

AGENDA ITEM NO. 9/1 (d)

Parish:	Stoke Ferry	
Proposal:	VARIATION OF CONDITIONS 7, 9, 11, 14, 15, 16, 18, 19 AND 21 OF PLANNING PERMISSION 21/01226/F: Proposed two-storey new dwelling with garage	
Location:	Land S of 4A To 7A Furlong Road Stoke Ferry Norfolk PE33 9SU	
Applicant:	Mr & Mrs E Fuller	
Case No:	23/01375/F (Full Application)	
Case Officer:	Mrs C Dorgan	Date for Determination: 9 October 2023 Extension of Time Expiry Date: 10 May 2024

Reason for Referral to Planning Committee – Application called in by Cllr Lintern.

Neighbourhood Plan: Yes

Case Summary

The application seeks to amend specific conditions attached to extant planning consent 21/01226/F 'Proposed two-storey new dwelling with garage' at Furlong Road, Stoke Ferry.

The conditions the applicant is seeking to vary are no. 7 relating to off-site highway works and conditions 18 and 19 which are arboricultural conditions. Conditions no.9 (related to drainage), no.11 (archaeology), no.s 14, 15 and 16 (contaminated land), and condition 21 (the provision of a Construction Management Plan), are all to be discharged and removed, or amended, as a result of the submission of additional information.

Key Issues

Principle of Development
Drainage
Tree Protection and Impact on the Conservation Area
Off-Site Highways Works
Other Material Considerations

Recommendation:

APPROVE

THE APPLICATION

The application seeks to amend specific conditions attached to extant planning consent 21/01226/F 'Proposed two-storey new dwelling with garage' at Furlong Road, Stoke Ferry.

The conditions the applicant is seeking to vary are no. 7 relating to off-site highway works and conditions 18 and 19 which are arboricultural conditions. Conditions no.9 (related to drainage), no.11 (archaeology), no's 14, 15 and 16 (contaminated land), and condition 21 (the provision of a Construction Management Plan), are all to be discharged and removed, or amended, as a result of the submission of additional information.

The application seeks to vary the original consent to accommodate the detailed drainage details, and this will include amended works to the existing trees on site. Furthermore, the applicant has submitted information regarding contaminated land and archaeology as well as the Construction Management Plan. The design of the dwelling remains unchanged and as such the application does not include any revised drawings of the dwelling proposed.

The application site is located in a former quarry. Furlong Road is to the north adjacent to the site, the ground drops steeply towards the eastern end of the site into the formerly quarried area. Private dwellings are on the far side of Furlong Road, opposite the site; to the west is grazing land, to the south private dwellings with their rear gardens backing onto the site; to the east is a private dwelling at the north end and Lime Kiln Lane to the south, the Lane leads out onto the Lynn Road, Stoke Ferry. Access to the proposed dwelling was approved via Furlong Road. The applicant has a right of way along Lime Kiln Lane and it is proposed to use this access during construction.

SUPPORTING CASE

This is a variation on the plans for a single dwelling, which has already received consent. The variation in pre-conditions arises mainly from required compliance with current foul water and drainage regulations, for good environmental reasons. The variation is predominantly a small amendment to the Arboricultural report and tree protection plan, necessary for the drainage systems to be fully compliant. The report sets out in detail protection, removal, and new planting. The variation is also seeking discharge of the outstanding pre-commencement conditions.

This submission is the result of significant investment in the pre -conditions of the original consent made in good faith. Our agents have maintained good communications with the planning officers through the process, who have been most helpful. We note that the officers are fully satisfied with the discharge of pre-conditions and support the variation. We are aware of local concerns regarding site traffic. The site is accessed via Lime Kiln Lane, where we ourselves lived between 1974 and 2018. The lane has been used historically by construction traffic, e.g., for building a 4-bedroom house further down the lane, for extending No 2 and for poured concrete deliveries to the site for a large shed. The lane is used by larger vehicles, such as oil tankers, a touring caravan, septic tank maintenance and goods delivery.

