

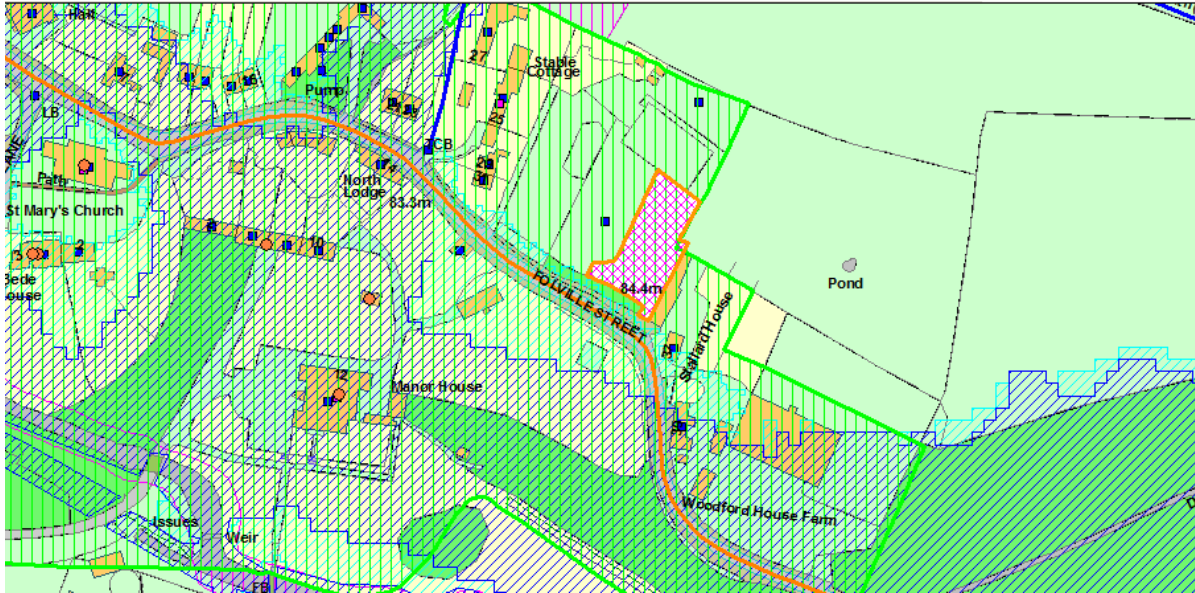
Reference: 18/01435/FUL

Date Submitted: 23.11.2018

Applicant: GHM Planning Ltd - Mr Joe Mitson

Location: Field OS 8900 Folville Street Ashby Folville

Proposal: Erection of two single storey dwellings



Introduction:-

The application seeks planning permission for the erection of a pair of semi-detached single storey dwellings and associated car parking on land to the South side of Folville Street in Ashby Folville. The application site is located within the Ashby Folville Conservation Area. The land is currently used for equestrian purposes and benefits from an existing agricultural type access onto the highway. The purpose of the application is to provide suitable accommodation of a type unavailable on the open market for long term residents of the village and the family members who care for them.

It is considered that the main issues arising from this proposal are:

- Compliance or otherwise with the Development Plan and the NPPF
- Impact upon the character of the area
- Impact on the Conservation Area
- Drainage/flooding issues
- Highway safety
- Sustainable development

Relevant History:-

18/00802/TCA – 2x Ash trees T1 & T2 – Fell to Ground and grind stumps to prevent regrowth. – Closed: 09/07/2018. (Reason: trees not in conservation area).
07/00821/FUL – Erection of wooden stable next to existing - Permitted: 24/09/2007
06/00466/COU – Creation of a manege - Permitted: 25/07/2006.

The application is presented to Committee for determination as a result of the extent of public interest and because the applicant is employed by the Council

Planning Policies:-

Melton Local Plan 2011-2036 (Adopted October 2018)

The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area in addition to the Neighbourhood Plan. Under S.38 (6) planning decisions must follow the policies of the of the Plan unless material considerations indicate otherwise

Policy SS1 sets out a presumption in favour of sustainable development Policy D1 seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

Policy SS2 states provision will be made for the development of at least 6,125 homes and some 51 hectares of employment land between 2011 and 2036 in Melton borough.

Alongside Service Centres and Rural Hubs, Rural Settlements will accommodate a proportion of the Borough's housing need, to support their role in the Borough through planning positively for new homes as 'windfall' sites within and adjoining settlements by 2036. This development will be delivered through small unallocated sites which meet the needs and enhance the sustainability of the settlement in accordance with Policy SS3.

