

<b>Application Number and Registration Date</b>	<b>MO/2018/0540 (Approval of Conditions) 30-Apr-2018</b>
<b>Applicant</b>	<b>Mr S Sheldon</b>
<b>Case Officer</b>	<b>Mr Aidan Gardner</b>
<b>Amendments /amplifications</b>	
<b>Committee Date</b>	<b>1 August 2018</b>
<b>Ward(s)</b>	<b>Brockham, Betchworth &amp; Buckland</b>
<b>Proposal</b>	<b>Discharge of conditions 3, 4, 5, 6 and 8 of approved planning permission MO/2016/1691 for the erection of 6 no. dwellings following demolition of existing buildings.</b>
<b>Site Description</b>	<b>Velgrad, Mill Hill Lane, Brockham, Betchworth, Surrey, RH3 7LS</b>

**RECOMMENDATION: Approve**

**Summary**

Towards the end of 2016, an application was submitted for the erection of six dwellings following the demolition of the existing buildings on the site (MO/16/1691). The site lies within the confines of the larger rural village at Brockham. The application was reported to the DCC at their meeting on 5 April 2017, when it was resolved to refuse permission on the grounds of: (a) the effect of the physical changes to the bridleway, in terms of widening, resurfacing and clearance of vegetation in order to allow access to the site, on the character and appearance of the area and; (b) intensification of vehicular movements over the existing bridleway, where the geometry and width of the bridleway do not adequately facilitate conflicting movements of vehicles and other bridleway users.

An appeal was lodged which was allowed in November 2017 with a number of conditions imposed by the Inspector. The site has since changed hands. A number of pre-commencement conditional details have been submitted, under the current application and application MO/18/1029. These are still consideration. Work has however started on the

development through the construction of foundations to some of the units. One of the conditions relates to details of levels – condition 5 and this forms the subject of this report.

Site location



**1. Development Plan**

1.1. Large Rural Village.

**2. Relevant Planning History**

MO/16/1691	Erection of 6 No. dwellings following demolition of existing buildings.	Refused 11/04/17. Appeal allowed 02/11/17
MO/18/1029	Conditional matters application – conditions 3, 7, 9 and 12.	Current

**3. Consultations**

3.1. Council’s Solicitor – Provided a legal view on the issue of conditional details as follows:-

*‘I do not express a view on what the finished site levels/slab levels or anything else are, it is worth looking at drawing SD207/LVL/01 and comparing this with the other drawings and elevations.*

*In order to determine compliance, or otherwise, with conditions in planning permissions it is obvious that minor transgressions ought not to be punished.*

*The test is (see Henry Boot and Moat Homes v Swale Borough Council) whether any breach is sufficient to cause a significant impact on the living conditions of neighbouring properties? I base this on the concept that, if a local authority is to do*

*anything about a planning matter it regards as unacceptable it must take enforcement action.*

*The logic is this, a local authority is required to act lawfully and the lawful action it can take is determined by Parliament. The Town and Country Planning Acts lay out a statutory code, backed by subordinate legislation, for enforcement. Suppose that the local authority is faced with an apparent breach of development control, it must determine whether it is 'expedient' to take action. To make that determination various factors must be taken into account such as the harm caused by the apparent breach. Once harm is established, the nature and extent of the harm has to be considered; it is at this point that the discretion of the planning officer is engaged. A one metre height difference in the woods may well be insignificant while, in a town centre context, the opposite may well apply.*

*The last element is to consider what would happen in the event of an appeal against either, an enforcement notice or, a breach of condition notice that was served, requiring removal of the offending structure. The developer is being subjected to criminal sanctions and court, judges and planning inspectors are all reluctant to impose penalties.*

*Condition 5, requires details to be submitted and approved by the LPA. It is obvious that the LPA is not bound to approve details it finds unacceptable. The basis for making the decision whether or not the proposed levels are unacceptable is the judgement of the planning officer.*