We understand the concerns of lane residents and have kept them informed of our plans. We have asked the various construction services used in the pre-condition work, such as deep bore drilling and soil excavation machinery, to undertake preliminary site access inspections before using the lane.

As part of the conditions, once the construction is complete, vehicle access will be via Furlong Road, thus reducing traffic on Lime Kiln Lane. This approach reduces the impact on

Furlong Road during construction, a few of whose residents have expressed concerns. The conditions address these concerns.

To help the committee understand our position; the site has been owned by our family since the 1930s. The family have tended it, but it does not look after itself. Visitors to the site consider it to be quite rare and lovely, as we do. The consented single dwelling on a 0.48-hectare site in a conservation area is, in our judgement, the best way of ensuring the character is maintained and the ecology well managed by future generations.

PLANNING HISTORY

21/01226/F: Application Permitted: 24/11/21 - Proposed two-storey new dwelling with garage - Land S of 4A To 7A Furlong Road Stoke Ferry

18/00893/F: Application Permitted: 12/07/18 - Construction of wooden shed with area for nesting swifts - Swift Cottage 2 Lime Kiln Lane

16/00210/F: Application Refused: 04/04/16 - Proposed dwelling and associated garage - Land Adj 2 Lime Kiln Lane

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

The original planning application was not called in, despite the PC requesting this. There were a significant number of objections, hence there were several issues which were not aired or discussed as requested by our PC and residents.

Condition 7 - It is obvious when you look at Furlong Road most days there is a shortage of parking spaces on this road, what will stop people from parking in this passing bay? Notices will not suffice if not policed and that we have been told on numerous occasions is not an option.

Further information needs to be provided to show how the bank will be strengthened. We have already had issues with the bank crumbling further along Furlong Road due to trees being removed. This application is proposing to remove trees to make the passing bay and this is all that

is holding the bank and road up in this area. We would like to see evidence of how they will engineer the structure to hold the bank.

Condition 18 – The original plan was for Lime Kiln Lane to be the designated construction route. This has now been highlighted as not possible. However, Furlong Road is not suitable for heavy goods vehicles. There is signage to clearly show this. It would be irresponsible to bring traffic, in particular heavy vehicles, through this route bearing in mind the unstable bank.

This is a conservation area and the proposal to remove trees is extremely disturbing. It will totally alter the feel and outlook of a quiet lane.

In addition, creating the property access road off Furlong Road was objected to due to the gradient of the drive being too steep. This has now been highlighted in the plans stating that a lorry would not be able to use this road to empty the cess pit. The cesspit (46000L) is now being located at the top of the property, very close to Furlong Road and close to

neighbouring properties. This was not in the original plans and we strongly object to this location.

Furthermore, access would seem to rely on visibility being available if the neighbouring property keeps its verge and hedges cut back.

We would like the Borough Council to have a site visit and for Highways to attend so that the proposed plans can be reviewed more thoroughly.

Highways Authority: NO OBJECTION subject to condition

Agree to the amendment to the condition on the basis that this would enable the LPA to take enforcement action should it be necessary. However, any work carried out below slab level is at the applicants own risk and expense.

Approval for a 278 Works Agreement will only be given when and if the stability of the bank is satisfactorily assured and approved by our lab and technical design check process. We would advise the 278 is achieve first before embarking on building costs without an agreement being in place but that would ultimately be a decision for the applicant.

Environmental Health & Housing - Environmental Quality: NO OBJECTION subject to condition

The applicant has submitted a Desk Study (by Richard Jackson Engineering, dated June 2022). The report identifies sources of contamination onsite and offsite related to the previous uses and identifies a moderate risk from the potential sources of contamination. A Ground Investigation report (by Richard Jackson Engineering, dated April 2023) has also been submitted. The use of boreholes and trial pits enabled soil sample testing and gas monitoring. The report states the calculated screening value for the site is given as CS1 which does not require any ground gas mitigation measures. The results of the soil analysis shows no exceedances of the assessment criteria for residential with home grown produce for any of the contaminants tested. As no exceedances were encountered for any contaminant that would pose a risk to future users, the report does not consider remediation to be necessary.