Policy SS3 states in addition to allocated sites permission will be granted for new residential development in the rural area within or on the edge of existing settlements provided it is in keeping with the scale and character of the host settlement and where certain criteria are met. These include demonstrating a proven local need, respecting the settlement character, being served by sustainable infrastructure, respecting ecology and heritage and providing adequate drainage.

Policy EN6 states development proposals will be supported where they do not harm open areas which, contribute positively to the individual character of a settlement, contribute to the setting of historic built form and features or contribute to the key characteristics and features of conservation areas.

Policy EN11 seeks to ensure development proposals do not increase flood risk and will seek to reduce flood risk to others.

Policy EN13 states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment.

Policy D1 seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

National Planning Policy Framework (NPPF) 2018

The Local Plan has been examined and it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2018 version that renders the policies applicable to this application 'out of date'.

Listed Buildings and Conservation Area Act 1990

The Committee is reminded of the duty of the Council to give special attention to the desirability of preserving or enhancing Listed Buildings, under Sections 16 and 66 and Conservation Areas, under Section 72 of the Act.

Consultations

Consultation Reply	Assessment of Assistant Director of Planning and Regulatory Services
<p>LCC Highways</p> <p>The Local Highway Authority refers the Local Planning Authority to current standing advice provided by the Local Highway Authority dated September 2011.</p>	<p>This has been fully considered and as a result of the advice:</p> <ul style="list-style-type: none"> • Two parking spaces for each dwelling have been provided in line with the standards for two and three bedroom properties • There is adequate visibility for users leaving the spaces • Drainage will be conditioned so that any outfall will not be deposited within the highway network. • These spaces will be conditioned to be hard bound to ensure no deleterious material is deposited in the highway (loose stones etc.)
<p>Parish Council</p> <p>a) The proposed dwellings, which are situated within the conservation area of Ashby Folville, are not in keeping with other properties in the village. The buildings and materials are inappropriate for the surrounding area.</p> <p>b) The nature of Ashby Folville means that it has many sharp bends and turns in the carriageway. The proposed entrance would be situated on one of the sharp bends, thus making visibility limited and safety a concern when entering and exiting the properties.</p> <p>c) The application states that the site is not at risk of flooding. However, there has been flooding in</p>	<p>It is considered that the design proposed development adopts a form that would have minimal impact on the Conservation Area and reflect the rural character of the area. The materials would integrate well with the surrounding area.</p> <p>While it is recognised that the access is sub optimal, it is an existing access, and the deficiencies are not considered severe such as to justify the refusal of planning consent on Highways grounds.</p> <p>The application site is Located within Flood Zone 1 and in planning terms cannot therefore</p>

Ashby Folville in the past.	considered to be at risk of flooding. No information has been provided to suggest it is vulnerable to flooding from other sources.
d) We do feel that there is a requirement for bungalows and relatively lower cost housing in the area.	The Parish Councils recognition that lower cost housing is in short supply is noted. Considerable weight has been given to this shortfall when assessing the application against Policy SS3 (see below).
Melton B.C Conservation Officer -Response awaited	Comments of the Conservation Officer will be provided verbally at the committee meeting.

Representations:-

The application was advertised by means of an advert in the Melton Times dated: 13.12.2018, a site notice and letters were sent out to a number of neighbouring properties. Objections were received from 4 separate households, whilst eight letters of support for the application from local residents were submitted as part of the application. Comments received in these representations have been detailed and addressed below.

Consideration	Assessment of Assistant Director of Planning and Regulatory Services
Objections <p>1) The proposed development is too close to our property and will result in continuous disruption. The proposed location of the dwellings and nearby car parking will be highly intrusive in every possible way.</p> <p>2) The proximity of the proposed development along with the scale of it, will also cause significant new noise disturbances, which will be in stark contrast to the current quality of life in the area and the property we now live in.</p> <p>3) Disruption. The construction of these dwellings will create a prolonged and unnecessary disruption to our standard of living because of construction vehicle related traffic at all times of day.</p> <p>4) Vehicle access and visibility. The site access to the property is not suitable for regular residential traffic. At the moment, the entrance/exit to the property adjacent to us is used very infrequently and only for farm vehicles. We would be very concerned for our safety and security if this were to become a</p>	<p>The proposed development is modest in scale and set well in from the boundary and would not have an unacceptably adverse impact on the amenity of neighbouring residents. The car parking is positioned well clear of neighbouring properties.</p> <p>It is not considered that the proposed development would not result in a level of noise that would adversely impact on the amenity of neighbouring residents to a degree that would justify refusal.</p> <p>While construction related disruption and nuisance is regrettable, it is not a planning matter and therefore cannot be considered when judging the acceptability of the scheme.</p> <p>While it is recognised that the access is sub optimal, and the proposal would intensify its use. However it is an existing access, and the deficiencies are not considered severe enough to justify refusal of planning consent on highways grounds.</p>

