



Application No: 161099

Location: Land At, 23 Belle Vue Road, Wivenhoe, Colchester, CO7 9LD

Scale (approx): 1:1250

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Committee Report

Agenda item

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To the meeting of **Planning Committee**
on: **25th August 2016**
Report of: **Head of Professional/Commercial Services**
Title: **Planning Applications**

7.1 Case Officer: Chris Harden

Due Date: 30/08/16

MINOR

Site: 23 Belle Vue Road, Wivenhoe, Colchester, CO7 9LD

Application No: 161099

Date Received: 18 May 2016

Agent: Mr Joel Walsh (Atp Architects + Surveyors Limited)

Applicant: Mr James Howlett

Development: Outline application with all matters reserved for the construction of a new 3/4 bedroom dwelling within the boundary of No 23 Belle Vue Road.

Ward: Wivenhoe

Summary of Recommendation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because Councillor Cory has called it in for the following reasons: 'I believe that the proposed development would be of an overbearing nature on the adjacent property. The original plans do not show this, and even on the new plans - on paper the effect cannot be appreciated. I also feel that this is infill/backfill development which would not enhance the street-scene, so it therefore does not satisfy our local policy objectives.'

2.0 Synopsis

- 2.1 **This application was deferred from the 30th June 2016 Planning Committee to allow Councillors to visit the site and to allow submission of illustrative plans to demonstrate that a satisfactory form of development could be achieved in conformity with Adopted Backland and Infill SPD. Illustrative front elevation and layout plans have now been submitted.** The key issues explored below are whether the site is large enough to satisfactorily accommodate a dwelling without it appearing cramped and the site overdeveloped and whether there would be a detrimental impact upon the character of the street scene or upon neighbouring residential amenity or highway safety. It will also need to be assessed whether there would be adequate parking and manoeuvring space and amenity space provided for the new dwelling and retained for the existing. In this case it is considered that the site is large enough to accommodate an appropriately designed and scaled dwelling without detriment to the character of the street scene or surrounding area. **It is considered that the submitted illustrative plans further demonstrate this.** Adequate parking space and amenity space for the existing and new dwelling would be provided and it is not considered there would be any detriment to neighbouring residential amenity.

3.0 Site Description and Context

- 3.1 The site lies within the physical limits of Wivenhoe and is part of the side and rear garden of number 23 Belle Vue Road. The front part of the site also consists of a double garage and parking area that serves the existing dwelling. There are dwellings on either side of the road with quite a tightly knit pattern in some areas. Some dwellings in the street have the gable facing the road.

4.0 Description of the Proposal

- 4.1 The Outline Application (with all matters reserved) is for the erection of a dwelling with an area for two parking spaces at the front. The existing dwelling would also have a new crossover and hard surfaced space in front of it for two cars. The plot would have a frontage width of 8 metres widening to 9.3 metres to the rear and would have a length of just over 40 metres.

5.0 Land Use Allocation

- 5.1 Predominantly residential.

6.0 Relevant Planning History

- 6.1 No relevant recent planning history.

7.0 Principal Policies

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

- SD1 - Sustainable Development Locations
- H1 - Housing Delivery
- H2 - Housing Density
- H3 - Housing Diversity
- H4 - Affordable Housing
- UR2 - Built Design and Character
- TA5 - Parking
- ENV1 - Environment

7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

- DP1 Design and Amenity
- DP12 Dwelling Standards
- DP13 Dwelling Alterations, Extensions and Replacement Dwellings
- DP16 Private Amenity Space and Open Space Provision for New Residential Development
- DP19 Parking Standards

7.4 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

- Backland and Infill
- Vehicle Parking Standards
- Sustainable Construction
- The Essex Design Guide
- External Materials in New Developments

8.0 Consultations

- 8.1 Highway Authority: states that “this Authority would be unlikely to raise any objections to the proposed construction of a 3/4 bedroom dwelling within the boundary of 23 Belle Vue Road subject to the following being provided;
- 1) Parking facilities in accordance with current policy standards; 2 spaces each all measuring no less than 2.9m x 5.5m, for both the new and donor properties (four spaces in total)
 - 2) Transport information marketing pack for the new property
 - 3) No loose or unbound material used for the vehicle access surfacing within 6m of the highway boundary
 - 4) For existing access points the current vehicle visibility splays are retained, and for any new access points vehicle visibility splays are provided to match the existing.’
- 8.2 Highway Authority amended plan comment: ‘For this application I have had a look at the amended plans submitted and this Authority does not wish to submit further comments.’

