

**Tonbridge and Malling Borough Council**  
**Compendium of Model Conditions, Reasons and Informatives**

## **Contents:**

<b>Introduction:</b> .....	4
----------------------------	---

### **Conditions**

Standard Conditions.....	6
Advertisements.....	9
Archaeology.....	10
Caravans.....	11
Construction and Demolition.....	13
Drainage.....	14
Ecology.....	16
Environmental Protection.....	17
Equestrian.....	20
Highways and Parking.....	21
Housing Developments.....	26
Industrial/Commercial .....	28
Listed Buildings.....	31
Land Contamination.....	32
Landscape and Trees.....	36
Materials.....	39
Operating limitations.....	40
Residential Extensions.....	41

### **Informatives**

Addresses .....	44
Construction and Demolition .....	45
Drainage and Water.....	46
Environmental Protection.....	47
Gas Pipeline.....	51
Highways.....	52
Landscaping and Trees.....	54

Licences.....	55
Other Legislation.....	57
Permitted Development.....	59

DRAFT

## **Introduction:**

When used properly, conditions can enhance the quality of development and enable development to proceed, by mitigating the adverse effects, where it would otherwise have been necessary to refuse planning permission. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable.

National guidance makes clear that this is best achieved through conditions that are tailored to tackle specific problems rather than in a standardised manner or used to impose broad unnecessary controls. There are, however, recognised benefits in developing a compendium of model conditions.

The conditions set out in this compendium are designed to assist planning officers in dealing with applications in an efficient and consistent manner. They are intended to cover most of the circumstances where conditions are needed in order to make development acceptable in planning terms but it should be recognised that they are not exhaustive. Some applications will require one or more of the conditions to be amended or alternatively completely unique conditions will be required. This will be established on a case by case basis dependant on the prevailing issues and constraints.

In all cases, planning conditions must be fairly and reasonably related to the development proposed. Paragraph 55 of the National Planning Policy Framework (2019) makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

## **Reasons:**

Local Planning Authorities are required to give clear reasons for the imposition of each condition.

A suggested reason for each condition contained within the compendium is given. In general, the use of these will assist in ensuring that applications are dealt with in a consistent manner. However, it is important that the case officers carefully check in relation to each condition imposed that the wording is appropriate to the particular prevailing circumstances of the specific application. Generally, if the case officer experiences difficulty in formulating a clear reason for the imposition of the condition, this would suggest that in fact it is not necessary and therefore the requisite tests would not be met.

### **Information submitted with a planning application:**

Applicants and agents are encouraged to study the Council's local validation requirements and to engage fully at the pre-application stage concerning the level of information that should be submitted with a planning application. The submission of information at the application stage particularly in relation to external materials, finished ground levels, detailed landscaping schemes and means of boundary treatments (for example) can avoid the need for further details to be submitted for formal approval at a later stage and this also means that Officers and the Planning Committees are able to make a detailed and comprehensive assessment of the scheme.

### **Pre-commencement Conditions:**

Section 100ZA(5) of the Town and Country Planning Act 1990 ("the Act") provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the case of a condition imposed on the grant of outline planning permission within the meaning of Section 92 of the 1990 Act or in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

This is predicated on the fact that such conditions have for a long time been considered by the industry to unnecessarily delay commencement of development. This provision introduces a "remedy" to this perceived issue by providing that a pre-commencement condition must be agreed with the applicant before it is imposed.

While this gives applicants opportunity to mould draft permissions into a manageable shape from a commercial perspective it also means that more extensive discussion and negotiation may be necessary before permission can be granted and this will always take place at the earliest opportunity.

Such conditions should only be used where the local planning authority is satisfied that the requirements of the condition (including the timing of compliance) are so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

Officers will always enter into early discussions on occasions where such conditions are considered to be necessary.

### **Informatics:**

Informatics are notes for the applicant that are included within the decision notice. They are intended to provide guidance on matters that are pertinent to the nature of the development taking place but are not binding and cannot be subject to any planning enforcement.

## **Standard Conditions**

### **Standard detailed 3 years**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

### **Time condition (in the case of a Section 73 permission)**

The development hereby permitted shall be begun before ^IN;

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

### **Standard Listed Building Consent 3 years**

The development and works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Standard outline 1**

Approval of details of the layout and appearance of the development, access to and within the site, the landscaping of the site, and the scale of the development (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

### **Standard outline 2**

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

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

### **Standard outline 3**

No development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

### **Standard Conservation Area consent 3 years**

The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Standard Plans Condition:**

The development shall be carried out in accordance with the following plans: ^IN;

Reason: To ensure that the development is carried out in accordance with the plans and documents hereby approved.

### **Standard Surveys Condition:**

The development shall be carried out in accordance with the recommendations contained within the following documents: ^IN;

Reason: To ensure that the development is carried out in accordance with the plans and documents hereby approved.

### **Phasing of development**

The works comprised in ^IN; of the development hereby permitted shall not be commenced before the works comprised in ^IN; are completed.

Reason: ^IN;

### **Duplication**

This permission shall be an alternative to ^IN; granted on ^IN; and shall not be exercised in addition thereto, or in combination therewith.

Reason: The exercise of more than one permission would result in an over intensive use of the land.

## **Advertisements**

### **Illumination when open**

The sign shall be illuminated only while the premises are open for business.

Reason: In the interests of visual amenity.

### **Time for illumination**

The sign shall not be illuminated except between the hours of ^IN; and ^IN;.

Reason: In the interests of visual and residential amenity.

### **Limited illumination**

The letters and logos only shall be illuminated on the fascia and the background shall be totally opaque.

Reason: In the interests of visual amenity.

### **Temporary advert**

Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the advertisement(s) hereby granted consent shall be removed on or before ^IN; or upon the first occupation of the last of the units to which the development relates, whichever is the sooner.

Reason: The permanent retention of the sign(s) would be detrimental to the visual amenities of the locality.

## **Archaeology**

### **Access for archaeologist**

The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him/her to observe the excavation and record items of interest and finds. The developer will inform the Local Planning Authority of the start date of construction works on site not less than ^IN; before the commencement of such works.

Reason: In the interests of archaeological research.

### **Archaeological programme**

No groundworks shall take place within the site 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 such investigation) which has been submitted by the applicant and approved by the Local Planning Authority. The works undertaken thereafter shall be in strict accordance with the details approved.

Reason: In the interests of archaeological research.

### **Archaeological watching brief**

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority. The works undertaken thereafter shall be in strict accordance with the details approved.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

### **Unforeseen archaeology**

If during construction works items or features of archaeological and historic importance are discovered, all development shall cease. It will then be necessary for the applicant, or their agents or successors in title, to secure the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be submitted to Local Planning Authority immediately on discovery of any historic item or feature for approval and works subsequently undertaken shall be in strict accordance with the approved brief.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

## **Caravans**

### **Temporary stationing of caravans**

The use for which permission is granted shall cease, the caravan(s) shall be removed and the land shall be restored to its original condition on or before ^IN;

Reason: The permanent retention of a caravan on this site would be detrimental to the amenities of the area and contrary to planning policies for the area.

