



Belfast planning seminar by Barrell Tree Consultancy (26/02/25)

List of supporting references

Section 1

References and useful links

List of sources for Planning Seminar delivered in Belfast on 26th February 2025 by Barrell Tree Consultancy

1. Location of this list <https://www.barrelltreecare.co.uk/resources/useful-documents/>
2. BTC Website <https://www.barrelltreecare.co.uk/>
3. Twitter <https://x.com/JeremyDBarrell>
4. LinkedIn <https://www.linkedin.com/in/jeremy-barrell-48b4ab19/>
5. UN/WHO Sustainable Development Goals <https://www.un.org/sustainabledevelopment/news/communications-material/>
6. Wolf, K.L. 2024. *Human Health Benefits of City Trees & Forests: Rapid Review of Research Publications with Practical Application*. Ontario, Canada: Toronto and Region Conservation Authority. https://naturewithin.info/New/2024_Health_Benefits_of-Urban_Forests.rapid_review.final.pdf
7. TDAG First Steps in Urban Tree Canopy Cover http://epapers.bham.ac.uk/4369/1/TDAG_FirstStepsCanopyCover.AWb.pdf
8. The State of Nature Partnership 2023 https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf
9. *Progress in improving the natural environment in England 2023–2024* The Office for Environmental Protection (OEP) <https://www.theoep.org.uk/report/government-has-chance-get-track-meet-legal-environmental-commitments-window-opportunity>
10. *Our (OEP) Strategy and Enforcement Policy 2024* <https://www.theoep.org.uk/report/our-strategy-and-enforcement-policy-2024> World's first year-long breach of key 1.5 C warming limit (2024) <https://www.bbc.co.uk/news/science-environment-68110310>
11. My Society <https://cape.mysociety.org/>
12. TDAG webinar – *When is tree protection not tree protection?* (November 2024) https://www.youtube.com/watch?v=kKfJ_8y6s2I
13. Sheffield Street Trees Inquiry https://www.sheffield.gov.uk/sites/default/files/2023-03/sheffield_street_trees_inquiry_report.pdf
14. Preliminary arboricultural report on the horse chestnut avenue Tooting Bec Common, Wandsworth <https://www.barrelltreecare.co.uk/assets/Uploads/Tooting-Bec-Common-Horse-Chestnut-Avenue-Report-160117.pdf>
15. CAVAT valuation report on the horse chestnut avenue Tooting Bec Common, Wandsworth <https://www.barrelltreecare.co.uk/assets/Uploads/16386-ValuationReport-130817.pdf>
16. Plymouth, STRAW (Ali White) <https://strawplymouth.com/>
17. Skylark Rise, Hailsham <https://twitter.com/JeremyDBarrell/status/1674347662001295360>
18. <https://www.youtube.com/watch?v=ZAu3oJk1ofY> AA webinar preview – *Urban Greening* (January 2024)
19. <https://www.youtube.com/watch?v=hx7EzL33g6s&t=11s> AA webinar – *Beating the Tree Greenwash* (January 2024)
20. TCPA Section 197 <https://www.legislation.gov.uk/ukpga/1990/8/section/197>
21. National Planning Policy Framework (NPPF) 2024 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
22. *Belfast Tree Strategy* <https://www.belfastcity.gov.uk/Documents/Belfast-tree-strategy> 2023
23. British Standards <https://knowledge.bsigroup.com/search?query=&type=all>
24. TDAG <https://www.tdag.org.uk/>
25. Site Guidance Notes <https://www.barrelltreecare.co.uk/resources/technical-guidance/>
26. *Site Guidance Notes: Plugging the tree protection gap on construction sites* (2018) <https://www.barrelltreecare.co.uk/assets/Uploads/BTC132-UTGL-SGNs-2018.pdf>
27. *Site Guidance Notes: A new approach to protecting trees during construction* (2019) <https://www.barrelltreecare.co.uk/assets/Uploads/BTC141-NZAA-SGNs.pdf>
28. ICE Manual of Blue-Green Infrastructure (2023) <https://www.icevirtuallibrary.com/doi/pdf/10.1680/icembgi.65420.fm>

List of sources for Planning Seminar delivered in Belfast on 26th February 2025 by Barrell Tree Consultancy

29. CAVAT (Capital Asset Value for Amenity Trees): valuing amenity trees as public assets (2018)
<https://www.tandfonline.com/doi/full/10.1080/03071375.2018.1454077?src=most-read-all-time>
30. Tree value; the missing metric in built-environment management
<https://www.barrelltreecare.co.uk/assets/Uploads/BTC-125-2018-Ecobuild.pdf>
31. Habitat trees <https://www.youtube.com/watch?v=rliBxsuv9qg>
32. Climate Emergency UK <https://climateemergency.uk/>
33. Council Climate Action Scorecards – Methodology <https://councilclimatescorecards.uk/methodology/>
34. Council Climate Action Scorecards data – Tree Questions
https://docs.google.com/spreadsheets/d/1GYJMSvnnontf_TABFTGHZpUQDR9kqBepoYP8FhpmqOM/edit?pli=1#gid=1732278731
35. 2023 Action Scorecards <https://councilclimatescorecards.uk/scoring/northern-ireland/>
36. Stats only 15% of UK Councils have declared an ecological emergency
<https://www.inkcapjournal.co.uk/less-15-of-councils-have-declared-an-ecological-emergency-why-the-delay/>
37. Circular 11/95: Use of conditions in planning permission
<https://assets.publishing.service.gov.uk/media/5a78f5ba40f0b62b22cbe28a/324923.pdf>
38. LTOA Planning condition wording <https://www.ltoa.org.uk/planning/274-ltoa-planning-conditions/file>
39. List of videos relating to the seminar content:
 1. <https://www.youtube.com/watch?v=RX9fnrmD7GU> AA webinar preview – *Tree Risk Management: An Alternative Perspective* (November 2024)
 2. <https://www.youtube.com/watch?v=91a7EuOgOhA&t=2s> AA webinar – *Practical tree management wisdom from a lifetime of pruning trees* (November 2024)
 3. <https://www.youtube.com/watch?v=8EqWXywmEns> Preview of the Amenity Tree Care Association of India Inaugural Arboriculture Conference in Mumbai – *TreeAH: International tree assessment for heritage* (February 2024)
 4. <https://www.youtube.com/watch?v=1I7eBJNDzHY> Trees, planning and construction conference preview – *Protecting trees during development* (February 2024)
 5. <https://www.youtube.com/watch?v=2yIN53m2B2E> *ArboChat Plus, Slavkov* (July 2023)
 6. https://www.youtube.com/watch?v=5QQ7cho4R_M&t=582s AA Arborists' Question Time (Episode 1) (May 2020)
 7. https://www.youtube.com/watch?v=5_fCBYK0gAU ASCA webinar preview – *Tree Risk Management: An Alternative Perspective* (November 2020)
 8. <https://www.youtube.com/watch?v=5hCSpYUjOHQ> Preview of the International Urban Forestry Conference – *Urban Tree Management* (August 2018)
 9. <https://www.youtube.com/watch?v=rliBxsuv9qg> AA Webinar preview – *Seeing beyond the topping blind spot* (December 2020)
 10. <https://www.youtube.com/watch?v=eq3ow6srsK0> *Jeremy Barrell addresses the Sheffield Tree Conference* (January 2017)
 11. <https://www.youtube.com/watch?v=lsZOht2LaX8> BBC One Show – *Save Sheffield's Trees* (January 2017)
 12. <https://www.youtube.com/watch?v=BypBkilAHcl> *Felling of the Duke of Wellington Cedar by The National Trust* (January 2014)

Section 2

Extracts from planning consents and appeals showing planning conditions

Appeal Decision

Site visit made on 13 January 2015

by Ron Boyd BSc (Hons) MICE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 February 2015

Appeal Ref: APP/C3620/A/14/2228568
Winstanley, The Marld, Ashted KT21 1RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Pamela Randall against the decision of Mole Valley District Council.
 - The application Ref MO/2014/1038/PLA, dated 3 June 2014, was refused by notice dated 3 October 2014.
 - The development proposed is demolition of existing dwelling and garage. Erection of two detached houses with integral garages.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and garage and erection of two detached houses with integral garages at Winstanley, The Marld, Ashted KT21 1RP in accordance with the terms of the application, Ref MO/2014/1038/PLA, dated 3 June 2014, subject to the conditions on the attached schedule.

Application for costs

2. An application for costs was made by Ms Pamela Randall against Mole Valley District Council. This application is the subject of a separate Decision.

Procedural matter

3. The appellant has submitted, for my consideration in the light of the CIL Regulations 2010 and advice in the PPG, a Unilateral Undertaking under the provisions of Section 106 of the Town and Country Planning Act 1990 in respect of financial contributions towards infrastructure provision in the area.
4. However, subsequent to submission of the appeal, the Government's Planning Practice Guidance (the PPG) in line with a written Ministerial statement, published on 1 December 2014, has identified circumstances where infrastructure contributions through planning contributions should not be sought. These include developments of 10 units or less with a maximum combined floor space of no more than 1000 sqm and thus apply to the appeal proposal.
5. Accordingly I attach no weight to the submitted Undertaking.

Main issues

6. I consider these to be :

- the effect the proposed development would have on the character and appearance of its surroundings; and
- whether the proposed development would be in conflict with the Council's Core Strategy Policy CS3, and if so, whether there are, nevertheless, material considerations sufficient to justify its provision.

Reasons

7. The appeal site, within the built up area of Ashted, where the principle of development is acceptable, lies on the southern side of The Marld, on the western corner of its junction with Burnside, a residential cul-de-sac. The site is occupied by a detached bungalow, Winstanley. Its neighbour to the west is Charnwood, a large detached house. To the east there are more detached dwellings of a smaller scale along the south side of The Marld, that on the eastern corner of the junction with Burnside being Oaklands.
8. The mixed character surrounding area is predominately residential and includes large detached houses such as Charnwood and more recent and denser patterns of development such as the detached and linked houses in Burnside, and the maisonettes and bungalows in Broadmead. The proposal is to demolish the existing bungalow and erect two detached five-bedroom houses.

Character and appearance

9. The houses would have slightly staggered set backs from the road similar in distance to that of the existing bungalow, this being less than Charnwood and about the same as Oaklands. The outer flank (eastern) elevation of the property proposed for Plot 1 (House 1) would be between 3.4m and 5.6m from the eastern site boundary with Burnside with a view to minimising any impact on the adjacent tree belt along the boundary. The outer flank (western) elevation of the property proposed for Plot 2 (House 2) would be 1.1m from the site's western boundary with Charnwood. The inner flank elevations of the two houses would be 2.6m apart.
10. The established laurel hedge along the frontage would be retained. The houses would be of traditional design having pitched hipped roofs with maximum ridge heights less than Charnwood but greater than Oaklands. In terms of height and set back from the road the proposed houses would be a transition between Charnwood and Oaklands.
11. The overall depth of the houses would be significantly greater than the existing bungalow. However, the effect of this depth would be mitigated by articulation of the two-storey element of the outer flank elevations, with the southern end stepping back into the site by some 4m. The full height two-storey element of the outer flank elevations would be just over 11m in depth. For comparison the full height two-storey depth of Charnwood is just over 13m. Views of House 1 from the east would be filtered by the mature trees along the eastern boundary of the site. Oblique views of the western elevation of House 2 from The Marld to the west would be limited by the presence of Charnwood with only the outer elevation of two-storey element visible. I consider the appearance of the dwellings to be acceptable.

12. The positioning of second floor roof lights and provision of obscured glazing to first and second floor windows as necessary, (all of which can be secured by planning conditions) together with back gardens around 12m deep, would avoid any unacceptable overlooking into the neighbouring gardens of Oaklands, Charnwood, or, to the south, and irrespective of whether the existing vegetation along the southern boundary of the site is retained, 8 Burnside. The northern flank wall of 8 Burnside contains one first floor window which is a bathroom. There would be no unacceptable overlooking, or, given that the proposed houses lie to the north-east of Charnwood and north of 8 Burnside, overshadowing.
13. Notwithstanding the obvious increase in scale and mass of the proposed development compared with the existing bungalow I consider the two houses would sit comfortably within the street scene, and, in scale, form and materials (to be secured by planning condition) would be compatible with the surrounding built form of the area. I conclude that the proposal would respect the character and appearance of its surroundings and in this regard would comply with Saved Policy EN23 of the Mole Valley Local Plan Adopted October 2000 and with the Framework's requirement that development should respond to local character.

Core Strategy Policy CS3

14. Core Strategy Policy CS3 *Balancing Housing Provision* states that the Council will require housing proposals to take into account and reflect local housing needs, and that it will particularly seek the provision of two and three bedroom dwellings. No evidence has been submitted that local housing needs were identified and taken into account in developing the proposal. To this extent the proposal fails to demonstrate compliance with the Policy. However there are material considerations to take into account.
15. Notwithstanding the Council's preference for a scheme of two or three bedroom dwellings, such a scheme, other than that for one and two-bedroom flats, refused at appeal in 2010 (Ref APP/C3620/A/09/2113382), has not been put forward and there is no reason to suppose that were I to dismiss the appeal that one would. The scheme that is proposed represents sustainable development; is compatible with the character and appearance of its surroundings; would make effective use of the site; and would produce a small but positive contribution to the District's housing stock.
16. I consider that the above considerations outweigh the conflict with Policy CS3. Accordingly I conclude that that conflict would not warrant dismissal of the appeal.

Other matters

17. I note the concerns of the occupant of 8 Burnside about any noise that might result from the proposed provision of air source heat pumps, and that the specification of the pumps should be assessed, and approved, in accordance with accepted standards, prior to development starting. As has been suggested by both the appellant and the Council this can be secured through a planning condition.
18. The full-height two-storey element of the outer flank elevation to House 2 would extend just under 2m to the south of the garage to Charnwood. The

occupants of Charnwood have expressed concern about the effect of its proximity on the small paved area outside their back door which is used as play area by their children. The majority of this area would still be open to light and sunlight from the south east and south and I consider its use as a play area for children would not be materially impaired.

Conclusion and conditions

19. I have taken into account all the matters raised in the evidence but have found nothing to outweigh my conclusions on the main issues which have led to my decision on this appeal. For the reasons given above I conclude that the appeal should succeed.
20. I have considered the conditions suggested by the Council in the light of the PPG and Annex A of Circular 11/95. I consider the conditions in the attached schedule to be reasonable and necessary- they deal with:
- landscaping; protection of existing vegetation; materials for external surfaces; and permitted development rights, in the interests of visual amenity;
 - obscured glazing; position of roof lights; hours of working; submission of a construction method statement; and air source heat pumps, in the interests of the living condition of neighbouring residents;
 - compliance with the Code for Sustainable Homes and reduction in carbon emissions, in the interests of sustainable development;
 - surface water drainage and paved surfacing in the interests of flood prevention; and
 - the use of garages in the interests of highway safety.