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

9.0 Parish Council Response

- 9.1 The Parish Council have stated that “The development is overbearing to the streetscape. Clauses 3.2, 3.6, 5.4 and 6.3 of the CBC’s SPD ‘Backland and Infill Development?’ refer. In particular 5.4 which states that ‘a backland or infill development should make a positive contribution to the character of the existing locality and 3.2 which states ‘In some areas large gardens will be the defining character and in these areas backland and infill development will normally be resisted.’ On-street car parking will also be an issue of concern as this will need to be compliant. It should also be noted that houses built by in-filling cannot be taken off the Wivenhoe Neighbourhood Plan’s housing allocation.”

10.0 Representations

- 10.1 Wivenhoe Society states: “The application is for outline permission to build adjacent to the current property. This will involve demolishing the current garages linked to the house. From the drawings the proposal appears to be that parking for the newly constructed dwelling would be to the front of the new property but nothing is shown for parking provision for the existing dwelling. There would appear to be adequate space for two cars to be parked in what is currently the front garden of number 23. No outline permission should be granted unless adequate off road parking provision is guaranteed for both the host property and the proposed new dwelling. Front of house parking (at least 4 spaces in total required) will detract from the street scene and is likely to result in a loss of the wall to the front of the property and an additional dropped curve entrance unless the old and the new property share access. There is a precedent for this in Belle Vue Road but visually it is unattractive. Some form of soft landscaping should be stipulated. The gap between the proposed new house and its neighbour is small which will give a rather cramped appearance. There are windows to the side of number 23 which will

face straight onto the side of the proposed new property. It will be necessary to see if building regulations are still satisfied for the existing property.

The plot size for the suggested new dwelling and the remaining plot size for number 23 would be in keeping with other plot sizes in the immediate location”

10.2 Councillor Cory has made the following objections: “I believe that the proposed development would be of an overbearing nature on the adjacent property. The original plans do not show this, and even on the new plans - on paper the effect cannot be appreciated. I also feel that this is infill/backfill development which would not enhance the street-scene, so it therefore does not satisfy our local policy objectives.’

10.3 **Addition:** Cllr Rosalind Scott submitted a formal call in form which raised the following concerns that were expressed by a neighbour:

1. We **object** to this wholly speculative development on the grounds that it is contrary to relevant local planning policies in the Adopted Local Plan and relevant supplementary planning documents, in terms of:
 - a) the adverse impact of the proximity of the development to neighbouring properties; and
 - b) the adverse impact of the scale and form of the proposed development on the character of the street scene.
2. We are also concerned that the inaccurate drawings submitted with the plan exaggerate the size of the neighbouring property and may mislead consultees and decision makers as to the fit (both literal and metaphorical) of this development in this location.
3. We do not object to some form of new development at this location – for example the existing property could be extended into the gap, and reconfigured as a pair of semis, in such a way as to respect and reinforce the character of the street scene – but what is currently proposed is in our view entirely inappropriate.

1a. Proximity to Neighbouring Properties Spacing

There is not room to squeeze a house of the scale proposed into the gap between the two existing properties.

Our house (No.25) was extended in the 1980s right up to the boundary of our land leaving a gap of 8.2m to our neighbours’ house (No.23). The proposed development is to establish a new dwelling in its own plot in this 8.2m gap. In the application, the proposed new house is specified as being 6.3m wide, leaving a distance of just 1.9m to form the gaps to each side of the building (ie less than 1 metre to each side if evenly distributed; much less to the No.25 side if independent access to the side of both No.23 and the new development are implemented as indicated on the submitted plan).

NB The application describes bigger separation distances between the new house and the existing properties to each side (2.0m to No.23 and 0.8m to No.25) because the accompanying plan has exaggerated the width of the existing gap by nearly a metre (see more at 2. below).

