

<u>Location:</u>	<b>Land At Oakleigh Farm Codicote Road Welwyn Hertfordshire AL6 9TY</b>
<u>Applicant:</u>	<b>Mr J Smith</b>
<u>Proposal:</u>	<b>Variation of Condition 2 (submission of revised plans) of planning permission 20/00598/FP granted 29.09.2021 for Erection of 7 x 4-bed detached dwellings with associated detached garages, parking and amenity areas following demolition of all existing buildings and structures. Change of use of eastern section of land to paddock and alterations to existing access road (as amended by plans received 14.03.2024, 04.04.2024, 03/06/24 and 18/06/24)</b>
<u>Ref. No:</u>	<b>23/02572/S73</b>
<u>Officer:</u>	<b>Andrew Hunter</b>

**Date of expiry of statutory period:**

7 February 2024

**Reason for delay and Extension of statutory period:**

Negotiations with the applicant, re-consultation following amended plans, and Committee cycles.

**Reason for referral to Committee:**

The application is to be determined by Planning Control Committee by reason of the development being residential development with a site area of 0.5 hectares or greater (the site area is 1.36ha), as set out in 8.4.5 (a) of the Council's Scheme of Delegation.

**1.0 Relevant Site History and Background**

**NHDC**

- 1.1 20/00598/FP - Erection of 7 x 4-bed detached dwellings with associated detached garages, parking and amenity areas following demolition of all existing buildings and structures. Change of use of eastern section of land to paddock and alterations to existing access road – Refused 11/02/21 for:

1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified in relation to one of the purposes of including land in the Green Belt and the impact on the character and appearance of the area. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal does not comply with Policies 2 and 3 of the 1996 Adopted Local Plan; Policies SP1, SP2, SP5 and D1 of the Emerging Local Plan; and Sections 12 and 13 of the National Planning Policy Framework.

Allowed on appeal 29/09/21. (Planning Inspectorate ref. APP/X1925/W/21/3269379)

Welwyn Hatfield Borough Council part of site

- 1.2 6/2020/0714/MAJ - Change of use of land from general industrial and storage (B2 and B8) to dwelling houses (C3) to facilitate erection of 7x dwellings following demolition of existing buildings – Refused 26/11/20 for the following reasons:
  1. The proposed development constitutes inappropriate development in the Green Belt and causes harm to the openness of the Green Belt. In addition to the harm by reason of inappropriateness, other harm is identified in relation to one of the purposes of including land in the Green Belt and the impact on the character and appearance of the area. The harm by reason of inappropriateness, and the other harm identified, is not clearly outweighed by other material planning considerations such as to constitute the very special circumstances necessary to permit inappropriate development in the Green Belt. The proposal would therefore be contrary to policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SADM 1 and SADM 34 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, the Supplementary Design Guidance 2005 and the National Planning Policy Framework 2019.
  2. The applicant has failed to satisfy the sustainability aims of the plan and to secure the proper planning of the area by failing to ensure that the development proposed would provide a sustainable form of development in mitigating the impact on local infrastructure and services which directly relate to the proposal and which is necessary for the grant of planning permission. The applicant has failed to provide a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended). The Local Planning Authority considers that it would be inappropriate to secure the required financial contributions and retention of the paddock as open land by any method other than a legal agreement and the proposal is therefore contrary to Policies IM2 and H2 of the Welwyn Hatfield District Plan 2005, policies SADM 1 and SP 13 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016, and the National Planning Policy Framework.

Allowed on appeal 29/09/21.

- 1.3 This is an application under Section 73 of the Town and Country Planning Act 1990 (as amended) that proposes amendments to the previous planning permission on this site. Such applications seek to develop land without complying with conditions of a previous permission and material amendments to a previous permission are sought through seeking to amend the condition that requires development to be implemented in accordance with approved plans. Such applications are commonly referred to as applications for minor material amendments.

## 2.0 **Policies**

### 2.1 **North Hertfordshire District Local Plan 2011-2031**

Policies:

SP1 – Sustainable development in North Hertfordshire  
SP2 – Settlement Hierarchy and Spatial Distribution  
SP5 - Countryside and Green Belt  
SP6 – Sustainable transport  
SP7 – Infrastructure requirements and developer contributions  
SP8 - Housing  
SP9 – Design and sustainability  
SP11 – Natural resources and sustainability  
SP12 – Green infrastructure, landscape and biodiversity

T1 – Assessment of transport matters  
T2 – Parking  
HS3 – Housing mix  
D1 – Sustainable Design  
D3 – Protecting Living Conditions  
D4 – Air quality  
NE2 – Landscape  
NE4 - Biodiversity and geological sites  
NE8 – Sustainable drainage systems  
NE11 – Contaminated land

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

Chapter 5 – Delivering a sufficient supply of homes  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed and beautiful places  
Chapter 13 – Protecting Green Belt land  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment

## 3.0 **Representations**

### 3.1 **Neighbouring Properties:**

Two objections have been received on the following grounds:

- What is the terrain on the new road.
- Clarification on lighting details.
- Water and drainage.
- Will trees be removed or planted.
- Potential speed and noise.

