

Delegated Report

Planning Ref: 24/00106/CONDIT & 24/00146/CONDIT

Applicant: Forsythe Estates NJ Ltd

Ward: Twycross, Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Moores Arms, 6 Orton Lane, Norton Juxta Twycross

Proposal: Variation of condition 2 of planning permission 22/00563/LBC & 21/01146/FUL. Amendments to Plot 1.

Recommendations

- 1.1. **Grant planning permission** subject to the conditions at the end of this report.

Planning Application Description

- 2.1. This application seeks minor material changes to permissions 21/01146/FUL and 22/00563/LBC which was for the partial demolition and change of use of a former public house (Grade II Listed) into 1no. dwellinghouse, along with the demolition of associated outbuilding and construction of 2no. new dwellings and associated garages, which was approved in December 2023.
- 2.2. This variation of conditions application solely relates to the Moores Arms former public house building (Plot 1) and not the demolition of the outbuilding and construction of two dwellings which also formed part of the original permissions. Specifically, the changes relate to:
- *The application of a thin lime-based render to all elevations of the building (other than the chimney stacks).*
 - *Allowing for a potential rebuild of the chimney stacks in re-used/re-claimed bricks (if required).*
 - *Replacing the modern bay window to the side elevation with a casement window.*
 - *Replacing a door within the side bay to the side elevation with a window.*
 - *Altering the dimensions and form of the fenestration on the rear elevation.*
 - *Altering the form of the fenestration on the front elevation including inserting a new window into a former opening.*
 - *An extension to the existing flat roofed dormer on the side elevation.*
 - *Addition of 6no. conservation style roof lights to the side elevation.*
 - *Altering the number and form of windows on the ground floor of the side elevation.*
 - *Internal alterations to provide a different arrangement of rooms for the dwelling.*
- 2.3. The revised drawings for Condition 2 (approved plans) are:
- Proposed Site Plan – Drawing No. 06f
 - Proposed Site Block Plan – Drawing no. 05b
 - Plot 1 Elevations and Floor Plans – Drawing no. 08e
 - Plot 2 Elevations and Floor Plans – Drawing no. 10c
 - Plot 3 Elevations and Floor Plans – Drawing no. 11a

- Proposed Garage/Car Port Plans and Elevations – Drawing no. 12a
- Levels and street scenes – Drawing no. 15g
- Vehicle tracking plan – Drawing No. 16

Description of the Site and Surrounding Area

- 3.1. The application site is located at the junction of Orton Lane and Cock Lane and on a bend of Orton Lane towards the north-west of the village. To the north-east of the site is the Church of the Holy Trinity and its associated churchyard. The street scene of Orton Lane has a mixed character, which consists of the Church, churchyard and the 18th century buildings upon and adjacent to the application site reflecting the historic development of Norton Juxta Twycross, and the plots in between having been developed during the late-20th to early-21st centuries with large predominantly two-storey detached dwellings of varying architectural styles including gabled designs and those with locally distinctive eyebrow dormer windows.

- 3.2. The Moore's Arms is a grade II listed building of special historic and architectural interest. The listed building entry identifies the building as: *"Public house. Mid to late C18. Painted brick with plain tile roofs and brick end stacks. 2 storeys with first floor band. 2 window front: 3-light glazing bar casements with segmental-headed openings. Plain central door with segmental headed opening. Single-storey single-bay brick wings to left and right; the former has a flat roofed canted bay, and the latter a glazing bar casement to the centre and a door to the left. Interior: Chamfered ceiling beams. Open fireplace with salt and spice boxes."*

- 3.3. The Moore's Arms is located within the south-eastern corner of a large plot which also includes an existing outbuilding immediately to the north, and areas of former car parking and garden land that served the pub further to the north and within the western section of the site. The large plot is considered to form the curtilage of the pub. The outbuilding immediately to the north of the pub was historically a pair of cottages with attached rear range, likely being a barn, that appears contemporary in age to the pub. The outbuilding was within the same ownership and within a use ancillary to the function of the pub at its time of listing in 1989 and given such a use and function and its physical proximity to the pub it is considered that the outbuilding is a curtilage listed structure also covered by the listing of the pub. The outbuilding is a building of historic and architectural interest, which despite its generally poor state of repair sits comfortably besides the pub and contributes positively to the character of the historic core of the settlement.