As a result condition 14 (of the extant consent) relating to site characterisation is no longer necessary and given the report does not recommend any remediation conditions 15 and 16 are also no longer required. It is recommended that condition 17 regarding unexpected contamination condition should be carried forward and attached to this application.

Arboricultural Officer: NO OBJECTION subject to conditions

Having reviewed the amended Tree Protection Plan, this is now acceptable.

No objection to this proposal, subject to conditions being attached for tree protection and retention. Please add the Arboricultural Implications Assessment Job number 26736 & Tree Protection Plan, Drawing number 26736/901 Rev C by Plandescil to the list of approved documents and use conditions to protect and retain existing trees.

Ecologist: NO OBJECTION

Having visited the site, an assessment was made of trees proposed for removal for their bat roosting potential. That assessment did not identify any potential roosting features and so no further surveys were considered to be required. As a precautionary approach would

recommend that an informative is added to any decision notice to further reduce any risk to protected species.

Conservation Officer: NO OBJECTION

Community Safety and Neighbour Nuisance Officer: NO OBJECTION

Can confirm the attached plan is acceptable in terms of the proposed site drainage. Can confirm the CEMP Rev A (with red text amendments) would satisfy CSNN.

Historic Environment Service: NO OBJECTION

We can confirm that an archaeological written scheme of investigation has been received and approved by Norfolk County Council Environment Service. We are therefore happy for condition 11 on planning permission 21/01226/F to be discharged. However, we recommend that conditions 12 & 13 remain until we have received and approved the final report on the fieldwork and post-excavation analysis, publication and archiving have been secured.

Public Rights of Way: NO OBJECTION

We have no objection in principle to the application but would highlight that a Public Right of Way, known as Stoke Ferry Footpath 3 is aligned adjacent to the Western boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

REPRESENTATIONS

EIGHT OBJECTIONS have been received, and these are summarised below –

- The development would be detrimental to the local environment, flora and fauna.
- The planned development would require the removal of mature Hawthorne hedges and removal of other well-established trees, which is abundant with wildlife that would result in destruction of habitation. Bats have also been noted in the area, so could I ask, has a bat survey actually been conducted?
- Will have a very significant and negative impact to the wildlife that inhabits the area which include but is not limited to Bats, Hedgehogs, Nesting birds, Deer's, insects and slow worms.
- The removal of trees was not on the original application and will greatly change the view of Furlong Road, affect wildlife, and have a detrimental effect on the area. This is a conservation area this is totally unacceptable.
- What steps are to be taken to replant the area?
- As residents with a property facing the construction site, we have had no say in how the new development would affect the look and feel of Furlong Road or how it would affect other neighbours along it.
- Why have conservation areas if they can be changed so drastically and not be conserved?
- The inclusion of a passing place on Furlong Road would be unnecessary. Not to mention the construction of said passing place causing the destruction of trees that are part of a conservation area.
- Will have a detrimental effect upon this already congested lane. A passing place/lay-by will be used simply to park and congest the lane further. Inappropriate and dangerous to put this in place in this small lane.