- Is fencing proposed.
- Who will maintain the track.
- Potential works within No. 85 Codicote Road.

### 3.2 **Parish Council:**

#### Comments 11 April 2024

Codicote Parish Council Planning Committee continue to object to this planning application principle as detailed in our letter dated 8th December 2023 (copy attached).

#### Comments 8 December 2023

I write with reference to the Section 73 planning application highlighted above.

Codicote Parish Council Planning Committee have considered this application and would like to comment and object on the following basis: -

We note that the application involves new development on a site which is bisected by the boundary between the Codicote Parish and the Welwyn Parish. As such, we welcome the opportunity to comment.

We understand both the NHDC & the Welwyn Hatfield Borough Council refused planning permission in respect of the original application (20/000598/FP), but this was overturned on Appeal by the Planning Inspectorate in September 2021. Notwithstanding that decision, the Codicote Parish Council firmly supports the reasons for the original refusals by the respective Councils. We feel strongly that the reasons set out, and the concerns expressed at the time, continue to remain relevant and valid.

Although the Oakleigh Farm development involves just seven houses, it represents a continued erosion of the green belt surrounding Codicote, furthering "development creep" and infill between Codicote & Welwyn. The decision of the Planning Inspector was of course made well before the Local Plan Inspector's Report of September 2022, which gave permission for four major housing developments immediately surrounding Codicote village (CD1,CD2,CD3 & CD5, totalling 363 new houses). It would therefore be inappropriate, and of concern, if the Oakleigh Farm development were considered in isolation from the totality of new development around Codicote.

The Parish Council has met recently with representatives of Kingshall Estates, and it was evident that the revised application does represent an improvement to the original in respect of housing design, layout & materials to be used. This is to be welcomed.

Nevertheless, we find it difficult to understand quite how a new, gated development of substantial four-bedroomed houses, meets the Policy requiring new development to contribute to the creation of mixed and sustainable communities. Certainly, the Oakleigh Farm development offers little to local residents in respect of affordable housing and, crucially, contributes nothing by way of infrastructure support to Codicote."

I look forward to receiving confirmation that our letter has been received and our objections noted.

### 3.3 **Statutory Consultees:**

3.4 Environmental Health (Noise/ Air Quality) – No objections.

3.5 Environmental Protection – No objections.

3.6 Herts Ecology - Application can be determined with no ecological objections.

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

In reviewing the submitted drawing no. 19367-OAKL-5-116 and 19367-OAKL-5-115 there would be no adverse impact on the access road or Codicote Road and therefore the Highway Authority approve the revised plan.

3.8 Lead Local Flood Authority (LLFA) – conditions were recommended on the original permission. Response outstanding on this application.

### 4.0 **Planning Considerations**

#### 4.1 **Site and Surroundings**

4.1.1 The site comprises land that was previously occupied by buildings used for industrial, storage, and equestrian purposes – these buildings were removed late last year. A rectangular area in the north-east corner of the site is used as open-air storage, parking and waste for building and construction. The western third of the site is within NHDC land, with the other two-thirds within Welwyn Hatfield district.

4.1.2 The site is connected by an internal access road, which extends to the south and west to provide vehicular access to public highway Codicote Road. Ground levels are highest in the north-west corner and fall to the east and south. The access drive adjacent to No. 85 Codicote Road is lower than that road and includes an area of hardstanding that can be used for passing or parking.

4.1.3 The boundary of the site with No. 85 is comprised of fences and vegetation varying in height from 1.8m to 0.5m, lowering to the east. The west boundaries of the site with adjoining properties on Codicote Road is comprised of 1.8m high fences, and hedges and trees varying in height from approx. 2m to 10m. Trees at least 5m high comprise the north boundary. The site boundaries to the east are more open with some low-rise fencing.

4.1.4 The character of the locality is more rural, particularly around the northern part of the site, where adjoining land is agricultural. Oakleigh Farm adjoins the east boundary of the site, with the main farmhouse east of the site to the south. Equestrian land and a manège adjoin the south-east boundary. Adjoining the west boundary of the site are dwellings to the south, and a commercial/industrial estate to the north. The north-west boundary of the site comprises a belt of woodland with the large grounds of a dwelling beyond. The site is within the Green Belt.