*My formal advice is that it is a question of fact and degree as to whether the levels of slabs, roof lines or other elements of the proposed development are acceptable or not and that decision is one for the planning officer.'*

#### **4. Representations**

- 4.1. Representations have been received from the occupiers of two adjoining occupiers, together with responses from Brockham Parish Council and the Dorking and District Preservation Society. The following summarised points are raised:-:
- The approved elevations and plans show an internal floor slab at 50.42 for the Plot 6 house, whereas the details submitted under the levels propose a finished floor level of 51.35 metres; the difference is 0.93 metres; **Officer comment:** see below for analysis
  - The facing side windows at High Bank (adjoining the site to the site) serve two bedrooms and the natural light and living conditions of the occupiers of High Bank will be impacted;
  - There is concern that the levels for Plots 1 and 2 are also too high; **Officer comment:** see below for analysis
  - There is also likely to be loss of privacy to the occupiers of 5 Nutwood Close at the northern side of the site;
  - The change in levels is too significant to be considered under details; **Officer comment:** The current application is the appropriate mechanism for discharging the condition

- The developer should adhere to the terms of the planning permission and not alter aspects through conditions; **Officer comment:** *the applicant is following due process by making an application to discharge the condition*
- The developer should be required to stop work on the unauthorised works; **Officer comment:** *See para 6.2 below*

## 5. Main Planning Policies

### 5.1. Government Guidance

National Planning Policy Framework

Decision taking – Paragraph 187: *‘Local planning authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Local Planning Authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.’*

### 5.2. Mole Valley Core Strategy

CS14 – Townscape, Urban Design and the Historic Environment

### 5.3. Mole Valley Local Plan

ENV22 – General Development Control Criteria

## 6. Main Planning Issues

- 6.1. The main planning issue for consideration is whether the levels details that have been provided in pursuance of the condition 5 can be approved. However, before this stage, the issue of the commencement of works ahead of the clearance of pre-commencement conditions needs to be considered, as does the conclusions of the appeal Inspector.

### Commencement

- 6.2. There has been a useful recent appeal decision which sheds light on this topic. The case involved a site in Essex where the LPA refused to discharge pre-commencement conditions attached to a planning permission for 14 flats on the basis that development had already commenced.
- 6.3. The three conditions in contest related to materials and hard surfacing, contamination and surface water drainage. The Inspector noted that the Council had refused all three applications on the basis that the actions of submitting the details required by the conditions to the Council, and their subsequent approval, should have been done before the development permitted by the original planning permission was commenced. Although the details were submitted, the development commenced before the Council gave its approval to them. The Council had argued that, as the conditions are worded on a pre-commencement basis, they were not in a position to discharge the conditions.
- 6.4. The Inspector noted that there was no dispute about the acceptability of the details submitted. He had no concerns about them either. The appeal was allowed. This decision shows that, whilst the Council was technically correct, a pragmatic approach

would be more appropriate.

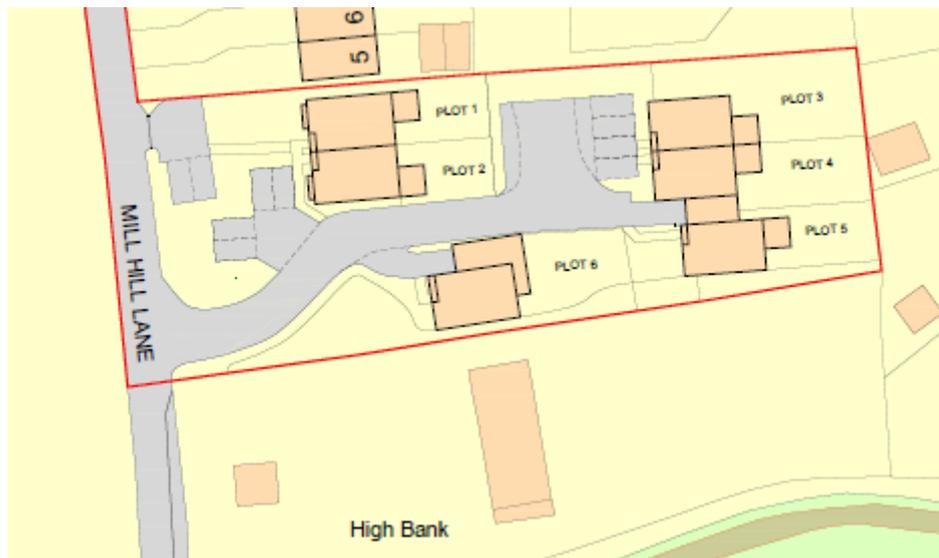
#### Planning refusal and appeal decision