The adopted Supplementary Planning Document on Backland and Infill Development, adopted in December 2010, (hereinafter referred to as SPD Backland and Infill Development) includes specific policies and standards relevant to this development. Para 6.19 (Plot Width) specifies that “plots must be of sufficient width to allow a building(s) to be sited with adequate separation between dwellings.” We contend that the evidence presented above demonstrates that the proposed separation between dwellings is in no way adequate.

Plot Width and Visual Separation In addition Para 6.19 goes on to say that “...The width of the remaining and the new plot should be similar to that prevailing in the immediate area”. We have calculated that the average plot width along this section of Belle Vue Rd (c100m each way from the proposed development) is 14.1m. The plot frontage of the proposed development will be only 7.2m wide – nearly half the average width.

Para 6.21 (Visual Separation) further specifies that “new dwellings must have similar spacing between buildings to that commonly found on the street frontage”. We have calculated that the average separation between properties along this section of Belle Vue Road is 6.0m. As we have set out above, the separation of the proposed development from neighbouring buildings will be at best 1.1m to No.23 and 0.8m to No.25.

These policies are clearly in no way satisfied by the proposed development either in respect of consistency with the plot widths or separation distances prevailing in the area.

Overshadowing

The side wall of No.23 has windows at both ground floor and upper floor levels and the proposed development will overlook these windows, will impinge on the available natural daylight to these rooms and will be intrusive and overbearing in terms of the quality of the view from these windows – in contravention of Para 6.4 of the SPD Backland and Infill Development on daylight and overshadowing.

For understandable reasons, no representation on this matter is likely to be received from the owners of No.23 as we understand that they are in the process of selling the house and its plot (within which the new development is proposed) to the applicant (subject to the latter securing planning permission).

Access for Maintenance

A separation of at most 80cms between the proposed development and No.25 (as specified in the submitted plans) will be insufficient to allow us access for the maintenance of our property (which may from time to time be required): eg for reroofing, repointing, guttering, underpinning, and access to the bathroom extractor fan outlet in the middle of that wall. This separation may be even less when the overhang of eaves and gutters are taken into account and less again given, as we have indicated above, that there is significantly less space between the two properties than is shown on the submitted plans. This fails to “protect the amenity of neighbours” as required by Para 8.18 of the Supplementary Planning Document on Backland and Infill Development.

Microclimatic Effects

The prospect of a new building so close to ours also gives cause for concern in terms of damp retention and penetration into both properties and the creation of a 'wind tunnel' effect between the two. This is contrary to Policy DP12 of the Adopted Local Plan which requires development to avoid "adverse microclimatic effects".

1b. Impact on the Street Scene

The proposed development is out of character with its setting on Belle Vue Rd contrary to Policies H2, DP1 and DP12 of the Adopted Local Plan and policies in SPD Backland and Infill Development (paras 6.18 et seq) as follows.

Policy HS2 Housing Density requires development to "relate to the context...enhance local character...ensure that densities are compatible with the surrounding townscape... ..be informed by...the character of the area, and the mix of housing". The covering notes to the Policy explain that "densities therefore need to...reflect local character". We contend that the present application attempts to address none of these considerations but is actively harmful to local character.

Furthermore, Policy DP1 Design and Amenity requires all development to "respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting, and detailed design features." Again we maintain that the current application fails to respect these aspects of its context and surroundings.

The Character of the Area

Belle Vue Road is a street of considerable character. Its defining features are:

- i. large detached or semidetached houses of various ages and designs
- ii. each with mature front gardens, bounded by mostly brick walls
- iii. generous gaps between individual properties and
- iv. with rooflines generally running parallel to the street.

The proposed development between No.23 and No.25, is completely out of character with this setting:

- i. In addition to the much smaller than average plot width and separation distances from neighbouring buildings as detailed above (each of which is a component of 'local character'), the width of the proposed property will be 6.3m (against the streetscape average for detached properties of 10.4m).
- ii. The proposed development will have no front garden (the submitted plans show off-road parking for two vehicles in front of both No.23 and the new house).
- iii. This vehicular access will entail the removal of much of the front garden wall in front of both properties; and
- iv. The roof line will be perpendicular to the street not parallel.

New housing development is supposed to "enhance local character" (according to Adopted Local Plan Policy H2 (Housing Density)) but this proposed development substantially erodes it. New parking is supposed to be "provided in a visually acceptable manner" (according to Adopted Local Plan Policy DP12 (Dwelling Standards)) which this proposed development manifestly fails to do.