## 4.2 Proposal

- 4.2.1 Planning permission is sought to vary Condition 2 (approved plans) of previous permission 20/00598/FP allowed on appeal by:
- Altering the access road to widen it to be dual width.
  - Associated alterations to an adjoining new footpath.
  - New fixed open timber gates near the site entrance.
  - New low-level lighting posts along the access road.
  - New estate railings with a decorative fan near the dwellings.
  - New soft landscaping/planting.

For clarity, this application does not propose alterations to the previously approved dwellings and paddock in the northern part of the site.

- 4.2.2 The proposed timber post and rail gate would measure about 1.2m high by 3.3m wide and would be fixed open. They would be located on the access road set back by about 12m from the carriageway edge of Codicote Road.
- 4.2.3 Low level lighting posts just under 0.5m high would be placed to both sides of the access road within the roadside landscaping. The 1.5m high estate railings would be placed to either side of the access road on the approach to the housing development.

## 4.3 Key Issues

- 4.3.1 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, including landscaping and trees
  - 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 impact that the proposed development would have on ecology and protected species.
  - The impact of the proposal on drainage and flood risk.

### Principle of Development:

- 4.3.2 When original planning application 20/00598/FP was allowed on appeal in September 2021, the Inspector determined that the development was not inappropriate development in the Green Belt, as the proposal would not have a greater impact on openness than the existing development at that time. The conversion of the open storage area was also found to be beneficial to the openness of the Green Belt.
- 4.3.3 Since the appeal decision there has been a change in the material circumstances relating to the site in that the existing buildings have been demolished and their uses have ceased, with only the open storage area remaining (which now appears to be used for storage purposes associated with the clearance of the site).

- 4.3.4 The planning permission granted on appeal is extant and expires on 29 September 2024. As this permission can be implemented, it constitutes a valid fall-back position against which this application should be assessed and is an important material consideration that should be given significant weight in the determination of this Section 73 application, which seeks amendments to the approved development.
- 4.3.5 The main differences between the original approval and the current S73 application concern the alterations to the access road and footpath. In this respect, the amended access road and footpath would be of a similar width and siting to that originally approved (and to the existing) and this remains acceptable in principle in the Green Belt, in this case now complying with para. 155 b) of the NPPF as engineering operations that would preserve the openness of the Green Belt and not conflicting with the purposes of including land within it.
- 4.3.6 The other amendments proposed are considered individually and cumulatively very minor in size, scale, and visual impacts, and can be considered as engineering operations as part of the overall construction of the access road and footpath and would also comply with 155 b) of the NPPF. The new planting would not be development and does not conflict with Green Belt policies. The proposal is considered acceptable in principle and complies with Policy SP5 of the Local Plan and Section 13 of the NPPF.

Character and appearance, landscaping, and trees:

- 4.3.7 The material considerations relate to the alterations to the access road and path, with associated fencing, lighting posts, and planting/soft landscaping. The amended access road and footpath would be considered to result in similar impacts on the site and locality as that originally approved under 20/00598/FP and are acceptable.
- 4.3.8 The applicant has included details of planting, which are acceptable. One dead tree will be removed, with more trees planted to compensate, which is acceptable. The external materials are acceptable as they will be in accordance with those specified in a submitted document. The gates, estate railings, and timber lighting posts would be small, of low impact, and in keeping with the more rural character and appearance of the site and locality. The layout and design of the proposed amended development is considered acceptable. The proposal complies with Policies SP9, SP12, D1 and NE2 of the Local Plan, and Section 12 of the NPPF.

Impacts on Neighbouring Properties:

- 4.3.9 The proposed amended access road and footpath would be considered to result in similar impacts to the closest neighbouring dwellings as that originally approved and are acceptable. The new gates and fencing would be of a modest size and height and are acceptable.
- 4.3.10 It is considered that illumination from the bollards will not be harmful to amenity as they will be at a low-level, and substantially obscured by planting and fencing. The Council's Environmental Health Officer has not objected to the development, which is given significant weight. Potential traffic noise is considered comparable to that from the original permission and is acceptable. The plans do not show new boundary fencing. Maintenance would be a matter for the relevant parties to determine. It is considered that

the development can be carried out within the red-edged site area, with an amended plan pointing to works being within the site. Impacts on amenity are acceptable. The proposal complies with Policy D3 of the Local Plan.