- 6.5. As stated in the 'Summary' above, the Council's reasons for refusal made no reference to the effect of the housing development on the character of the area, nor, on the amenities of neighbouring properties. In the appeal decision – attached for information – the Inspector commented at paragraph 6:-

*'Other residential development lies to the north, east and south of Velgrad and an agricultural field lies beyond Mill Hill Lane to the west. Though this field provides a countryside setting to the edge of this part of Brockham, the part of Mill Hill Lane, which serves Velgrad and High Bank bounds other residential curtilages to its east and thus, has a suburban fringe character.'* Para. 8. *'The Council has no concerns in respect of the design and layout of the proposed dwellings. On the basis that they would be of a traditional appearance and would reflect the general layout, grain and plot sizes of residential development to the north, I consider that they would be an appropriate addition in this context.'*

- 6.6. In paragraph 19, the Inspector considered the effect on living conditions and deduced that there would be no harmful impact arising from the development. The Inspector only specifically referenced 5 Nutwood Close in his assessment. He went on to say: *'Given that other proposed dwellings are sited a greater distance from other existing dwellings, I also consider that there would be no adverse effect on light, outlook or privacy for the occupiers of these properties.*' (Officers' emphasis)
- 6.7. However, in paragraph 23, the Inspector did consider it necessary to impose a condition requiring details of levels to be submitted, in order to safeguard the amenities of adjoining properties.

#### Assessment of levels



- 6.8. There is a moderate rise in levels running across the site from north to south, amounting to about 1.27 metres. There is a more pronounced fall in levels running back from the front of the site, such that the level at the rear boundary is about 2.53 metres lower than at the front. A 'Levels' plan was submitted with the original application which indicated a ground level around the former bungalow as being between 50.03 metres and 50.43 metres. The levels at the western (front), northern,

eastern (rear) and southern end of the site were shown as 52.21 metres, 50.2 metres, 49.68 metres and 51.1 approximately (mid point along its length) respectively.

- 6.9. Under the 'levels' plan submitted with the current application to discharge condition 5, the finished floor levels of the houses are indicated as: 51.05 (Plot 1-2: northern side of site), 49.775 – 49.85 (Plots 3-5 at rear – eastern - side) and 51.35 (Plot 6) southern side. (The floor level of Plot 6, has been measured on site and it accords with the submitted details).
- 6.10. The plots in contention with adjoining residents are Plots 1-2 and 6.
- 6.11. The streetscene drawing submitted with the original application is indicated below, with the profiles of the adjacent properties, 5 Nutwood Close and High Bank, indicated:



- 6.12. The agent for the developer has presented the same streetscene, generated from the levels presented under condition 5. The is shown below:

**Plots 1-2**

**Plot 6**



Site Section for the proposed taken along line of Section B-B of approved planning drawing DD22C

6.13. The streetscene drawing shows that the ridge of Plots 1-2 would stand in alignment with the ridge of 5 Nutwood Close (LHS above). The southern flank elevation of 5 Nutwood Close does not contain any windows. The levels plan does not indicate any increase in ground levels at the rear of Plot 6. Because 5 Nutwood Close is reversed on its axis with the front door facing inwards, the patio at the rear of Plot 6 would adjoin a garage and forecourt rather than a garden area to No. 5.

