

Location:           **Keepers Cottage  
Rustling End  
Codicote  
Hitchin  
Hertfordshire  
SG4 8TD**

Applicant:           **Mr David Kilby**

Proposal:           **Change of use and conversion of existing swimming pool, outbuilding and garage into one 3-bed dwelling. Erection of detached garage block with carer flat above following demolition of existing stables, greenhouse and outbuilding (amended by plans received 03/07/20 and 11/12/20)**

Ref. No:               20/00851/FP

Officer:               **Andrew Hunter**

**Date of expiry of statutory period:**

22 May 2020

**Submitted Plan Nos.:**

1032sv01(1); 1032sv02(1); 1032sv03(1); 1930sv04; 1930sv05; 1930 PD07revA; 1930 PD08revA; 1930pd12revC; 1930 PD09revD; 1930pd10revC; 1930pd11revE.

**Extension of statutory period:**

20 December 2020

**Reason for referral to Committee:**

The application is to be determined by Planning Control Committee by reason of the receipt of a valid written opinion of Knebworth Parish Council contrary to the recommendation of the Development and Conservation Manager which has been supported by Ward Member Councillor Lisa Nash. Details of the objection from Knebworth Parish Council are included in paragraph 3.4 of this committee report. Councillor Nash responded to the written notification of the representation with the following –

*“I can act on behalf of KPC to support.”*

**1.0 Site History**

- 1.1 13/00139/1HH - Two storey front extension. Single storey rear entrance porch and flat roof to landing at first floor. Detached 3 bay open fronted garage and new access from highway. Paved level access from parking area to house – Approved 19/03/13.

- 1.2 03/02001/1HH - Detached double garage and wood store following demolition of existing garage – Approved 12/02/04.
- 1.3 03/01573/1HH - First floor rear extension and new vehicular access (as variation of planning permission 03/00428/1HH granted on 10th June 2003) – Approved 24/11/03.
- 1.4 03/00428/1HH - Two storey front extension, first floor side and rear extensions and single storey side extension. Rear conservatory – Approved 10/06/03.
- 1.5 99/01289/1HH - First floor rear and side extension, detached two storey building to provide playroom, swimming pool and agricultural outbuildings with external stairway (as amended by drawing 101/PD/01B, PD02 and letter received) – Approved 09/12/99.
- 1.6 92/00716/1 - Front entrance porch two story and single storey side extensions – Approved 09/07/92.
- 17 82/01009/1 - Erection of detached double garage and stables – Approved 17/08/82.

## **2.0 Policies**

### **2.1 North Hertfordshire District Local Plan No.2 with Alterations**

Policy 6 – Rural area beyond the green belt  
Policy 14 – Nature Conservation  
Policy 25 – Re-use of rural buildings  
Policy 26 – Housing proposals  
Policy 28 – House extensions  
Policy 30 – Replacement or extension of dwellings in the countryside  
Policy 33 – Relatives and staff accommodation  
Policy 55 – Car Parking Standards  
Policy 57 – Residential Guidelines and Standards

### **2.2 National Planning Policy Framework**

Chapter 5 – Delivering a sufficient supply of homes  
Chapter 9 – Promoting sustainable transport  
Chapter 12 – Achieving well-designed places  
Chapter 13 – Protecting Green Belt land  
Chapter 15 – Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

### **2.3 North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)**

SP1 – Sustainable development in North Hertfordshire  
SP2 – Settlement Hierarchy  
SP5 – Countryside and Green Belt  
SP6 – Sustainable transport  
SP9 – Design and sustainability  
SP12 – Green infrastructure, biodiversity and landscape  
SP13 – Historic environment  
CGB4 – Existing rural buildings  
T1 – Assessment of transport matters

T2 – Parking  
HS6 – Relatives and dependents' accommodation  
D1 – Sustainable Design  
D2 – House extensions, replacement dwellings and outbuildings  
D3 – Protecting Living Conditions  
NE6 – Designated biodiversity and geological sites  
HE1 – Designated heritage assets

## 2.4 **Supplementary Planning Document**

Vehicle Parking at New Development SPD (2011)

## **3.0 Representations**

### 3.1 **Site Notice:**

Start Date: 29/04/2020      Expiry Date: 22/05/2020

### 3.2 **Press Notice:**

Start Date: N/A      Expiry Date: N/A

### 3.3 **Neighbouring Properties:**

No representations received.

### 3.4 **Knebworth Parish Council:**

Knebworth Parish Council objects.

The site is located in Green Belt and the application proposes to sub divide the plot into two residential units, with the existing dwelling sitting on a significantly reduced plot size.