#### Highways and Parking:

- 4.3.11 The proposed alterations will not affect parking provision approved under original permission 20/00598/FP. The highways officer has not objected to the altered access road and footpath and their impacts on the public highway including the development as a whole in the comments of 15 April 2024.
- 4.3.12 Following these comments, additional new and amended plans were provided by the applicant to provide further details of proposed highway works and vehicle tracking. The highways officer has been re-consulted on these new plans, however has not responded to NHDC.
- 4.3.13 The highways officer has however responded to Welwyn Hatfield Borough Council (WHBC), raising an objection on the basis that the proposed footpath has been reduced in width from 2m to 1.2m.
- 4.3.14 Regarding the footpath, on the proposed plans submitted to NHDC, it was annotated on drawing 19367-OAKL-5-116 as being 2m. On latest drawing 19367-OAKL-5-116 Rev A, the annotation changed to 1.2m. The 2m annotation was however an error on that respective plan, as the footpath measures approx. 1.2m in width on the plan, therefore the present annotation is the correct width.
- 4.3.15 The original planning application 20/00598/FP allowed on appeal which this Section 73 application is a variation of, was approved with a 1.2m wide footpath. As that allowed appeal remains extant, significant weight is given to it, and the present footpath is considered acceptable. While there is presently some uncertainty resulting from the absence of a response from the highways officer to NHDC, it is considered that at most the new plans could be subject to new or amended conditions recommended by the highways officer, therefore approval is recommended subject to these highways matters being resolved to the satisfaction of the LPA with the imposition of additional planning conditions and/or amendment of recommended planning conditions as necessary. The proposal is considered to comply with Policies T1 and T2 of the Local Plan, and Section 9 of the NPPF.

#### Ecology:

- 4.3.16 The proposed amendments will have similar ecological impacts to the original approval, while there would be substantial biodiversity gains from new planting proposed. The proposal is not considered harmful to ecology and should be able to deliver a biodiversity net gain to comply with Policy NE4 of the Local Plan.

#### Drainage and flood risk

- 4.3.17 The original planning permission 20/00598/FP included a Flood Risk Assessment, which did not raise objections from the Lead Local Flood Authority (LLFA). The LLFA recommended three conditions be imposed on any permission granted, with similar conditions being placed on the allowed appeal decision. The proposed amendments are



considered sufficiently similar to the original permission that the same conditions placed by the Inspector can be re-imposed.

- 4.3.18 The applicant has also provided new plans relating to details of drainage measures that the LLFA have been consulted on, but they have not yet responded. It is considered that any outstanding matters relating to these new plans are technical and can be dealt with by new conditions or amending one or more of the conditions recommended in this report, as necessary. This matter is addressed in the recommendation at 6.1 a) of this report. In conclusion on this matter, it is considered that the proposal complies with Policies NE7 and NE8 of the Local Plan.

#### 4.4 **Balance and Conclusion**

- 4.4.1 This application was submitted before December 2023. Therefore, under the provisions of the NPPF the exemption from the requirement to identify a 5-year supply of deliverable housing sites does not apply to this application. It is estimated that the current housing supply is about 4 years and consequently in this case the tilted balance set out at paragraph 11 (d) of the Framework applies. It is considered that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of providing six new dwellings in a sustainable location, when assessed against the policies of the NPPF as a whole.

- 4.4.2 Notwithstanding the application of the tilted balance, taking all matters into account the proposal complies with the Local Plan as well as the NPPF as a whole and the application is recommended for approval, subject to conditions.

#### 4.5 **Alternative Options**

- 4.5.1 None identified.

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

- 4.6.1 Not applicable.

#### 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:

a) The resolution of the highway and drainage and flood risk matters to the satisfaction of the Local Planning Authority with the imposition of additional planning conditions or amendment of planning conditions as necessary;

and

b) The following conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of 3 years from the grant of planning application 20/00598/FP.

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. To comply with Policy D1 of the Local Plan.

3. Materials to be used on all external elevations and the roof of the development hereby permitted shall be in accordance with the details submitted, unless otherwise approved in writing with the LPA.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. 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; 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, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

5. A scheme for the protection of retained trees shall be in accordance with the details approved under 23/02016/DOC.

Reason: In the interests of tree preservation and amenity. To comply with Policy NE2 of the Local Plan.

6. Prior to occupation of the development hereby permitted, the use of the land for open storage shall cease and the proposed paddock shall be provided in accordance with the approved plans. The paddock shall be retained at all times thereafter and shall not be used for any other purpose.

Reason: In the interests of the openness of the Green Belt and character and appearance. To comply with Policies SP5 and D1 of the Local Plan.