In addition it is necessary that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

R.T.Boyd

Inspector

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: FL 1290-1 Rev B; FL 1290-4 Rev A; FL 1290-5.
- 3) The landscaping scheme indicated on the approved plans shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the local planning authority and shall be maintained for a period of five years. Such maintenance shall include the replacement of any trees or shrubs that die.
- 4) The existing hedge along the north-western boundary of the site shall be retained and subsequently maintained at a height of not less than 3m.
- 5) No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) Any new or altered hard surfacing to be provided to the front of the property shall be constructed from either porous materials or shall make adequate provision for the run-off from the hard surface to a permeable or porous area.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extensions within Schedule 2 Part 1, Classes A,B, or C to any dwelling hereby permitted shall be erected nor shall any windows, dormer windows, glazed openings, or roof lights other than those expressly authorised by this permission be constructed.
- 8) The garaging hereby permitted shall be used for the storage of private motor vehicles and incidental domestic storage only.
- 9) Prior to first occupation of the houses hereby permitted the windows to the following rooms shall be glazed in obscured glass and fixed shut below a height of 1.7m above the adjacent internal floor level and shall be permanently retained as such.
 - First floor bathroom eastern elevation House 1
 - Second floor en-suite southern elevation House 1
 - First floor bathroom western elevation House 2
 - First floor en-suite southern elevation House 2
 - Second floor en-suite southern elevation House 2

The cill heights of the roof lights in the outer roof slopes of the houses hereby permitted shall not be less than 1.7m above the adjacent internal floor level and shall be permanently retained as such.

- 10) No site clearance, preparation or construction work shall take place outside the hours of 07:30 to 18:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.
- 11) The dwellings hereby permitted shall achieve at least Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). The Final Code Certificate certifying that a minimum of Code Level 3 has been achieved shall be in place before either dwelling is first occupied or by a date to be agreed in writing beforehand with the local planning authority.
- 12) No development shall take place until details of measures to reduce the carbon emissions of the predicted energy use of the development hereby permitted, by at least 10%, through the installation and implementation of decentralised and renewable or low-carbon energy sources, have been submitted to and approved in writing by the local planning authority. Such details shall include the locations and specifications of the proposed air-source heat pumps. The measures, as approved, shall be installed and implemented prior to first occupation of the dwellings.
- 13) The Barrell Tree Consultancy Arboricultural Method Statement (14072-AIA-AS) and plan 14072-BT2 submitted in support of the application shall be adhered to in full, subject to the pre-arranged supervision, detailed in Sections 2.1.2 and 2.2 of the Statement, by a suitably qualified and pre-appointed tree specialist.**
- No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.
- This condition (No. 13) may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.**
- 14) No development shall take place including any works of demolition until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials; and
 - c) storage of plant and materials used in constructing the development.
- 15) No development shall take place until details of measures to control surface water run-off have been submitted to and approved in writing by the local planning authority and carried out as approved.
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NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Mr Elliott
R Elliott Associates Ltd
Dennett House
Brighton Road
Sway
Lymington
SO41 6EB

Application Number: **24/10510**

Applicant: Durlston Court School

Date of Application: 03 June 2024

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **Proposed access off Becton Lane; creation of driveway.**

Site Address: **50 Becton Lane, Barton-On-Sea, New Milton BH25 7AG**

Subject to the following Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

- 10907 PL 01 Location Plan
- 10907 PL 02 REV B Block Plan
- 10907 PL 03 Existing Site Plan
- 10907 PL 04 REV C Proposed Site Plan
- 10907 PL 05 REV A Swept Paths
- 10907 PL 06 Sightlines Plans & Photos
- 10907 PL 07 REV B Tree Plan
- 10907 PL 08 Section Proposed Driveway
- Tree Constraints Plan by Barrell Consultancy
- Tree Survey Plan by Barrell Consultancy
- Tree Protection Plan by Barrell Consultancy
- HCC11/M/040 REV A Typical Vehicle Crossing in existing Footway
- Arboricultural impact appraisal and method statement by Barrell Tree Consultancy

- Terram Geocall Specification
- Manual for managing trees on development sites by Barrell Tree Consultancy

Reason: To ensure satisfactory provision of the development.

3. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works undertaken in strict accordance with the measures set out in the submitted Arboricultural impact appraisal/assessment (AIA) and method statement (Barrell Tree Consultancy dated 28th May 2024 14064-AIA-DC), Tree Protection Plan (REF: 14064-5), SGN manual V3 and Terram Geocell Specification, design and installation guide.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Prior to the commencement of any works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting, as set out in the Arboricultural impact appraisal/assessment (AIA) and method statement (Barrell Tree Consultancy dated 28th May 2024 14064-AIA-DC).

Reason: To ensure that the approved tree protection measures are in place before development commences and to protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Notes to applicant

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.
3. If this permission leads to the creation of any new properties or a change to your property's access onto a different street, you should contact the Council's Address Management Section by e-mailing address.management@nfdc.gov.uk regarding the addressing of the property/development.
4. The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

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
Archibald Suite
Baird Avenue
Dryburgh Industrial Estate
Dundee
DD2 3TN

Tel: 0141 184093 OR 0845 0703497

Search online at: www.linerearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

Date: 11 December 2024

Mark Wyatt

Mark Wyatt
Service Manager Development Management
Planning
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

**THREE RIVERS DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990 : SECTION 70
PERMISSION TO DEVELOP LAND**

To : Mr Will Charlton
Terence O'Rourke Ltd
Enterprise House
115 Edmund Street
Birmingham
B3 2HJ

Mr Bisoni
On behalf of

Site : **Warner Bros. Studios Leavesden Warner Drive Watford**

Proposed Development : Erection of a 2.4m high fence, to the south (A41) and west (Gypsy Lane) boundaries including gates to the west (Gypsy Lane) and east (Backlot) boundaries and the erection of 3 no. 6m high CCTV poles adjacent to the northern and eastern boundaries.

Ref No : 20/2645/FUL

Date Received Valid: 8 December 2020

In pursuance of its powers under the above mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council as Local Planning Authority hereby **PERMITS** the development proposed in your application as set out above and shown on the plan numbers detailed in the approved plan condition below and accompanying the application.

Consent is subject to the following conditions :-

1 Time

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(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

2 Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

1366 PL 014; 1366 PL 015 B; 1366 PL 016 B; 1366 PL 017 A; 224406-LA-PL-001 C; TRDC001 (CCTV Tower Specification); TRDC002 (VMEX V3 Fence Product Sheet).

Reason: For the avoidance of doubt, in the proper interests of planning and in the interests of the visual amenities of the locality and Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

3 Materials

The development shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as stated on the application form and shown on the approved plans; and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

4 Construction Management Plan (CMP)

The development shall be carried out in accordance with the approved Construction Management Plan Reference WBCMP_BL2 Version 3 (18/12/20).

Reason: In the interests of landscape and ecology and in accordance with Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

5 Environmental Management Plan (EMP)

The approved Environmental Management Plan Reference 224406E Version 2 (19/01/21) shall be adhered to throughout the construction period and the wildflower meadow and hedge planting shall thereafter be managed in accordance with these approved details.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

6 Tree Protection

No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until all trees shown to be retained have been protected from any damage during site works, in accordance with the details set out in the Manual for Managing Trees on Development Sites (Appendix C of the approved Environmental Management Plan, 224406E 1 12/01/21).

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: To ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

7 Landscaping / Tree Retention

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following the commencement of works.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

8 Lighting

No external lighting shall be installed on the site or affixed to any structure on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall thereafter be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity, residential amenity and biodiversity in accordance with Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

9 Ecology - Nesting Season

No removal of trees, hedges or scrub shall take place between 1 March and 31 August inclusive unless searched immediately beforehand and certified free of nesting birds by a qualified ecologist.

Reason: To protect the amenities of wildlife during the primary nesting season and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

10 Badger Gates & Hedgehog Access Points - To be provided

The 5 x badger gates and hedgehog access points shall be provided at the locations shown on approved plans 1366-PL-015-B and 1366-PL-016-B and in accordance within the approved Environmental Management Plan Reference 224406E Version 2 (19/01/21) and shall be permanently maintained as such thereafter.

Reason: To maintain access for mammals in the interest of ecology and biodiversity and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

11 Access - Gypsy Lane (emergency and maintenance access only)

The access from Gypsy Lane shall be used for emergency and maintenance access only.

Reason: In the interest of amenity and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

INFORMATIVES :-

1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

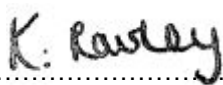
Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 4 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
- 5 Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 6 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Please note that this consent grants planning permission subject to any conditions listed above. It does **NOT** overcome the need to obtain any consents under other legislation (e.g. Building Regulations, Environmental Protection, Wildlife and Countryside Act 1981, Water Resources Act 1991 and the Land Drainage Byelaws 1981) or obtain agreement under private land law (e.g. due to restrictive covenants and easements). Leaseholders are advised to consult their Landlord/Freeholder prior to carrying out any work. Please also note that any damage to the verge, footway or highway caused as a result of implementing your permission is your responsibility and will be pursued by Hertfordshire County Council under Section 133 of the Highways Act 1980.

Dated: 20 January 2021

Signed 
Kimberley Rowley
Head of Regulatory Services
On behalf of Director of Community & Environmental Services,
Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, Herts WD3 1RL

RIGHT OF APPEAL

HOUSEHOLDER APPEALS ONLY

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice

NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Mr McKeon
Pure Town Planning
Suite 7
Pine Court
36 Gervis Road
Bournemouth
BH1 3DH

Application Number: **18/11042**

Applicant: WCR Management Limited

Date of Application: 30 July 2018

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **2 detached bungalows; associated parking; demolish existing**

Site Address: **30 Barton Drive, Barton-On-Sea, New Milton BH25 7JJ**

Subject to the following Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, 8800/303, 8800/400, 8800/401A, 8800/402.

Reason: To ensure satisfactory provision of the development.
3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. The dwellings hereby approved shall not be occupied until plans and particulars showing details of the provisions of cycle storage within the site have been submitted and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details before the use of the development is commenced and shall be retained thereafter.

Reason: To ensure adequate provision within the site and in accordance with policy CS2 of the New Forest District Council Core Strategy.

7. The kerb and footway at the proposed access crossing of the highway shall be lowered and reinstated to the specification and satisfaction of the Local Planning Authority prior to the occupation of the building.

Reason: To prevent danger to road users and in accordance with policy CS2 of the New Forest District Council Core Strategy.

8. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural assessment & method statement (16049-AA3-AS), Tree Protection Plan (16049-BT5) dated 26th September 2018 and Manual for Managing Trees on Development Sites V2.1 while in accordance with the recommendations as set out in BS5837:2012.

NOTE - Attention is drawn to the requirement for a Pre Commencement Site meeting as detailed within SGN 1 - Explanatory notes and examples within the Manual for Managing Trees on Development Sites V2.1

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy CS2 of the New Forest District Council Core Strategy.

9. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

10. The first floor windows (rooflights) on the N.E elevation of unit 1 shall at all times be glazed with obscure glass

Reason: To safeguard the privacy of the adjoining neighbouring property in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes to applicant

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.

3. If this permission leads to the creation of any new properties or a change to your property's access onto a different street, you should contact Mrs Sally Dobson in the Council's Address Management Section on 023 8028 5588 or e-mail address.management@nfdc.gov.uk regarding the addressing of the property/development.
4. In discharging condition No. 9 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
5. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The application was submitted with inadequate details in relation to the adjacent protected trees. Appropriate reports have now been provided.

D. Groom

Date: 14 November 2018

D Groom
Service Manager
Planning Development Control
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA



Application No: APP/21/01603/P

TO:

Mr Shipperley
Anders Roberts & Assoc
Chapel Studios
14 Purewell
Christchurch
Dorset
BH23 1EP

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015
Town and Country Planning (General Permitted Development) (England) Order 2015

GRANT OF OUTLINE PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, by-law, order or regulation (eg in relation to Building regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Applicant: AJC Developments (South) Ltd

Case Officer: Hannah Wild

Det Level: Fully Delegated

Location of Development:

11 Lindsay Road, Poole, BH13 6AN

Description of Development:

Demolish existing buildings and erect block of 16 No 2 bed apartments with parking, bin and cycle stores

In pursuance of their powers under the above mentioned Act, The Local Planning Authority HEREBY GRANT OUTLINE PLANNING PERMISSION for the development described above in accordance with the details given in the application numbered above.

Signed

A handwritten signature in black ink, appearing to read 'Nick Perrins'.

Head of Planning

Date of Decision: 14/10/2022

Subject to the following condition(s):-

- 1 No development shall commence on site until details of the appearance and landscaping (in respect of which approval is expressly reserved and are hereinafter called 'the reserved matters') have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Part 3 of the Town and Country Planning (General Development Procedure) Order 2015.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission and the development hereby permitted shall be begun either before the expiration of 2 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason -

This condition is required to be imposed by the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990.

- 3 Pursuant of discharging conditions and, the outline matters approved (access, layout, scale) shall be carried out in accordance with the following approved plans:

Site Plan (9505/100 E) received 07/06/2022

Floor Plans (9505/102 C) received 07/06/2022

Front elevations and bin store (9505/103 D) received 07/06/2022

SUDs Plan (9505/105 D) received 07/06/2022

Proposed Street Scene (9505/106 B) received 07/06/2022

Construction Details (C1686 P) received 03/11/2021

Overland Flow Route Plan (C1686 P) received 03/11/2021

Reason -

For the avoidance of doubt and in the interests of proper planning

- 4 Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason -

To ensure that the external appearance of the building(s) is satisfactory and in accordance with Policy PP27 of the Poole Local Plan (November 2018).

- 5 The development hereby permitted shall not be brought into use until the access, turning space, vehicle parking and cycle parking shown on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times. Notwithstanding the approved plans, the car parking spaces shall be available for residents and visitors to the residential units hereby approved. The parking shall therefore remain as unallocated parking at all times with no parking space allocated to any individual resident or residential unit, and no parking barriers shall be placed to restrict access to the car parking areas or any individual bays.

Reason -

In the interests of highway safety and in accordance with Policies PP27, PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

- 6 Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, the land designated as visibility splay(s) as indicated on the approved plan(s) shall be cleared of all obstructions over 0.6 metres above the level of the adjoining highway, including the reduction in level of the land if necessary, and nothing over that height shall be permitted to remain, be placed, built, planted or grown on the land so designated at any time.

Reason -

In the interests of highway safety and in accordance with the approved plans and Policies PP34, PP35 and PP36 of the Poole Local Plan (November 2018).

- 7 Within 3 months of the commencement of the development details of the provision of Electric Vehicle Charging Points and associated infrastructure shall be submitted to the Local Planning Authority for approval in writing. Those details shall be in accordance with the BCP Council Parking Standards SPD (adopted 5th January 2021). The approved details shall be implemented and brought into operation prior to the occupation of any residential unit hereby approved. Thereafter, the Electric Vehicle Charging Points shall be permanently retained available for use at all times.

