

**Land rear of 248 Hart Road, Thundersley**

**PINs Ref: APP/M1520/W/22/3310483**

**Draft Conditions – Amended**

1. The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.

REASON: This condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed on this decision notice.

REASON: For the avoidance of doubt and in order to achieve satisfactory development of the site.

3. No works except demolition shall be begun until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority prior to excavation of the site.

Any works identified shall be undertaken in accordance with the approved details.

REASON: In order to ensure the preservation of the historic record if present on the site, in accordance with Policy EC38 of the adopted Local Plan and Government guidance as contained in the National Planning Policy Framework.

4. No works except demolition shall take place until a detailed surface water drainage scheme for the site, including for the construction stage, based on the sustainable drainage principles and assessment of the hydrological and hydro geological context of the development as set out in the submitted Flood Risk Assessment dated 5 November 2021 (Doc Ref 21328-HYD-XX-XX-RP-FR-0001), has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- i. Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- ii. Limiting discharge rates to 2.9l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event.
- iii. Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

- iv. Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- v. Final modelling and calculations for all areas of the drainage system.
- vi. The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- vii. Detailed engineering drawings of each component of the drainage scheme.
- viii. A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- ix. A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- x. Timetable for implementation.

The approved scheme shall be implemented prior to the occupation of any dwelling and maintained as such.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with the NPPF.

- 5. A management and maintenance plan for the detailed surface water drainage scheme for the site for the lifetime of the development, which shall also include any arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, and also for maintaining of yearly logs of maintenance shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of any dwelling. The yearly logs of maintenance shall be made available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with the NPPF

- 6. No works except demolition shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

- 7. Prior to the commencement of development, works identified within the submitted Invasive Species Management Plan dated 9th October 2020 (3545) shall be

commenced to ensure the appropriate control and eradication of Himalayan Balsam and False Virginia Creeper on the site.

Notification of completion of such works shall be submitted to the Local Planning Authority within two years of their commencement.

REASON: In order to ensure the appropriate control and eradication of invasive species on the site.

8. Prior to the commencement of development, a Site Waste Management Plan (SWMP) detailing strategic forecasts in respect of expected waste arisings from demolition operations undertaken on site and the measures to be used to ensure that all waste arisings are appropriately reduced/recycled or diverted and legally disposed of, shall be submitted to and approved in writing by the Local Planning Authority. The approved SWMP shall be adhered to throughout the construction period.

REASON: In order to secure the efficient use of resources and the proper control of waste arising from the development of the site.

9. Details of the construction of the access roads within the site shall be submitted to and agreed by the Local Planning Authority in writing prior to commencement of their construction to demonstrate that they are able to accommodate the weight and turning manoeuvres of a 32 tonne refuse vehicle. The roads shall be constructed in accordance with the approved details prior to the occupation of any dwelling that they serve.

REASON: In order to ensure that an appropriate refuse collection service can be operated within the site.

10. Prior to occupation of the dwellings hereby permitted, the developer will submit a report from an independent certified Standard Assessment Procedure (SAP) Assessor which confirms that the dwellings accord with the Net Zero Carbon Strategy Report September 2022.

REASON: In order to ensure the achievement of an energy efficient development on the site, in the interests of sustainability.

11. Prior to the above slab level construction of any dwelling, details or samples of all materials to be used on the external surfaces of the proposed development shall be submitted to, and formally approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

REASON: To ensure a satisfactory form of development in sympathy with the existing development and the character of the surrounding area.

12. The proposed dwellings shall, as a minimum, meet the requirements of Part M4(2) of the Building Regulations 2010.

REASON: In order to ensure the provision of a range of dwellings capable of meeting the needs of a wide range of users including the elderly and mobility challenged.

13. Development of the site shall be undertaken in accordance with the provisions of the submitted Construction and Environmental Management Plan (Biodiversity) Reference: OS 2244-21 Doc 5 Rev A dated December 2021 and the Construction Environment Management Plan (Construction) Reference: 21255-002 dated December 2021.

REASON: In order to protect the ecological features of the site and the amenity of adjoining residents during the construction period.

14. No works shall commence on site until the measures to protect those trees and hedgerows identified to be retained as set out in the submitted Arboricultural Impact Assessment (Reference: OS 2244-21 Doc 2 Rev A dated November 2021) and Tree Protection Plan (Drawing no OS 2244-21-2 Rev B) have been implemented. The protection measures shall be retained in situ for the duration of the construction of the development.

REASON: In the interests of the future health and amenity value of the trees/shrubs/hedges.