### **Restriction on number of caravans**

The total number of caravans sited on the land at any one time shall not exceed ^IN;

Reason: In the interests of the character and visual amenities of the area.

### **Control of siting**

No caravans shall be located on the site other than in the positions shown on the approved plan reference ^IN;

Reason: In the interests of the character and visual amenities of the area.

### **Touring caravan site**

The use shall be used as a caravan site for holiday and tourist purposes only and not as a residential caravan site and:

- (i) the caravans shall not be occupied as a person's sole, or main place of residence;
- (iii) the caravan site licence holder or his/her nominated person shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, their arrival and departure dates and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: In the interests of the character and visual amenities of the area.

### **Restricting permitted development (touring caravans)**

Notwithstanding any of the provisions of Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the site shall not be used for the accommodation of touring caravans.

Reason: In the interests of the character and visual amenities of the area.

### **Restricting permitted development (tents)**

Notwithstanding any of the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the site shall not be used for the pitching of tents.

Reason: In the interests of the character and visual amenities of the area.

### **Caravan for occupation agricultural worker**

The occupation of the caravan shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or dependant of such a person residing with him or her, or a widow or widower of such a person.

Reason: The site of the caravan is outside any area in which development would normally be permitted were it not required for occupation by a person employed locally in agriculture or forestry.

## **Construction and Demolition**

### **Construction Management Plan**

Prior to the commencement of the development hereby approved, arrangements for the management of any and all demolition and/or construction works shall be submitted to and approved by the Local Planning Authority. The management arrangements to be submitted shall include (but not necessarily be limited to) the following:

- The days of the week and hours of the day when the construction works will be limited to and measured to ensure these are adhered to;
- Procedures for managing all traffic movements associated with the construction works including (but not limited to) the delivery of building materials to the site (including the times of the day when those deliveries will be permitted to take place and how/where materials will be offloaded into the site) and for the management of all other construction related traffic and measures to ensure these are adhered to;
- Procedures for notifying neighbouring properties as to the ongoing timetabling of works, the nature of the works and likely their duration, with particular reference to any such works which may give rise to noise and disturbance and any other regular liaison or information dissemination; and
- The specific arrangements for the parking of contractor's vehicles within or around the site during construction and any external storage of materials or plant throughout the construction phase.
- The controls on noise and dust arising from the site with reference to current guidance.

The development shall be undertaken in full compliance with the approved details.

Reason: In the interests of general amenity and highway safety.

### **Demolition according to submitted scheme**

All demolition hereby approved shall take place wholly in accordance with the scheme of demolition hereby approved referenced ^IN; and received on ^IN; The approved site restoration scheme shall be implemented in its entirety within ^IN; months of the demolition.

Reason: In the interest of the protection of the visual amenity of the area.

## **Drainage**

### **Sustainable urban drainage systems (SuDS)**

(a) No above ground development shall begin until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved by the local planning authority. The detailed drainage scheme shall demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site, with the rate of runoff for any rainfall event agreed in advance with Southern Water and TMBC (for all storms up to, and including, the climate change adjusted 100yr critical storm).

(b) No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficiency of the drainage provisions.

No building hereby permitted in any phase shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to and approved by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- A general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The drainage scheme as approved shall subsequently be maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 103 of the NPPF and its associated Non-Statutory Technical Standards.

### **SUDS verification report**

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system for that phase, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in

Construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development 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 as constructed is compliant with the National Planning Policy Framework.

## **Ecology**

### **As recommendations of submitted documents**

The development shall be carried out in accordance with the recommendations of the ^IN; received ^IN; in particular the implementation of ^IN; and be retained and maintained thereafter.

Reason: To ensure the protection of wildlife species.

### **Additional surveys required**

Prior to any above ground work taking place the recommendations of the ^IN; received ^IN; shall be carried out, including the additional specified surveys. Once completed the additional surveys shall be submitted to and approved by the Local Planning Authority and the works carried out in accordance with the recommendations of the surveys and retained thereafter.

Reason: To ensure the protection of wildlife species.

### **Additional surveys required**

Prior to the commencement of the works hereby approved, including demolition or other ground works, a Preliminary Ecological Appraisal (species survey) must be undertaken by a competent ecologist to ascertain the presence of any protected species at the site. The survey must be submitted to and approved by the local planning authority. If protected species are found at the site a full habitat survey must be undertaken and any recommended mitigation measures undertaken in accordance with the approved details.

Reason: To ensure the protection of protected wildlife species.

## **Environmental Protection**

### **Air pollution control**

No development shall take place until full details of all measures to be taken to satisfactorily mitigate the emission of dust, odours or vapours arising from the site has been submitted to and approved by the Local Planning Authority. The approved measures shall be fully implemented before the use commences and retained in operation at all times thereafter.

Reason: To protect the environment of nearby dwellings.

### **Landfill gas mitigation**

No development, other than demolition of any building, shall be commenced until full details of an investigation of the extent of landfill gas on the site and a scheme of measures to mitigate any incursion of landfill gas and render the site and buildings suitable for the development permitted have been submitted to and by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of any of the buildings and maintained as such at all times thereafter.

Reason: In the interests of amenity and public safety.

### **Control of cooking smells**

The use shall not commence until full details of the ventilation system to remove cooking smells, including details of how it will be built and how it will look, have been submitted to and approved by the Local Planning Authority. The approved scheme shall be fully installed before use of the kitchen commences and shall thereafter be maintained in strict accordance with the approved details. No cooking of food shall take place unless the approved extraction system is being operated.

Reason: In the interests of the amenities of nearby properties.

### **Extraction systems – noise**

The applicant shall submit acoustic details to the Local Planning Authority to include whole octave analysis for the proposed ventilation equipment, demonstrating that the noise from the equipment shall not exceed NR35 at the nearest noise sensitive premises/site boundary; this would include any flat above the proposed premises.

Reason: To safeguard the aural amenity of the area.

## **Submit Noise report**

Prior to the first occupation of the development hereby approved, a noise report shall be submitted to and approved by the Local Planning Authority, setting out how the following noise levels can be achieved:

- (a) for gardens and other outdoor spaces, a desirable limit of 50dB LAeq,16-hour, and a maximum upper limit of 55dB LAeq,16- hour; and
- (b) internal noise levels no greater than 30dB LAeq, 8-hr (night) and 35dB LAeq, 16-hr (day) in bedrooms, 35dB LAeq, 16-hr (day) in living rooms and 40dB LAeq, 16-hr (day) in dining rooms/areas. These levels need to be achieved with windows at least partially open, unless satisfactory alternative means of ventilation is to be provided

The report should also specifically detail any mitigation/attenuation measures needed to attain these noise levels which shall be fully implemented as approved and thereafter retained and maintained at all times.