Reason:

In the interests of promoting sustainable development including sustainable forms of transport in accordance with Policy PP35 of the Poole Local Plan - November 2018

- 8 Prior to first occupation of the building(s) hereby permitted, details of measures to provide 20% of the predicted future energy use of each dwelling from on-site renewable sources, shall be submitted to and approved in writing by the local planning authority. These measures must then be implemented before any residential occupation is brought into use, and maintained thereafter. Documents required by the Local Authority include:

The 'as built' SAP assessment documents. These should be the same documents issued to Building Control to address the Building Regulations Part L, The corresponding EPC (Energy Performance Certificate), and A statement, summary or covering letter outlining how the data given in the above documents demonstrates that a minimum of 20% of energy use is provided by the renewable technology.

Reason -

In the interests of delivering a sustainable scheme, reducing carbon emissions and reducing reliance on centralised energy supply, and in accordance with Policy PP37 of the Poole Local Plan (November 2018).

- 9 All ground hard surfaces shall either be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site. The hard surface shall thereafter be retained as such.

Reason:

In the interests of delivering development which does not result in unacceptable levels of run-off and in accordance with Policy PP38 of the Poole Local Plan (November 2018).

- 10 Proposals for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority through any submitted reserved matters application. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

Reason -

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

- 11 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until the appointment of a consultant arboriculturalist for the full duration of the development, from start until completion, has been evidenced and approved in writing by the Local Planning Authority. The contract will provide for the appointed arboriculturalist to submit bi-weekly updates in the form of site supervision notes to the council Tree Officer for inspection.

Reason:

To monitor and ensure compliance to safeguard protected trees in the interests of local amenity and the enhancement of the development itself, in accordance with policy PP27 and PP33 of the adopted Poole Local Plan (Nov 2018).

- 12 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until a pre-commencement site meeting has been held and attended by the developer's appointed arboriculturalist, the designated site foreman and the council Tree Officer to discuss and understand details of the working procedures and agree that all tree protection measures which MUST be installed in accordance with the approved tree protection plan and Arboricultural Impact appraisal, method statement and woodland management plan. Any approved arboricultural works shall subsequently be carried out under strict supervision by the Arboricultural consultant immediately following that approval.

Reason:

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible any remedial work is carried out in accordance with current best practice (BS3998: 2010 Tree Work – Recommendations) and in accordance with Policy PP27 and PP33 of the Poole Local Plan (November 2018)

- 13 No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until ALL above and below ground protective measures, including fencing, ground protection, positioning of site office(s), welfare and storage facilities including mixing areas have been installed and set out strictly in accordance with the Arboricultural report, Tree Protection Plan and Arboricultural Impact appraisal, method statement and woodland management plan written by Barrell Tree Consultancy (Ref: 22139-AA-DC). Confirmation and photographic evidence will be submitted and require written approval by the Local Planning Authority before the development can commence.

Reason:

To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with policies PP27 and PP33 of the adopted Poole Local Plan (Nov 2018).

- 14 Site visits MUST be carried out by the developer's appointed arboricultural consultant on a bi-weekly basis, over and above, and in addition to, any supervision schedule contained therein the approved arboricultural method statement. Copies of written site notes and/or reports detailing the results of ALL site supervision visits and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. This will extend to any proof of compliance with best practice which will be required to satisfactorily discharge any tree protection conditions once the development is approaching completion. Any variations to the approved supervision schedule must be submitted in writing to the Local Planning Authority and shall not be implemented until written consent has been obtained.

Reason:

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice (BS5837:2012) and Policies PP27 and PP33 of the Poole Local Plan (November 2018).

- 15 The installation of ANY services or utility apparatus within the root protection areas of retained trees MUST be overseen and supervised by the developer's appointed arboricultural consultant. 48 hours prior notification of any such intended works shall be given by the site manager to the arboricultural consultant. The arboricultural consultant will inform the Local Planning Authority in writing and confirm attendance with the Tree Officer in advance of the operation. All services will be installed in strict accordance with the approved plan(s), Tree Protection Plan and Arboricultural Impact appraisal, method statement and woodland management plan written by Barrell Tree Consultancy (Ref: 22139-AA-DC).

Reason:

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice (BS5837:2012) and Policy PP27 and PP33 of the Poole Local Plan (November 2018).

- 16 All operations and activities identified by the Arboricultural Impact appraisal, method statement and woodland management plan written by Barrell Tree Consultancy (Ref: 22139-AA-DC), including the scheme of review, shall be implemented in full to the satisfaction of the council until such time that the woodland ownership is transferred to the title freeholder and/or their elected management company.

Reason: In the interests of visual amenity, to ensure that the approved woodland management scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees in accordance with Policies PP27 and PP33 of the Poole Local Plan (November 2018).

- 17 Prior to completion of the development, proposals for the provision for annual inspection and monitoring of all new tree planting required by the aforesaid landscape condition 15 and review of the woodland management plan of the site shall be submitted to, and approved in writing by, the Local Planning Authority. Records of the annual inspections will be submitted to the council's tree officer. The responsibility for this will remain with the title freeholder or their elected management company for 5 years post development.

Reason:

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees in accordance with Policies PP27 and PP33 of the

- 18 The mitigation and enhancements as specified in sections 10.0 Mitigation and 11.0 Enhancement and monitoring of 'Ecological Impact Assessment Report 11 Lindsay Road, Poole BH13 6AN' by Abbas Ecology shall be implemented in full.

Reason: to be compliant with National Planning Policy Framework 174 'Planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity' and Poole Plan Policy PP24 (2)b and PP33 'enrich biodiversity' and 'enhance biodiversity'.

- 19 Vegetation clearance on this site should be carried outside the bird breeding season of 1st March to 31st August inclusive. Unless it can be sufficiently checked by an ecologist to show that nesting birds are not present

Reason: prevention of disturbance to birds' nests as protected under Wildlife and Countryside Act 1981(as amended).

- 20 Prior to the commencement of the operations hereby permitted, a detailed dust management plan shall be submitted in writing to and approved in writing by the local planning authority. No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. Should such an emission occur, the LPA shall be notified, and activity shall be immediately suspended and not recommenced until a revised dust management plan is submitted in writing to and approved in writing by the planning authority.

Reason: To protect the amenity of the locality, especially for nearby sensitive users and/or the local environment, in accordance with local planning policy.

- 21 No burning of demolition/construction waste materials shall take place on site.

Reason: to protect the amenity of local residents from smoke, ash, odour and fume

- 22 Prior to the commencement of development, a scheme for the provision of sustainable urban drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be implemented in accordance with the approved scheme and thereafter retained.

Reason -
To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PP38 of the Poole Local Plan (November 2018).

- 23 Prior to the first occupation of the development hereby permitted a waste management plan shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason –
To ensure that the refuse will be appropriately stored and collected from the site in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin / pest nuisance.

Place Directorate



NOTICE OF PLANNING DECISION

Ms Heather Vickers
Planning Potential Ltd.
Magdalen House
148 Tooley Street
London
SE1 2TU

Ealing Council
Perceval House
14-16 Uxbridge Road
London
W5 2HL

Reference Number:
204905FUL

Direct line: Date:
020 8825 6600 *27 October 2022*

Dear Sir/Madam

Your application has been considered in accordance with the provisions of the Town and Country Planning Act 1990 (as amended) and its Orders:

Application Received: 30.11.2020

Drawings/Schedules References:

EX001 - Existing site plan, EX02 - Existing elevations, PR001 03 - Proposed site plan, PR01 - Proposed basement plan 02, PR02 - Proposed basement plan 01, PR03 - Proposed first floor plan, PR04 02 - Proposed second floor plan, PR05 02 - Proposed roof plan, PR06 01 - Proposed front elevation, PR07 04 - Proposed rear elevation, PR08 - Section AA, PR09 - Section BB, PR10 - Section CC, PR11 03 - Section DD, PR12 03 - Section EE, PR13 03 - Landscape plan, PR14 03 - Section F-F through Balmain Close block, PR15 03 - Full rear elevation, PR16 - Proposed northern fence, PR17 - Bike and bin storage details, PR18 01 - Landscape area plan, PR19 01 - Section GG through garages showing Balmain Close, PR20 - Section HH - through garages showing Balmain Close looking north,

CGI of rear elevation, Arboricultural assessment and method statement, Tree protection plan, Manual for managing trees onsite, Statement of community involvement, Transport statement, Energy and sustainability statement, Access and facilities for fire service statement, Consideration of renewable technology statement, Daylight/ sunlight study (neighbouring properties), Daylight/ sunlight study (proposed development), Drainage strategy and SUDS appraisal,

Site: Rear Of 42 The Grove Ealing London W5 5LH

Proposal: Construction of 6 two-bedroom residential dwelling houses with basement levels and associated landscaping (following demolition of existing garages)

The Council give notice that permission is **GRANTED** subject to the conditions and informatives presented on the attached pages.



Reference No. 204905FUL

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

Reason: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with drawing title number(s):

EX001 - Existing site plan, EX02 - Existing elevations, PR001 03 - Proposed site plan, PR01 - Proposed basement plan 02, PR02 - Proposed basement plan 01, PR03 - Proposed first floor plan, PR04 02 - Proposed second floor plan, PR05 02 - Proposed roof plan, PR06 01 - Proposed front elevation, PR07 04 - Proposed rear elevation, PR08 - Section AA, PR09 - Section BB, PR10 - Section CC, PR11 03 - Section DD, PR12 03 - Section EE, PR13 03 - Landscape plan, PR14 03 - Section F-F through Balmain Close block, PR15 03 - Full rear elevation, PR16 - Proposed northern fence, PR17 - Bike and bin storage details, PR18 01 - Landscape area plan, PR19 01 - Section GG through garages showing Balmain Close, PR20 - Section HH - through garages showing Balmain Close looking north,

CGI of rear elevation, Arboricultural assessment and method statement, Tree protection plan, Manual for managing trees onsite, Statement of community involvement, Transport statement, Energy and sustainability statement, Access and facilities for fire service statement, Consideration of renewable technology statement, Daylight/ sunlight study (neighbouring properties), Daylight/ sunlight study (proposed development), Drainage strategy and SUDS appraisal,

Reason: For the avoidance of doubt, and in the interests of proper planning.

3. Construction Management Plan

Prior to the excavation works / construction of the foundations hereby approved, a site construction method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;
- b) details of construction hours;
- c) anticipated route, number, frequency and size of construction vehicles entering/exiting the site per day;
- d) delivery times and booking system (which is to be staggered to avoid morning and afternoon school-run peak periods);
- e) route and location of site access for construction traffic and associated signage;
- f) management of consolidated or re-timed trips;
- g) details of noise and vibration mitigation measures and monitoring arrangements for noise and vibration by suitably qualified noise specialists. Noise

and vibration mitigation measures must accord with the Mayor's 'Best Practice Guidance';

- h) details of site security, temporary lighting and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) secure, off-street loading and drop-off facilities;
- j) wheel washing provisions;
- k) vehicle manoeuvring and turning, including swept path diagrams to demonstrate how construction vehicles will access the site and be able to turn into and emerge from the site in forward gear and including details of any temporary vehicle access points;
- l) details as to the location(s) for storage of building materials, plant and construction debris and contractors' welfare facilities and offices;
- m) procedures for on-site contractors to deal with complaints from members of the public;
- n) measures to consult cyclists, disabled people and the local schools with regard to delivery times and necessary diversions;
- o) details of all pedestrian and cyclist diversions;
- p) a commitment to be part of Considerate Constructors Scheme;

and

- q) confirmation of use of TfL's Freight Operator Recognition Scheme (FORS) or similar.
- r) The submission of evidence of the condition of the highway prior to construction and a commitment to make good any damages caused during construction.
- s) Details of parking restrictions which may need to be implemented during construction work.
- t) An Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment produced in accordance with current guidance 'The Control of Dust and Emissions during Construction and Demolition SPG', GLA, July 2014.
- u) Details of all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM shall meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM shall be regularly serviced and service logs kept on site for inspection. Records shall be kept on site which details the emissions standard of all equipment.

4. Prior to the commencement of any construction work, all properties immediately adjacent to the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries / complaints should be directed. These details shall also be displayed at regular intervals around the site construction compound.

The development shall be carried out strictly in accordance with the details so approved. Any areas to be used for the storage of building materials or other site activities outside of the relevant phase of the development shall be returned to the original condition immediately following the practical completion of the development.

Such details shall be implemented, and phasing agreed in writing, prior to excavation works / construction of the foundations and thereafter retained for the duration of the works.

Reason: To protect the amenity of local residents and to ensure adequate highway and site safety in accordance with policies T4 of the London Plan (2021); the National Planning Policy Framework (2021); Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition' (2006); and BS 5228-1:2009 - Code of practice for noise and vibration control on construction & open sites-Part 1: Noise.

5. Protection of existing trees/hedgerows and planting locations (demolition & construction):

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- o Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- o A plan** detailing all trees and hedgerows planned for retention and removal.
- o A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- o Soil assessments/survey
- o Timing and phasing of works
- o Site specific demolition and hard surface removal specifications
- o Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- o Access arrangements and car parking
- o Level changes
- o Landscaping proposals
- o A Tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
- o Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.
- o Details of the arboricultural supervision schedule.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

*Using the most recent revision the of the Standard

** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policy G7 of the London Plan 2021, policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

6. The development hereby approved shall be constructed in accordance with a suitable Tree Monitoring Program.

(a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- o Confirmation of who shall be the lead arboriculturalist for the development.
- o Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- o Details of induction procedures for all personnel in relation to Arboricultural matters.
- o A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, including:
 - o Prestart meeting with an Ealing Council Tree Officer
 - o Initial implementation/installation of the tree protection measures
- o Approved incursions in to construction exclusion zones
- o Final removal of the tree protection measures
- o Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.

(b) Within three months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- o Results of each site visit by the lead arboriculturist with photos attached.
- o Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policies G7 of the London Plan 2021, policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

7. A suitable scheme of proposed tree planting and pits shall be submitted to and approved by the Local Planning Authority prior to the first use of the development hereby approved.

No operations shall commence on site in connection with the development hereby approved until a suitable scheme of proposed tree planting and tree pits have been submitted to and approved by the Local Planning Authority. The scheme shall include the following comprehensive details of all trees to be planted:

- o Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.
 - o Locations of all proposed species.
 - o Comprehensive details of ground/tree pit preparation to include:
 - o Plans detailing adequate soil volume provision to allow the tree to grow to maturity
 - o Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future
 - o Staking/tying method(s).
 - o Five year post planting maintenance and inspection schedule.

All tree planting must be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 28th February inclusive). The quality of all approved tree planting should be carried out to the levels detailed in British Standard 8545, Trees: from nursery to independence in the landscape - Recommendations.