<p>more regular entrance to a set of residential dwellings as it would compromise the safety of our own entrance/exit and also we do not believe that the road would be suitable for an increased amount of general residential traffic.</p> <p>5) Eyesore. We do not believe that the proposed dwellings are in keeping with the design and style of the Ashby Folville area – an area of natural beauty and justified conservation.</p> <p>6) Ashby Folville is an historic conservation village in an area of outstanding natural beauty in the heart of Leicestershire famed for its unspoilt nature and character properties. There are few villages the county can be proud to have protected to this standard, and the character of the village should be preserved at all costs including not allowing any other residential developments within the boundaries of the current village. The village has for good reason historically been protected by covenants to prevent building and infill within the village limits. If any development should occur, it should be outside the current village boundaries and not infill within. There is widespread consensus on this as conveyed during local parish meetings on the same, minutes of which are available to support our objections.</p> <p>7) The village is of a linear type on a very narrow road and access to the proposed site is on a very sharp bend and will almost certainly present a safety risk to both car users, cyclists and pedestrians alike. The council has an obligation to recognise this risk and prevent it accruing further.</p> <p>8) The site around the proposed application also has an abundance of wildlife and any construction is highly likely to result negatively on the wildlife population. In addition, Ashby Folville has in the past been affected by flood risk, and recent surveys also recognise the risk remains. It is our view that any additional building may well further increase the flood risk and impact the water table.</p> <p>9) The planning review needs to recognise that</p>	<p>The proposed dwellings are modest in scale, reflect the rural vernacular and are considered to integrate well with their surroundings and are considered acceptable with regards to Policies. D1 and H13.</p> <p>Local and National Planning policy seeks to direct development towards the existing towns and villages. With a considerable quantity of the Boroughs Housing need expected to be met by windfall sites such as this. Restricted covenants are not a planning matter and cannot be given any weight when assessing the suitability of the proposed development.</p> <p>While it is recognised that the access is not ideal, any deficiencies are not considered severe enough to Justify the refusal of planning consent on this occasion.</p> <p>It is not considered that the proposed development would have any significant adverse ecological impacts and the site is located within Flood Zone 1 and is not therefore considered to be at risk of flooding.</p>
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<p>the character of the village will be materially and adversely affected with any construction of new properties where neighbouring properties are substantially older character dwellings where there should be a duty of care to existing residents to protect the local look and feel of the village. It is also very likely that the construction of new dwellings will both negatively impact the environment for existing residents including the loss of open aspects and loss of privacy as well as reducing surrounding property valuations. Existing residents have lived in and been attracted to Ashby Folville based upon the unspoilt nature and no planning approvals should be endorsed that in any way either impact the village and their community, or indeed negatively impact the existing properties and residents in the area. The council has a duty of care to protect the interests of existing inhabitants.</p>	<p>While it is recognised that any development will materially impact on its surroundings, the proposed development would not have a significant detrimental impact on the character of the area or on the amenity of the existing residents of Ashby Folville.</p>
<p>8) Furthermore there are no facilities in the village to support additional residential dwellings and the addition of two single storey dwellings in Ashby Folville will in no way solve or contribute to any perceived shortage of accommodation in Leicestershire. In fact the application appears to be motivated by personal gain of the applicant and is unlikely to provide a residential solution to any new inhabitants in the medium term. The council should be focused on regenerating brown field sites and preserve the natural green field environment of Ashby Folville.</p>	<p>While it is recognised that facilities in the village are limited it is not considered that the addition of two modest additional dwellings to the villages housing stock would have any adverse impact on service provision. Indeed the increase may render services more viable. The application has been promoted on the basis of local need in line with Policy SS3, and It is considered that the application site is equestrian land and thus previously developed. Furthermore it is considered that the proposed dwellings would remain suitable for use far beyond the current plan period.</p>
<p>9) We consider that the siting of the proposed development on a previously undeveloped site is inappropriate and would create an ‘ad hoc’ development within the village and may therefore set a precedent. The vernacular style in Ashby Folville and the quality of the architecture must be protected from any ad hoc or inappropriate development.</p>	<p>The application site is previously developed land and the proposed development is modest in scale and respects the local vernacular. The appropriateness or otherwise of Ashby Folville for the development is assessed below against the provisions of the Melton Plan 2011-2036.</p>
<p>10) The access into the site is situated in a poor location and we do not consider there to be suitable visibility for ingress and egress from the proposed site. The access is currently used for</p>	<p>While it is recognised that the access is not ideal, any deficiencies are not considered severe enough to Justify the refusal of planning consent on this occasion.</p>