The Alpine Chalet Infill

The striking exception to the characteristics of Belle Vue Road in the vicinity of No.23 is the recent infill property at No.19a which was granted planning permission in 2005. This property is viewed by many locals (sometimes angrily) as a significant blot on the quality and character of Belle Vue Rd and has been mentioned in other objections to this application.

No.19a has been excluded from the analysis we have made of the local character of the Belle Vue Road streetscape as an anomaly. It sits conspicuously at odds with the character of the streetscape:

- i. It has an alpine chalet style appearance.
- ii. A short section of wall at the front is all that is left of the once complete garden wall, which has been removed to enable a shared access to off-road parking with No.21.
- iii. The front garden of both properties has been completely hard surfaced to enable off-road parking.
- iv. The new property sits perpendicular to the street.
- v. The width of the plot on which it sits is 7.6m (against the streetscape average of 14.1m)
- vi. The total width of the house is only 5.8m (against a streetscape average of 10.4m); and
- vii. Its separation from neighbouring properties is only 2.5m to No.19 and 1.8m to No.21 (against the streetscape average of 6.0m).

Importantly the decision on this application was made before the change in Government policy on housing infill set out in the letter to local planning authorities from the Chief Planning Officer dated 19 January 2010 'Development on Garden Land'. This letter specified, in the context of gardens being treated thereto as brownfield and therefore a priority for development, that local planning authorities "can, if appropriate, resist development on existing gardens." The letter goes on to explain that creating higher densities can have "a negative impact" which is a key aspect of "maintaining the character of an area".

This policy change was reflected in SPD Backland and Infill Development which was updated in December 2010.

Consequently the development at No.19a should not be taken as any sort of precedent in relation to the present application.

But No.19a does serve as a cautionary indication of how the proposed development between No.23 and No.25 could cause significant harm to the character of the street scene, not least when one notes that the proposed development is a significantly wider property than No.19a, and in a much smaller gap!

2. The Quality of the Submitted Drawings and Details

We are concerned that the plans submitted with this application misrepresent the layout and scale of neighbouring properties in such a way as to cast the proposed development in a more sympathetic light. For example:

- (i) The initial plan did not show the side extension to our house (No.25) such that the proposed development appeared to be over 4m away from our house (rather than 80cms). When we pointed this out, a revised drawing was submitted.
- (ii) We have since calculated that the submitted drawing exaggerates the depth of our house, suggesting it is 9.0m from front elevation to rear. In reality it is only 8.0m. However this exaggeration enables the applicant to apply for a 9m deep house on the neighbouring plot (which will in fact extend beyond the back of our house) whilst giving the appearance on the submitted drawings that the front and back elevations of the new development will be more or less in line with those of the existing properties.
- (iii) Furthermore, as explained above, the drawing shows a gap of 9.1m between the existing No.23 and our property. This enables them to propose a new development of 6.3m width, with 2.0m between it and No.23 and 0.8m between it and No.25. In reality the gap is only 8.2m.

We are in no way suggesting a deliberate attempt to confuse or mislead the Council but the lack of care evident in the preparation of this application means that the Council is being invited to approve something which is unclear and which is physically undeliverable because there isn't enough space between the existing properties to accommodate what is being applied for.

In addition, the three sets of drawings so far submitted are all entitled "Existing and Proposed Site Plans and Indicative Elevations" but the 'indicative elevations' have been removed from the second and third iterations. It is not clear why these have not been updated alongside other changes such as the turning of the roofline through 90o (as shown in the second revised drawing) to make it perpendicular to the street and at odds with the neighbouring properties at each side. We can only surmise that the applicant had by this point realised that it is not possible to design any sort of property which will fit into this space and at the same time reflect and enhance the character of the street scene as the Council's policies clearly require.

3. The Potential for Development at this Site

Finally, we would like to make it clear that our position is not that we object to any form of development at this location. A sensitively designed development (for example as an extension to No.23 continuing the existing roofline and replicating the existing bay windows with some internal redesign to create two semis) would be entirely possible and could enable an additional residential unit to be created here without damaging the street scene and setting, whilst also maintaining a suitable spacing with the neighbouring properties.