Any trees which die, are removed, uprooted, significantly damaged, become diseased or malformed within five years from the completion of planting, must be replaced during the nearest planting season (1st October to 31st March inclusive) with a tree/s of the same size, species and quality as previously approved.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of London's environment, air quality and adapting to and mitigating climate change in accordance with policy G7 of the London Plan 2021, policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

8. No trees, shrubs or hedges within the site which are shown to be retained on the approved plans (Plan/Drawing:) shall be felled, uprooted, damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority.

Any shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with shrubs or hedge plants or similar species capable of achieving a comparable size unless the Local Planning Authority gives written consent to any variation.

The local authority shall receive the full CAVAT value, or a proportion reflecting the damage /decline in tree health, for all trees: removed without consent, or dying, or being severely damaged, or becoming seriously diseased (crown more than 50% sparse), within 5 years from the start of work on the development hereby permitted. This financial penalty shall be sought, unless the Local Planning Authority has given written consent to any variation.

Reason: to secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of important amenity value to the local landscape. In accordance with policy G7 of the London Plan 2021, policy 5.10 of Ealing's Development Management DPD and Ealing's SPG 9 - Trees and Development Guidelines.

9. Prior to the commencement of the superstructure works, details/ samples of materials to be used for the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indications as to these matters which have been given in this application. Development shall be carried out only in accordance with the approved details and permanently retained thereafter.

Reason: To ensure that the materials harmonise with the surroundings, in accordance with policies 7.4 and 7B of the Ealing Development Management DPD (2013); policy 3.4 of the Ealing Development Strategy 2026 DPD (2012); policies D3 and D4 of the London Plan (2021); and the National Planning Policy Framework (2021).

10. Cycle storage for two (2) bicycle spaces per dwelling shall be provided within the curtilage of the each of the houses, in accordance with drawing number PR-13 03, within a secure, lockable compound in accordance with all adopted standards prior to occupation of the building and be continuously available and retained for the life of the development hereby approved.

Reason: To provide adequate bicycle storage to align with Sustainable Transport SPG and Policy T5 of the London Plan (2021).

11. No part of the development hereby approved shall be occupied until refuse and recycling storage within an enclosure has been provided within the site for that part of the development, in accordance with the Local Planning Authority Standards and has been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material, in accordance with policies 1.1 and 1.2 of the Adopted

Ealing Development (Core) Strategy (2012) policy 7B of the Ealing Development Management DPD (2013) and policies D3 and SI8 of the London Plan (2021).

12. The site is within the worst mode aircraft 1-day noise contour predicted for 2016 (57dB). Prior to commencement, details shall be submitted for approval by the Council in writing, for the insulation of the building envelope, with windows shut and other means of ventilation provided, which will achieve the internal criteria for sensitive rooms, as specified in Supplementary Planning Guidance 10. The details should also include the provision of alternative means of ventilation in accordance with Authority's criteria. The works should be completed before occupation and permanently retained thereafter.

Reason: In the interests of the living conditions of the future occupiers of the site in accordance with policies 1.1 and 1.2 of the Ealing Development (Core) Strategy (2012), policies 7A & 7B of the Ealing Development Management Development Plan Document (2013), The London Plan (2021), Ealing SPG10 and the National Planning Policy Framework (2021).

13. Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no extensions or works as specified in the stated classed shall be carried out without the prior permission of the Local Planning Authority, obtained through the submission of a planning application.

Reason: The local planning authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with section 7 of the National Planning Policy Framework, policy 7B of the Ealing Development Management Development Plan 2013, policy 1.1 (g) of the Ealing Development (Core) Strategy 2012 and policies D3 and D4 of the London Plan 2021.

14. All the windows to the rear elevation (facing onto Balmain Close) shall at all times be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed at all times.

Reason: To protect residential amenity, in accordance with policies 1.1 & 2.1 of the Ealing Core Strategy (2012), policies 7.4 & 7B of the Ealing Development Management Development Plan Document (2013), policies D1 and D4 of the London Plan (2021), and the National Planning Policy Framework (2021).

15. No development approved by this planning permission shall be commenced until:

- a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a

Conceptual Site Model (CSM) for the site identifying all potential contaminant sources, pathways and receptors shall be produced and assessment of risk to identified receptors undertaken. The desk study will be submitted for approval in writing by the Local Planning Authority prior to any development work (except demolition and site clearance) commencing.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to future occupants of the site and to groundwater and surface waters associated on and off the site that may be affected, and

- refinement of the Conceptual Model, and

- the development of a Method Statement detailing the remediation requirements.

Reason: In the interests of public and environmental health.

16. Prior to the commencement of any works on site (other than demolition and site clearance), and based on an approved conceptual site model (contained within an approved desk study phase 1 report) a site investigation (undertaken in accordance with BS1075:2011+A1:2013 and LCRM) shall investigate the site and any previously inaccessible ground. The site conceptual model shall be amended based on the findings of the intrusive site investigation and the risks to identified receptors up dated. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The findings of the site investigation and proposed remedial options shall be submitted to the Local planning authority for approval in writing prior to any remedial works commencing and any development works commencing.

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), the London Plan 2021 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

17. A detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation works.

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), policy 5.21 of the London Plan 2021 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

18. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. The verification report submitted shall be in accordance with the latest Environment Agency guidance and industry best practice.

Reason: To ensure the land contamination issues are addressed in accordance with policy 1.1 (j) of the adopted Local Development Framework (Core Strategy 2012), the London Plan 2021 and Ealing Local Variation to London Plan Policy 5.21 of the Ealing Development Management Development Plan 2013.

19. A detailed method statement relating to the excavation and the construction of the basement shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The statement shall include details of phasing and programming, removal of earth from site; construction methods; site management and access; vehicle and machinery specifications and numbers/frequency of vehicles/deliveries, construction worker parking, anticipated number, delivery times, dust suppression measures, site security, vehicle manoeuvring and turning, locations for the storage of building materials and construction debris and contractors offices, procedures for on-site contractors to deal with complaints from local residents, measures to ensure the construction process does not affect of neighbouring highways, details of wheel water spraying facilities and noise/vibration mitigation measures. The development shall be carried out in accordance with the approved method statement.

Reason: In the interests of the amenity of adjoining occupiers and to minimise highway and traffic impact during the course of the works, in accordance with 1.1 (e) (j) 1.2 (f), 2.1 (c) and 2.10 of the Ealing Core Strategy (2012), policy D3, D4 and D10 of the London Plan Consolidated (2021), the National Planning Policy Framework (2021), Greater London Authority Best Practice Guidance 'The Control of Dust and Emissions from Construction and Demolition (2006), BS 5228-1:2009 - Code of practice for noise & vibration control on construction & open sites-Part 1: Noise

20. Prior to the commencement of development, a sustainable drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include a detailed drainage design (incl. drawings and supporting calculations) and maintenance plan (incl. maintenance tasks for all drainage components) that demonstrate the reduction of flood risk (betterment of exiting drainage) at the site through sustainable drainage mitigation techniques. Approved details shall be implemented prior to occupation of the development and permanently retained and maintained.

REASON: To reduce surface water run-off and the risk of the flooding of the application property, neighbouring properties, and local area in accordance with policies D3, D4 and D10 of the London Plan (2021); 1.2 of the Adopted Ealing Development (Core) Strategy (2012); and 5.12 of the Ealing Development Management DPD (2013).

21. Prior to occupation of the development (approved under this planning permission), details shall be submitted to and approved in writing by the Council of a car parking management plan. This shall include specific details of how the existing spaces would be managed as to prevent the new dwellings utilising these spaces. Also, with regards to items such as the enforcement of any breach of parking by the units granted under this permission.

Reason: To ensure an acceptable impact in terms of parking and highway safety and to be in compliance with Policy T4 of the London Plan 2021.



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Grant of Planning Permission

Planning Application Reference: **23/00439/HOU**

Decision Date:- 12.05.2023

Winchester City Council **GRANTS** planning permission for **Oak framed garage carport with workshop above to the front of the property. Garden room and Pool with changing and barbecue area with associated landscaping.** at **The Lynchets, Hurdle Way, Compton Down, Winchester, Hampshire, SO21 2AN**, subject to the following conditions:

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be constructed in accordance with the following plans:

Location Plan and Block Plan (P00)

Proposed Garage and Workshop Plans (P01)

Garden Room Plans and Elevations (P02)

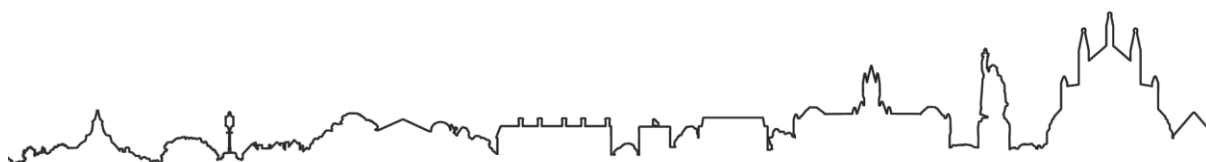
Garage and Workshop Plan (P03)

Site Plan (P04)

Reason: In the interests of proper planning and for the avoidance of doubt.

3 The materials to be used in the construction of the external surfaces of the development hereby approved must as detailed in the materials section of the associated application forms.

Reason: To ensure a satisfactory visual relationship between the new development and the existing.



4 The development hereby permitted shall be used in association with the dwelling house or shall be used for purposes ancillary to the dwelling house. At no time shall the development be occupied as an independent unit of accommodation.

Reason: To accord with the terms of the application and to prevent the creation of inappropriate units of accommodation, possibly leading to over intensive use of the site.

5 A) Protective measures, including fencing and ground protection, in accordance with the Arboricultural Implications Assessment and Method Statement ref:- 11179-AA-DC written by David Cashman of Barrell Tree Consultancy and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

B) The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 11179-AA-DC : Telephone - Tree Officer. 01962 848360

C) The Arboricultural Officer shall be informed prior to the commencement of construction of special surfacing under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 848360

D) No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 11179-AA-DC

E) Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- 11179-AA-DC: shall be agreed in writing to the Local Planning Authority.

F) The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with entitled Method statement (for protection of trees), ref:- 11179-AA-DC and Tree Protection Plan, Ref :- 11179-3 Telephone - Tree Officer. 01962 848360

G) No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

H) A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the LPA tree officer.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

6 Following the removal of the trees hereby consented, two new trees shall be planted within a period of 1 year of full planning permission being granted. Planting of the new trees shall take place during the planting season between November and February.

The precise size, species, location or period of time will be agreed in writing with the council.

If, within a period of 2 years from the date of planting, the tree(s) (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason: To maintain the tree cover and the contribution that trees make to the character and amenity of the area.

J Pinnock
Julie Pinnock BA (Hons) MTP MRTPI
Service Lead – Built Environment



Appeal Decision

Site visit made on 14 September 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 03 January 2024.

Appeal Ref: APP/L1765/D/23/3320607

Mulberry House, Oakmore Park, Durley, Hampshire, SO32 2NU.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs David and Katherine Phillips against the decision of Winchester City Council.
 - The application Ref 22/02013/HOU, dated 6 September 2022, was refused by notice dated 9 March 2023.
 - The development proposed is described as: *The proposed works will see the demolition of an existing garage structure and the construction of a new larger garage structure, the conversion of an existing outbuilding to a larger annex with small porch extension and new pitched roof dormers and all associated works.*
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of an existing garage structure and the construction of a new larger garage structure, the conversion of an existing outbuilding to a larger annex with small porch extension and new pitched roof dormers and all associated works at Mulberry House, Oakmore Park, Durley, Hampshire, SO32 2NU in accordance with the terms of the application, Ref 22/02013/HOU, dated 6 September 2022, and the plans submitted with it, subject to the conditions set out at the end of this decision:

Main Issue

2. I consider the main issue to be the impact of the proposed development on the Ancient Woodland and the biodiversity within it and thereby its impact on the character it provides to the surrounding area.

Reasons

3. Mulberry House is a substantial detached dwelling set in a large mature garden plot with a number of existing outbuildings. The main house is one of four large dwellings built in the 1990's on the site of a former school. Mulberry House is bounded to the east by open countryside. The south-east corner of the property extends into an area, identified by the Council as ancient woodland.
4. The appellants propose the demolition of an existing garage and the construction of a new larger garage, the conversion of an existing outbuilding to an annex with a small porch extension and new pitched roof dormers.

5. The Council, subject to a condition to resist any potential for the separation of the ancillary accommodation to form a separate dwelling, raise no objection to the design of the proposal. From what I have seen and read I have not formed a contrary view. Nevertheless, the Council are concerned about the development's potential impact on the ancient woodland, the biodiversity within it and thereby the potential harm to the character the woodland provides to the surrounding area.
6. Ancient woodland is considered to be an irreplaceable resource and habitat. Natural England's standing advice, along with that of the National Planning Policy Framework (the Framework) and Policies CP16 and CP20 of the Winchester District Local Plan Part 1 (Adopted April 2017) (WDLPP1) seek to protect ancient woodland from development that would result in its loss or deterioration other than in exceptional circumstances. Furthermore, they advise that no development should be approved which sits within a buffer zone of at least 15 metres of an ancient woodland.
7. Part of the area of defined ancient woodland extends towards the main house and includes the existing access drive, area of hardstanding for vehicle turning and parking, mature residential garden area, the existing outbuilding to be altered, the garage/carport block to be replaced and what appeared to be an enclosed play area with a substantive tree house. Other than the tree that has been cut back to facilitate the construction of the tree house and a neighbouring tree (identified as T7 in the Arboricultural Survey and Report) there are no other trees in the immediate area of the proposed development. Accordingly, therefore, by reason of the existing established development the physical boundary of the original ancient woodland has effectively been realigned to that of the established residential curtilage.
8. The existing outbuilding is partially within the area defined on the Council's plan to be within the area of the ancient woodland. However, today as set out above, it currently sits within the previously developed residential curtilage of the property where there are no longer any trees in close proximity of the building. Accordingly, I do not consider, given this, the distance of the existing outbuilding from the remaining trees in the ancient woodland, and the limited likely additional activity resulting from the building's use as an annexe, that the proposed alterations would have any harmful impact on the retained woodland.
9. The proposed replacement garage would, as well as being located in the defined area of ancient woodland, where I assume there were previous trees now removed, would also fall within a 15 metre buffer zone of the woodland. However, there is already an existing garage on the site. The area around the garage has previously been disturbed by reason of levelling of the site, laying of hard paving, landscaping and no doubt the parking of cars next to as well as in front of the garage.
10. The Arboricultural Survey and Report, as well as providing a report on the condition of the nearby trees, also provides comprehensive advice on necessary protection works to be undertaken during any construction work on this project. These are all matters that, if I were minded to allow the appeal, could be conditioned. Accordingly, I do not consider that the proposal would result in further harm to the ancient woodland.
11. A preliminary Roost and Nest Assessment has also been provided. While providing a number of advisory notes to be taken into account during the

building operation the roost and nest assessment report indicates that the development would not cause harm to either roosting bats or nesting birds. Therefore, based on this evidence I do not consider that the proposal would result in significant harm to the biodiversity of the area.