The National Planning Policy Framework states:

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

145 (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

The Parish Council considers the conversion of the buildings to residential, as inappropriate development, creating a residential footprint which is disproportionate to the original building.

### 3.5 **Statutory Consultees:**

Environmental Health Noise – No objections.

Environmental Protection Air Quality – No objections.

Hertfordshire County Council highways – Does not wish to restrict the grant of permission.

Archaeology – No objections.

CPRE Hertfordshire - CPRE Hertfordshire consider this application for residential development in the Green Belt to be inadequate. We have no concerns regarding the change of use and conversion of the existing swimming pool into a 3-bed dwelling. As submitted, that proposal is contained entirely within the fabric of the existing structure and will have no adverse impact on the Green Belt.

However, the proposed garage with carer's flat above is also residential accommodation which will. There is no explanation in the Design and Access Statement as to why a 3-bedroom house requires a six-car garage. Using the drawn scale on the submitted drawings, the footprint of the 'garage' is two thirds that of the swimming pool complex and is, when the carer's flat is taken into consideration, about the same floor space as an average 3-bedroom house. Even when the proposed demolitions are taken into account, it represents a significant increase of new development in the Green Belt.

As such it represents inappropriate development which will impact on the openness of the Green Belt contrary to the National Planning Policy Framework and the current and submission North Herts Local Plans. Consequently, it requires a case for very special circumstances which outweighs the harm through inappropriateness and to the openness of the Green Belt. Given the absence of a Planning Statement, no such case is put forward. It may be that the unfortunate circumstances of the applicant's daughter mentioned in the Design and Access Statement justifies the requirement for the carer's flat, but that could be more appropriately integrated with the house conversion. Notwithstanding there is no explanation for the need for such a large garage. This point needs to be clarified before the Council can determine the application.

Hertfordshire Ecology – No objections.

Thank you for your letter of 26 October 2020 which refers, and for providing a copy of the Bat and Bird Survey and Mitigation Report (Ecology Solutions, October 2020) which relates to the additional bat emergence/re-entry surveys requested in my last letter of 13 July 2020.

The report confirms the presence of nine separate roosts with two additional, possible roosts. Each roosts considered to be small, perhaps just a couple of individuals of two species: common and soprano pipistrelles, and together, despite the number of roosts they are considered of low conservation concern.

The report then explains that as considerable modifications to the property are proposed, it is likely that some or all of these roosts will be either destroyed or subjected to disturbance. In section 6 it sets out a series of mitigation and enhancement (and compensation) measures to conclude that adverse effects on the favourable conservation status of the local bat population will be avoided.

Overall, however, I have no reason to disagree with the assessment of the site. Furthermore, the proposed measures to avoid, reduce, mitigate and compensate for the inevitable loss that will result from the proposed development are considered

reasonable and proportionate. I agree that the favourable conservation status of the bat populations in the area is unlikely to be affected. I believe that the tests laid out in the Habitats Regulations 2017 have been satisfied and that I see no reason why a licence would not be granted.

Consequently, I recommend that **permission can be granted**.

Measures to avoid impacts on nesting birds described in s6.2.3 should be secured by condition.

The installation of swallow nesting bowls described in 6.23 – 6.25 are installed in other buildings on the site will should provide reasonable confidence that a biodiversity net gain proportional to the size and scale of development proposed will be delivered. However, neither the number nor location of these is indicated. Therefore, I recommend that a minimum of six bowls should be installed and maintained for the foreseeable future. The location can be determined by the consultant ecologists. The installation of these nest bowls should also be secured by condition.

Should these measures be adopted, all ecological constraints would be removed from this application.

## **4.0 Planning Considerations**

### **4.1 Site and Surroundings**

- 4.1.1 The site is part of the curtilage and land within the ownership of a two storey detached dwelling Keepers Cottage, of which the red and blue edged areas comprise a large predominantly undeveloped site. The land within the red edged area comprises buildings and land incidental to Keepers Cottage, including a stables and manege.
- 4.1.2 The wider locality is rural and partially wooded, with two dwellings to the north-west being the only nearby properties. The closest dwelling is a Grade II listed building (Rustling End Cottage, to the north-west).
- 4.1.3 The site is within the Rural Area beyond the Green Belt in the adopted Local Plan. In the emerging Local Plan the site is proposed to be designated as Green Belt.