<p>agricultural purposes; however this would be intensified if two dwellings were given planning consent. Consideration must be given to the suitability of the road junction for an intensified volume of vehicle movements.</p> <p>11) The application has been submitted on the basis of a local need. Whilst it is accepted that the applicants have made a positive contribution to the locality, we would encourage the local planning authority to consider the availability of the other suitable housing in the district prior to granting planning consent.</p> <p>12) The site which the applicant is proposing to develop is subject to a restrictive covenant prohibiting residential development. In the design and access statement (at paragraph 6.1) the applicants claim that the two dwellings that they propose will help towards the requirement for 6125 new homes that the council require across the Borough; however the target housing numbers will not be bolstered if the houses cannot be legally constructed due to the presence of a restricted covenant. Whilst we are aware of the fundamental point that the presence of a restrictive covenant is not a material planning consideration, we believe that it does become relevant when it poses a risk to the deliverability of the dwellings and the argument that dwellings will assist the local planning authority in meeting target housing numbers. If the local planning authority require further information on the restrictive covenant this can be provided upon request.</p> <p>13) Ashby Folville is in a conservation area and the proposed dwellings will not be in keeping with the existing properties in the village. It could also mean that if permission is approved, then the site could in future be further developed, which would be a real disaster for the village.</p> <p>There are already newly built properties here, which are, in my view, an eyesore and spoil the character of the village. More such properties will further ruin the village's historic and rural character, especially as they are right in the heart of Ashby Folville. There is a sharp bend too, where the exit and entrance to the proposed</p>	<p>The application proposes the creation of otherwise unavailable accommodation for the applicants and their carers. The applicants have a life long connection to the village itself and wish to remain living within the village. While suitable accommodation may be available elsewhere in the district it is not available within Ashby Folville. Policy SS3 allows for the provision for specific local need within specific locations rather than, and as both an exception from and addition to, the more generalised housing delivery provided for by the boroughs spatial strategy.</p> <p>Restrictive covenants are not a planning matter and their presence therefore cannot be given any weight in determining a planning application. If permission is granted, it does not remove any restricted covenants and such issues need to be addressed additionally to the planning application.</p> <p>Section 72(i) of Part 2 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, states that "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of The Town and Country Planning Acts special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.</p> <p>The proposed dwellings would be modest in scale, and would reflect the rural vernacular and would be constructed from traditional materials that would reflect the agricultural form of the buildings,</p>
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<p>new properties would be, giving concern for safety regarding vehicular access.</p> <p>While I understand the need for low cost housing in Leicestershire, I don't think two dwellings in the centre of Ashby Folville will significantly impact upon that problem.</p> <p>Please recognise the damage these new builds would have especially to the open views we enjoy and the probable devaluation to our own properties.</p>	<p>the dwellings would feature conservation rooflights that would minimise the domestic appearance of the structures and it is considered that the design would integrate well with its surroundings and would preserve and enhance the character and appearance of the conservation area. With regards to the above the proposal is considered acceptable with regard to the Council's policies on design and heritage conservation, and would comply with the provisions of the Planning (listed Buildings and Conservation Area Act) 1990 as amended. It is not considered that an approval of the current application would open the site up for further development, with the exception of the dwellings permitted development rights which it would not be reasonable to remove. The highways access is not considered sufficiently poor to justify the refusal of planning consent. While the impact of a proposed development on property values is speculative and in any case not a planning matter and cannot therefore form part of the consideration of the application.</p>
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<p>Supporting Statements</p> <p>We wish to offer our support for the reasons outlined below. Ashby Folville is a pleasant village and there is always demand for housing. Mrs Carduss grew up in the village, and as its longest surviving resident both she and her husband would both like to remain, here in the countryside. It makes perfect sense that going into their twilight years they should prefer single floor living accommodation, and to have their daughter within calling distance would be of great peace of mind for them both. There are no access/egress problems with the site, and no disruption to the neighbours. We know the site well, and we see no justifiable reason why this application should not be granted.</p>	<p>Noted.</p>
<p>I give my support for the planning and building</p>	<p>Noted</p>
<p>We are very much in support of this development. Having been such a pillar of the community for so many decades, it would be a huge loss if the family were forced to move away. We think the plans are in-keeping with the local area and look forward to seeing them</p>	<p>Noted</p>
<p>We wish to offer our support for the reasons outlined below. Ashby Folville is a pleasant</p>	<p>Noted</p>