- There is not enough verge at the side to permit 2.5 metres of passing lane and the removal of some of the trees, as proposed, will further destabilize the very steep bank alongside the passing place and make it extremely dangerous to use. Before this passing place is to be considered it needs a full site meeting and extensive engineering works to ensure that any passing place put in place would be safe.
- HGVs during construction would block the road and be a huge inconvenience to all passing traffic and neighbours. Safety would be compromised for all road users.
- There are electric wires across the entrance and no space to turn or unload making any large vehicles attempting to use a hazard for all road users including the large number of pedestrians which use the road.
- The proposed installation of a 46,000 litre cesspit at the top of the entrance is also totally unacceptable. There is not enough space to put this in, for the necessary vehicles to unload, other large vehicles to dig the large hole in a steep bank, place the tank in and then line it by filling in with concrete. Emptying the cesspit would also be problematic as the heavy vehicle needed to do so would not have access down the road which as already noted has restricted access to heavy vehicles.
- There is insufficient width for the splay and the bank needs major reinforcement.
- Original building access was to be from Lynn Road via Lime Kiln Lane, why has this been rescinded?
- The lane is used as a rat run for a large number of drivers who exceed the 30mph limit of the narrow lane. In addition to those speeding the proposed location of the driveway is to be positioned next to the public footpath which is constantly in use. My concern is that these persons will be put at risk from the vehicles entering and exiting the newly proposed driveway.
- Access seems to be relying on a visibility splay being available (if neighbouring property keep its hedges and verges cut back). Not possible hedge and vegetation, verges are already cut back.
- Proposed site entrance will be too steep for builder's equipment, emergency vehicles, together with low electric cables across the site entrance. Unloading of equipment will have to take place on this very narrow road, blocking access to properties, causing various safety issues.
- Hedge 4.9 m has already encroached approx 1.5 m across this footpath.
- Foul sewerage is also of great concern to local residents - 48,000 tank to be built on side of an old chalk quarry, already subject to subsidence.
- The proposal has been accepted because of poor and untimely action by parish representatives not listening to the concerns of other residents.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

CS02 - The Settlement Hierarchy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

23/01375/F

Planning Committee
7 May 2024

NEIGHBOURHOOD PLAN POLICIES

Policy SF4 - Design and Character

Policy SF5 - Historic Environment and Conservation Area

Policy SF12 - Drainage and Flood Risk

Policy SF14 - Protection and Enhancement of Natural Features and Species

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Drainage
- Tree Protection and Impact on Conservation Area
- Off-site Highways Works
- Other Material Considerations

Principle of Development:

Planning consent 21/01226/F is an extant consent for the construction of a dwelling and garage. This application does not seek to amend the positioning, footprint or design of the dwelling and garage as permitted.

Work has not commenced on site to date, given the need to discharge the pre-commencement conditions.

Therefore, the principle of development on the site has been established by the extant consent.

Drainage:

Condition 9 of planning consent 21/01226/F, required full details of foul and surface water drainage arrangements for the site to be submitted and agreed in writing prior to the commencement of development.

During the application process the applicant has provided appropriate drainage arrangements to minimise impact on the site, and to meet the requirements of CSNN. The drainage arrangements include the provision of a cesspit located by the entrance to the site, with foul water pumped to this. This would be entirely buried and the only part visible would be a manhole cover, and therefore when installed there would be a very limited impact on the visual amenity of the entrance to the site. Surface water drainage is to be managed via soakaways/ pipes/ drains to a storage tank. The drainage strategy has been agreed as being fit for purpose.

While neighbours object to the provision of a cesspit in the location proposed, Stoke Ferry Neighbourhood Plan policy SF12 requires all development to mitigate its own flooding and drainage impacts. 'New development should not exacerbate existing surface water, groundwater or foul drainage problems..'

It is recommended that the development is in accordance with policy CS08 of the Core Strategy (2011) and policy DM15 of the Site Allocations and Development Management Policies Plan (2016), and policy SF12 of the Stoke Ferry Neighbourhood Plan.

Tree Protection and Impact on the Conservation Area:

The application site includes a significant number of existing trees which vary in quality and health. A detailed Arboricultural Report (Arboricultural Implications Assessment and Tree Protection Plan, prepared by Plandescil Ltd) has been submitted and the Council's Arboricultural Officer has visited the site and considered the information carefully.

The development has already been approved and in the determination of the original planning consent the visual impact of the development was assessed. The Conservation Area Character Statement describes this area as: 'The southern edge of the road consists of a mature hedgerow and tree belt contained around Lime Kiln Road'. Stoke Ferry Neighbourhood Plan Policy SF4 seeks to 'contribute positively to the character of the area by respecting ..local distinctiveness and character and seek to enhance its quality'. Policy SF 5 recognises the special character of Stoke Ferry Conservation Area and its setting, seeking to ensure that new development is in keeping with the special qualities, character and appearance of the Conservation Area and its settings. Encouraging the maintenance and enhancement of features and details which contribute to the area's local distinctiveness.

