

Draft Planning Conditions, HDC with CRL comments, 16.02.2021

Appeal at: Fleet Police Station, 13 Crookham Road, Fleet, GU51 5QQ
Reference: APP/N1730/W/20/3261194

Standard Conditions

1. Time

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).

2. Approved Drawings and Documents

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

Location Plan 10103FL PA00
Proposed Site Plan 10103FL PA01 Rev A
Proposed Ground Floor Plan 10103FL PA02
Proposed First Floor Plan 10103FL PA03
Proposed Second Floor Plan 10103FL PA04
Proposed Roof Plan 10103FL PA05 Rev A
Proposed Elevation A - Crookham Rd Elevation 10103FL PA06
Proposed Elevation B - Walton CI 10103FL PA07
Proposed Elevation C - St James Rd 10103FL PA08
Proposed Elevation D - St James CI 10103FL PA09
Indicative PV Layout C526-Fleet-Mech
Soft Landscape Strategy 12773_TG_P01 Rev B
Preliminary Drainage Layout PDL-101 Rev A
Proposed Lighting Plan 10103FL- SK001
Parking Swept Path Analysis ATR-101 Rev A

Reason

To ensure that the development is carried out in accordance with the approved plans and particulars.

Pre-commencement Conditions

3. Demolition and Construction Management Plan

No development shall commence until a demolition and construction management plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details of:

1. A programme of demolition and construction works;
2. Methods and phasing for demolition and construction works;
3. Locations of temporary site buildings, compounds, construction material and plant storage areas;
4. Parking of vehicles of site operatives and visitors;
5. Loading and unloading of plant and materials;
6. Demolition and construction traffic management;
7. Wheel washing facilities;

8. Measures to control the emission of dust and dirt during construction; and
9. A scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall take place in accordance with the approved demolition and construction management plan.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.

4. Detailed Surface Water Drainage Strategy

No development shall take place until a detailed surface water drainage strategy based on the principles within drawing no. Preliminary Drainage Layout PDL-101 Rev A has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include:

1. A technical summary highlighting any changes to the design from that within the approved preliminary drainage layout;
2. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients;
3. Detailed hydraulic calculations for all rainfall events, including those listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including discharge location. The results should include design and simulation criteria, network design and results tables, manholes schedules tables and summary of critical results by maximum level during the 1 in 1, 1 in 30, 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout;
4. Evidence that urban creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
5. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall take place and retained in accordance with the approved detailed surface water drainage strategy.

Reason

To prevent on-site and off-site flood risk from increasing from the proposed drainage system and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and Fleet Neighbourhood Plan Policy 10.

Could the condition exclude demolition?...With the exception of demolition, no development shall take place.....

5. Contamination Strategy

No development shall take place until a detailed decontamination strategy in relation to the underground fuel tank on the site has been submitted to, and approved in writing by, the Local Planning Authority. The development shall take place in accordance with the approved detailed decontamination strategy.

Reason

To ensure safe living conditions for future residents and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE11.

Again, could the condition exclude demolition as it is specific to underground fuel tank

Pre-above Ground Works Conditions

6. Materials

No above ground construction shall take place until details and samples of all external surfaces 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

To ensure that the external appearance of the building is satisfactory and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9, Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Fleet Neighbourhood Plan Policy 10.

7. Hard Landscaping

No above ground works shall take place until full details of hard landscaping have been submitted to, and approved in writing by, the local planning authority.

Hard landscaping details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure, hard surfacing materials and lighting features. The approved hard landscaping details shall be implemented prior to occupation of any of the dwellings hereby permitted and retained thereafter.

Reason

To ensure that the external appearance of the development is satisfactory and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9, Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Fleet Neighbourhood Plan Policy 10.

8. Refuse Storage and Management

No above ground works shall take place until full details of refuse storage and management have been submitted to, and approved in writing, by the Local Planning Authority. Refuse details shall include bin store locations, design details, capacity and route(s) to and from the properties for collections. The development shall take place in accordance with the approved refuse storage and management details and retained thereafter.

Reason

To ensure that adequate refuse storage is provided and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9.