<p>village and there is always demand for housing. Mrs Carduss grew up in the village, and as its longest surviving resident both she and her husband Peter would both like to remain, here in the countryside. It makes perfect sense that going into their twilight years they should prefer single floor living accommodation, and to have their daughter within calling distance would be of great peace of mind for them both. These homes are for their own private use, and not for the rental market. There are as far as I can see no access/egress problems with the site, and no disruption to neighbours. I live and farm adjacent to the proposed dwelling site and have no objection whatsoever.</p>	
<p>We would like to add our support to this development. This application is not from a here today and gone tomorrow money making developer. The Cadus family have lived in this village for many many years and I am sure the development would be tastefully done. They have used the site for over 40 years keeping livestock there. In these days of rising crime it makes sense for them to live on the site and also makes it much easier to manage the animals welfare. We are sure this would tidy up the site and enhance the village.</p>	Noted
<p>I give my support for the above planning</p>	Noted
<p>We hereby support the local need development for Mr and Mrs P Carduss and their family, Mrs Carduss has been resident here for many years and should be able to spend their remaining years in the village.</p>	Noted
<p>We wish to tender our support to the Carduss family, who wish to build a bungalow on their own land for family occupancy. There is a real shortage of affordable family homes in the village and no houses suitable for older people who may find stairs difficult, or require help from family members. The family has a long and respected association with the village and are active members of our community. It seems only right that they should be able to spend their remaining years in the village that they have lived and worked in all their lives. The site in question is ideal for this type of property, and we can see no reason why the applicants should not be able to build there.</p>	Noted

Other Material Consideration	Assessment of Assistant Director of Strategic Planning and Regulatory Services
<p>Application of planning policy</p> <p>Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and advises that proposals which accords with an up to date development plan should be approved without delay.</p> <p>Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, a Local Planning Authority should grant permission unless: the application of the policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p>	<p>The application is required to be considered against the Development Plan and other material considerations. The NPPF is a material consideration of some significance.</p> <p>The Adopted Local plan (October 2018) is considered to be up to date and the application is in accordance with the content of the NPPF and therefore the NPPF does not ‘weigh against’ the provisions of the Local pan (so far as applicable to this application).</p> <p>5 year land supply issues:</p> <p>The Council’s most recent analysis shows that there is the provision of a 5 year land supply and as such the relevant housing policies are applicable. Therefore this consideration does not weigh against the Development Plan as ‘out of date’ on this basis either.</p>
<p>Melton Local Plan</p> <p>The Melton Plan of 2011-2036 is now the development plan for the area in which all planning applications <i>must</i> be taken against.</p> <p>Policy SS3</p> <p>In rural settlements outside the main urban area, the Council will seek to protect and enhance existing services and facilities and will support sustainable development proposals in accordance with Policy SS2 above which contribute towards meeting local development needs, contributing towards the vision and strategic priorities of the plan, and improving the sustainability of our rural areas. In addition to those sites allocated through the local plan, planning permission will be granted for new residential development in the rural area within or on the edge of existing settlements, provided it is in keeping with the scale and character of the host settlement and where:</p> <ol style="list-style-type: none"> 1. The development provides housing which meets a proven local need as identified by substantive evidence, for example within in a Neighbourhood Plan or appropriate community-led strategy, or a housing assessment or other evidence provided by the applicant; and 2. The development respects the Borough’s landscape and settlement character such that it conforms with policies EN1, EN4 and EN6; and 	<p>The Local Plan is now adopted and now is part of decision making for the purposes of determination.</p> <p>The principle of development in this case is further supported by Policy SS3 to allow a family to downsize to a single storey dwelling and to retain a degree of independence while being cared for by family members. The applicants wish to retain their connection to Ashby Folville and no suitable dwellings are available on the open market. This is considered to be a ‘proven need’ which is not met elsewhere by other policies in the Plan, of the type that SS3 accommodates.</p> <p>The details of design, access and layout are addressed above and it is considered that the details of the application accords with the criteria applicable to Policy SS3.</p>