### **4.2 Proposal**

- 4.2.1 Planning permission is sought for the conversion of an existing outbuilding (comprising a swimming pool, storage and garage) to a three bedroom dwelling. An external pump room would be replaced with a hall. To facilitate the conversion new openings, cladding and a lantern light would be added to the building.
- 4.2.2 The new dwelling would be separated from the existing dwelling Keepers Cottage, involving the sub-division of the site and a separate curtilage for each of the two dwellings. A new detached building is proposed to the north-west that would comprise garages on the ground floor, and a one bedroom carers flat on the first floor.
- 4.2.3 The site would be re-landscaped, with two existing outbuildings demolished. The manage and some existing hardstanding would be replaced with new hard and soft landscaping. An existing pond would be enlarged with new planting nearby. Vehicular access would be from an existing entrance, with parking around the new

garage/carer's flat building. A new boundary wall would separate the curtilage of the proposed dwelling from Keepers Cottage.

#### 4.3 Key Issues

4.3.1 The assessment of this application was made from the documents submitted with the application, photos of the site and surroundings taken by the applicant, information relating to the planning history of the site, and images from Google Maps and Street View (a site visit in person by the case officer was not permitted during the course of the application due to restrictions in movement during the Corona Virus crisis).

4.3.2 The key issues for consideration are as follows:

- The acceptability of the principle of the proposed works in this location.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- Whether the proposal would provide an acceptable standard of accommodation for future occupiers of the dwellings.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision and the public highway in the area.
- The quality of landscaping proposed and the impact the proposed development would have on trees.
- The impact that the proposed development would have on ecology and protected species.

#### Principle of Development:

4.3.3 The site is within the Rural Area beyond the Green Belt (RA) in the 1996 adopted Local Plan. In the emerging Local Plan (ELP) the site is proposed to be within the Green Belt, however at this time the ELP can only be given limited weight as it has not completed its public examination period resulting in some uncertainty over whether the site would become Green Belt. For the purposes of this 'Principle' section, what will be given most weight will be whether the proposal would be in accordance with RA policies.

#### *Conversion*

4.3.4 The relevant RA policies in the adopted Local Plan relating to the proposed new dwelling are 6 and 25. Policy 6 states that the Council will maintain the existing countryside and villages, and their character. Policy 6 refers to Policy 25, which concerns the re-use of rural buildings.

4.3.5 Policy 25 ii. states that the re-use of rural buildings for residential purposes will be permitted provided that: a. there will be no adverse effect on the local rural economy; b. the building will not require extensive alteration, rebuilding and/or extension; c. the use of the building and its curtilage will not harm the character of the countryside, or have an adverse effect on highway safety.

4.3.6 In assessing the proposed conversion against Policy 25, there will not be an adverse effect on the local economy as the building to be converted is incidental to nearby dwelling Keepers Cottage. The building would be altered externally and would consist largely of new openings and a new hallway to replace a pump room, however I do not

consider these extensive in relation to the size and appearance of the building. I consider that the impacts of the conversion on the character of the countryside would not be significantly greater than the impacts of the current building, and would not adversely affect highway safety (there have been no objections from the County Council highways section). I therefore consider the conversion of the building to a dwelling acceptable under Rural Area policies in the adopted Local Plan.

- 4.3.7 In the ELP, policies SP5, ETC1 and ETC4 concern whether the principle of the conversion would be acceptable. The requirements of these policies are similar to those of the adopted Local Plan policies, therefore I do not consider that the conversion would conflict with those policies. The site is proposed to be included within the Green Belt in the ELP, however under the policies in the ELP relating to the Green Belt and paragraph 146 d) of the NPPF (that buildings to be converted should be of permanent and substantial construction, with such conversions preserving the openness of the Green Belt and not conflicting with the purposes of including land within it) I do not consider the proposed conversion inappropriate as the building would not be enlarged, and it and the land around it within the application site is within residential use incidental to the existing dwelling Keepers Cottage.

#### *New building*

- 4.3.8 The other part of the proposal is a new building north-west of the building to be converted, which would be an L shape, and would not be dissimilar in size to the existing building the subject of the proposed conversion.
- 4.3.9 Policy 25 ii. b. states that conversions will be acceptable, provided that the building will not require extensive alteration, rebuilding and/or extension. While the garage building will not be attached to the proposed dwelling, I consider it would be sufficiently close to appear as an adjunct and therefore effectively an extension.
- 4.3.10 Part of the proposal would involve the demolition of a stable and a greenhouse, which would mean that the proposed building would partially replace other buildings. The footprint of the existing buildings measures approx. 326 m<sup>2</sup>. The footprint of the proposed buildings would measure approx. 402 m<sup>2</sup>. As a percentage, the proposed would be 23% larger than the existing. In footprint, I do not consider the proposed extensive in comparison to the existing.
- 4.3.11 The floorspace of the existing buildings measures approx. 357 m<sup>2</sup>. The floor space of the proposed buildings would measure approx. 456 m<sup>2</sup>. As a percentage, the proposed would be 27% larger than the existing. In floor space, I do not consider the proposed extensive in comparison to the existing. In volume I would also consider the differences between the existing and proposed similar to the above figures and not extensive. I do not consider that the extensions required for the reasons above would be extensive and would conflict with Policy 25 of the adopted Local Plan.
- 4.3.12 The proposal also has to comply with Policy 6, which has the general aim of maintaining the existing countryside and villages, and their character. The garage building would extend the existing group of buildings around Keepers Cottage further outwards to the north-west, although as above this would not be extensive compared to the existing buildings on the site. The garage building would also be located on a manège which is a man-made part of the site, therefore will not be located in open undeveloped countryside. The garage would be sufficiently close to the existing buildings on the site to be viewed in their context, and being timber clad with a tiled