The proposed new dwelling itself is positioned outside all root protection areas and the vast majority of the trees within the site are to be retained and will therefore continue to contribute to the conservation area. Furthermore, several new trees (fruit) have recently been planted within the site. A new native species hedge is to be planted on the site side of the passing bay (on the northern boundary) to mitigate against the loss of the trees along this boundary. Condition 20 of the extant planning consent required full details of boundary treatments to be submitted to and agreed in writing by the LPA prior to occupation of the dwelling. This condition would need to be carried forward to the current consent should Members be minded to approve the scheme, and includes the requirement for a detailed planting plan for the planting of replacement hedges.

Based on the latest proposals, the scheme would require the removal of 6 low quality Category C trees to facilitate the driveway/ access and cesspit, plus 2 additional trees to be removed, 1 of which is dead and the other decaying, and the removal of an existing stretch of hedgerow along the western boundary of the site. The trees to be removed are primarily low quality self-set Ash trees (with one sycamore), most are not in good form or have significant lateral branches /dense canopies. The majority have ivy growing throughout and some have deadwood within their canopy. The hedgerow is well established but does overhang the public right of way by 1.5m (the brand spread is approximately 1m). For comparison purposes the previous consent required the removal of 3 ash trees to facilitate the provision of the passing bay. In terms of a fallback position, if the application were not to be approved the applicant would need to reconsider the proposed drainage strategy.

There are no objections from the Conservation Officer nor the Arboricultural officer. The applicant intends to retain the vast majority of trees on site. Plus those to be removed were largely of a poor quality with minimal canopy. With the majority of the trees to be retained across the site alongside replanting where replacement is necessary, the scheme is not considered sufficiently harmful to the character and appearance of the conservation area to

warrant refusal of this application. That said if Members considered it necessary an additional condition could be added to the consent requiring a replacement tree planting scheme for those trees proposed to be removed.

Objections have been received from neighbouring residents and the Parish Council about the impact of the loss of these trees to the appearance of the street scene and wider conservation area.

The methods of protection detailed within the report will secure the retention and protection of the existing trees, alongside the boundary treatment condition and the retention of landscaping. The scheme as proposed, with the details within the Arboricultural Report and the proposed conditions, are considered acceptable and in accordance with the NPPF, policies CS12 and DM15 of the adopted Local Plan and policies SF4 and SF5 of the Neighbourhood Plan.

Off-site Highways works:

This application does not seek to revise the agreed point of access, but there are minor changes proposed to the driveway within the site these are acceptable.

Condition 7 of the extant consent requires that no works shall commence on site until detailed drawings for the off-site highway improvements works (passing bay) have been submitted and agreed by the LPA. The applicant is in the process of achieving an appropriate design for the passing bay, which meets the requirements of the Local Highway Authority. However, this process is taking an increasing length of time and as such the applicant requests that the wording of the condition is amended to read '...no works above slab level shall commence on site...' The development of the dwelling is not acceptable without the provision of the passing bay, however it is not considered unreasonable for the applicant to commence groundworks to enact their consent. The condition would enable the Council to take enforcement action should any works commence above slab level prior to the submission and agreement of the passing bay. The Local Highway Officer has no objections to the proposed amendments.

There are a number of objections from the Parish Council and local neighbours to the highways/ access proposed for the development. Given the principle of development, access details and provision of a parking bay have already been agreed as part of the extant consent it would not be reasonable to seek to restrict/ remove these as part of this application. Information is requested as to the way in which the passing bay will be provided and the stability of the bank with the passing bay and proposed cesspit. These are technical matters for consideration by the Local Highway Authority in the detailed design of the bay and is already controlled via a specific planning condition. Similarly the provision of visibility splays is argued, again these were agreed as part of the previous planning consent and it is a requirement that the applicant maintains these accordingly.

Neighbour objections raise concerns at the location of the cesspit, to be positioned underground but adjacent to Furlong Road. They state that the vehicle would block the road when emptying this. However, this would not be a frequent occurrence (likely annual/ bi-annual) and the vehicle would likely to be able to utilise the entrance to the site once established.