Reason: To safeguard the aural amenity of the occupiers of the dwellings hereby approved.

(\* Figures quoted may need to be adjusted depending on the particular site)

## **Acoustic protection and mechanical ventilation**

The development hereby permitted shall not be occupied until full details of acoustic protection and mechanical ventilation of the building have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of any of the units to which it relates and shall be retained and maintained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwelling(s) hereby approved.

## **No external lighting**

No external lighting shall be installed in connection with the development hereby approved until such details have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details and maintained and retained at all times thereafter.

Reason: In the interests of visual and rural amenity.

## **Lighting to be screened**

Any light fitting installed within the building shall be recessed or otherwise screened to limit the emission of light outside the building.

Reason: To protect the amenities of nearby dwellings.

### **Scheme to protect building from noise**

The use hereby approved shall not commence until a scheme for protecting the proposed buildings from noise from the ^IN; has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted buildings is occupied and thereafter retained at all times.

Reason: In the interests of the residential amenity of the new development.

### **Scheme to insulate the building against emission of sound**

The use hereby approved shall not commence until a scheme for the insulation of the building against the emission of sound has been submitted to and approved by the Local Planning Authority, and the building has been insulated in accordance with the approved scheme. The scheme shall restrict noise to a maximum of db (A) at the boundaries of the site. The approved scheme shall thereafter be retained at all times.

Reason: To protect the aural environment of nearby dwellings.

### **Insulation of plant**

Prior to the use of any plant or machinery a scheme of sound insulation shall be submitted to, and approved by, the Local Planning Authority and retained and maintained at all times thereafter.

Reason: To protect the aural environment of nearby dwellings.

### **Provision of interceptor**

The use hereby permitted shall not be commenced, until a petrol/oil/grease interceptor has been installed so that all surface water drainage from the paved areas passes through such interceptor. It shall thereafter be retained and maintained at all times.

Reason: To prevent pollution of surface and underground water courses.

### **Music**

The use hereby permitted shall not commence until details of any proposed music or public address system is submitted to and approval by the Local Planning Authority. The music or public address system shall be used only in accordance with those approved details.

Reason: To protect the aural amenity of the area.

## **Equestrian**

### **Disposal of waste**

Prior to the commencement of the use of the stables hereby approved, details of the means of disposal of manure, bedding or any other waste shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the use commencing and thereafter retained in accordance with the approved details.

Reason: To prevent nuisance to neighbours by virtue of smell, vermin and flies.

### **Stables private**

The stables hereby approved shall be used solely for private stabling of horses owned by the owner/occupier of the application site and not for commercial stabling or in connection with a riding school/livery.

Reason: Commercial use could harm significantly the amenities of the locality and the free and safe flow of traffic on local highways.

## **Highways and Parking**

### **Vision splays on plan**

The access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and free flow of traffic.

### **Reduce height enclosure**

The access shall not be used until the frontage ^IN; has been lowered to a height not exceeding 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and free flow of traffic.

### **Maintenance of sight line**

No obstruction to vision exceeding 1.05 metres in height shall be placed to the ^IN; of a line from ^IN; to ^IN; as shown on the plan referenced ^IN; and received on ^IN;

Reason: To ensure the safe and free flow of traffic.

### **Advance sight line**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall commence until the area of land within the vision splays shown on the approved plan referenced ^IN; received ^IN; have been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway and be so retained thereafter.

Reason: To ensure the safe and free flow of traffic.

### **Before occupation close access**

The building(s) hereby permitted shall not be occupied until the existing vehicular access to ^IN; has been closed permanently.

Reason: To ensure the safe and free flow of traffic.

### **Before use close access**

The use hereby permitted shall not be commenced until the existing vehicular access to ^IN; has been closed permanently.

Reason: To ensure the safe and free flow of traffic.

### **Access to be constructed**

No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure the safe and free flow of traffic.

### **Slope of access**

The access drive shall be constructed no steeper than ^IN; metres from the edge of the highway and no steeper ^IN; on any other part.

Reason: To ensure the safe and free flow of traffic.

### **Turning space provision**

The use of the access shall not be commenced until turning facilities have been provided within the curtilage of the site and these facilities shall be retained thereafter free from any obstruction.

Reason: In order that a vehicle may enter and leave the site in a forward direction to ensure the safe and free flow of traffic.

### **Gates set back**

Any gateway to the access shall be set back 5.0 metres from the edge of the highway.

Reason: To enable vehicles to stand off the highway whilst any gates are being operated and ensure the free flow of traffic.

### **Submit junction detail**

No development shall commence until details of the junction between the proposed service road and the highway have been submitted to, and approved by the Local Planning Authority. The building shall not be occupied, or the use commenced until that junction has been constructed in accordance with the approved details and retained thereafter

Reason: To ensure the safe and free flow of traffic.

### **Pedestrian vision splays**

The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

### **Travel Plan**

Prior to the commencement of the use hereby approved, a Travel Plan must be submitted to and approved by the Local Planning Authority. The Travel Plan must include details of:

- (a) A comprehensive survey of all users of the development;
- (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
- (c) Targets set in the Plan to reduce car journeys to the site
- d) Details of how the Travel Plan will be regularly monitored and amended must be submitted, and all relevant reports designed to monitor the effectiveness of the Travel Plan must be submitted to, and approved by the Local Planning Authority.

Reason: In the interests of local amenity and highway safety.

### **Parking outline buildings**

The details submitted in pursuance of Condition ^IN; shall show land, reserved for parking. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: To ensure that adequate parking is provided, maintained and retained.

### **Parking space provision**

The use hereby permitted shall not be commenced, nor the building(s) occupied, until the area shown on the submitted layout referenced ^IN; as vehicle parking space to serve the associated use or building has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting

that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure that adequate parking is provided, and maintained and retained.

### **Vehicle parking loading**

The use hereby permitted shall not be commenced, nor the building(s) occupied, until the area shown on the approved plan number ^IN; vehicle parking, loading and off-loading and turning space to serve the associated use or building has been surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude its use.

Reason: To ensure that adequate parking is provided, and maintained and retained.

### **Submit details of car park**

The use hereby permitted shall not be commenced, nor the building(s) occupied, until details of the surfacing and draining of the vehicle parking area to serve the associated use or building have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the parking area is brought into use and shall be so retained at all times thereafter.

Reason: To ensure a finish to the parking area consistent with the character and appearance of the locality.

### **Area to garage a vehicle**

The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles.

Reason: To ensure that parking is provided and maintained in accordance with the Council's adopted standards.

### **Provision of turning area**

The use hereby permitted shall not be commenced, nor the building(s) occupied, until the area shown on the submitted layout referenced ^IN; as the vehicle turning area shall be provided, surfaced and drained before the building it serves is occupied. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

### **Car Charging Points details to be submitted**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall be carried out until details of the proposed car charging points have been submitted to, and approved by the Local Planning Authority. The charging points shall be installed prior to the first occupation of the development, and thereafter maintained and retained in accordance with the approved details.