Appellant's evidence includes commentary on waste capacity requirements. If agreed through evidence I would welcome reference to 'capacity' removed so we don't have to revisit the issue again. Condition could specify bins in accordance with Appellant's waste requirements.

9. Photovoltaic Panels

No above ground works shall take place until full details of the proposed photovoltaic panels have been submitted to, and approved in writing, by the Local Planning Authority. The development shall take place in accordance with the approved photovoltaic panel details and retained thereafter.

Reason

To reduce the emission of greenhouse gases and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9.

10. Ecology (Swift Bricks)

No above ground works shall take place until details of the quantity and location of swift bricks has been submitted to, and approved in writing by, the local planning authority. The development shall take place in accordance with the approved swift brick details and retained thereafter.

Reason

To deliver a net gain in biodiversity and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE4.

Pre-occupation Conditions

11. Surface Water Drainage System Maintenance

No dwellings shall be occupied until details for the maintenance of the surface water drainage system has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include:

1. Maintenance schedules for each drainage feature type and ownership; and
2. Details of protection measures.

The development shall take place in accordance with the approved surface water drainage system maintenance details and retained thereafter.

Reason

To prevent on-site and off-site flood risk from increasing from the proposed drainage system and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and Fleet Neighbourhood Plan Policy 10.

12. Wastewater

No dwellings shall be occupied until one of the following has been submitted to, and approved in writing by, the Local Planning Authority:

1. Confirmation that wastewater capacity exists off site to serve the development; or
2. A housing and infrastructure phasing plan agreed with Thames Water; or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

The development shall take place in accordance with the approved details and retained thereafter.

Reason

To prevent on-site and off-site flood risk from increasing from the proposed drainage system and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE5 and Fleet Neighbourhood Plan Policy 10.

13. Car Park Management

No dwellings shall be occupied until a car parking management has been submitted to, and approved in writing, by the Local Planning Authority. The car park management plan shall include details, as applicable, of the management of parking and how many spaces will be reserved for resident parking, staff parking and any visitor parking and how visitor permits would be issued. The development shall take place in accordance with the approved car park management details and retained thereafter.

Reason

To ensure that the car parking with the development is satisfactorily managed, to prevent the likelihood of on-street car parking and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy INF3, Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Fleet Neighbourhood Plan Policies 10 and 19.

The Appellant considers this condition is unnecessary and not enforceable and should be deleted. It would also introduce no flexibility in the use of the parking spaces for the development which is unsustainable and counter intuitive to the reason the Council have given for the condition.

Compliance Conditions

14. Age Restriction

The age restricted dwellings hereby permitted shall be occupied only by:

1. Persons of 60 years or over.
2. Persons of 55 years or over living as part of a single household who is a spouse or partner of a persons of 60 years or over.

Reason

To ensure that the development is carried out in accordance with application and delivers age restricted housing.

15. Soft Landscaping

Soft landscape shall take place in accordance with drawing no. Soft Landscape Strategy 12773_TG_P01 Rev B.

Any such vegetation removed without the local planning authority's consent, or which die or become, in the authority's opinion, seriously damaged or otherwise defective during a period of five years following occupation shall be replaced and/or shall receive remedial action as required by the authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the authority in writing.

Reason

To ensure that the external appearance of the development is satisfactory and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE9, Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Fleet Neighbourhood Plan Policy 10.

16. Parking Provision and Retention

The development shall not be occupied until the approved parking for mobility scooters, cycles and vehicles has been provided in accordance with drawing no. Proposed Site Plan 10103FL PA01 Rev A. The parking shall be maintained at all times to allow them to be used as such.

Reason

To ensure that the development is provided with adequate parking to prevent the likelihood of on-street car parking and to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy INF3, Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 Saved Policy GEN1 and Fleet Neighbourhood Plan Policies 10 and 19.

17. Sustainable Water Use

All new homes within the development must meet the water efficiency standard of 110 litres/person/day and retained thereafter.

Reason

To reduce water demand in to satisfy Hart Local Plan (Strategy and Sites) 2032 Policy NBE7.

18. Construction Hours

No development, working on the site or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours Saturdays. No development, working on the site or delivery of materials shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

To protect the amenity of nearby residential occupiers and to satisfy Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006.