<p>that (where relevant), the design conforms with Policy D1 and applicable environmental policies in any relevant Neighbourhood Plan; and</p> <p>3. The development will be served by sustainable infrastructure and or provide new infrastructure or services to the wider benefit of the settlement; and</p> <p>4. The development respects ecological, heritage and biodiversity features and where appropriate provides mitigation to prevent any potential harm; and</p> <p>5. Where possible the development does not result in the loss of best and most versatile agricultural land; and</p> <p>6. The development can be adequately drained and would does not increase the risk of flooding, in accordance with Policy EN11.</p> <p>Neighbourhood Plan</p> <p>Gaddesby PC are a qualifying body with an intention to develop a Neighbourhood Plan.</p> <p>However no Neighbourhood Plan has been published and as such cannot be a consideration in this instance.</p>	<p>Neighbourhood Plan</p> <p>NPPF paragraph 48 states that:</p> <p>Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>The NP has yet to be published or begin its process of consultation, submission, examination and referendum etc and accordingly can be given minimal weight at this stage of its development.</p>
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Conclusion:-

The application seeks planning consent for two modest and sensitively designed semi-detached bungalows to meet the housing needs of elderly long term residents of Ashby Folville who wish to downsize to a single storey dwelling and to retain a degree of independence while being cared for by family members. The applicants wish to retain their connection to Ashby Folville and no suitable dwellings are available on the open market. The application site is considered to represent a windfall site within the village of Ashby Follville. **The principle of development in this case is considered to be supported by Policy SS3**

The site is served by an existing vehicular access that is not ideally positioned, and the proposed development would intensify its use. However it is not considered that the use of the existing access to serve the proposed dwellings who have a sufficient impact on highway safety to justify the refusal of planning consent, subject to the imposition of Condition no. 4 below.

Having regard to the design, the proposed dwellings would be modest in scale, and unobtrusively sited within the plot and constructed from a palette of traditional materials that would allow the proposal to integrate well with its surroundings. It is noted that adequate car parking would be provided. Having regard to the above no objections are raised with regard to policy D1, and the design is considered acceptable. Due to the proposed dwellings modest scale, and their siting within the plot combined with the use of suitable materials, it is not considered that the proposed development would adversely impact on the character of Ashby Follville to an extent that objections could be sustained with regard to Policy EN6.

The application site is located within Flood Zone 1 and is not therefore considered to be at risk of flooding, nor would the proposed development result in any significant increase in surface water run off or adversely impact on the water table, therefore no objections are raised with regard to the provisions of Policy EN11.

The application site is located with the Ashby Follville Conservation Area and is situated in the proximity of 5. No listed buildings. Due to the proposed developments sensitive design, unobtrusive siting and modest scale, It is not considered that the proposed development would have a significantly adverse impact on the Ashby Follville Conservation Area and would not have any adverse impacts on the adjacent Heritage Assets, therefore no objections are raised with regard to the provisions of Policy EN13.

The application would not conflict with the provisions of policies EN1, EN4, EN6 or EN11 and would not result in ecological harm or in the loss of high quality farm land, the proposed development is therefore considered to accord with the provisions of Policy SS3 and the proposed development is considered to be acceptable.

Having regard to the above it is considered that the proposed development complies with the provisions of the NPPF and the Melton Plan 2011-2036. No material considerations are present to justify a decision that would depart form the Local Plan and it is recommended that planning consent be granted on this occasion.

Recommendation: Permit subject to the following conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the Design and Access Statement, Heritage statement and drawings numbered: 18.3564, 18.3564.05, 18.3564.06, 18.3564.07, and 18.3564.08, received by the Local Planning Authority on 23rd of November 2018.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details
4. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such

obstructions shall be erected within a distance of 5 metres of the highway boundary without the prior written consent of the local Planning authority.

5. The car parking and any turning facilities shall be provided hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.
6. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or any subsequent amendment to that order, no development within Class A, B, C and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the development is of the satisfactory appearance as stipulated within the application.
4. To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2018).
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
6. To enable the Local Planning Authority to retain control over future extensions in view of the form and density of the development proposed.

Officer to contact: John Cosgrove
Date: 23 January 2019