12. For the forgoing reasons I do not judge that the proposed replacement garage would result in the loss or deterioration of the ancient woodland or cause significant harm to existing biodiversity. I therefore conclude in respect of the main issue that the proposed development would not result in the loss or deterioration of the ancient woodland or the biodiversity within it. It would therefore not cause harm to the character that the ancient woodland provides to the surrounding area. The proposed development would therefore accord with the objectives of the Framework and WDLPP1 Policies CP16 and CP20 as they, along with other things, to protect ancient woodland and irreplaceable habitats.

Conditions

13. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
14. I will condition the design and installation of external lighting to protect both the environment and protected species from light pollution.
15. In order to ensure the protection and viability of the retrained trees, the ancient and semi-natural woodland and to minimise the impact of construction on both the trees and the biodiversity of the area I will impose conditions to afford necessary protection during the construction phase of the building contract.
16. I shall require, by condition the proposed annexe to be retained as ancillary residential accommodation to the main house, to avoid harmful impact on the character of the area.
17. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

18. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR

Schedule of Conditions Appeal Ref: APP/L1765/D/23/3320607

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as detailed on the planning application form.
- 3) The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Mulberry House.
- 4) No development shall take place until a qualified arboriculturalist, approved in writing by the local planning authority has been appointed to supervise and oversee the works effecting the retained trees.
- 5) No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The details in the CMS shall set out how the construction will be planned to mitigate and or minimise its effect on the Ancient and Semi-Natural Woodland. The CMS shall include details of proposed working hours, siting of storage of equipment and materials along with measures to control dust and litter. The CMS shall include for the arrangement of a pre-contract site meeting attended by the appellants' professional team (where appointed) or a representative for the appellants', the contractor's site manager, the appellants' arboricultural consultant and the local planning authority's tree officer. Development shall be carried out in accordance with the recommendations and or details arising from the meeting.
- 6) No development shall take place nor any equipment, machinery or materials to be brought on to the site for the purposes of the development until the protective measures have been undertaken in accordance with the approved plans and particulars, and inspected and approved by the local planning authority's tree officer (Tel: 01962 848360) and they shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, other than hereby approved, nor shall any excavation be made, without the written approval of the local planning authority. Any subsequent deviation from the prescribed protection works shall first be agreed in writing by the local planning authority.
- 7) No arboricultural works shall be carried out to any tree other than hereby approved.
- 8) No development shall take place until a bat scoping assessment has been undertaken on the existing building, hereby permitted to be altered to form an annexe, by a qualified ecologist. Subject to the result of that assessment further surveys or mitigation measures may be deemed necessary if the works are considered likely to disturb any bats identified. Development shall then be carried out in accordance with the approved details.
- 9) The mitigation recommendations set out in the Preliminary Roost and Nest Assessment (PRandNA) as prepared by Ecological surveys Ltd,

December 2022 shall be adhered to throughout all phases of the development. The enhancement for birds shall be completed as set out in the PRaNA prior to the first occupation of the completed buildings hereby permitted.

- 10) No development shall take place until details of any new external lighting has been submitted to and approved in writing by the local planning authority. The lighting scheme shall be designed in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and the Institute of Lighting Professionals. The details shall include a layout plan with beam orientation, a schedule of fittings including type, mounting height, aiming angles and luminance output. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

End of Schedule

Appeal Decision

Site visit made on 6 September 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 September 2016

Appeal Ref: APP/G5180/W/16/3149502

213-215 Kings Hall Road, Beckenham, Bromley BR3 1LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Brookworth Homes Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/04458/OUT, dated 9 October 2015, was refused by notice dated 4 April 2016.
 - The development proposed is the introduction of access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.
-

Decision

1. The appeal is allowed and outline planning permission is granted in respect of access and layout for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping at 213-215 Kings Hall Road, Beckenham, Bromley BR3 1LL in accordance with the terms of the application, Ref DC/15/04458/OUT, dated 9 October 2015, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal was submitted in outline with access and layout to be determined at this stage. Appearance, scale and landscaping form reserved matters. I have considered the appeal on this basis with sketch elevations of the proposed dwellings being for indicative purposes only.
3. The application form states the site address as 213-215 Kings Hall Road however the Council's decision notice shows the address as 213 Kings Hall Road. I have used the site address stated on the application form as the appeal site relates to both properties.
4. The description of development I have used in the banner heading reflects that in the original planning application form. I note that at Question E of the Appeal Form it is stated that the description has not been changed but a different wording is provided making reference to it being an outline planning application in respect of access and layout. I consider this revised wording better describes the development and therefore I have used it in my decision.

Main Issue

5. The main issue raised in this case is the effect of the development on the character and appearance of the area.
-

Reasons

6. The appeal site forms an area of land lying to the rear of Nos 207 - 215 Kings Hall Road and Nos 175-191 Lennard Road. It comprises part of the side and rear garden to No. 215 Kings Hall Road and part of the rear garden to No. 213. The site includes grassland, mature shrubs and trees, a pond together with a couple of outbuildings and the remnants of a model railway line. The land includes an area of protected trees along the western boundary and lies adjacent to Metropolitan Open Land.
7. The area is residential in character and includes large detached and semi-detached dwellings on Kings Hall Road, a wide tree lined street. Properties have long rear gardens and good size plots which contribute to the character of the area. Gaps between dwellings allow views of existing trees and landscaping within the appeal site. Dwellings on Lennard Road form smaller semi-detached properties. Again the road is tree lined and the houses overlook playing fields on the opposite side of the road giving the area a spacious and verdant character. Houses on Lennard Road which back on to the appeal site also in the main have long narrow rear gardens.
8. Policy H7 of the Bromley Unitary Development Plan (UDP) concerns housing density and design. Amongst other objectives the policy seeks to ensure that buildings are designed to a high quality and recognise and complement the qualities of the surrounding area. Paragraph 4.33 of the supporting text states that backland development may be acceptable, except in Areas of Special Residential Character, provided it is small scale and sensitive to the surrounding residential area.
9. I am aware that there have been a number of applications and subsequent appeal decisions for the development of the site and that the current appeal proposal attempts to overcome previous issues and concerns, including a reduction in the number of dwellings to three.
10. The appeal scheme proposes an access road between Nos 215 and 217 Kings Hall Road which continues straight and then curves away from the site boundary to provide an area of landscaping. The dwelling on Plot 1 would be orientated so that the garage is closest to the northern boundary reducing the height of the development in direct sight down the access road. Views from Kings Hall Road would be of a dwelling at the head of the access with landscaping in front and behind softening views of the dwelling and allowing greater views over and beyond the plot to the area of woodland behind. I consider this would be in keeping with the verdant character of the area with trees and vegetation on the boundaries of properties and viewed between dwellings.
11. The majority of protected trees to the western site boundary would be retained apart from those identified for removal in the Arboricultural Statement. Existing trees on the boundary with Lennard Road would be retained and supplemented with additional planting. Landscaping would be provided to the southern and eastern site boundaries. This would provide landscaped views between existing dwellings and assist to screen the development from the rear of neighbouring properties.

12. The three dwellings proposed in the appeal scheme form a reduction in number from that proposed in the previous appeals, 6 and 5 dwellings respectively¹. This reduced footprint provides greater amenity space and planting and ensures that the existing mature landscaping can be retained.
13. Existing dwellings on Kings Hall Road and Lennard Road have long narrow rear gardens of over 35 metres in length. The proposed dwellings would be sited in plots of a different shape with wider and shorter rear gardens of between 16 and 22 metres depth. The Council has argued that the proposal would have a strongly urbanising effect on the site, as the footprint of the dwellings together with the accessway would result in a larger proportion of the site being developed.
14. I have had regard to the appellant's evidence that the plot sizes of the proposed dwellings would be greater than that of existing dwellings on Kings Hall Road and Lennards Road. Any development would to an extent have the effect of urbanisation but in this case having regard to the generous plot sizes and proposed retention of landscaping and trees together with supplementary planting I consider that the proposal would not have an unacceptable urbanising effect out of character with the locality.
15. The Council have argued that the scheme results in the overdevelopment of the site. The National Planning Policy Framework states in paragraph 47 that local planning authorities should set their own approach to housing density to reflect local circumstances. The London Plan advises that new development should involve the efficient use of land and development on sustainable land would be expected to achieve densities of 35-65 dwellings per hectare. The appeal scheme proposes a density of 6.8 dwellings per hectare which I consider to be appropriate in this location reflecting the density and character of the surrounding area. I consider that the appeal proposal would not form overdevelopment.
16. The appellant has brought my attention to other backland sites that have been granted planning permission or developed in the local area. Whilst these schemes demonstrate that there are other backland developments in the locality, they are not directly comparable to the appeal scheme either in terms of number of dwellings, density, previous land use or proximity to other dwellings. Accordingly I have considered the appeal proposal on its individual merits.
17. I conclude that the appeal scheme would not result in the overdevelopment of the site and having regard to the spacious size of the plots, the footprint of the dwellings and the retention and enhancement of landscaping, that the proposal would not be out of keeping with the character and appearance of the area. The proposal would comply with Policies BE1 and H7 of the Bromley UDP 2006 which aim to achieve a high standard of design and complement the qualities of the surrounding area. These policies are generally consistent with the National Planning Policy Framework (the Framework) in particular paragraphs 17 and 58 which seeks to secure high quality design and ensure that development responds to local character.

¹ APP/G5180/A/14/2224368 and APP/G5180/W/15/3130198

Other matters

18. The Council has raised no concern with regard to the effect of the proposal on the living conditions of the occupants of neighbouring dwellings, highways matters, drainage and flood risk, ecology and sustainable design and construction. I have no reason to disagree with this assessment. The proposal contributes to the supply of housing in the area compliant with development plan policies.
19. I have had regard to the concerns of neighbouring residents with the loss of views over this attractive garden area, security, light and noise pollution and pressure for the development of adjoining land. Whilst I acknowledge that views from the rear of neighbouring properties would be changed by the proposed development, I consider that the landscaping proposed would soften the visual impact of the development ensuring that it would not be out of character with the area. I have no evidence before me that the proposal would result in security issues or light and noise pollution causing material harm to the amenity of nearby residents. Any proposals for adjoining land would be considered on their individual merits by the Council.

Conditions

20. I have had regard to the conditions suggested by the Council in light of the Framework and the Planning Practice Guidance (PPG). As the appeal proposal is in outline with matters of access and layout to be approved at this stage, it is not necessary to impose conditions regarding appearance, scale and landscaping.
21. The normal conditions governing the submission of details in pursuance of reserved matters are required as is a condition requiring the development to be carried out in accordance with the approved plans for the avoidance of doubt and in the interest of proper planning. Conditions regarding materials, boundary treatment, landscaping, hard surfacing, street lighting can be left to reserved matters stage. I consider that a condition regarding the height of the dwellings is necessary in order to protect the character and appearance of the surrounding area and the amenity of neighbouring residents.
22. A number of conditions are suggested with regard to the protection of existing trees and woodland and their future management which I consider are necessary to ensure their retention and maintenance. I have amended the wording and amalgamated conditions suggested by the Council to avoid repetition and in order to comply with the guidance. I consider a surface water drainage condition is appropriate to reduce the risk of flooding. I agree that conditions relating to the access road, junction arrangements, car parking and garage size are necessary in the interests of highway safety.
23. Given the residential character of the area, it is appropriate that conditions are imposed requiring a construction management plan and wheel wash facilities. It is also necessary to impose a condition regarding slab and site levels in order to protect the character of the area and the amenity of neighbouring occupants.
24. As the proposal is in outline with appearance reserved for later approval, a condition regarding obscure glazing to first floor flank windows is not necessary. Conditions regarding Lifetime Homes and Secured by Design are

also more appropriate at reserved matters stage. I find that there are no exceptional circumstances that would justify the removal of permitted development rights. Having regard to the sites use as residential garden and in the absence of any evidence to the contrary I do not consider it necessary to impose a condition regarding contamination.

Conclusion

25. I find that the appeal scheme would not cause material harm to the character and appearance of the area.
26. For the reasons given above and having regard to all other matters raised, I consider the appeal should succeed.

Helen Hockenhull

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 13121/S401 Site Location Plan, Drawing No. 13121/S402 – Existing Site Survey, Drawing No. 13121/C401B - Coloured Site Layout, Drawing No. 13121/P403 – Proposed Site Block Plan Comparison of Plot Sizes, Drawing No. 13121/C402C - Proposed Sketch Elevations, Drawing No. 13121/SK403 – Coloured Site Layout with Previous Scheme.
- 5) No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees is submitted to and approved in writing by the local planning authority.

The statement shall include details of:

- Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
- Type and siting of scaffolding (if required);

- Details of the method and timing of demolition, site clearance and building works;
- Depth, extent and means of excavation of foundations and details of method of construction of new foundations;
- Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
- Location of bonfire site (if required);
- Details of the location of underground services avoiding locating them within the protected zone;
- Details of the method to be used for the removal of existing hard surfacing within the protected zone;
- Details of the nature and installation of any new surfacing within the protected zone;
- Methods proposed for the watering of the trees during the course of the Project.

The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

- 6) The applicant shall at his own expense instruct an arboricultural consultant, approved by the Council in writing to liaise with the developer and/or his architect or engineer to approve details of construction methods, oversee the works and report to the Council throughout the period of the works in so far as the works may affect trees within the site. Works shall not commence on site until a consultant has been appointed. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the arboricultural consultant in respect of works in so far as they relate or affect trees within the site, including an instruction to cease work if the arboricultural consultant considers that works have deviated from the agreed working methods and in these circumstances works shall not recommence until or unless written authority has been given by the Council or the arboricultural consultant that such works may recommence.
- 7) The design of the foundations of the proposed new dwellings must be sufficient to allow the trees within the woodland order W1 to remain in situ sustainably in close proximity to the new dwellings given the proposed development site is on London clay. The ownership and control of the trees within the woodland order W1 should be placed into a management company to reduce post development pressure on the trees from the proposed new dwellings.
- 8) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner before or during building operations, other than in accordance with the approved plans and details, without the prior written approval of the local planning authority.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.]

- 9) The development permitted by this outline planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by the local planning authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the standard of the Mayor's London Plan.
- 10) The dwellings hereby permitted shall not be more than 10.0 m in height.
- 11) Details of the layout of the access road and turning area including its junction with Kings Hall Road and dimensions of visibility splays shall be submitted to and approved in writing by the local planning authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 0.6m in height within the approved splays except for trees selected by the authority, and which shall be permanently retained.
- 12) Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the local planning authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.
- 13) Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.
- 14) Garages shall have minimum internal dimensions of 2.6m x 6m and there shall be a minimum clear space in front of their doors of 6m (or of 7.5m where the garages are in a compound or opposite a structure or means of enclosure) to allow for manoeuvring and these dimensions shall be permanently retained as such thereafter.
- 15) While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.
- 16) Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

- 17) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

17 11549 Land off New Lane Milford On Sea

The proposed development site is not situated within a Conservation Area and is not subject to any Tree Preservation Orders.