Reason: To encourage the use of electric vehicles in the interests of mitigating climate change in accordance with national objectives.

### **Car Charging Points as approved details**

Prior to the first occupation of the development hereby approved, car charging points shall be installed in accordance with the approved plans referenced ^IN; and shall thereafter be maintained and retained in accordance with the approved details.

Reason: To encourage the use of electric vehicles in the interests of mitigating climate change in accordance with national objectives.

### **Cycle Storage Submit details (flats)**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall be carried out until details of secure cycle storage to serve the development have been submitted to and approved by the Local Planning Authority. The cycle storage shall be installed prior to the first occupation of the development, and thereafter maintained and retained in accordance with the approved details.

Reason: To ensure that cycle bays are provided and maintained in accordance with adopted standards

### **Cycle Storage comply with submitted details**

Prior to the first occupation of the development hereby approved, the secure cycle storage as shown on the approved drawings referenced ^IN; and shall thereafter be maintained and retained in accordance with the approved details.

Reason: To ensure that cycle bays are provided and maintained in accordance with the Council's adopted standards

## **Housing Developments**

### **Remove existing dwelling**

Prior to the first occupation of the dwelling hereby approved, the existing dwelling as shown on drawing number ^IN; shall be demolished and all arisings therefrom shall be removed from the site.

Reason: To prevent the erection of an additional dwelling in an area where it would not normally be permitted.

### **Floor levels in accordance with plans**

The development hereby approved shall be constructed at the level indicated on the drawing referenced ^IN;

Reason: To accord with the terms of the application and to protect the amenities of the area

### **Floor levels submit details**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall take place until a plan showing the proposed finished floor levels, eaves and ridge levels of the dwellings and finished ground levels in relation to the existing ground levels of the site and adjoining land has been submitted to and approved by the local planning authority.

The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality.

### **Slab levels**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall take place until details of slab levels have been submitted to and approved by the Local Planning Authority and the works shall be carried out in strict accordance with those details.

Reason: To ensure the scale of the development is compatible with the character of the site and its surroundings.

### **Slab levels and roof heights**

No development, other than the removal of hardstanding, ground investigations or site survey works, shall take place until a plan showing both the existing and proposed finished floor, eaves and ridge height levels has been submitted to, and

approved by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character of the area or visual amenity of the locality.

### **Slab levels and cross sections**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall take place until details of slab levels have been submitted to and approved by the Local Planning Authority. The details to include a scaled cross section showing the proposed development in relation to the adjacent buildings. The works shall then be carried out in strict accordance with those details.

Reason: To ensure the scale of the development is compatible with the character of the site and its surroundings.

### **Boundary Treatment**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works shall take place until details of the proposed boundary treatment have been submitted to and approved by the Local Planning Authority. The boundary treatment shall be installed in accordance with the approved details prior to the first occupation of the approved development and retained at all times thereafter.

Reason: To accord with the terms of the application and to protect the visual amenity of the area

### **Refuse storage facilities**

The use shall not be commenced, nor the premises occupied until details of a scheme for the storage and screening of refuse has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is occupied and shall be retained at all times thereafter.

Reason: To facilitate the collection of refuse and preserve visual amenity.

### **Public private open space play area**

The area shown on the approved plan as play / open space shall be laid out and made available for use within ^IN; of the completion of (Phase ^IN; of) the development.

Reason: To ensure the availability of ^IN; for the recreational needs of the residents.

## **Industrial/Commercial**

### **Floorspace Limitation**

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), the layout of the development shall not be varied by means of sub-division or amalgamation of any units, nor by the insertion of additional floors at any time

Reason: To enable the Local Planning Authority to assess the impact of such variation on parking and vehicle circulation in the interests of safe and free flow of traffic.

### **Restriction on Vehicle Movements**

No vehicles shall arrive, depart, be loaded or unloaded within the application site outside the hours of ^IN; Mondays to Fridays, ^IN; to ^IN; Saturdays, or at any time on Sundays or Public and Bank Holidays

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

### **Storage Distribution Only**

The building hereby permitted shall be used for storage or distribution purposes only and shall not be used for retail sales or for the collection of goods by customers.

Reason: To avoid an over intensive use of the property in the interests of residential amenity and the safe and free flow of traffic.

### **Open Storage (i)**

No materials, plant or other equipment of any description shall be kept or stored in the open.

Reason: To avoid obstruction of vehicle parking/manoeuvring areas and to ensure the character and appearance of the development and the locality is not significantly harmed.

### **Control of open storage (ii)**

There shall be no open storage of materials, plant or equipment outside the area(s) shown for such use on the approved plans, and the height of open storage shall not exceed ^IN; metres.

Reason: To avoid obstruction of vehicle parking/manoeuvring areas and to ensure the character and appearance of the development and the locality is not significantly harmed.

### **No external apparatus**

No fans, louvers, ducts, meter boxes or other similar apparatus shall be installed externally.

Reason: To maintain the quality of the development.

### **Management of refuse**

The use shall not be commenced until details of how waste is to be stored on site, and how materials for recycling will be stored separately, have been submitted to, and approved by the Local Planning Authority. The development must be carried out in accordance with those details and , clearly mark the stores and make them available at all times to everyone using the premises. The approved scheme shall be retained at all time thereafter.

Reason: In the interests of residential amenity and public health.

### **Sale of cars restriction**

No vehicles shall be displayed for sale on the site other than on the area shown on the approved plan for this purpose.

Reason: The display of vehicles beyond this area is likely to give rise to an over intensive development of the site to the detriment of the safe and free flow of traffic, and residential and visual amenity.

### **Sale of farm goods only**

No retail sales shall take place from the premises, other than goods produced on the agricultural holding of which the premises form part and those produced on any other land cultivated by the applicant.

Reason: The Local Planning Authority would not normally approve retail uses on sites detached from shopping centres but is prepared to make an exception in these special agricultural circumstances.

### **Telecommunication equipment removal**

If at any time the mast is no longer required for telecommunications purposes it shall be removed as soon as is reasonably practical and the land restored to its former condition.

Reason: In the interests of the visual amenities of the area.

DRAFT

## **Listed Buildings**

### **Joinery details**

Notwithstanding the submitted drawings and all supporting documentation prior to commencement of those areas of work referred to below, the following details shall be submitted to and approved by the Local Planning Authority, full detail sections and elevations to a scale of 1:5 or 1:2 of all new joinery, including but not restricted to all new windows, doors, porches, door surrounds, shutters, staircases, panelling, skirtings, dado rails, picture rails etc. In addition, sections of glazing bars and mouldings shall be to a scale of 1:1 or 1:2. Details of finishes shall also be included. The works shall then be completed and retained in accordance with these approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

### **Listed Building protect existing internal features**

Existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades shall not be disturbed. These features must be properly protected during work on site.

Reason: To protect the historic fabric of the Listed Building.