Regarding High Bank (RHS above), the northern flank elevation of this property contains bedroom windows. This particular property has been designed in such a way as to allow its principal living accommodation to take best effect, in terms of sunlight and views, from the aspects to the south. While the Plot 6 stands slightly higher relative to High Bank, than shown in the original streetscene, it is judged that the change would not have a material impact on the living conditions of High Bank.

## 7. Conclusion

7.1 As advised by the Council's Solicitor, assessing conditional details rests with the judgement of the decision maker and, as stated above, it is concluded that the levels details would not result in material harm to the character of the area or to the amenities of adjoining properties.

7.2 It is recommended that the levels details be approved and condition 5 discharged.

## 8. Recommendation

Approval of the details of levels be **GRANTED**.



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## Appeal Decision

Site visit made on 3 October 2017

by **Alex Hutson MATP CMLI MArborA**

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

Decision date: 2 November 2017

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### Appeal Ref: **APP/C3620/W/17/3177511** **Velgrad, Mill Hill Lane, Brockham RH3 7LS**

- 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 Lime Group against the decision of Mole Valley District Council.
  - The application Ref MO/2016/1691/PLA, dated 21 October 2016, was refused by notice dated 11 April 2017.
  - The development proposed is demolition of existing buildings and erection of six new dwellings.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings and erection of six new dwellings at Velgrad, Mill Hill Lane, Brockham RH3 7LS in accordance with the terms of the application, Ref MO/2016/1691/PLA, dated 21 October 2016, subject to the attached schedule of conditions.

### Application for costs

2. An application for costs was made by Lime Group against Mole Valley District Council. This application is the subject of a separate Decision.

### Preliminary matters

3. The Council's decision notice refers to 'Policy CS13 of the Mole Valley Local Plan'. The Council has confirmed that this is incorrect and that it should refer instead to Policy CS13 of the Mole Valley Core Strategy 2009 (Core Strategy). I have considered the appeal on this basis.

### Main issues

4. The main issues are the effect of the proposal on the character and appearance of the area, having due regard to proposed changes to Mill Hill Lane; and the effect of the proposal on highway safety.

### Reasons

#### *Character and appearance*

5. The appeal site lies within the built up confines of Brockham, defined as a Larger Rural Village within the Mole Valley Core Strategy 2009 (Core Strategy). It comprises a single storey dwelling, known as Velgrad, and its large front and rear gardens. It also comprises part of Mill Hill Lane, a private lane which is

