

Rydon Homes Ltd
Peter Rainier

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

PERMISSION

REFERENCE: DM/20/4692

DESCRIPTION: PROPOSED ERECTION OF 30 DWELLINGS (30% AFFORDABLE). THERE WILL BE A MIX OF DWELLING TYPES INCLUDING 1 BED APARTMENTS AND 2, 3 AND 4 BED HOUSES. (AMENDED PLANS AND ADDITIONAL SUBMISSION RECEIVED 27/4) (FURTHER INFO AND PLANS - VISIBILITY AND RSA 8/6, TREES 9/6, DRAINAGE AND FRA 18/6 AND LOCATION PLAN 23/6) (DRAINAGE STRATEGY AND HIGHWAYS TECHNICAL NOTE RECEIVED 26/8/21 AND ADDITIONAL HIGHWAYS, ACCESS AND OWNERSHIP INFORMATION SUBMITTED 11/11/21) (TECHNICAL NOTE AND SUPPORTING LETTER RECEIVED 14/9/22, BRIEFING NOTE ON BNG AND REPTILE MITIGATION RECEIVED 6/2/23)

LOCATION: LAND SOUTH OF ST STEPHENS CHURCH, HAMS LAND, HORSTED KEYNES, WEST SUSSEX

DECISION DATE: 1 AUG 2023

CASE OFFICER: STUART MALCOLM - STUART.MALCOLM@MIDSUSSEX.GOV.UK

The Council hereby notify you that they **GRANT** planning permission for the above development to be carried out in accordance with the submitted application and plans and subject to compliance with the following conditions:-

1. Time Limit

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Pre-development

Prior to the commencement of any development above ground/slab level a schedule of materials and finishes to be used for the external facings of the proposed buildings shall have been submitted to and approved by the Local Planning Authority. The materials should be based on the High Weald Colour Study and High Weald Design Guide, should reflect those used in the local area and be locally sourced where possible.

The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To achieve a development of visual quality in the AONB and to accord with Policies DP16 and DP26 of the Mid Sussex District Plan and Policy HK4 of the Neighbourhood Plan.

3. Prior to the commencement of any development above ground/slab level a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include additional planting along the boundaries of the site, planting plans using native species - in particular to replace ash trees lost to dieback disease - that are locally sourced where possible, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes and proposed numbers/ densities and details of a long term management plan for the trees and hedgerows as well as any other soft landscaped area within the application site that does not fall within private gardens and that accords with the provisions of the LEMP.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To achieve a development of visual quality in the AONB and to accord with Policies DP16, DP26 and DP37 of the Mid Sussex District Plan and Policy HK4 of the Neighbourhood Plan.

4. Prior to the commencement of any development above ground/slab level a scheme a hard landscaping scheme for the site shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include all hard surfacing materials, means of enclosure and other boundary treatments, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (for example the pumping station, refuse and / or other storage units, lighting and similar features, any retaining structures). The scheme shall also have reference to the High Weald Design Guide and ensure that close board fences are not used as garden boundaries where they would be viewed from public areas.

The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To achieve a development of visual quality in the AONB, to protect neighbouring residential amenity and to accord with Policies DP16 and DP26 of the Mid Sussex District Plan and Policy HK4 of the Neighbourhood Plan.

5. Prior to commencement of development (including any demolition, groundworks and site clearance but excluding any ecological work the scope of which must first be confirmed and approved in writing by the Local Planning Authority) an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
 - a. Measures for the protection of those trees and hedges on the application site that are to be retained;
 - b. Details of all construction measures within the 'Root Protection Area' of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstanding, roads and footpaths;
 - c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To achieve a development of visual quality in the AONB and to accord with Policies DP16, DP26 and DP37 of the Mid Sussex District Plan and Policy HK4 of the Neighbourhood Plan.

6. Prior to the commencement of any development above ground/slab level details of the proposed foul and surface water drainage and means of disposal shall have been submitted to and approved in writing by the local planning authority. The details shall include the delivery of SuDS in the southern part of the site, a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and management during the lifetime of the development should be in accordance with the approved details.

No building shall be occupied until all the approved drainage works have been carried out in accordance with the approved details.

Reason: To ensure that the proposal is satisfactorily drained and to accord with Policy DP41 of the District Plan Policy HK12 of the Neighbourhood Plan and the NPPF.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall proceed in accordance with the agreed details.

Reason: In the interests of archaeology and heritage assets and to accord with Policy DP34 of the District Plan and the NPPF.

8. Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Environmental Management Plan shall include amongst other matters details of:

- measures to control noise or vibration affecting nearby residents;
- artificial illumination;
- dust control measures;
- pollution incident control and site contact details in case of complaints.
- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

The construction works shall thereafter be carried out at all times in accordance with the approved Construction Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of highways safety and to protect the amenity of local residents and to accord with Policies DP21 and DP26 of the District Plan and Policy HK5 of the Neighbourhood Plan.

9. Prior to the commencement of any development above ground/slab level details, a scheme of mitigation measures to improve air quality relating to the development shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be in accordance with, and to a value derived in accordance with, the "Air Quality and Emissions Mitigation Guidance for Sussex" which is current at the time of the application. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Reason: to preserve the amenity of local residents regarding air quality and emissions and to accord with Policy DP26 of the District Plan and Policy HK5 of the Neighbourhood Plan

10. Prior to the commencement of the development a Non-Licensed Great Crested Newt Precautionary Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and to accord with Policy DP38 of the District Plan and HK10 of the Neighbourhood Plan.

11. The development hereby permitted shall not commence unless and until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of 'biodiversity protection zones'.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species) and to accord with Policy DP38 of the District Plan and HK10 of the Neighbourhood Plan.

12. Prior to the commencement of any development above ground/slab level details a Biodiversity Net Gain Design Stage Report, shall be submitted to and approved in writing by the local planning authority, which provides measurable biodiversity net gain detailed in the Briefing Note: Biodiversity Net Gain Assessment and Reptile Mitigation Strategy (Ecology Solutions, July 2022) Briefing Note: Ecology Response (Ecology Solutions, May 2023), using the DEFRA Biodiversity Metric 3.1 or any successor.

The content of the Biodiversity Net Gain report should include the following:

- Baseline data collection and assessment of current conditions on site;
- A commitment to measures in line with the mitigation hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;
- Provision of the full BNG calculations, with plans for pre and post development and detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;
- Details of the implementation measures and management of proposals;
- Details of any off-site provision to be secured by a planning obligation or conservation covenant or contractual agreement;
- Details of the monitoring and auditing measures.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

Reason: In order to demonstrate measurable biodiversity net gains and allow the LPA to discharge its duties under the NPPF (2021) and to accord with Policy DP38 of

the District Plan, Policy SA GEN of the Site Allocations DPD and HK10 of the Neighbourhood Plan.

13. Prior to the commencement of any development above ground/slab level details a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Briefing Note: Onsite Habitat Management Measures (Ecology Solutions, May 2023), Briefing Note: Offsite Habitat Management Measures (Ecology Solutions, May 2023), Briefing Note: Biodiversity Net Gain Assessment and Reptile Mitigation Strategy (Ecology Solutions, July 2022)) and Ecological Assessment (Ecology Solutions, December 2020) shall be submitted to and approved in writing by the local planning authority.

The plan shall include provisions for, and results of, an updated badger survey to be undertaken within the 3 months prior to the commencement of development and a licence to be obtained if there is any evidence that development would damage or destroy a sett or disturb badgers whilst occupying a sett (including noise and vibration from earth moving machinery).

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and to accord with Policy DP38 of the District Plan, Policy SA GEN of the Site Allocations DPD and HK10 of the Neighbourhood Plan.

14. Prior to the commencement of any development above ground/slab level, a Landscape and Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details and prior to the occupation of any dwellings.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species) and to accord with Policy DP38 of the District Plan and HK10 of the Neighbourhood Plan.

15. Prior to the commencement of any development above ground/slab level details showing the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Reason: In the interests of amenity and in accordance with The Fire and Rescue Service Act 2004.

16. No development shall take place above slab level unless and until the applicant has submitted a Sustainability Statement that sets out clearly what sustainable measures will be incorporated into the development aimed at minimising the amount of energy that the buildings will use.

Reason: In the interests of sustainability and to accord with Policy DP39 of the District Plan, Policy SA GEN of the Site Allocations DPD and Policy HK11 of the Neighbourhood Plan.

17. No development shall take place unless and until full details of the existing and proposed site levels (to include finished floor levels) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure that the development does not prejudice the appearance of the locality or amenities of existing or future residents and to accord with Policy DP26 of the District Plan and HK4 of the Neighbourhood Plan.