### **Listed Building protect existing external features**

No development shall take place until protective barriers have been erected, in a manner to be formally approved by the Local Planning Authority, about [insert name of feature]; the barriers shall be retained for the duration of construction works and no works shall take place within the area inside that fencing at any time.

Reason: To protect the building during demolition and/or construction.

## **Land Contamination**

### **Contamination 1 no phasing**

No development, other than demolition of any building, removal of hardstanding, ground investigations or site survey works, shall be commenced until the following have been submitted to and approved by the Local Planning Authority:

- (a) a contamination land desktop study identifying all previous site uses, potential contaminants associated with those uses including a survey of the condition of any existing building (s), a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site;
- (b) based on the findings of the desktop study, proposals for a site investigation scheme that will provide information for an assessment of the risk to all receptors that may be affected including those off site. The investigation scheme should also include details of any site clearance, ground investigations or site survey work that may be required to allow for intrusive investigations to be undertaken.

If, in seeking to comply with the terms of this condition, reliance is made on studies or assessments prepared as part of the substantive application for planning permission, these documents should be clearly identified and cross-referenced in the submission of details pursuant to this condition.

Reason: In the interests of amenity and public safety and human health

### **Contamination 2 no phasing**

No development, other than demolition of any building, removal of hardstanding, or ground investigations works, until the following have been submitted to and approved by the Local Planning Authority:

- a) results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use.

(b) prior to the commencement of the development the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

Reason: In the interests of amenity, public safety and human health

### **Contamination 3 no phasing**

Following completion of the approved remediation strategy, and prior to the first occupation of the development, a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the Local Planning Authority.

The report shall be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

Thereafter, no works shall take place such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity, public safety and human health

### **Contamination 4 no phasing**

A monitoring and maintenance scheme to include monitoring the long term effectiveness of the approved remediation strategy and the provision of regular reports on the same must be prepared for the submission to the Local Planning Authority for information purposes.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority for information purposes.

Reason: In the interests of amenity, public safety and human health.

### **Contamination 1 phased development**

No development of any phase of the development (or part thereof), other than demolition of any building, removal of hardstanding, ground investigations or site survey works, shall be commenced until the following have been submitted to and approved by the Local Planning Authority

(a) a contaminated land desktop study identifying all previous site uses (for that phase), potential contaminants associated with those uses including a survey of the

condition of any existing building(s) within that phase (or part thereof), a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site;

(b) based on the findings of the desktop study, proposals for a site investigation scheme that will provide information for an assessment of the risk to all receptors that may be affected including those off site. The site investigation scheme should include details of any site clearance, ground investigations or site survey work that may be required to allow for intrusive investigations to be undertaken.

If, in seeking to comply with the terms of this condition, reliance is made on studies or assessments prepared as part of the substantive application for planning permission, these documents should be clearly identified and cross-referenced in the submission of the details pursuant to this condition.

Reason: In the interests of amenity, public safety and human health.

### **Contamination 2 phased development**

No development of any phase of the development (or part thereof) other than demolition of any building, removal of hardstanding, ground investigations or site survey works, shall take place other than as required as part of any relevant approved site investigation works until the following have been submitted to and approved by the Local Planning Authority:

(a) results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the particular phase of development (or part thereof) will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the particular phase of development (or part thereof) cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use.

(b) prior to the commencement of each phase of the development (or part thereof) the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme of works.

Reason: In the interests of amenity, public safety and human health.

### **Contamination 3 phased development**

Following completion of the approved remediation method statement for each phase of the development (or part thereof), and prior to the first occupation of the relevant phase a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground shall be submitted for the information of the Local Planning Authority.

The report shall be undertaken in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

Thereafter, no works shall take place within any phase of the development (or part thereof) such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity, public safety and human health.

### **Unforeseen contamination**

- (a) If during development, significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease until an investigation/remediation strategy has been agreed with the Local Planning Authority and it shall thereafter be implemented by the developer.
- (b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management, Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use.
- (c) A closure report shall be submitted by the developer relating to (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.

Reason: In the interests of amenity and public safety.

### **Land fill sites details**

No development shall take place until a scheme showing foundations and land fill gas protection has been submitted to and approved by the Local Planning Authority. The approved scheme shall be completed in its entirety prior to the first occupation of the development hereby approved and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the occupants of the dwelling against the ingress of methane gas into the dwelling.

## **Landscaping and Trees**

### **Landscaping outline**

The details submitted pursuant to Condition 1 shall be accompanied by a scheme of hard and soft landscaping and boundary treatment which shall include a tree survey specifying the position, height, spread and species of all trees on the site, provision for the retention and protection of existing trees and shrubs and a date for completion of any new planting and boundary treatment. The scheme as approved by the Authority shall be implemented by the approved date. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

### **Landscaping detailed**

The scheme of hard and soft landscaping and boundary treatment shown on the approved plans referenced ^IN shall be carried out in the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

### **Submit landscaping scheme**

Prior to the first occupation of the development hereby approved a scheme of hard and soft landscaping and boundary treatment shall be submitted to and approved by the Local Planning authority. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: In the interests of visual amenity.

### **Landscaping scheme to be implemented by**

The proposal for landscaping shown on the submitted layout plan referenced ^IN; shall be implemented by ^IN: Any trees or plants which within 10 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity.

### **Protect existing trees**

The development hereby approved shall be carried out in such a manner that all trees are protected in accordance with the recommendations within BS 5837 – Trees in relation to design, demolition and construction.

Reason: In the interests of good horticultural practice.

### **Replacement of protected tree**

Replacement specimens of ^IN; shall be planted during the first planting season following removal of the trees hereby permitted, in the position shown on the drawing referenced ^IN;

Reason: To reinstate the character and appearance of the site and locality.

### **Plant in dormant season**

All bare root stock planting shall be carried out during the period of 1st November to the immediately following 31st March.

Reason: In the interests of good horticultural practice.

### **Protection of new trees**

All trees planted shall be protected (particularly against stock and rabbits) immediately upon planting and such protection shall be retained at all times for 10 years thereafter.

Reason: In the interests of good forestry and amenity.

### **Cutting of coppice**

Coppice and/or underwood shall be properly cut to within 300mm of ground level with the cuts so sloping outwards as to prevent any moisture from falling towards the centre of the stool and rotting it.

Reason: In the interests of good forestry and amenity.

### **Removal of brush wood**

All brush wood shall be properly cleared away from site after cutting, within 2 months of the completion of the operations hereby permitted.

Reason: In the interests of good forestry and amenity.

### **Work to preserved trees**

All work shall be carried out to the standards set in BS 5837 (or EU equivalent).

Reason: In the interests of good arboricultural practice and the amenity of the area.

### **Coppice regeneration**

Subsequent to the implementation of any of the approved coppicing works the remaining tree stumps shall not be removed, wilfully damaged or destroyed unless a period of one year has elapsed since the coppicing and the stumps have not regenerated at all in which case replacement trees (only for those which have failed to regenerate) shall be planted in the next available planting season in accordance with details to be formally approved by the Local Planning Authority.