15. Prior to occupation of any dwelling, the access point at Hart Road shall provide a site access road at a minimum of 5.5m in width with 2m wide footways on either side as shown on AMA Drawing AMA/21255/SK001. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway with clear to ground visibility splay. Such vehicular visibility splays of 2.4m x 43m in both directions, shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

16. Prior to occupation of the 44th dwelling, all tree planting and landscaping works shall be carried out in accordance with the provisions of the Specification for Soft Landscape Works and 10 year Management Plan (Reference OS 2244-21 Doc 4 dated December 2021) from which there shall be no deviation without the formal consent of the Local Planning Authority.

REASON: To ensure a satisfactory development incorporating a degree of natural relief, in the interests of the amenities of the site and the surrounding area.

17. Prior to first occupation of each dwelling, within the confines of each plot, the driveway to that dwelling shall be provided with a 1.5m x 1.5m visibility splay above a

height of 600mm to at least 1.8m at the junction with of any vehicular access and the highway which shall be maintained free of obstruction in perpetuity thereafter.

REASON: In the interests of highway and pedestrian safety

18. Prior to occupation of each dwelling, the parking spaces for that dwelling shown on Plan reference 519/19/FUL/PL1004 Rev A shall be laid out and made available for use. Such parking spaces shall be retained solely for that use and for no other purpose

REASON: To ensure adequate off-street parking provision to meet the needs of future occupiers.

19. Details of any external public lighting of the proposed development shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The fixed external lighting shall be installed in accordance with the approved scheme prior to final occupation of the development and maintained thereafter. Under no circumstances should any other public external fixed lighting be installed.

REASON: To ensure the provision of an appropriate scheme of lighting, in the interests of the needs of users of the site and the ecological sensitivity of the landscaped areas and adjoining land.

20. The visitor vehicle parking areas indicated on the approved plans, Plan reference 519/19/FUL/PL1005 Rev A shall be hard surfaced, sealed and marked out in parking bays prior to the occupation of the dwelling nearest to the spaces. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

21. Any tree, shrub or herbaceous plant contained within the approved landscaping scheme identified within document OS 2244-21-Doc 4 and drawing number OS2244-21.3 Rev B dated 03/12/2021, dying or being damaged, removed or becoming seriously diseased within 10 years of the date of this permission shall be replaced by a tree of a similar size and species by the applicant or the applicant's successor in title, as formally approved by the Local Planning Authority.

REASON: To ensure a satisfactory development incorporating a degree of natural relief, in the interests of the amenities of the site and the surrounding area.

22. Prior to the erection of any security fencing around the site, details of such fencing must be submitted to and approved in writing by the Local Planning Authority. Such details of fencing must include specifications of appropriate gates as well as location and number to allow for the passage of wildlife such as badgers and hedgehogs. Such fencing will then be implemented and retained as approved.

23. Notwithstanding OS 2244-21.4 Rev A Hard Landscaping Plan, prior to the erection of any garden fences or walls provided to demarcate the extent of private amenity areas or any means of enclosure provided to the open land on the boundaries of the site, details shall be submitted to and approved in writing by the local planning authority. Such details shall include: the means by which hedgehog highways shall be provided within and through the site and how free access is to be achieved to and from the adjacent open land by badgers. The approved details shall be implemented prior to first occupation of any dwelling to which it relates and shall be completed prior to final occupation of the development. The approved measures shall thereafter be permanently retained as such.

REASON: In order to facilitate the movement of wildlife across the site and to ensure that Badger corridors are maintained around the boundaries of the site, in the interests of maintaining the nature conservation value of the site.

24. Ecological management of the open spaces shall be undertaken in accordance with the provisions of the submitted Biodiversity Management Plan (Reference: OS 2244-21-Document 3 December 2021).

The Biodiversity Management Plan shall be reviewed on a ten yearly basis and any alterations to the management regime shall be submitted to and approved by the Local Planning Authority.

REASON: In the interests of securing appropriate ecological management of the site in perpetuity.

25. The windows shown in a side elevation at first floor level to be obscure glazed on the approved plans shall be glazed to at least level 3 on the Pilkington scale. Such windows shall be installed and glazed prior to the first occupation of the building and shall thereafter be permanently retained as such.

REASON: In order to protect the privacy and amenity of adjoining residents.

26. Prior to the any above slab level construction of any dwelling, a scheme detailing how the dwellings hereby approved will achieve recommended internal noise levels in accordance with BS 8233:2014 shall be submitted to and approved in writing by the local planning authority.

REASON: In the interests of the amenity of future occupiers of the development.

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.