The sites interior is void of any trees with several mature and semi mature trees being situated off site and to the sites boundary within the hedgerow. The most important and prominent of which is the Monterey Pine tree situated to the north of the site, behind Unit 2. The layout appears to have taken this tree into account with adequate garden space being provided. Excessive shading and dominance of trees over properties is a common issue, however in this instance given its northerly position and reasonable garden size I do not feel this will be an issue.

The Tree Protection Plan (17236-BT1) shows a suitable level of protection to both trees and hedgerows on the site.

If the submitted Barrell Tree Consultancy Tree Protection Plan (17236-BT1), Method Statement (17236-AA-CA) and relevant planning conditions are adhered to the proposal will have minimal Arboricultural Impact.

No objections subject to condition

The trees and hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural Assessment & Method Statement (ref - 17236-AA-CA) dated 27 September 2017 and Tree Protection Plan (ref – 17236-BT1) while in accordance with the recommendations as set out in BS5837:2012.

Prior to the commencement of works (including site clearance and demolition) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as detailed within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V1 SGN 1: Monitoring tree protection

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

**NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

Mr McKeon
Pure Town Planning
Suite 7
Pine Court
36 Gervis Road
Bournemouth
BH1 3DH

Application Number: **18/11042**

Applicant: WCR Management Limited

Date of Application: 30 July 2018

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **2 detached bungalows; associated parking; demolish existing**

Site Address: **30 Barton Drive, Barton-On-Sea, New Milton BH25 7JJ**

Subject to the following Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, 8800/303, 8800/400, 8800/401A, 8800/402.

Reason: To ensure satisfactory provision of the development.
3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. The dwellings hereby approved shall not be occupied until plans and particulars showing details of the provisions of cycle storage within the site have been submitted and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details before the use of the development is commenced and shall be retained thereafter.

Reason: To ensure adequate provision within the site and in accordance with policy CS2 of the New Forest District Council Core Strategy.

7. The kerb and footway at the proposed access crossing of the highway shall be lowered and reinstated to the specification and satisfaction of the Local Planning Authority prior to the occupation of the building.

Reason: To prevent danger to road users and in accordance with policy CS2 of the New Forest District Council Core Strategy.

8. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural assessment & method statement (16049-AA3-AS), Tree Protection Plan (16049-BT5) dated 26th September 2018 and Manual for Managing Trees on Development Sites V2.1 while in accordance with the recommendations as set out in BS5837:2012.

NOTE - Attention is drawn to the requirement for a Pre Commencement Site meeting as detailed within SGN 1 - Explanatory notes and examples within the Manual for Managing Trees on Development Sites V2.1

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy CS2 of the New Forest District Council Core Strategy.

9. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

10. The first floor windows (rooflights) on the N.E elevation of unit 1 shall at all times be glazed with obscure glass

Reason: To safeguard the privacy of the adjoining neighbouring property in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes to applicant

- 1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
- 2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.

3. If this permission leads to the creation of any new properties or a change to your property's access onto a different street, you should contact Mrs Sally Dobson in the Council's Address Management Section on 023 8028 5588 or e-mail address.management@nfdc.gov.uk regarding the addressing of the property/development.
4. In discharging condition No. 9 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
5. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The application was submitted with inadequate details in relation to the adjacent protected trees. Appropriate reports have now been provided.

D. Groom

Date: 14 November 2018

D Groom
Service Manager
Planning Development Control
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Mr Shipperley
Anders Roberts & Assoc
Chapel Studios
14 Purewell
Christchurch
Dorset
BH23 1EP

Application Number: **18/11134**

Applicant: Mr & Mrs Sellwood

Date of Application: 17 August 2018

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **Two detached houses with parking and associated access**

Site Address: **Land Of Alwyne, Farmers Walk, Everton, Hordle SO41 0JZ**

Subject to the following Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, Arboricultural assessment and method statement 18049-AA2-DC, 9006/300I, 9006/301A, 9006/302C, 9006/304, 9006/305, 18049-BT3.

Reason: To ensure satisfactory provision of the development.
3. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest

District outside the National Park (Core Strategy).

4. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

5. Before the commencement of the external works a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. No development, demolition or site clearance shall take place until the following information is submitted to and approved in writing by the Local Planning Authority:

- Engineers drawings for the design of the road bridge as illustrated within Tree Protection Plan (18049-BT3) to include cross section drawings of the bridge and how this will join/meet the cellular confinement system to the north, and
- Specifications and a sample of the exact cellular confinement system to be used in the area marked with yellow within Tree Protection Plan (18049-BT3)

The development shall take place in accordance with these approved details prior to the occupation of the dwellings.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy CS2 of the New Forest District Council Core Strategy.

7. Prior to the installation of the engineered site access road bridge and cellular confinement system as illustrated within Barrell Tree Consultancy Tree Protection Plan (18049-BT3) (3 working days) notice shall be given to the Local Planning Authority Tree Officer to attend site supervision of the installation of engineered site access road bridge and cellular confinement systems).

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy CS2 of the New

Forest District Council Core Strategy.

8. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:
- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
 - (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

9. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural Assessment & Method Statement (18049-AA2-DC) dated 15th August 2018, Tree Protection Plan (18049-BT3) and Manual for Managing Trees on Development Sites v2.0) while in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with policy CS2 of the New Forest District Council Core Strategy.

10. Before the occupation of any part of the development hereby approved, areas for access, turning and parking as shown on the approved plan shall be constructed and hard surfaced and thereafter retained, maintained and kept available for the occupants of the development at all times.

Reason: In the interests of highway safety and in accordance with policies CS2 and CS24 of the New Forest District Council Core Strategy.

11. The first floor windows on the front (south) elevation of the existing dwelling shall at all times be glazed with obscure glass.

The aforementioned windows should be fitted with obscure glass with a minimum obscurity of level 3 glazing and not an applied film.

Reason: To ensure a reasonable level of privacy to the new properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

12. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method.

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations.

The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

Notes to applicant

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.
3. If this permission leads to the creation of any new properties or a change to your property's access onto a different street, you should contact Mrs Sally Dobson in the Council's Address Management Section on 023 8028 5588 or e-mail address.management@nfdc.gov.uk regarding the addressing of the property/development.
4. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply although a correction to the elevations was required and additional planting was subsequently indicated on the block plan in response to local concerns.

5. In discharging condition No.8 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

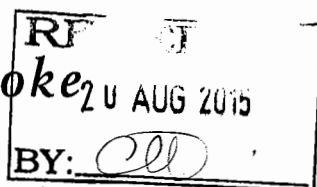
D. Groom

Date: 15 October 2018

D Groom
Service Manager
Planning Development Control
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA



**Basingstoke
and Deane**



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REF:14/01913/RES

Mr Chris Howard
Pegasus Planning Group
Pegasus House
Querns Business Centre
Whitworth Road
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Gloucestershire
GL7 1RT
United Kingdom

NOTICE OF APPROVAL

Town & Country Planning Act 1990

Town & Country Planning (Development Management Procedure) (England) Order 2015

In pursuance of its powers under the abovementioned Act, the Council as Local Planning Authority hereby APPROVES the detailed plans and particulars relating to: siting, design, external appearance, means of access and landscaping (delete as necessary) of:

Proposal: Reserved matters application for the scale, layout, appearance, access and landscaping for the erection of 115 no. dwellings with associated parking pursuant to outline planning permission BDB/73174
Location Phase 4 Merton Rise Aldermaston Road Basingstoke Hampshire
Applicant: Charles Church (Southern)Ltd and Persimmon Homes

in accordance with outline planning permission granted under Reference No and your application, plans and particulars , **and subject to compliance with the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans as detailed (and not superseded) within the following schedules of plans, unless otherwise agreed in writing with the Local Planning Authority:

Plan List Phase 4 C.0508_00 Rev. M. received 19th August 2015

REASON: For the avoidance of doubt and in the interests of proper planning

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details that have been submitted in relation to discharging the conditions on the outline planning permission (BDB/73174 refers), unless otherwise agreed in writing with the Local Planning Authority:

Summary of Documents Submitted Pursuant to Discharge of Conditions C.0508 ISSUE4 CJH
received 19th August 2015 .

For the avoidance of doubt attention is drawn to the requirements of the wording of the conditions in the outline consent that require compliance with any approved detail.

Reason: For the avoidance of doubt and in the interests of proper planning

3. No dwelling hereby permitted shall be occupied until vehicle parking and storage spaces have been constructed and allocated and appropriate marking and/or signage has been installed in accordance with detailed drawings to be submitted to and approved by the LPA. There shall be no restriction on the use of the unallocated car parking spaces shown on the parking plan by either occupiers of, or visitors to, any of the dwellings hereby permitted and shall remain available for general community usage.

REASON: To provide adequate vehicle parking and storage in accordance with the Residential Parking Standards SPD and in accordance with Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

4. The approved provisions of the estate management strategy applying to the areas identified in Drawing C.0508_57 shall be put in place prior to the occupation of the development, and shall run with the land in perpetuity.

REASON: To provide public access to road and path networks and ensure such provision is maintained to an acceptable standard in the interests of the sustainable development and meet the needs of the future occupants in accordance with Saved Policies D5, E1 and A2 of the Basingstoke and Deane Borough Local Plan 1996-2011 and the National Planning Policy Framework.

5. No development shall take place on site until an independent stage 2 road safety audit report has been submitted to the Local Planning Authority and approved in writing to indicate that the highway arrangements of the layout do not give rise to conditions prejudicial to public safety. The development shall proceed in accordance with the approved scheme.

REASON: In the interests of highway safety and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

6. Notwithstanding the approved plans and condition 2 above no development above damp proof course shall take place until the following details in relation to the FOG's on plots 25, 40 and 42 has been submitted and approved in writing; method of hanging the doors so that it does not restrict car access and storage facilities for cycles. Once approved in writing the details shall be implemented in full accordance with the approved scheme.

REASON: The functional width would be reduced if doors were mounted within the opening which would reduce the amount of car parking on the site which would be contrary to Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996 - 2011.

7. Whether or not development and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no doors or other means of enclosure shall be erected to enclose the drive through car parking provided in plots 22, 43 and 106.

REASON: The functioning of the drive through structures for parking could be compromised if retrospective doors were erected which would reduce the amount of car parking on the site

which would be contrary to Saved Policies E1 and A1 of the Basingstoke and Deane Borough Local Plan 1996 - 2011.

8. Notwithstanding the approved plans no development above damp proof course shall take place until details of how the southern boundary of the site addresses the relationship with the existing public open space which adjoins it have been submitted to and approved in writing by the council. The details shall include slope measurements (not greater than 1:3), any retaining structures, soft landscaping, hard landscaping, details of the new footpaths (including levels) from the site and the existing footpaths within the park and details of management of this area. Once approved in writing the development shall be implemented and maintained in full accordance with the approved scheme.

REASON: The principle of this relationship has been addressed in the approved plans but insufficient detail has been submitted to be confident that the relationship between the existing park and the proposed development is acceptable and to comply with Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan and sections 7 and 11 of the NPPF.

9. Notwithstanding the details shown in the approved plans and the requirements of condition 11 of BDB/73174 no development beyond damp proof course shall take place until samples of all materials proposed in the external elevations of the buildings hereby approved have been received and approved by the Local Planning Authority. The buildings shall then be completed in accordance with the approved detail.

REASON: To ensure that the colour, texture and appearance of the proposed materials are acceptable in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996 -2011.

10. Notwithstanding the details shown in the approved plans and the requirements of condition 12 of BDB/73174 no development beyond damp proof course shall take place until samples of all materials proposed for the surface finishes of all the hard landscaping areas hereby approved have been received and approved by the Local Planning Authority. The external surfaces shall then be completed in accordance with the approved detail.

REASON: To ensure that the colour, texture and appearance of the proposed materials are acceptable in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996 -2011.

11. Notwithstanding the details shown in the approved plans the rear facing landing window of Plot 51 shall be installed as a top hung opening window glazed with obscure glass and shall be maintained as such in perpetuity.

REASON: In the interest of amenity and privacy as this window is at first floor and very close to the rear boundary of plots 45 and 46 and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no roof lights, dormer windows or any other roof alteration permitted by Article 3, Schedule 2 Parts B and C shall be erected on any of the dwellings hereby approved.

REASON: In the interests of residential amenity and the character and appearance of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no extensions or building within the curtilage of dwellings permitted by Article 3, Schedule 2 Part A shall be erected on any of the following plots; 111-114, 87-90; 61-63, 54-56 and 61-63. No development above single storey permitted by Article 3, Schedule 2 Part A shall be erected on any of the following plots 75-83, 67- 69.

REASON: The levels on this site have resulted in some properties / gardens being higher than adjoining / nearby neighbours and extensions / garden buildings may have more impact than if on a level site and will need to be considered on an individual basis in the interests of residential amenity and the character and appearance of the area and in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

14. Notwithstanding the detail shown on the approved plans all bathroom / en suite and WC windows shall be glazed with obscured glass and shall be non-opening below a cill height of 1.7m. Once installed the windows shall be permanently maintained in that condition, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the privacy of the adjoining property and to prevent overlooking, in accordance with Saved Policy E1 of the Basingstoke and Deane Borough Local Plan 1996-2011.

15. Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural report prepared by Barrell Tree Consultancy referenced 14283-AMS2-AS and associated drawing 14283-BT2. Any deviation from the works prescribed or methods agreed in the report will require prior written approval from the Local Planning Authority.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

16. Notwithstanding the information provided on Pegasus Landscape Design drawing ref. C.0508_08.H, no development including ground preparation, temporary access construction or construction work shall commence on site until a Tree Planting Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the position, species and size of all new trees proposed for the development and shall include an assessment of all underground and overhead services. The plan shall also include specific tree planting details demonstrating that the underground soil volume can be achieved to support the tree to healthy maturity as well as any protection deemed necessary to reduce the likelihood of breakage/vandalism to acceptable levels. Details of young tree maintenance including watering, weeding, stake removal, formative pruning and failed tree replacement shall also be required as part of the plan. No development shall take place other than in complete accordance with the Tree Planting Plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON: Information is required prior to commencement to ensure that reasonable measures are taken to establish trees in the interests of local amenity and the enhancement of the development itself in accordance with the National Planning Policy Framework (March 2012) and Saved Policies E1 and E6 of the Basingstoke and Deane Borough Local Plan 1996-2011.