7. No development (except demolition) shall commence until details of the existing and proposed ground levels and finished floor levels of the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with these approved details.

Reason: In the interests of amenity. To comply with Policy D1 of the Local Plan.

8. Prior to occupation, each of the proposed new dwellings 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. To comply with Policy D4 of the Local Plan.

9. Prior to occupation of the development hereby permitted full details shall have been submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within the development. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To secure the future management and maintenance of the development. To comply with Policy T1 of the Local Plan.

10. Prior to occupation of the development hereby permitted the existing access from Codicote Road shall be re-constructed 5.50 metres wide with 6.0 metre radii kerbs as identified on drawing number 19367 – OAKL – 5 116 Rev A, the footway leading from the development shall extend to south side of the reconfigured access for a minimum distance of 10 metres and shall include for pedestrian dropped kerbs and tactile paving and corresponding dropped kerbs and tactile paving opposite on the existing Codicote Road. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and shall be secured and undertaken as part of the s278 works.

Reason: In the interests of highway safety. To comply with Policy T1 of the Local Plan.

11. Prior to occupation of the development hereby permitted the existing access road from the Codicote Road shall be improved and re-constructed 5.50 metres wide as identified on drawing number 19367 – OAKL – 5 116 Rev A and the internal road layout shall be complete as identified on drawing numbers 19367 – OAKL – 5 116 and 19367 – OAKL – 5 115 Rev C.

Reason: In the interests of highway safety. To comply with Policy T1 of the Local Plan.

12. The approved development shall be carried out in accordance with the submitted Construction Management Plan (dated August 2023 – Revision 1 -14/08/2023).

Reason: In the interests of highway safety. To comply with Policy T1 of the Local Plan.

13. The approved development shall be carried out in accordance with the submitted Site Waste Management Plan.

Reason: In the interests of highway safety and amenity. To comply with Policy T1 of the Local Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no enlargement to the dwellings hereby permitted under Schedule 2, Part 1, Class A or Class B of the Order.

Reason: To enable the LPA to control the development in the interests of amenity and to protect the openness of the Green Belt. To comply with Policies D1 and SP5 of the Local Plan.

15. Prior to occupation of the development hereby permitted, the Mechanical Ventilation with Heat Recovery system and glazing shall be installed in each dwelling in accordance with the specification set out in "Noise Assessment, Oakleigh Farm..." Report reference RP01-19338, dated 30 August 2019 by Cass Allen Associates. The scheme shall be retained in accordance with those details thereafter.

Reason: In the interests of resident's amenity. To comply with Policy D1 of the Local Plan.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is also subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority. All remediation works shall be carried out in accordance with the approved scheme before any dwelling hereby permitted is first occupied.

Reason: In the interests of resident's amenity. To comply with Policy NE11 of the Local Plan.

17. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment, reference B02913 Rev 02, dated August 2020 prepared by Scott White and Hookins and all supporting information and the following measures:

1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
2. Undertaking appropriate drainage strategy based on infiltration and to include permeable paving and soakaways.

Reason: To provide acceptable drainage and flood risk mitigation. To comply with Policy NE8 of the Local Plan.

18. No development (except demolition) shall commence until the final design of the drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system will be based on the submitted Flood Risk Assessment, reference B02913 Rev 02, dated August 2020 prepared by Scott White and Hookins, dated 18 September 2020. The scheme shall also include:
1. Detailed infiltration testing be carried out pre-commencement in accordance with BRE Digest 365 standards at the proposed locations and depths of all SuDS features.
  2. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
  3. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features.
  4. Provision of half drain down times within 24 hours.
  5. Silt traps for protection of any residual tanked elements.
  6. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
  7. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

The drainage scheme shall be fully implemented prior to occupation.

Reason: To provide acceptable drainage and flood risk mitigation. To comply with Policy NE8 of the Local Plan.

19. Prior to occupation of the development hereby permitted, a management and maintenance plan for the SuDS features and drainage network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of a complete set of as built drawings for site drainage.
  2. Maintenance and operational activities.
  3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

The management and maintenance plan shall be implemented thereafter.

Reason: To provide acceptable drainage and flood risk mitigation. To comply with Policy NE8 of the Local Plan.

20. No development (except demolition) shall commence until a detailed scheme for the provision of mains water services providing fire hydrants has been submitted to and approved in writing by the Local Planning Authority. No occupation of the development shall take place until the approved scheme for the provision of mains water services providing fire hydrants has been provided in full. Thereafter the fire hydrants shall be retained as approved in perpetuity.

Reason: In the interests of amenity and safety. To comply with Policy NE11 of the Local Plan.

## **Pro-active 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.