- also a public bridleway. This lane runs south from Nutwood Avenue and serves Velgrad and a dwelling to its south known as High Bank, before veering in a westerly direction towards a bowling club where it terminates. The public bridleway continues beyond this to link up with the main part of the village.
6. Other residential development lies to the north, east and south of Velgrad and an agricultural field lies beyond Mill Hill Lane to the west. Though this field provides a countryside setting to the edge of this part of Brockham, the part of Mill Hill Lane which serves Velgrad and High Banks bounds residential curtilages to its east and thus, has a suburban fringe character. This character is noticeably different to that of the wider part of Mill Hill Lane and the public bridleway, which run through areas of woodland and open countryside.
  7. The proposal seeks to demolish Velgrad and to erect six, two storey dwellings with an associated access road and parking spaces within its plot. It also seeks to make some changes to the part of Mill Hill Lane within the appeal site by resurfacing it and removing some verges and vegetation along it to enable its widening. This is to allow some space for vehicles to pass each other and to pass users of the bridleway, which cannot currently be easily achieved. A new footway would also be installed at the junction of Mill Hill Lane and Nutwood Avenue.
  8. The Council raises no concerns in respect of the design and layout of the proposed dwellings. On the basis that they would be of a traditional appearance and would reflect the general layout, grain and plot sizes of residential development to the north, I consider that they would be an appropriate addition in this context. In addition, the key trees within the appeal site, including a mature oak along the frontage with Mill Hill Lane, would be retained. I am also satisfied, on the basis of the evidence before me, that there would be no undue harm to any off-site trees. The Council's main concern relates to the proposed changes to Mill Hill Lane. In its view, these changes would be radical and would create a more formal and engineered appearance that would harm the character and appearance of this part of the lane which it considers provides a sensitive transition between the built up area and the open countryside to the west.
  9. I accept that the proposed changes would result in the removal of some vegetation, including hedging along the eastern edge of this part of Mill Hill Lane. However, I consider that this part of the lane, given its suburban edge context, is considerably less sensitive to change than other parts of it and its associated public bridleway. I also observed, during my site visit, that a hedge, which appeared to comprise evergreen species, had recently been planted within the field to the west of the appeal site, along the boundary with Mill Hill Lane. This already provides some formality to the character of the lane and, as it develops, is likely to substantially enclose this part of the lane from the open countryside to the west. Moreover, the appellant indicates that the new surface for the lane would consist of a compacted hoggin type material. This would appear considerably less engineered than a standard road surface.
  10. On the basis of these factors, I do not consider that the changes proposed to Mill Hill Lane would be radical. Nor would they result in any significant harm to the character and appearance of the lane or the surrounding area.
  11. I therefore conclude that the proposal would comply with Policy CS13 of the Core Strategy and saved Policy ENV22 of the Mole Valley Local Plan 2000

(Local Plan). These policies require, amongst other things, development to respect the character, appearance and distinctiveness of the locality and area.

*Highway safety*

12. The evidence indicates that the bridleway along Mill Hill Lane, which is narrow in width, is used on a regular basis throughout the day. Its users predominantly comprise dogwalkers, cyclists and pedestrians, including parents and schoolchildren. The Council raises the concern that traffic along Mill Hill Lane is currently 'very low' given that it only serves two dwellings and that the increase in vehicular movements along the lane generated by the proposal would be significant and that this, including any refuse vehicle movements, would conflict with vulnerable users of the bridleway.
13. However, the Council fails to acknowledge that Mill Hill Lane and its associated bridleway also serves the bowling club which can generate up to approximately 50 vehicular trips on some days. Whilst it might be currently difficult for users of the bridleway and any vehicles to pass along some parts of it, I am not aware of any accidents that have occurred. Moreover, the number of additional vehicular movements along Mill Hill Lane generated by the proposal throughout the day would, according to the evidence, be modest, including during peak hours. The proposal would also provide new passing places along Mill Hill Lane to allow vehicles to safely pass users of the bridleway or other oncoming vehicles. It would also provide an enhanced pedestrian footway at the junction of Mill Hill Lane and Nutwood Avenue. In addition, the length of Mill Hill Lane within the appeal site is straight. This provides a good level of visibility along it, which is likely to increase awareness between any drivers and any users of the bridleway.
14. The submitted swept path analysis demonstrates that a refuse and recycling vehicle, of the dimensions currently used in the District, would be able to enter the appeal site in a forward gear. It also demonstrates that it would be able to turn within the appeal site and exit it in a forward gear. This also appears to be accepted by the current refuse and recycling contractors for the District. Moreover, any refuse and recycling vehicle is likely to require access into the appeal site on only a weekly basis, and therefore infrequently.
15. On the basis of the above, it is my view that the proposal would not result in any harm to highway safety and would not give rise to any unacceptable conflict with any users of the bridleway along Mill Hill Lane. My findings on this matter are reflective of those of the County Council Highways Authority and of the County Council Countryside Access Team.
16. I therefore consider that the proposal would comply with saved Policy MOV2 of the Local Plan, which requires, amongst other things, development to be compatible with the transport infrastructure and the environmental character of the area, having regard to all forms of traffic generated.
17. On the basis that the proposal is for just six new dwellings and would not generate any significant increase in vehicular movements in the area, I do not consider that it could reasonably be defined as major development. Furthermore, the Council identifies the proposal as 'minor development' on its appeal questionnaire. Thus, other parts of saved Policy MOV2 which relate to highways and transport considerations in respect of major developments, are not relevant to my consideration of this appeal.