roof with a rural/agrarian design would be considered sympathetic to the rural character of the area. Visual impacts on the wider countryside would not be considered significant and harmful as the building would be set back from the public highway and would be largely obscured from view by trees, vegetation and other buildings in addition to the above other factors. There would in addition be some benefits to the countryside through the additional planting and small lake, and replacement of part of the manege with a lawned area. I therefore consider the proposed new building acceptable in principle.

- 4.3.13 The ELP Policies SP5, CGB1 and CGB4 are for the most part worded similarly to the adopted Local Plan Policies, stating that any building to be converted does not require major extension and do not have a materially greater impact on the openness of the Rural Area beyond the Green Belt (RA). For the reasons above I consider that the proposal would comply with the relevant parts of those policies.
- 4.3.14 Policy CGB4 c. states that any outbuildings should be as close as possible to the main buildings and visually subordinate to them. I consider the location of the new building on the existing manege sufficiently close to comply with this policy as it would be in a logical location relative to the main dwelling, and would also mean the preservation and enlargement of the existing pond and vegetation around it. This would also keep it at a distance sufficient to avoid adversely affecting Keepers Cottage.
- 4.3.15 Under the ELP the site would be located in the Green Belt, however this can only be given limited weight. Under Green Belt policies in the emerging Local Plans and in relation to the NPPF paragraph 145 c), I do not consider the new building would be a disproportionate addition to the existing buildings on the site as stated above. Therefore I do not consider the development inappropriate in respect of Green Belt policy.

#### *Carer's flat*

- 4.3.16 This would be located in part of the roof space of the new garage building. The Design and Access Statement states that a carer is required to help look after the applicant's daughter (the applicant and daughter would occupy the proposed dwelling), who is registered disabled and wheelchair-bound following a spinal cord injury.
- 4.3.17 Policy 33 of the adopted Local Plan refers to relatives and staff accommodation, which is considered relevant to this application. This Policy states that for such accommodation, the Council will permit the proposal if a genuine need can be shown; ii. its size is small and physically related to the existing dwelling, normally by the adaptation or extension of existing accommodation; and iii. future occupancy is restricted.
- 4.3.18 I consider that a genuine need has been shown, and that the size of the carer's accommodation would be small and sufficiently physically related to the existing dwelling. If permission was granted, an appropriate planning condition as recommended could be imposed restricting the occupation of the carer's flat to purposes incidental to the new dwelling.

#### Character and appearance, and sustainability:

- 4.3.19 The external alterations to the existing building are considered to be sympathetic to its character and appearance, and will not harm that of the wider locality due to the



rearwards location of the building. As set out in the previous section, I do not consider that the new building would be harmful to the character and appearance of the locality and countryside. There would in addition be some benefits to the locality through the removal of two existing buildings, and the provision of new soft landscaping and lake.

4.3.20 The location could not however be considered sustainable with regards to access to public transport and services, as occupants would be largely reliant on the private car to access shops and services. There are no footpaths or bus stops close to the site, which is on a narrower country lane where walking to the closest settlement Codicote and larger settlements such as Hitchin is not considered practicable. The new dwelling would however be created by the conversion of an existing building presently in incidental residential use, which is considered a more sustainable form of development.

4.3.21 A condition requiring that an electric vehicle charging point for the dwelling be created prior to its occupation would however be imposed on any permission granted, which would encourage more sustainable private transport. The proposed dwelling would minimise carbon emissions through being energy efficient and would include solar PV panels, which would improve its sustainability. There are also personal circumstances present that can provide some justification for what is proposed. Potential increases in traffic would be small. For the above reasons, I do not consider the proposed development harmful with regards to its sustainability.