Reason: To retain and enhance the character of the locality and in the interests of good forestry.

### **Notice to be given**

Prior to the implementation of the works hereby approved, the applicant shall give at least five working days' notice in writing to the Local Planning Authority in order that the precise extent of the approved works can be agreed and identified on site before their commencement.

Reason: In order that the extent of the approved works is clearly identified in the interests of good forestry and amenity.

## **Materials**

### **Details of materials**

No development, other than the demolition of any buildings, removal of hardstanding, ground investigations or site survey works, shall take place until details of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

### **Materials to be as plans**

All materials used externally shall accord with the approved plans, referenced ^IN;

Reason: In the interests of visual amenity.

### **Specific brickwork bond**

The external brickwork shall be constructed to show a bond to match the existing brickwork.

Reason: In the interests of visual amenity.

### **Panel of brickwork**

Before relevant works commence a 1 metre by 1 metre sample panel of brickwork has been constructed on site, incorporating any associated stone detailing (for example quoining), brick bond, mortar depth, colouring and pointing finish, notified for inspection to, along with submission of photographs and written details of the mortar mix and of any supplementary bricks (source, manufacturer, name) and approved by the Local Planning Authority. The sample panel shall thereafter be retained on site for the duration of the works. The development shall be constructed in accordance with the approved brick panel.

Reason: To ensure the quality of the development.

## **Operating Limitations**

### **Limited period development**

The building hereby permitted shall be removed and the land restored to its former condition on or before ^IN;.

Reason: ^IN;

### **Limited period use**

The use hereby permitted shall be discontinued and the land restored to its former condition on or before ^IN;.

Reason: ^IN;

### **Limited to individual person**

This consent shall enure only for the benefit of ^IN; and it shall not enure for the benefit of the land or any other person or persons for the time being having an interest therein.

Reason: ^IN;

### **Limited to named person**

The use hereby permitted shall be carried on only by ^IN;

Reason: ^IN;

### **Service occupancy**

The occupancy shall be restricted to an immediate relative or employee of the occupier of ^IN;.

Reason: ^IN;

### **Use restricted to that applied for**

The premises shall be used for ^IN; and for no other purpose (including any other purpose in Class ^IN; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument amending, revoking and re-enacting that Order).

Reason: ^IN;

## **Residential Extensions**

### **No windows in elevation**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the ^IN; elevation(s) of the building other than as hereby approved.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy.

### **No windows in roof**

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the roof of the building.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of the amenity and privacy.

### **Use of flat roof of extension for balcony**

The roof of the extension shall not be used as a terrace or balcony for sitting out or for any other purpose, except as a means of escape in an emergency.

Reason: To safeguard neighbouring amenity.

### **Hardstanding**

The proposed hardstanding shall be constructed of porous materials or provision made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse/site.

Reason: Development of hardstanding without the suitable disposal of surface water is likely to lead to unacceptable surface water run-off onto land outside the ownership of the applicant.

### **Annexes/outbuildings**

The outbuilding hereby permitted shall be used only for purposes incidental to the enjoyment of the related dwellinghouse and no trade or business shall be carried out therefrom.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

## **Annexes/outbuildings**

The extension/building hereby permitted shall be occupied only in conjunction with the original dwellinghouse known as [SPECIFY] as a single dwellinghouse and shall not be used, let or sold at any time as a separate unit of living accommodation.

Reason: To safeguard the character and amenities of the locality

## **Restriction on permitted development**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class ^IN; of Part ^IN; of Schedule 2 of that Order.

Reason: ^IN;

## **Obscure glass**

The window on the ^IN; elevation shall be fitted with obscured glass and, apart from any top-hung light, shall be non-opening. This work shall be completed before the extension is occupied and shall be retained thereafter.

Reason: To minimise the effect of overlooking onto adjoining property.

## **Garage for domestic use**

The garage shall not be used for any other purpose than the accommodation of private vehicles or for a purpose incidental to the enjoyment of the related dwellinghouse and no trade or business shall be carried on therefrom.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

## **Outbuilding for domestic use**

The workshop shall be used only for purposes incidental to the enjoyment of the related dwellinghouse and no trade or business shall be carried out therefrom.

Reason: To safeguard the amenities and interests of the occupants of other property in this residential area.

### **Satellite dishes removal**

If at any time the satellite antenna hereby permitted ceases to be required for the reception or transmission of microwave radio energy it shall be removed as soon as reasonably practical.

Reason: In the interests of visual amenity.

DRAFT

## **INFORMATIVES**

### **Addresses**

#### **Existing street new numbers**

The proposed development is within a road which has a formal street numbering scheme and it will be necessary for the Council to allocate postal address(es) to the new property/ies. To discuss the arrangements, you are invited to e-mail to [addresses@tmbc.gov.uk](mailto:addresses@tmbc.gov.uk). To avoid difficulties for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.

#### **New street names and numbers required**

The Borough Council will need to create new street name(s) for this development together with a new street numbering scheme. To discuss the arrangements for the allocation of new street names and numbers you are invited to e-mail to [addresses@tmbc.gov.uk](mailto:addresses@tmbc.gov.uk). To avoid difficulties, for first occupiers, you are advised to do this as soon as possible and, in any event, not less than one month before the new properties are ready for occupation.

## **Construction and Demolition**

### **Asbestos – demolition**

The development involves demolition and, owing to the likelihood of the buildings containing or being constructed of asbestos, the applicant should contact the Health and Safety Executive for advice. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator.

### **Asbestos – demolition**

There is the possibility of asbestos containing materials being present in the structure. Before commencing any work the applicant must organise an asbestos survey to be undertaken by a competent person. More information regarding the necessary precautions which must be implemented for the duration of the demolition can be found at <http://www.hse.gov.uk/asbestos/>.

### **Asbestos - garage**

The application includes the demolition of a domestic garage. If the garage/property was built before or refurbished before 2000 there is the possibility of asbestos containing materials being present in the structure. Before commencing any works, the applicant is advised to seek further advice to ensure the necessary precautions are implemented for the duration of the demolition. More information can be found <http://www.hse.gov.uk/asbestos/> and <http://www.hse.gov.uk/asbestos/faq.htm#domestic-properties>

### **Demolition - crushers**

In the event that crushers are to be used in the demolition phase of the development, the applicant should be aware that they require a permit to operate in accordance with the provisions of the Environmental Permitting Regulations 2010 (as amended). The applicant is reminded to ensure all of the conditions within the Permit are complied with, if they intend to bring a crusher on site.

## **Drainage and Water**

### **Minor residential, annex, swimming pool**

The applicant is reminded of the need to comply with the Water Supply (Water Fittings) Regulations 1999 for any extension or alteration of the water system on the site. Please advise the relevant statutory water undertaker of the works to be undertaken by completing a Notification of Proposed Works for the Granting of Consent before undertaking works.

### **Public sewer**

The applicant should be aware of the possible existence of a public sewer within the site.