18. Construction

Construction work on the site, including the use of plant and machinery, necessary for implementation of this consent shall, unless otherwise agreed in writing, be limited

to the following times:

Monday -Friday 08:00 - 18:00 Hours

Saturday 09:00 - 13:00 Hours

Sundays and Bank/Public Holidays No work permitted

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the District Plan and HK5 of the Neighbourhood Plan.

19. Deliveries or collection of plant, equipment or materials for use during the construction phase shall, unless otherwise agreed in writing, be limited to the following times:

Monday to Friday: 08:00 - 18:00 hours;

Saturday: 09:00 - 13:00 hours

Sunday & Public/Bank holidays: None permitted

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the District Plan and HK5 of the Neighbourhood Plan.

20. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Briefing Note: Onsite Habitat Management Measures (Ecology Solutions, May 2023), Briefing Note: Ecology Response (Ecology Solutions, May 2023), Ecological Assessment (Ecology Solutions, December 2020) and the Briefing Note: Biodiversity Net Gain Assessment and Reptile Mitigation Strategy (Ecology Solutions, July 2022)), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and to accord with Policy DP38 of the District Plan and HK10 of the Neighbourhood Plan.

21. The development shall be constructed in accordance with the applicant's Site Waste Management Plan (November 2020).

Reason: In the interests of sustainability and to accord with Policy DP39 of the District Plan, Policy SA GEN of the Site Allocations DPD and Policy HK11 of the Neighbourhood Plan.

22. Pre-Occupation/Use of buildings

A minimum of 20 percent of the dwellings shall be built to meet national standards for accessibility and adaptability (Category M4(2) of the Building Regulations). These shall be fully implemented prior to completion of the development and thereafter be so maintained and retained. No dwelling shall be occupied until a verification report confirming compliance with category M4(2) has been submitted to and agreed with the Local Planning Authority. Unless an exception is otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development provides a range of house types to meet accessibility and adaptability needs to comply with Policy DP28 of the Mid Sussex District Plan.

23. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to accord with Policy DP21 of the District Plan.

24. A lighting design scheme for biodiversity and protecting the dark skies of the AONB (Institute of Lighting Professionals recommended light control zone E1) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are

likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats and species), to protect neighbouring residential amenity and the AONB and to accord with Policies DP16, DP26 and DP38 of the District Plan.

25. Prior to the first occupation of any dwelling/residential unit forming part of the proposed development that they will at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved location to BS 750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with The Fire & Rescue Service Act 2004.

26. Before the development hereby permitted is occupied, details of the refuse and recycling shall be provided as part of the development in accordance with elevational drawings of any enclosures where relevant to first be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development and to accord with Policy DP26 of the District Plan and HK4 of the Neighbourhood Plan.

27. The development hereby permitted shall not be occupied/brought into use until the following components of a scheme to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

and unless otherwise agreed in writing by the LPA,

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

and, unless otherwise agreed in writing by the LPA,

c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

and, unless otherwise agreed in writing by the LPA,

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with the NPPF.

28. No part of the development shall be first occupied until such time as the vehicular access, footway and dropped kerb/tactile paved crossings serving the development have been constructed in accordance with the details shown on the drawing titled Proposed Site Access and Visibility Splay and numbered JNY1008403 Rev G.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan and SA GEN and SA29 of the Site Allocations DPD.

29. No part of the development shall be first occupied until visibility splays of 2.4 metres by 35 metres east and 2.4 metres by 36.1m west have been provided at the proposed site vehicular access onto Hamsland in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and to accord with Policy DP21 of the District Plan and SA GEN and SA29 of the Site Allocations DPD.

30. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and to accord with Policy DP21 of the District Plan and SA GEN and SA29 of the Site Allocations DPD.

31. No part of the development shall be first occupied until such time as the Travel Information Pack has been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport and to accord with Policy DP21 of the District Plan and SA GEN and SA29 of the Site Allocations DPD.

32. Post-occupation / management

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended in the future no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the ground floor of the north west elevation of Plot 5 (as shown on the approved plan) without the prior specific grant of planning permission by the Local Planning Authority.

Reason: To protect the amenity of local residents and to accord with Policy DP26 of the District Plan and HK5 of the Neighbourhood Plan.

33. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading 'Plans Referred to in Consideration of this Applications'.