*Other matters*

18. I have had regard to the concerns of interested parties including in respect of the setting of Brockham Conservation Area (BCA), light, outlook, privacy, noise and disturbance, ecology, flood risk, parking provision and emergency vehicle access.
19. On the basis that I have found that the proposal would respect the character and appearance of the area and, given the degree of separation between the appeal site and the BCA, I am satisfied that there would be no adverse effect on its setting. I am also satisfied that the siting and scale of the proposed dwelling on Plot 1 would have no material adverse effect on the living conditions of the occupiers of 5 Nutwood Close in respect of light, outlook or privacy. My view on this is with the benefit of a visit to No 5 which allowed me to consider further the concerns of the occupier of this property in respect of these matters. Given that the other proposed dwellings are sited a greater distance from other existing dwellings, I also consider that there would be no adverse effects on light, outlook or privacy for the occupiers of these properties. Whilst any construction works may increase noise and disturbance levels in the area, this would be over a temporary period. It would therefore be unreasonable of me to withhold a planning permission on this basis.
20. The submitted Protected Species Survey and Assessment (PSSA), which appears to have been undertaken by a suitably qualified person, concludes that the site is unlikely to support protected species. It also makes some recommendations for precautionary works during any development, which can be secured by a suitably worded planning condition. Surrey Wildlife Trust is content with the conclusions of the PSSA and its recommendations and, on the basis of the evidence before me, so too am I. The appeal site is located within Flood Zone 1, according to the Environment Agency Flood Map. Thus, it is at low risk of flooding, including from rivers. In addition, a suitably worded planning condition could be imposed to secure details of how any surface water drainage would be dealt with. Twelve parking spaces, though a combination of garages and external parking spaces, would be provided for the six proposed dwellings. This seems like a reasonable level of parking to me and there is no compelling evidence that this is not in line with any local parking standard requirements. Given that the submitted plans demonstrate that a refuse and recycling vehicle would be able to access the appeal site, it is also likely that this would be the case for emergency vehicles.
21. Thus, on the basis of the evidence before me, and in light of my findings above, I have no substantive reasons to conclude that any of these matters weigh against the proposal. I also note that the Council has not raised any of these matters as a concern.
22. A completed legal agreement under section 106 of the Town and Country Planning Act has been provided to secure highway improvement works, the resurfacing of part of Mill Hill Lane and its future maintenance. It supersedes a previous legal agreement made in counterpart and an associated deed of variation. It is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind. Thus, it passes the tests set out in Paragraph 204 of the National Planning Policy Framework.

**Conditions**

23. I have had regard to the planning conditions suggested by the Council. I have amended some of these for clarity, conciseness and to avoid repetition. In addition to the statutory time limit condition, a condition specifying the relevant plans is necessary as this provides certainty. Those conditions relating to landscaping and materials are necessary in the interests of character and appearance. A condition relating to boundary treatment is necessary for the same reason and in the interests of living conditions and ecology. A condition relating to site levels is also necessary in the interests of living conditions. Conditions relating to the recommendations of the PSSA are necessary in the interests of ecology. I have set these out in two conditions as one relates to detailed precautionary measures as set out in the PSSA and one relates to enhancement measures, which require further details, as the detail provided within the PSSA on this matter is vague.
24. A condition relating to surface water drainage is necessary in the interests of its effective management. Those conditions relating to parking and construction management are necessary in the interests of highway safety. A condition relating to contamination is necessary in the interests of health and safety. I also agree that a condition relating to the reduction of carbon emissions is necessary in the interests of energy efficiency.
25. In addition to these conditions, I have also imposed a condition relating to tree protection which is necessary in the interests of the character and appearance of the area.
26. However, as the submitted legal agreement requires the submission of details in respect of surfacing materials for Mill Hill Lane, a separate condition in this regard is not necessary. In addition, I have not been provided with any exceptional circumstances to justify the removal of permitted development rights as suggested by the Council.