### **Surface water**

Surface water must not be allowed to run off the site onto the public highway or any other land outside the ownership of the applicant. Any additional hardstanding must be constructed using porous materials or provision made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

## **Environmental Protection**

### **Hours of working**

In the interests of good neighbourliness the hours of construction, including deliveries, should be restricted to Monday to Friday 07.30 - 18.30 hours, Saturday 08.00 - 13.00 with no work undertaken on Sundays or Public/Bank Holidays.

In the interests of good neighbourliness all vehicles and machinery associated with construction should be parked within the site and not on the public highway in such a manner as to create an obstruction.

### **Food hygiene regulations**

Regarding the application of Food Hygiene Regulations under the Food Act 1984, the applicant is advised to email [foodandsafety@tmbc.gov.uk](mailto:foodandsafety@tmbc.gov.uk)

### **Emission control advice**

For guidance regarding the measures to be taken to deal with the emission of dust odours or vapours, the applicant is advised to email [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

### **Noise control advice**

For guidance on noise control schemes, the applicant is advised to email [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk).

### **Clean air ducts**

The applicant is advised to note the provisions of the Clean Air Acts, 1956 and 1968 with regard to the installation of furnaces, the height of chimneys and the arrestment of grit and dust. Advice regarding this matter may be obtained by emailing [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk).

### **Advice on waste disposal for animals**

For guidance relating to the disposal of waste matter arising from the keeping of animals, the applicant is advised to contact [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

### **Artificial lighting**

The issues of illumination needs to be examined by a competent person to ensure that light does not penetrate into other premises and that not more than an adequate level of illumination is used for the designed purpose.

## **Artificial lighting**

Artificial light can be considered under the Statutory Nuisances regime contained within the Environmental Protection Act 1990. It is thus in the applicants best interests to ensure that any lighting does not affect any nearby neighbours.

## **Garage conversions**

As you are proposing to convert a garage/workshop to living accommodation you are advised to incorporate an impermeable vapour membrane within the floor slab of the development to act as a barrier against any oils or chemical that could have been used or stored there. Any services entering/leaving the structure should either be located above the vapour impermeable membrane or be sealed with appropriate top hat and tape to current guidelines.

## **Proximity of landfill sites**

Waste disposal operations may have taken place on or adjacent to the application site. Accordingly prospective developers are advised to undertake investigations in order to assess the condition of the site both in respect of possible contamination and stability.

## **Soil contamination**

With regard to the Environmental Health issues raised in the above conditions, the applicant is advised to seek advice from [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

## **Step by step contamination risk assessment**

The applicant is reminded that land contamination risk assessment is a step by step process. During the course of the risk assessment process set out in the above condition(s) it may become clear that no further work is necessary to address land contamination risks. Where this is agreed to be the case the condition(s) may be discharged by the Local Planning Authority without all the steps specified having been completed or submitted for formal approval. In all cases, written confirmation should be obtained from the Local Planning Authority confirming that the requirements of the condition(s) have been met. The Local Planning Authority would like to take the opportunity to remind the applicant that it is their responsibility to ensure the site is safe and suitable for its end use.

## **Remediation – no liability**

The Local Planning Authority will not accept any liability for remediation works.

This decision notice advises the applicant that the information provided is sufficient in meeting the terms of the planning condition in question. The Local Planning

Authority would like to take the opportunity to remind the applicant that it is their responsibility to ensure the site is safe and suitable for its end use.

### **Remediation – qualified person**

The applicant is reminded that a suitably qualified and competent person shall fulfil the requirements of the condition(s) pertaining to contaminated land remediation.

### **Vapour impermeable membrane**

Prior to the commencement of the development, consideration should be given to the incorporation of a vapour impermeable membrane within the floor slab of the development to act as a barrier against any oils or chemical that could have been used or stored there. Any services entering/leaving the structure should either be located above the vapour impermeable membrane or be sealed with appropriated top hat and tape to current guidelines.

### **Studies and assessments – comp person**

In seeking to discharge the condition(s) pertaining to contaminated land remediation, the applicant is advised that all studies and assessments submitted must be carried out by a competent person and conform to CLR11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

### **Bonfires**

The disposal of waste by incineration is contrary to Waste Management Legislation and could lead to justified complaints from local residents. It is thus recommended that no bonfires are lit at the site.

### **Refuse**

Tonbridge and Malling Borough Council operate a two wheeled bin and green box recycling refuse collection service from the boundary of the property. Bins/boxes should be stored within the boundary of the property and placed at the nearest point to the public highway on the relevant collection day.

Applicants/agents should consult a local Designing Out Crime Officer or qualified specialist to help design out opportunity for crime, fear of crime, Anti-Social Behaviour (ASB), nuisance and conflict.

### **Permitted Process**

The applicant should be advised to contact the Environmental Protection team at the Council to determine if a Permit under Regulation 13 of the Environmental Permitting Regulations 2016 (as amended) is required for this process. Any person operating a Prescribed Process without such a Permit is liable to prosecution.

### **Renewable energy**

The applicant is strongly encouraged to consider opportunities for incorporating renewable energy technologies and measures to support biodiversity into the approved development.

DRAFT

## **Gas Pipeline**

The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

### **Scotia Gas Data**

The applicant/ agent/ developer is strongly advised to contact the pipeline operator prior to any works being undertaken pursuant to the permission granted/ confirmed by this notice. Address is: Southern Gas Networks Plc, SGN Plant Location Team, 95 Kilbirnie Street, Glasgow, G5 8JD Tel: 01414 184093 OR 0845 0703497 Search online at: [www.line-search-before-you-dig.co.uk](http://www.line-search-before-you-dig.co.uk)

## **Highways**

### **Works in highway agency**

With regard to works within the limits of the highway, the applicant is asked to consult, Kent County Council Highways and Transportation, Aylesford Highways Depot, St Michaels Close, Aylesford Tel: 03000 418181.

### **Crossing agency area**

With regard to the construction of the pavement crossing, the applicant is asked to consult, Kent County Council Highways and Transportation, Aylesford Highways Depot, St Michaels Close, Aylesford Tel: 03000 418181.

### **Highway consents**

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

### **Highway legislation**

The applicant must also ensure that the details shown on the approved plans agree in every respect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

### **Highway land**

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

### **Cycle storage**

Kent County Council Highways and Transportation recommend the provision and retention of a secure and covered cycle parking facility.

### **Bound surface**

The surface for the first 5m of the access from the edge of the highway should be a bound surface to prevent overspill onto the public highway.

### **Gates**

Any gates must open away from the highway and be set back a minimum of 5m from the edge of the carriageway to ensure vehicles waiting to access the site do not create congestion on the public highway.