17. Notwithstanding the requirements of condition 31 of BDB73174 no development beyond damp proof course shall take place until a Lifetime Homes Plan indicating the location of

the car parking spaces to serve the dwellings to be built to Lifetime Mobility Standards has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development a 15% provision of the total number of dwellings, hereby permitted, shall have been built to Lifetime Homes Standards in accordance with the location identified on the approved plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON: Information is required prior to commencement as although information was submitted that showed the location of 15% proposed Lifestyle Homes the car parking for these plots were not all acceptable in relation to their usability and to secure an adequate provision of Lifetime Homes, and provide a sustainable form of development that caters for all potential users, in accordance with Saved Policy C3 of the Basingstoke and Deane Borough Local Plan 1996-2011 and Housing Mix Supplementary Planning Document.

Notes to Applicant

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.
- 1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
- 1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £97 per request or £28 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and proactive manner:-

seeking further information following receipt of the application;
seeking amendments to the proposed development following receipt of the application;
considering the imposition of conditions

In this instance:

the applicant was updated of any issues after the initial site visit,

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The applicant's attention is drawn to the provisions of the wildlife conditions under BDB/73174, in particular, the need to ensure these are informed by up-to-date surveys, which must be carried out at the appropriate time of year.

For a development this size ecological survey data which is more than 2-3 years old would be consider 'out-of-date'.

4. Waste Collection Vehicle Access

Roads providing access for waste collection vehicles should have foundations and a hardwearing surface (including manholes covers) capable of withstanding a maximum gross vehicle weight of 26 tonnes.

All development roads on collection routes should be constructed to the equivalent of adoptable standards and thereafter maintained in a suitable condition to provide for access by a waste collection vehicle. Design and Sustainability Appendix 6 requires that Developers must provide written evidence that all roads have been constructed to a suitable standard if collection vehicle access is required.



Planning and Development Manager

Date: 19 August 2015

It is important that you read the notes overleaf

Section 3

Supplementary Information Note 5: Principal tree-related planning documents



Supplementary Information Note 5 Principal tree-related planning documents

Supplementary Information Note 5: Principal tree-related planning documents

Purpose

This Supplementary Information Note describes the various tree-related documents that are relevant to each stage in the planning process. It references British Standard (BS) 5837 (2012) *Trees in relation to design, demolition and construction – Recommendations*, and specifically Table B.1 *Delivery of tree-related information into the planning system*, which sets out a framework for how tree information can be presented to local planning authorities (LPAs) in the planning process.

Glossary and common abbreviations

- **Arboricultural impact appraisal (AIA):** A formal report describing the trees on a site and the impact that a development proposal will have on them, with appropriate protective measures explained in an arboricultural method statement and shown on a tree protection plan.
- **Arboricultural method statement (AMS):** A written method describing how trees will be protected during development, to be read in conjunction with the tree protection plan.
- **Arboriculturist:** A professional qualified and experienced tree specialist advising on tree issues.
- **Canopy cover assessment:** An estimate of the two-dimensional tree crown footprint and how that changes over time through the tree loss and new planting resulting from a development proposal.
- **Construction method statement:** Sometimes called a construction management plan. Details how all the development operations will be carried out to minimise any adverse impacts and unintended consequences. A specific section on trees must deal with how any agreed tree protection will be incorporated into the wider site management.
- **Root protection area (RPA):** A conceptual minimum area around a retained tree that must be protected during development to limit any adverse impacts.
- **Topographical survey:** A scaled drawing showing a plan view of all the physical site features that is often called a land or site survey.
- **Tree benefits net gain assessment:** An estimate of how the delivery of tree benefits changes over time through the tree loss and new planting resulting from a development proposal.
- **Tree constraints plan (TCP):** A drawing design tool showing the constraints that each tree imposes on development, which can be separated into below-ground and above-ground limitations.
- **Tree planting strategy:** A tree planting proposal focusing on species variety and location to optimise the resilience of the site tree population against future climate change and pest pressures.

Below is a summary of the principal tree-related planning documents, with explanatory notes beneath.

Planning stage	Document (& who prepares)	Purpose	Key elements
1: Feasibility & design	Topographical (land) survey (surveyor)	Identify the location and crown spread of trees on and close to the site, in addition to other essential topographical information.	<ul style="list-style-type: none">• Trunk position• Crown spread• Topographical information including all physical features and levels
	Schedule of tree data (arboriculturist)	Describe each tree and record in a schedule as the benchmark information for use throughout the planning process.	<ul style="list-style-type: none">• Species• Size (diameter, height, radial crown spread)• Notable features• Categorisation of usefulness (A, B, C, & U)• Explanatory notes
	Tree constraints report (arboriculturist)	A formal report to describe the tree constraints and show them on a plan to inform the project designers.	<ul style="list-style-type: none">• Root protection areas (RPAs)• Above ground constraints, e.g., branches, shading, access, and working space
	Tree constraints plan (arboriculturist)	Sketch plan based on an aerial photo or a site survey plan to show the developable area outside the tree constraints.	

Supplementary Information Note 5: Principal tree-related planning documents

Planning stage	Document (& who prepares)	Purpose	Key elements
2: Planning	Arboricultural Impact Appraisal (AIA) report (arboriculturist)	A formal report to describe the trees on site, the development proposal, the trees to be lost, the impact on local character, and the means of protecting retained trees. It should provide enough information for the LPA to assess whether the planning submission falls within national planning policy and local adopted policy, and therefore whether it should be consented or refused.	<ul style="list-style-type: none"> • Schedule of trees • Assessment of impact on trees • Heads of terms AMS • TPP • Tree planting strategy (optional) • Tree planting strategy conceptual plan (optional) • Canopy cover assessment calculation and plan (optional) • Net tree benefit gain assessment calculation and plan (optional)
	Heads of terms Arboricultural Method Statement (AMS) (arboriculturist)	The AMS describes the anticipated tree protection and management, but only as ' <i>heads of terms</i> ' (BS 5837, Table B.1) at this planning stage because many of the details can only be finalised once consent is given and the final designs are drawn up. It can also include a ' <i>heads of terms</i> ' construction method statement for larger sites.	
	Site Guidance Notes (SGNs) (arboriculturist)	SGNs describe detailed but generic tree protection and management options that are likely to apply to the project.	
	Tree Protection Plan (TPP) (arboriculturist)	This plan supplements the main AIA report, showing the trees in the context of the present site features with the proposed layout and tree protection proposals superimposed.	
	Tree planting strategy text (arboriculturist)	Where the retention of existing trees and the planting of new trees may be critical to the acceptability of the proposal, an optional extra is to include a detailed tree planting strategy describing the best species mix and locations to optimise climate and pest resilience.	
	Tree planting strategy plan (arboriculturist)	This plan supplements the strategy as a visual conceptualisation of the anticipated contribution of new trees to the existing retained tree cover.	
	Canopy cover assessment calculation and two-dimensional plan (arboriculturist)	Canopy cover is the two-dimensional footprint on the ground of the branch spread of each tree, which allows a simplistic assessment of the changes in tree cover because of development.	
	Tree benefits net gain assessment calculation and three-dimensional conceptualisation (arboriculturist)	A three-dimensional assessment of the crown surface area of each tree accounts for overlapping crowns within the vertical canopy and can provide a more sophisticated assessment of the likely net gain in the delivery of tree benefits because of development.	

Supplementary Information Note 5: Principal tree-related planning documents

Planning stage	Document (& who prepares)	Purpose	Key elements
3: Building	Construction method statement – trees (construction manager + arboriculturist)	Once consent is given, the detailed planning for construction must include a construction method statement describing how the site management will accommodate the agreed tree protection measures.	<ul style="list-style-type: none"> Details of how routine site management operations will be designed to protect trees
	Updated AMS (arboriculturist)	If the detailed design results in any changes from the 'heads of terms' AMS and TPP submitted with the planning application, they must be updated to show any emerging new detail.	<ul style="list-style-type: none"> Updated tree protection details Inclusion of relevant SGNs Agree with the LPA
	Updated TPP (arboriculturist)		
	Supervision reports (arboriculturist)	Records of the pre-commencement meeting and ongoing arboricultural supervision provide a formal record essential for the discharge of supervision-related planning conditions.	<ul style="list-style-type: none"> Brief written record of date, those present, and summary of discussions Photographic record, if appropriate Circulated to all relevant parties Warning notifications

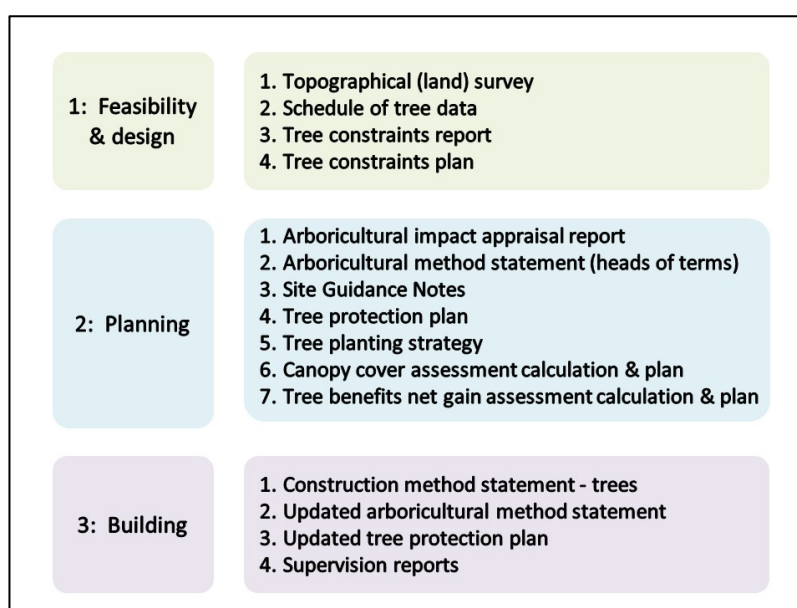
Explanatory Notes

Overview of tree inputs in the planning process

The UK planning system is sophisticated and complex. Trees are recognised as material considerations within the following stages of the planning process:

- Feasibility and design:** Reviewing the options, identifying constraints and opportunities, and creating a design vision.
- Planning:** Describing all the aspects of the development proposal as a planning submission for assessment by the LPA against predetermined national and local planning policies, resulting in a consent or a refusal.
- Building:** Preparation of detailed design specifications and building the proposal.

The tree-related documents required during each stage differ and can be summarised as follows:



Supplementary Information Note 5: Principal tree-related planning documents

1 Feasibility and design – collecting basic data and advising on constraints and opportunities

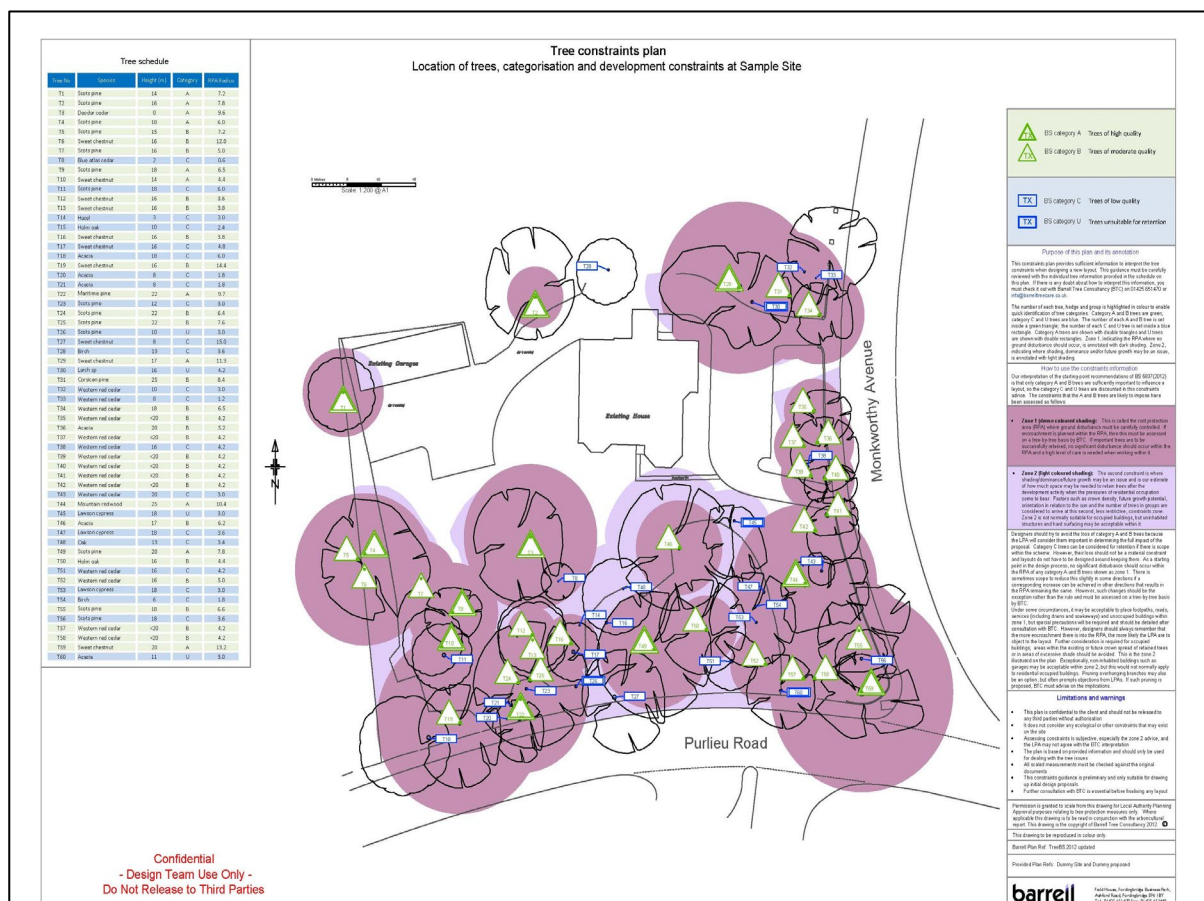
1.1 Topographical (land) survey: All planning submissions require a reliable plan based on a land survey showing all the physical site features, including levels, tree positions, and tree crown spreads (See BS 5837, 4.2). The positions of all trees over 75 mm at 1.5 m above ground level within the site must be recorded as individuals or groups, which should include any trees outside the site above that size that could be influenced by activities on the site, i.e., their roots or branches extend over the boundary.

1.2 Schedule of tree data: Not all trees are worthy of constraining development and so the first stage in preparing for a planning submission is to inspect all the relevant trees, assess their merits in a planning context, and record that information in a tree schedule.

1.3 Tree constraints report: The background considerations are complex, but the tree assessment should end up with a simple schedule of trees that are worthy of being a material constraint (BS categories A and B), and those that are not (BS categories C and U). This information must be presented in a way that allows non-tree experts to understand and use it to inform the design evolution. The chosen format depends on the circumstances, but as a minimum there should be explanatory notes on how the data was collected and guidance on its interpretation, supplemented with a tree constraints plan defining the developable area of the site. If appropriate, this can also include advice on new tree planting and place-making opportunities that may assist meeting the wider planning objectives.