We would cordially invite the Borough Council to consider the representations we have made. Should the application come before Committee for determination, we would be pleased to appear to speak to our evidence and to answer any questions required.

10.4 Four original letters of objection were received which make the following points:

- The application has been submitted using a grossly inaccurate and misleading plan of the immediate setting. As a result it is not possible for consultees and other interested parties to make informed comment on the application as currently presented. Should suspend consideration until correct plans showing our constructed extension have been submitted, then reconsult.
- Plan fails to show the extension on the neighbouring property (25 Belle Vue Rd) which was built (with planning permission) in the 1980s. Thus proposed development is misleadingly portrayed as being more than 4 metres from the building on the neighbouring property when in practice the gap is only 80 cm.
- Building so close is not a good idea. Plot will be too narrow.
- Inadequate drawings- no option but to object.
- If windows on side included, there will be privacy issues.
- Will give feeling of terrace or housing estate.
- Will make maintenance on properties difficult.
- Hope it will not look the monstrosity at 19 Bellevue Road.
- Contemporary design not welcome.
- Already parking pressure.
- Rectory at 44 also has many vehicular movements associated with it.
- Vehicles should be made to park on the driveway.
- Shame to demolish front wall to get access.
- Concern about inconvenience from construction work.

10.5 Four more letters of objection were verbally reported to the Committee, making the following points:

- The revised application seems to share many of the same problems with the original application. Building would be located very close to the neighbours, giving a "terraced" feel to the block. The building would be relatively close to the street, not only reinforcing the overbearing terraced feel but also blocking a very nice view out toward the horizon across the street.
- Application seems to include a bricked in parking area in front and loss of garden wall. The gardens in the fronts of the houses along Belle Vue Road are a feature: it would be a shame to lose this "garden feel" since it is characteristic of the street.
- The plot is very narrow for the conceived building and the parking requirements make an additional house untenable within the "garden feel" of the street. 800 mm gap between it and the adjacent property (number 25) severely restricting access for maintenance in the future.
- Concerns about the planned provision for off-road parking for both the existing and proposed new building, two vehicles on each would create an open car-park effect which is inappropriate and undesirable, and any alternative leads to likely on-road parking
- Belle Vue Road is a main bus route and any additional on-road parking will increase the problems that buses experience in negotiating an often congested road.
- Support the views put forward by neighbours in their input to the planning process. The issue is not one of objection in principle – it is to the totally disproportionate scale of the proposed development which is of concern, coupled with the obvious slipshod approach which has led to the errors in plans initially submitted.

10.6 3 more letters of objection have been received since the last Committee Meeting and these reiterate the previous objections. Additional points made are as follows:

- No further contact made by agent to discuss amicable solution with neighbours.
- Plans remain ambiguous and inconsistent- gap exaggerated to 8.8 m.
- New property will project beyond rear elevation of our house.
- Contrary to the Infill SPD.
- Bay window on the upper floor will project nearly a metre forward of our bedroom window, stealing our light and privacy.
- My family will become overlooked, including through our bi-fold doors. Screening by trees cannot be relied upon as trees can be felled.
- Entirely support all the objections listed to date with regard to this proposed development. It is entirely unsuitable, too large (and inaccurately planned) for the space available, and at odds with the character of the road. The planned building would be ridiculously close to the existing neighbouring properties, compromising light and privacy in both cases.

10.7 One letter of support has been received which makes the following points:

- Welcome the house. Need more Council tax payers in this village if we are to fix the roads.
- Issues to do with parking can be solved through sensibly parking, and/or having double yellow lines/parking spaces painted on the road. Alternatively, residents could just use their driveways to park.
- As long as building stays within boundaries of the property, let them do what they like.
- Look forward to seeing a new and hopefully architecturally interesting building on this street in the near future.

The full text of all of the representations received is available to view on the Council's website.

11.0 Parking Provision

11.1 Two spaces for the proposed dwelling and two for the existing dwelling.

12.0 Open Space Provisions

12.1 N/A

13.0 Air Quality

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Development Team and Planning Obligations

- 14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (S106) of the Town and Country Planning Act 1990.