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

INFORMATIVES

1. The proposed development will require formal address allocation. You are advised to contact the Council's Street Naming and Numbering Officer before work starts on site. Details of fees and developers advice can be found at www.midsussex.gov.uk/streetnaming or by phone on 01444 477175.
2. No burning of demolition/construction waste materials shall take place on site.
3. You are advised that this planning permission requires compliance with a planning condition(s) **before development commences**. You are therefore advised to contact the case officer as soon as possible, or you can obtain further information from: <https://www.gov.uk/guidance/use-of-planning-conditions#discharging-and-modifying-conditions> (Fee of £116 will be payable per request). If you carry out works prior to a pre-development condition being discharged then a lawful start will not have been made and you will be liable to enforcement action.
4. You are advised to consult with the Parish Council to discuss with them the draft Construction Management Plan, prior to this being formally submitted to the District Council for approval.
5. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
7. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the

Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

8. The applicant is advised that in respect of condition 16 (sustainability statement) it is expected that the possibility of introducing renewable energy technology into the scheme will be fully explored and discussed in the submissions. The results of this approach will be submitted as part of the statement with renewable technologies subsequently incorporated into the scheme where possible.

Human Rights Implications

The planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	1044-FA-01	A	23.06.2021
Proposed Site Plan	1044-FA-02	Rev B	27.04.2021
Site Plan	1044-FA-03	Rev B	27.04.2021
Planning Layout	1044-FA-04	Rev B	27.04.2021
Parking Layout	1044-FA-05	Rev B	27.04.2021
General	1044-FA-06	Rev B	27.04.2021
General	1044-FA-07	Rev B	27.04.2021
Tree Survey	1044-FA-08	Rev B	27.04.2021
Street Scene	1044-FA-100		21.12.2020
Survey	HHK/1760/1 of 3a		21.12.2020
Survey	HHK/1760/2 of 3a		21.12.2020
Survey	HHK/1760/3 of 3a		21.12.2020
Proposed Floor Plans	1044-FA-10B	Rev B	27.04.2021
Proposed Floor Plans	1044-FA-10		21.12.2020
Proposed Elevations	1044-FA-11A	Rev B	27.04.2021
Proposed Elevations	1044-FA-11B	Rev B	27.04.2021
Proposed Floor Plans	1044-FA-12	Rev A	27.04.2021
Proposed Elevations	1044-FA-13	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-14		21.12.2020
Proposed Elevations	1044-FA-15	Rev B	27.04.2021
Proposed Floor Plans	1044-FA-16	Rev A	27.04.2021
Proposed Elevations	1044-FA-17	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-18	Rev A	27.04.2021
Proposed Elevations	1044-FA-19	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-20		21.12.2020
Proposed Elevations	1044-FA-21		21.12.2020
Proposed Floor Plans	1044-FA-22	Rev A	27.04.2021
Proposed Elevations	1044-FA-23	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-24		21.12.2020
Proposed Elevations	1044-FA-25		21.12.2020
Proposed Floor Plans	1044-FA-26	Rev A	27.04.2021

Proposed Elevations	1044-FA-27	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-28A	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-28B	Rev A	27.04.2021
Proposed Elevations	1044-FA-29A	Rev A	27.04.2021
Proposed Elevations	1044-FA-29B	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-30	Rev A	27.04.2021
Proposed Elevations	1044-FA-31	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-32	Rev A	27.04.2021
Proposed Elevations	1044-FA-33	Rev B	27.04.2021
Proposed Elevations	1044-FA-35	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-36	Rev A	27.04.2021
Proposed Elevations	1044-FA-37	Rev A	27.04.2021
Proposed Floor Plans	1044-FA-38	Rev A	27.04.2021
Proposed Elevations	1044-FA-39	Rev A	27.04.2021
Proposed Floor and Elevations Plan	1044-FA-40	A	04.01.2021
Proposed Floor Plans	1044-FA-34B	Rev B	27.04.2021
General	1044-FA-201		27.04.2021
Proposed Floor Plans	1044-FA-34A	Rev A	27.04.2021
Access Plan	JNY10084/03	G	14.09.2022
Access Plan	JNY10084/33	A	14.09.2022
Access Plan	JNY10084/30	B	14.09.2022
Access Plan	JNY10084/04	F	14.09.2022
Access Plan	JNY10084/32		14.09.2022
Access Plan	JNY10084/31		14.09.2022

SA Benfield

Assistant Director Planning and Sustainable Economy

NB: IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS FORM

PEFULZ

APPEALS TO THE SECRETARY OF STATE

Notes for Applicants

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.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice;

However, if

- (i) this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- (ii) an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
 - 28 days of the date of service of the enforcement notice, or
 - within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).