### **Surface water**

Surface water must not be allowed to run off the site onto the public highway or any other land outside the ownership of the applicant. Any additional hardstanding must be constructed using porous materials or provision made to direct surface water run-off from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

### **PROW**

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact the Kent County Council Public Rights of Way and Access Service before commencing any works that may affect the Public Right of Way. This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

## **Landscaping and Trees**

### **Replanting of trees covered by TPO**

You are advised that under the terms of Section 206 of the Town and Country Planning Act 1990, where a tree which is subject to a Tree Preservation Order is removed in the circumstances which are relevant to this case, it is the duty of the owner to plant another tree of an appropriate size and species at the same place as soon as reasonably possible. If you require advice on any of the matters raised by these requirements then you should contact the Council's Landscape Officer via [planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk)

### **Replanting of trees in CAs**

You are advised that under the terms of Section 213 of the Town and Country Planning Act 1990, where a tree which is within a Conservation Area is removed in the circumstances which are relevant to this case, it is the duty of the owner to plant another tree of an appropriate size and species at the same place as soon as reasonably possible. If you require advice on any of the matters raised by these requirements then you should contact the Council's Landscape Officer via [planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk)

### **New tree covered by TPO**

The applicant is reminded that the replacement tree is covered by the Tree Preservation Order in the same way that the original tree was, and that the consent of the Local Planning Authority will therefore be required for any works to it.

### **Native planting**

The Borough Council believes that there is an opportunity to create areas of native planting in this development. Plants for such areas should not only be of native species but also of local provenance. The use of plants of non-local provenance could harm the environment by introducing genetically alien material and reducing the variety and viability of other wildlife that the particular plant supports.

## **Licences**

### **Pet animal licence**

Regarding the requirement for a licence under the Pet Animals Act 1951, the applicant is advised to [contact.environmental.protection@tmbc.gov.uk](mailto:contact.environmental.protection@tmbc.gov.uk)

### **Caravan site licence**

Regarding the requirements for a site licence under the Caravan Sites and Control of Development Act 1960, the applicant is advised to contact [housing.services@tmbc.gov.uk](mailto:housing.services@tmbc.gov.uk)

### **Dog breeding licence**

Regarding the requirements for a licence under the Breeding of Dogs Act 1973, the applicant is advised to contact [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

### **Riding establishment licence**

Regarding the requirements for a licence under the Riding Establishments Acts, the applicant is advised to contact [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

### **Animal boarding licence**

Regarding the requirements for a licence under the Animal Boarding Establishments Act 1963, the applicant is advised to contact [environmental.protection@tmbc.gov.uk](mailto:environmental.protection@tmbc.gov.uk)

### **Bats**

The applicant is reminded that a European Protection Species Mitigation Licence with regard to bats is required before work commences on site

### **Protected species**

The applicant is reminded of the necessity to comply with the relevant legislation regarding protected species.

### **Drainage limitations**

The applicant is advised that the site is considered unsuitable for sewage disposal systems other than a sealed cesspool or a biological system producing effluent suitable for discharge to a watercourse, for which a licence may be required from the Environment Agency

## **Advice on landfill sites**

Attention is drawn to the fact that the site on which this development is proposed is a former land fill site and in formulating the detailed construction design, specific consideration will need to be given to the issues of both ground stability and the presence of land fill gas. Technical advice on these matters may be obtained through the Council's Building Control department

[building.control@sevenoaks.gov.uk](mailto:building.control@sevenoaks.gov.uk)

## **Sprinkler systems**

The Local Planning Authority supports the Kent Fire Brigade's wish to reduce the severity of property fires and the number of resulting injuries by the use of sprinkler systems in all new buildings and extensions.

## **Other Legislation**

### **Wildlife countryside act**

You are also advised that, in undertaking the works hereby approved, due regard should be had to the provisions of the Wildlife and Countryside Act 1981 relating to the protection of species and habitats. The applicant is recommended to seek further advice from the Natural England via [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk)

### **Diversion of PROW**

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact Kent County Council Public Rights of Way and Access Service before commencing any work on site as the Public Right of Way needs to be diverted.

### **No works to the PROW**

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact the Kent County Council Public Rights of Way and Access Service before commencing any works that may affect the Public Right of Way. This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

### **Land outside ownership**

This permission does not purport to convey any legal right to undertake works or development on land outside the ownership of the applicant without the consent of the relevant landowners.

### **Private right of way**

The granting of this permission does not purport to convey any legal right to block or impede any private right of way which may cross the application site without any consent which may be required from the beneficiaries of that right of way.

## **Party wall act**

If the development hereby permitted involves the carrying out of building work or excavations along or close to a boundary with land owned by someone else, you are advised that, under the Party Wall, etc Act 1996, you may have a duty to give notice of your intentions to the adjoining owner before commencing this work.

## **Need for AT consent**

Please be aware that alterations to the shop frontage and signage are likely to require advertisement consent. Further guidance on can be found via [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## **Designing out crime**

Applicants/agents should consult a local Designing Out Crime Officer or qualified specialist to help design out opportunity for crime, fear of crime, Anti-Social Behaviour (ASB), nuisance and conflict.

## **Building control**

The applicant is encouraged to discuss the proposed internal layout with the Council's Building Control Team [building.control@sevenoaks.gov.uk](mailto:building.control@sevenoaks.gov.uk) prior to undertaking the development.

## **Permitted Development**

### **Large residential PA not required or granted**

You are reminded that in carrying out this development you will need to comply with all of the limitations and conditions specified within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

### **Office to residential PA not required**

You are also reminded that in order to benefit from this class of permitted development the use of the building within Use Class C3 (dwellinghouses) must be completed within 3 years of the date of this notice.

Agr bldg. to resid PA not req or granted You are reminded that the following provisions apply:

- (a) The change of use of the building to a dwellinghouse (Use Class C3) must be completed within 3 years of the date of this notice;
- (b) The building operations specified within this submission must be completed within 3 years of the date of this notice.

### **Agricultural to flexible PA not required or granted**

You are reminded that in order to benefit from this class of permitted development the flexible use(s) of the building must begin within 3 years of the date of this notice unless:

Where planning permission has been granted separately in respect of associated operational development in connection with the new flexible use of this building within 3 years of the date of this notice, the flexible use must be begun within 3 years of the date of that planning permission.

### **Shop to residential PA not required or granted**

You are also reminded that in order to benefit from this class of permitted development, the following provisions also apply:

- (a) The change of use of the building to a dwellinghouse (Use Class C3) must be completed within 3 years of the date of this notice;
- (b) The building operations specified within this submission must be completed within 3 years of the date of this notice.

## **Part 4 Class D (permitted development)**

Flexible change of use of up to 150 sq m floorspace of premises used as Class A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4

(drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) can be changed to a use falling within Class A1 (shops), Class A2, (financial and professional services), Class A3 (restaurants and cafes) or Class B1 (business).

If at any time during this 2 year period a further change of use falling within one of the other uses comprising the flexible period is proposed you are reminded that you must notify Tonbridge & Malling Borough Council in the same manner as previously. This notification must be made before any such change of use begins.

The use of these premises must revert back to its previous lawful use at the end of the 2 year period of flexible use.

DRAFT