15.0 Report

Principle

- 15.1 As the site lies within the physical limits of Wivenhoe, the proposal should be judged on its development control merits having regard to issues such as the size of the site, parking provision, impact upon neighbouring residential amenity and upon highway safety.

Layout and size of plot

- 15.2 In this case it is considered that the site is large enough to be able to satisfactorily accommodate a dwelling without it appearing cramped or detracting from the character of the street scene and surroundings. **Illustrative front elevation and layout plans have now been submitted that demonstrate this, showing a dwelling with a hipped gable that is similar to other properties in the street.** With an 8 metre plot width, a dwelling with **such** a gable facing the road would be in keeping with other similar properties and their relationships to adjacent properties in this road. There is a similar arrangement adjacent to number 25. In the case of the current application site it is considered that a property that relates to the style and character of the existing adjacent properties could be accommodated on this site without undermining the character of the area. There would be enough of a gap either side of the property to allow the dwelling to read as being detached, particularly as it would have a gable facing the road. The neighbour’s extension has now been plotted on the block plan. Details of the scale and design of the dwelling would need to be agreed at the Reserved Matters Stage. It is not considered the proposal would contravene the provisions of the Wivenhoe Village Design Statement.

Impact upon neighbouring residential amenity

- 15.3 It is not considered there would be a significant impact upon neighbouring residential amenity from overbearing impact, loss of light or overlooking. A property could be satisfactorily positioned on the site that would not need to project beyond the rear walls of the neighbouring properties. This would therefore avoid loss of light to their rear elevations. Any side openings can be assessed at the Reserved Matters stage and controlled by condition, thereby ensuring no loss of privacy from views from side windows.

Parking and highway safety

- 15.4 Two parking spaces would be provided for the proposed property and the existing property and this would meet the required parking standards. The provision of parking in front of the existing number 23 would entail the removal of some front walling and creation of hard surfacing. The existing wall is low and does not have any particular historic importance. The extent of hard surfacing can be controlled so that some soft landscaping either side of the parking spaces would be retained.
- 15.5 As the proposal allows for car parking provision on site that meets the current parking standards, it is not considered the proposal would add to parking pressure in Belle Vie Road.

Other

- 15.6 Adequate private amenity space would be provided to the rear of the property. Indeed the new dwelling and existing dwelling would both have rear gardens that would be substantial in length.
- 15.7 There would be no impact upon significant vegetation from the proposal and no impact on wildlife.

16.0 Conclusion

- 16.1 It is considered that the site is large enough to satisfactorily accommodate an appropriately designed and scaled dwelling without there being detriment to the character of the street scene or to neighbouring residential amenity or highway safety.

17.0 Recommendation

- 17.1 APPROVE subject to the following conditions:

18.0 Conditions

1 - *Time Limit for Outline Permissions Part 1 of 3

No development shall be commenced until plans and particulars of "the reserved matters" referred to in the below conditions relating to the ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The application as submitted does not provide sufficient particulars for consideration of these details.

2. Time Limit for Outline Permissions Part 2 of 3

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3 - Time Limit for Outline Permissions Part 2 of 3

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

4 - Development to Accord With Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers BVR-OP0001 C (excluding the dwelling position, which is a reserved matter).

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

5 – Parking Laid Out Prior to Occupation In Accordance With Plan

Prior to the first occupation of the development hereby permitted, 2 parking spaces 5.5 x 2.9 metres per dwelling shall have been laid out within the site in accordance with the approved plan IVR_OP_001 C. The approved parking spaces shall thereafter be maintained free from obstruction and available for parking use at all times.

Reason: To ensure that there is satisfactory parking provision at the site at the time when the development becomes occupied.

6 - No Unbound Surface Materials

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid the displacement of loose material onto the highway in the interests of highway safety.

7 - Vehicular Visibility Splays

For the existing access points the current vehicle visibility splays shall be permanently retained, and the new access point shall match the existing visibility splays and be provided prior to first occupation of the dwelling and thereafter retained as such.

Reason: In the interests of highway safety.

19.0 Informatives

(1) ZT0 – Advisory Note on Construction & Demolition

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 08456 037631.

(3) ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either before you commence the development or before you occupy the development. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission. Please pay particular attention to these requirements.

20.0 Positivity Statement

- 20.1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.