**Conclusion**

27. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

*Alex Hutson*

INSPECTOR

## SCHEDULE OF CONDITIONS:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: J002471-DD01; J002471-DD02; J002471-DD03; J002471-DD04; J002471-DD05B; J002471-DD06; J002471-DD07A; J002471-DD08B; J002471-D09B; J002471-DD10; J002471-DD11; J002471-DD12; J002471-DD13; J002471-DD14; J002471-DD15A; J002471-DD16A; J002471-DD17B; J002471-DD18C; J002471-DD19; J002471-DD20; J002471-DD21A; J002471-DD22C; J002471-DD23; TSP/LG/P3070/002 Rev A; and TSP/LG/P3070/04 Rev A.
- 3) No above ground works shall take place until details of a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The details shall include planting plans, a schedule of plants and trees, noting species, sizes and numbers and an implementation and management programme. The scheme of hard and soft landscaping shall be carried out in accordance with the approved details, implemented in accordance with the approved implementation programme and maintained in accordance with the approved management programme thereafter.

Any trees, shrubs or plants which are removed, die or become seriously damaged or diseased within five years of planting, shall be replaced within the next planting season by trees, shrubs or plants of the same size or species.

- 4) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development 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.
- 5) No development shall take place until details of: a) the existing ground levels of the site; b) the finished ground levels of the site; c) the ground floor slab levels of each building; and d) the finished levels of the access road and driveways, showing their relationship with the levels of adjoining land and buildings, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) No development shall take place until details of surface water drainage have been submitted to and approved in writing by the local planning authority. This shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version). Where a sustainable drainage scheme is to be provided, the submitted details shall include:
  - i) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii) a timetable for its implementation; and,

- iii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Surface water drainage shall be implemented in accordance with the approved details, prior to the occupation of any part of the development hereby permitted and shall be managed and maintained in accordance with the approved details thereafter.

- 7) No development shall take place until a Construction Management Plan, to include details of:
  - i) parking for vehicles of site personnel, operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials; and
  - iv) on-site turning for construction vehicles,has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Construction Management Plan.
- 8) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with the relevant British Standard and current best practice, has been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby permitted.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby permitted.
- 9) No development shall take place until details of measures to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10%, through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources, have been submitted to and approved in writing by the local planning authority. The carbon emission reduction measures shall be carried out in accordance with the approved details, prior to the occupation of any part of the development hereby permitted and shall be retained and maintained thereafter.
- 10) Prior to the occupation of any part of the development hereby permitted, details of boundary treatment, including its position, design, materials type and measures to allow the movement of small animals such as

hedgehogs, shall be submitted to and approved in writing by the local planning authority. Boundary treatment shall be erected in accordance with the approved details, prior to the occupation of any part of the development hereby permitted and shall be permanently retained thereafter.

- 11) Prior to the occupation of any part of the development hereby permitted, space shall be laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning areas shall be kept available for their designated purpose at all times thereafter.
- 12) Prior to the occupation of any part of the development hereby permitted, details of ecological enhancement measures, including an implementation and management programme, shall be submitted to and approved in writing by the local planning authority. The ecological enhancement measures shall be carried out in accordance with the approved details, implemented in accordance with the approved implementation programme and maintained in accordance with the approved management programme thereafter.
- 13) Ecological precautionary measures shall be implemented in accordance with the recommendations of the Protected Species Survey and Assessment dated October 2016.
- 14) Tree protection measures shall be implemented in accordance with the recommendations of the Arboricultural Method Statement dated October 2016.