The development as proposed is fully in accordance with the NPPF, policies CS08, CS11 and DM15 of the Local Plan and SF4 of the Neighbourhood Plan.

Other material considerations:

Ecology – Ecological impacts of the development were considered during the determination of application 21/01226/F. However, neighbours have raised concerns as part of this application that there may be bats roosting within the additional trees proposed for removal. The Council's Ecologist has visited the site and made an assessment of the trees proposed for removal for their bat roosting potential. That assessment did not identify any potential roosting features and so no further surveys are required. However, as a precautionary approach it is recommended that an informative is added to any decision notice to further reduce any risk to protected species.

Policy SF14 of the Stoke Ferry Neighbourhood Plan seeks to protect and enhance natural features and species. 'Natural features typical of the Fens landscape character of the area will be protected from development that would have an adverse impact upon their character, appearance, and biodiversity value. Development proposals should retain existing features of biodiversity or landscape value where possible to do so ... and provide at least a 10 per cent net gain for wildlife.... Where loss or damage to a feature is unavoidable, adequate mitigation measures or, as a last resort, compensation measures will be sought.'

The application is exempt from biodiversity net gain requirements. At the time the previous application was granted the Neighbourhood Plan was not in place, nor were the national requirements for all planning applications. While the development as proposed would result in the loss of a small proportion of natural features across the site, replacement planting is to be provided and will be secured via condition. This mitigation is considered to be adequate. The proposed amendments to the development are not considered contrary to the NPPF, policy CS12 of the adopted Local Plan or policy SF14 of the Neighbourhood Plan.

Archaeology - The application site lies on the site of a 19th century lime kiln, consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) were present at the site. A condition was attached to the extant consent requiring a programme of archaeological mitigatory work. The applicant has submitted an archaeological written scheme of investigation which has been approved by Norfolk County Council Environment Service. Therefore, condition 11 on planning permission 21/01226/F can be discharged. However, conditions 12 & 13 should be carried forward until the final report on the fieldwork and post-excavation analysis, publication and archiving have been submitted and approved.

Contaminated land – Historical maps shows a chalk pit on the site and a lime kiln adjacent. As such, it is a potential contamination source and should be treated as a brownfield site.

The applicant has submitted a Desk Study (by Richard Jackson Engineering, dated June 2022). The report identifies sources of contamination onsite and offsite related to the previous uses and identifies a moderate risk from the potential sources of contamination. A Ground Investigation report (by Richard Jackson Engineering, dated April 2023) has also been submitted. The use of boreholes and trial pits enabled soil sample testing and gas monitoring. The report states the calculated screening value for the site is given as CS1 which does not require any ground gas mitigation measures. The results of the soil analysis shows no exceedances of the assessment criteria for residential with home grown produce for any of the contaminants tested. As no exceedances were encountered for any contaminant that would pose a risk to future users, the report does not consider remediation to be necessary.

As a result condition 14 (of the extant consent) relating to site characterisation is no longer necessary and given the report does not recommend any remediation conditions 15 and 16

are also no longer required. It is recommended that condition 17 regarding unexpected contamination condition should be carried forward and attached to this application.

Neighbour Amenity - Concerns are raised about the movement of construction and delivery vehicles during the construction phase, and the impact of this on noise and disturbance to neighbouring dwellings, the condition of Furlong Road/ Lime Kiln Lane and the free movement of traffic. The applicant has submitted a Construction Management Plan which includes details regarding lighting, noise/ hours of construction works, controlling dust and mud, waste management, parking and deliveries and storage of materials. The Plan shows the parking, storage of materials and waste would all be on site with construction/ delivery vehicles being able to access the site via Lime Kiln Lane (as the applicant has a right of way) and there is sufficient space at the entrance to the site for delivery vehicles to pull on-site. CSNN has agreed the details within this are acceptable and would minimise potential unacceptable impacts on neighbouring residents. The implementation of the CMP should be attached as a condition.

CONCLUSION:

The application seeks to make amendments to an extant planning consent (21/01226/F) for a single detached dwelling and garage.