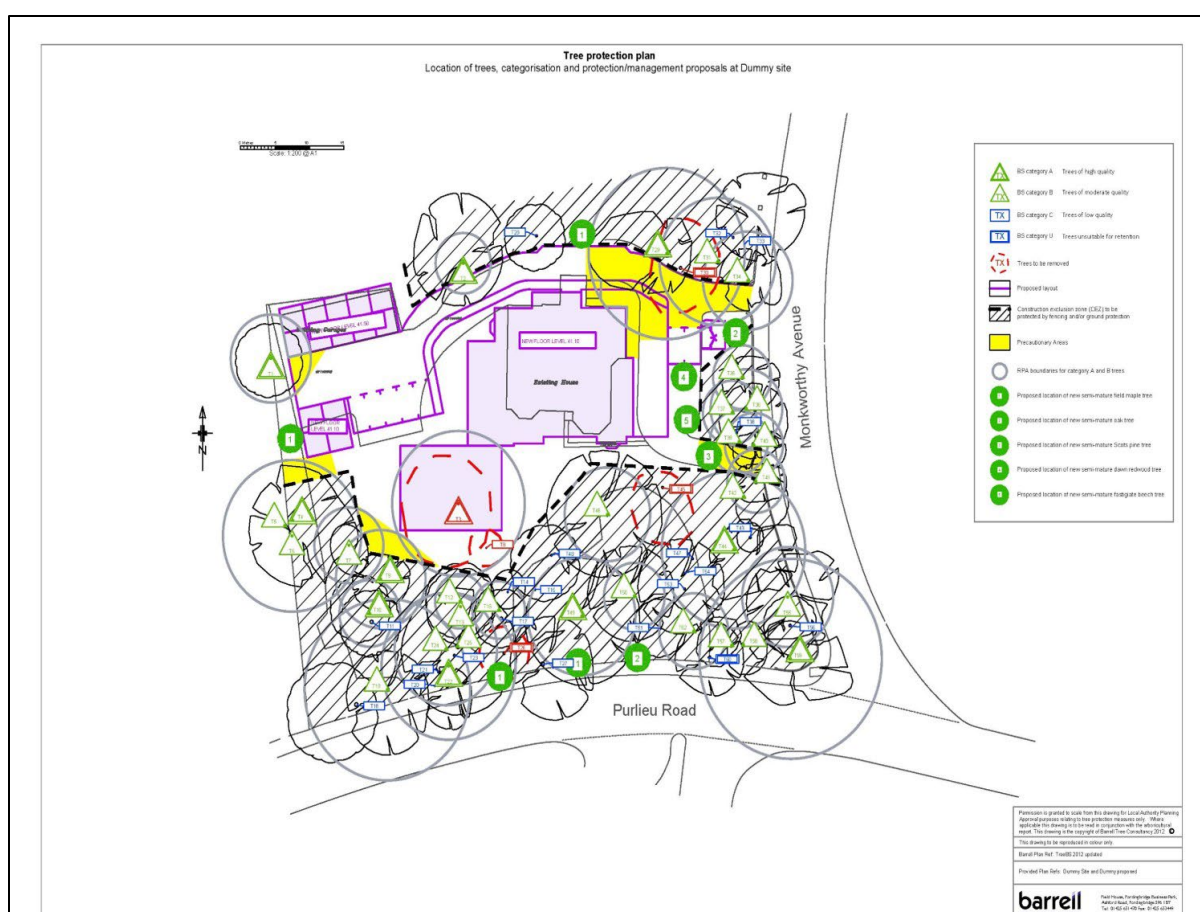
1.4 Tree constraints plan: The tree constraints plan is based on the land survey, and shows additional information on the limitations that the best trees (categories A & B) impose on the site. On the sample plan, zone 1 is annotated with heavy purple shading and is based on the BS root protection areas (RPAs). There is a presumption to avoid any significant disturbance in zone 1, although limited works may be feasible if special precautions can reduce any adverse impact. Zone 2 is annotated with the lighter pink shading and identifies space beyond zone 1 where there may be daylight limitations or a need for space to allow future tree growth.

Note: BS 5837 recommends that all constraints advice is for design purposes, and is not required to be submitted with a planning application.



2 Planning – supporting tree report, Site Guidance Notes, and tree protection plan, with options for a tree planting strategy, a tree canopy cover assessment, and a tree benefits net gain assessment

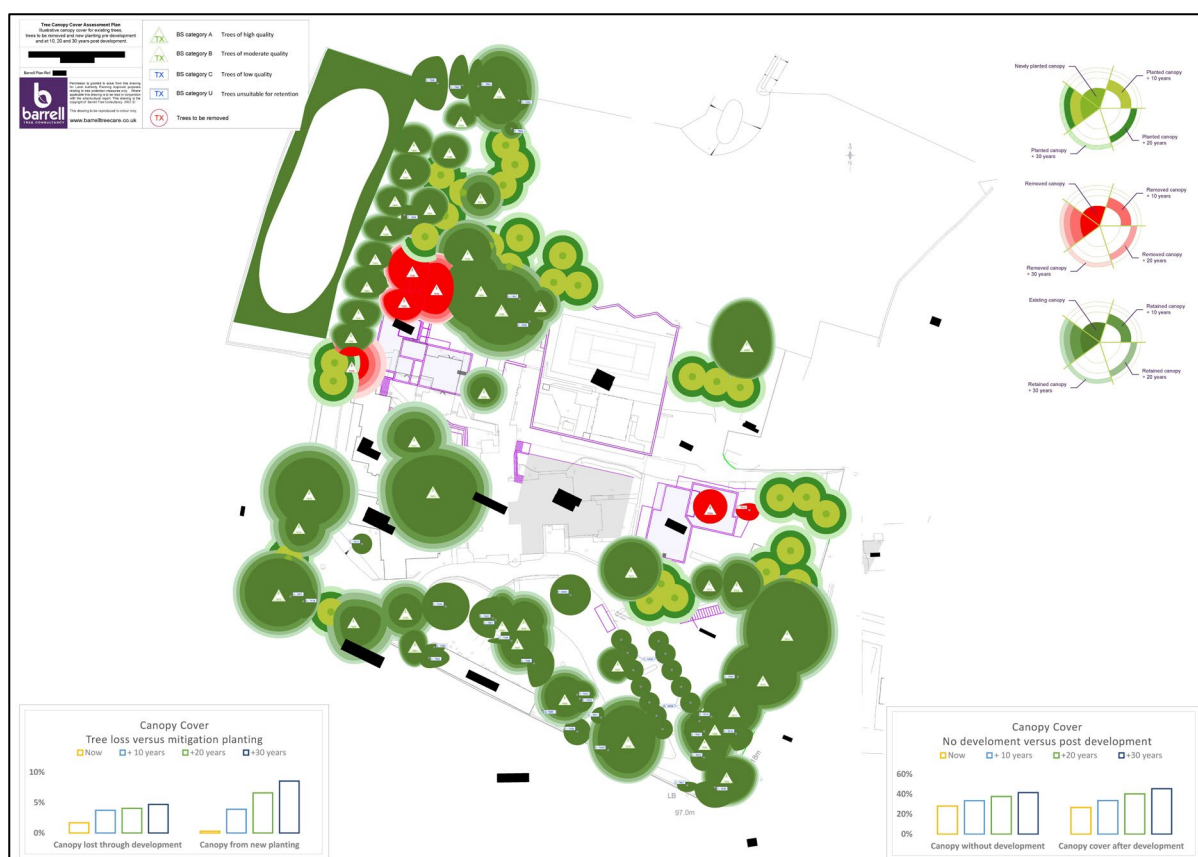
- 2.1 Arboricultural impact appraisal report:** Once the footprint of the design (structures, surfacing, and infrastructure routes) has been agreed, the arboriculturist prepares a formal BS 5837 compliant arboricultural impact appraisal report, which records the tree details, assesses the impact of the proposal on local character, and describes how retained trees will be protected in an arboricultural method statement.
- 2.2 Arboricultural method statement (heads of terms):** At this stage in planning, when the outcome of the submission is unknown, it is not practical or feasible to prepare a full arboricultural method statement, and so BS 5837 recommends that its detail is confined to a ‘heads of terms’ summary. This sets out the main principles that will be necessary, but leaves the detail to be described in a detailed document to be prepared after consent is issued. For larger sites, this may include a ‘heads of terms’ construction method statement to describe how the operational detail of the wider site management will be adjusted to ensure that trees are properly protected and that those requirements are effectively passed on to all the site personnel.
- 2.3 Site Guidance Notes (SGNs):** SGNs supplement the strategic framework set out in BS 5837 with detailed generic descriptions of how tree protection measures can be implemented in practice. They cover all the tree protection issues that can be expected to arise during the building phase, offering practice guidance for the operatives on site in the form of an introduction to set the scene, and a summary of the technical references, with photographic examples illustrating the range of protection options.
- 2.4 Tree protection plan:** The locations of the tree protection measures described in the report are shown on a tree protection plan, primarily focusing on fencing, ground protection, and special precautions. The purpose of the report and plan is to fulfil the normal LPA validation requirements, and provide enough information to properly assess the impact of the development proposal on trees and local character.



2.5 Tree planting strategy: Where new tree planting is proposed, a tree planting strategy can be included as an optional extra within the arboricultural impact appraisal report, describing a detailed visual-amenity oriented analysis of what existing trees will be retained, and where new trees will be planted. It has a specific focus on tree species and form to make sure that the proposal meets the two primary objectives of maximum species diversity and size potential for the location to optimise resilience against climate change and pest resistance. Its form can be variable, but it would normally include a text description of the proposed tree planting scheme, with an additional conceptual plan showing the extent of the retained existing tree cover, and how that will be supplemented by the new planting annotated at its expected mature size.



2.6 Canopy cover assessment and plan: In overview, trees provide multiple benefits other than biodiversity including temperature, rainwater, and pollution buffering, enhancing visual character, and contributing to human wellbeing, to name the most obvious. These significant unquantified benefits far exceed biodiversity benefits and are not covered in any Biodiversity Net Gain assessment, which is why a canopy cover assessment is useful to planners to assess the impact of planning proposals on the delivery of tree benefits significantly above and beyond the biodiversity considerations. More specifically, a canopy cover assessment estimates the future growth for existing and new trees in terms of their two-dimensional crown footprint on the ground for three consecutive decades, which allows a comparison to be made between the canopy cover without development and any net gain or loss over time because of development. The plan shows the increase in canopy cover footprint for each decade in different shades of green, and the losses in different shades of red, which is based on the estimated decadal growth on a tree-by-tree basis, with the total canopy footprint at the end of each decade measured from the plan.



2.7 Tree benefits net gain assessment and plan: Biodiversity net gain assesses the impact of development proposals on local ecology, but it takes very little effective account of tree benefits because many are either unknown or unquantifiable in any meaningful way. However, what is known is that tree benefits, some of which are listed in 2.6 above, are much more extensive than biodiversity considerations alone, and some indication of their value would usefully inform planning decision making. No method for fully assessing the value of tree benefits currently exists because the complexity of the task is prohibitive, but it is possible to provide an informed estimate. Canopy cover assessment is a blunt tool because it is two-dimensional and fails to take any account of the three-dimensional nature of tree growth, where multiple canopies from different trees can be stacked, one above the other, up to 30 m above the ground within the same two-dimensional footprint (see photo below). Furthermore, it is widely accepted that the amount of benefits that a tree provides is more reliably related to its crown size than its crown footprint. Although not perfect, an estimate of the three-dimensional crown surface area can often be a more reliable proxy for estimating the scale of benefits that a tree provides than the two-dimensional canopy cover footprint because it allows the vertical crown extent to be factored into the assessment. In addition to allowing a more reliable comparison of the scale of benefits each tree delivers, this approach also facilitates a three-dimensional conceptualisation of how the development outcomes of tree losses and new planting can affect the future flow of tree benefits to the local community.

This image shows two overlapping canopy layers; the smaller broadleaved tree is providing the understory and the much taller conifer is providing the overstory. Both trees occupy the same two-dimensional crown footprint, or canopy cover, but the vertical dimension is not captured in a conventional canopy cover assessment. A tree benefits assessment captures both canopies and provides a more realistic estimate of the potential for both trees to deliver future benefits to the local community. This approach addresses the failure of a conventional canopy cover assessment to reliably reflect multiple overlapping tree crown within the same footprint.



3 Building – fine-tuning and arboricultural supervision

- 3.1 Construction method statement – trees:** Once planning consent is issued, the process of finalising the detail is normally a priority before the construction activity begins. Wherever trees could be adversely impacted by the construction activity, a tree-oriented construction method statement is usually required to describe how the routine site operations will be carried out to respect the agreed tree protection measures. Although this will be prepared by the site management team, preferably in consultation an arboriculturist, it would normally be referenced in an updated arboricultural method statement that expands on the ‘heads of terms’ document submitted with the planning application. Construction method statements are most appropriate for larger sites where a written description of the tree protection measures is the most effective means of making sure that all the site operatives are aware of the requirements.
- 3.2 Updated arboricultural method statement:** The post-consent preparation for building requires detailed specifications for all the work operations to be drawn up, which can sometimes affect the detail of the tree protection measures. Any changes to the submitted tree protection measures must be agreed with the LPA and formally recorded in an updated arboricultural method statement, with an updated tree protection plan. For example, there may be an operational need to create more space for storage or access, and so fencing can be moved back from the development activity and exposed RPAs can be protected using ground protection.
- 3.3 Updated tree protection plan:** This updated plan will be the formal site document showing the location of any agreed changes described in the updated arboricultural method statement.
- 3.4 Supervision reports:** Where trees must be protected and retained, a pre-commencement meeting is essential to ensure that all the agreed protective measures are in place as agreed, and that the site management is organised to ensure that those protective measures remain in place for the duration of the construction activity. In practice, this involves bringing all the relevant parties (usually the LPA tree officer, the tree consultant, and the site manager) together to discuss the tree protection proposals and agree their final form. It provides an opportunity to review and agree clarifications or

modifications to the consented details, with any adjustment recorded and circulated to all parties in writing. Once the site is up and running, regular arboricultural supervision, at a frequency dictated by the site circumstances and agreed at the pre-commencement meeting, is an effective means of monitoring any impacts on trees and facilitating timely interventions to minimise problems. After each visit, a short, written note, with photographs, if appropriate, is circulated to all parties as a formal record of the supervision. In addition to keeping the LPA informed, it also provides strong evidence that the site has been managed responsibly, an essential component of being able to robustly refute any future allegations of negligence if civil or criminal proceedings arise from incidents following occupation.

- 3.5 Formal early warnings:** Mistakes and unintentional contraventions of agreed tree protection can arise through poor communication on site, e.g., specialist subcontractors are focused on their tasks, and can be unaware of tree protection requirements, or staff changes disrupt continuity. These risks can often be reduced by agreeing a protocol for the arboricultural supervisor to alert the higher levels of management if they become aware of the potential for breaches in the routine tree protection measures. Such notifications can serve as reminders of the tree protection requirements and prevent avoidable contraventions.