the development, the applicant should be made aware, by means of this informative attached to the permission, of the need to safeguard people using the route, and that it must not be damaged or obstructed either during, or as result of, the development.