While objections have been raised to the original scheme, and that currently proposed, there are no statutory objections. Furthermore, it is considered that the scheme as proposed is in accordance with the NPPF, policies CS06, CS08, CS11 and CS12 of the adopted Core Strategy (2011), policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and policies SF4, SF5, SF12 and SF14 of the Stoke Ferry Neighbourhood Plan. Members are therefore duly recommended to approve the application.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be begun before 24 November 2024.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plan (Drawing No 1087-02 C).
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the vehicular access over the verge shall be constructed in accordance with the highways specification 5 and thereafter retained at the position shown on the approved plan.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and in accordance with CS11.

- 4 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason: In the interests of highway safety in accordance with the principles of the NPPF and in accordance with CS11.
- 5 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 33 metres (west) and 2.4m x 43 (east) shall be provided to each side of the access where it meets the nearside carriageway edge. With the exception of the utility pole, the splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 5 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 6 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with CS11.
- 7 Condition: Notwithstanding the details indicated on the submitted drawings no works shall commence above slab level on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (passing bay) as indicated on Drawing No. 1087.02-C (size A1) have been submitted to and approved in writing by the Local Planning Authority. The stability of the bank would need to be assured as part of these details.
- 7 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with CS11.
- 8 Condition: Prior to the first occupation of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 7 above shall be completed to the written satisfaction of the Local Planning Authority.
- 8 Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with CS11 and DM15.
- 9 Condition: The drainage details shall be constructed as approved under drawings -
61763/C/001 B ENGINEERING LAYOUT
61763/C/002 CONSTRUCTION DETAILS
before any part of the development hereby permitted is brought into use.
- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

10 Condition: Notwithstanding the details shown on the approved plans before the first occupation of the dwelling hereby permitted the first floor windows to bedroom 1 on the south-west elevation shall be fitted with obscured glazing and non-opening. The windows shall be permanently retained in that condition thereafter.

10 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF and policy DM15.

11 Condition: No development shall take place other than in accordance with the written scheme of investigation-

WRITTEN SCHEME OF INVESTIGATION FOR MONITORING OF WORKS UNDER ARCHAEOLOGICAL SUPERVISION AND CONTROL carried out by WITHAM ARCHAEOLOGY (NGR: TF 70210 00320/ NHES REF: CNF49605/ Event Number: ENF152338) dated May 2022.

11 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

12 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved (WRITTEN SCHEME OF INVESTIGATION FOR MONITORING OF WORKS UNDER ARCHAEOLOGICAL SUPERVISION AND CONTROL carried out by WITHAM ARCHAEOLOGY (NGR: TF 70210 00320/ NHES REF: CNF49605/ Event Number: ENF152338) dated May 2022). and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

12 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.

13 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

13 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14 Condition: The development hereby approved shall be constructed in strict accordance with the Arboricultural Implications Assessment and Tree Protection Plan (Rev. B) and Drawing number 26736/901 Rev C produced by Plandescil and received on 16 Apr 2024., and retained as such thereafter.

14 Reason: To avoid damage to existing trees on site that represent an important visual amenity to the area in which the property is located and contribute to the Character of the Stoke Ferry Conservation Area in accordance with policy CS12.

- 15 Condition: Prior to the commencement of the development hereby approved all tree protection measures must be implemented in strict accordance with the approved Arboricultural Implications Assessment Job number 26736 & Tree Protection Plan, Drawing number 26736/901 Rev C by Plandescil.
- 15 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 16 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 16 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 17 Condition: Notwithstanding details shown on the approved plans prior to first occupation of the dwelling hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and types of boundary treatments to be erected including the retention and enhancement of the hedging. For the hedgerows details should include planting plans, written specifications of plants noting species, plant sizes and proposed numbers and densities. The boundary treatment shall be completed/ planted before the dwelling is occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 17 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 18 Condition: The scheme shall be implemented as approved strictly in accordance with the CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN Rev. A (loading/unloading access and working hours amended 11th Dec 2023) received 19 Dec 23.
- 18 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.