#### Impact on Neighbouring Properties:

4.3.22 The closest dwelling is Rustling End Cottage which is to the north-west. The curtilage of Rustling End Cottage is approx. at least 50m from the proposed development, and separated from the application site by a strip of woodland. Due to the above, I do not consider that the proposed development would result in harm to amenity.

#### Amenity of Future Occupiers:

4.3.23 Paragraph 127 (f) of the NPPF states that “*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*”. Paragraph 127 (f) is reflected in Guideline 8 of Policy 57 in the Saved Local Plan and Policy SP9 of the Emerging Local Plan.

4.3.24 The proposed dwelling and Keepers Cottage would be considered to have sufficient amenity space, appropriate conditions for their main habitable rooms, and would not infringe on each other’s privacy. Future living conditions would therefore be acceptable.

#### Highways and Parking:

4.3.25 The proposed dwelling and carer’s flat would be served by at least four parking spaces, which is considered sufficient. Parking for Keeper’s Cottage of at least three spaces would remain which is acceptable. There have been no concerns raised by the County Council regarding impacts on the public highway, therefore this is acceptable.

#### Trees and Landscaping:

- 4.3.26 A limited number of small trees would be removed, however this would be more than compensated by the much larger number of replacement trees proposed. There are no objections to the type and amount of hard and soft landscaping, including the boundary wall. If permission was to be granted, further details would be required by condition.

#### Ecology:

- 4.3.27 Hertfordshire Ecology provided comments on 18<sup>th</sup> November 2020 following bat surveys and reports in July and October 2020. The report confirmed nine roosts and two possible additional roosts. Some or all of these roosts would be destroyed or subjected to disturbance.
- 4.3.28 Section 6 of the report sets out mitigation, compensation and enhancement measures that have been assessed by Herts Ecology to avoid adverse effects on the local bat population. These measures comprise four bat boxes prior to demolition, six bat access tiles incorporated into the converted buildings, the avoidance of using roof materials that could cause bats to become trapped, and lighting to adhere to the Bat Conservation Trust's *Bats and artificial lighting in the UK Guidance Note 08/18*.
- 4.3.29 Hertfordshire Ecology do not disagree with the report, and are of the view that the mitigation measures proposed in the above paragraph would be acceptable and have recommended that permission be granted. The measures in the bat report will be required by condition to be adhered to.
- 4.3.30 The survey also assessed impacts on nesting birds, finding past or present evidence of nesting birds including Swallows and Collared Doves/Wood Pigeons. Hertfordshire Ecology have recommended that nest boxes be provided as stated in 6.2.5 of the report (a minimum of six should be required), in addition to the general protections afforded that nesting birds have when nesting. The provision of nest boxes will also be required by condition. On the basis of the recommendations from Hertfordshire Ecology, impacts on protected species and ecology are considered acceptable.

#### Climate Change Mitigation:

- 4.3.31 The site is not within a flood risk area and the site is unlikely to contain contaminants that would prevent the grant of planning permission.
- 4.3.32 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. Emerging Local Plan Policy D1 seeks to reduce energy consumption and waste. To assist in achieving these aims an Electric Vehicle Charging points will be conditioned to be installed on each of the proposed new dwellings.

#### 4.4 **Conclusion**

4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance set out in paragraph 11 of the NPPF is engaged. There will be a small benefit from the provision of one additional dwelling, which is not considered harmful to the locality. It is not considered that there would be adverse impacts from the development, therefore it would not be considered to significantly and demonstrably outweigh the benefits as set out in paragraph 11 of the NPPF.

4.4.2 The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the existing and emerging Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

#### 4.5 **Alternative Options**

4.5.1 None applicable

#### 4.6 **Pre-Commencement Conditions**

4.6.1 No pre-commencement conditions are recommended.

### **5.0 Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

### **6.0 Recommendation**

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of 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 hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. The carer flat hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse conversion approved as part of this permission.

Reason: To avoid the creation of a new dwelling contrary to the planning policies

applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties.

4. Prior to occupation of the approved development, the following landscape details shall be submitted:
  - a) which, if any, of the existing vegetation is to be removed and which is to be retained
  - b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
  - c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed
  - d) details of any earthworks proposed

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

5. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. Prior to occupation, the proposed new dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

7. The mitigation and enhancement measures set out in the Bat and Bird Survey Mitigation Report by Ecology Solutions (date October 2020, reference 9100.BBSMR.vf) shall be implemented as set out in the Report (including a minimum of six bird nesting boxes). These measures shall be undertaken when works to those areas identified are undertaken. These measures shall thereafter be retained in perpetuity.

Reason: In the interests of ecology.

**Proactive Statement:**

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted

proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.