Relevant planning history

23/00005/REM

- Approval of reserved matters (Appearance Layout and Landscaping) following Outline Approval 21/00537/OUT for 1 dwellinghouse
- Permitted
- 15.02.2023

22/00563/LBC

- Demolition of existing outbuilding in the curtilage of a Grade II listed building. To be read in conjunction with 21/01146/FUL
- Permitted
- 07.12.2023

21/01146/FUL

- Partial demolition and change of use of a former public house (Grade II Listed) into 1no. dwellinghouse.
- Permitted
- 07.12.2023

21/00537/OUT

- 1No. Dwellinghouse
- Permitted
- 17.11.2022

95/00155/FUL

- Erection of a dwelling
- Permitted
- 09.03.1995

Publicity

- 5.1. Neighbouring properties have been notified of the application.
- 5.2. One neutral representation was received in response to the neighbour notification asking for clarification in terms of what the proposed changes were.

Consultation

- 6.1. All those consulted on the original full and listed building applications (21/01146/FUL and 22/00563/LBC) have been re-consulted and no objections have been received.

Policy

- 7.1. Core Strategy (2009)
 - Policy 13: Rural Hamlets
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)

- Planning Practice Guidance (PPG)
- National Design guide (2019)

7.4. Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highways Design Guide

Appraisal

8.1. The principle of development has been established under applications 21/01146/FUL and 22/00563/LBC. The key issues are therefore:

- Design and Impact upon the Character of the Area
- Impact on the significance of heritage assets
- Impact upon Residential Amenity
- Conditions

Design and Impact upon the Character of the Area

8.2. Policy DM10 the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.

8.3. The Council's Good Design Guide outlines that development will need to provide high quality design including internal amenity space, minimum garden sizes and separation distances between habitable room windows. The Guide also promotes a healthy, comfortable and safe internal and external environment. It provides guidance on detailed design and is supported in its aims to ensure good design in all development by paragraph 134 of the NPPF which states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance. Local policy is considered to accord with the NPPF. Policy DM10 is therefore consistent with the NPPF (2021).

8.4. The proposed materials schedule is acceptable as are the slight change to the levels. The revisions to the design of the dwelling on Plot 12 on the site are considered to be material but minor in nature. The amended Landscape plan now includes hedgerow left of the entrance along Desford Lane and is overall acceptable. The proposed are considered to accord with the requirements of the NPPF, Policy DM10 and the Good Design Guide.

Impact on heritage assets

8.5. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area.

8.6. The building dates from the mid to late 18th century and was originally constructed of a red brick, but the front, side and rear elevations have been covered in a combination of paint and thin cement-based render. The side 2 elevation (facing the outbuilding) consists of varying types of brickwork which demonstrate the stages of development of the building. Not all brickwork to this elevation is of heritage interest,

but most brickwork is in a poor state of repair. Inspections have indicated that the existing painted/render finishes have caused damage to the original solid walls of the building and this issue needs remedying. Removal of the existing paint and cement-based render, and application of a thin coat of lime render throughout should allow for the traditional 'breathable' performance of the building to be reinstated to the benefit of its long-term conservation. The shallow depth of the lime render finish allows for the minor architectural detailing to the building, including the string courses and brick corbelling, to remain prominent.

- 8.7. The lime render finish would not be applied to the chimney stacks, with these instead remaining brick-built structures to reflect the original construction materials of the building. If following survey these stacks need to be rebuilt the re-use of the existing bricks or use of re-claimed bricks if required will maintain the traditional character and appearance of these features.
- 8.8. The bay window to the side elevation is a relatively modern addition of no particular heritage interest, so its replacement with a timber casement window set below a traditionally styled segmental arch and blue brick sill is considered to result in a minor enhancement to the significance of the building.
- 8.9. The proposed alterations to the fenestration across all elevations are all relatively minor in extent and the form and details of revised windows and doors would respect the character and appearance of the building. The use of rooflights to serve the revised internal accommodation appears justified so none are superfluous and given their siting on the side elevation away from the street scene in my opinion there would be no more than a negligible and not adverse impact from these additions upon the significance of the building and the character and appearance of the area.
- 8.10. Some internal re-ordering of rooms is proposed but as per the consented scheme the ground and first floor arrangements would respect the original plan form of the building and the chamfered ceiling beams, principal open fireplace and adjoining spice cupboards referred to within the listing description as particular features of interest are to be retained.
- 8.11. For the above reasons it is considered that the proposal would remain compatible with the significance of the grade II listed building the Moore's Arms and consequently, it would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990

Impact upon Neighbouring Residential Amenity

- 8.12. Policy DM10 of the SADMP states that development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.13. Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 8.14. In terms of the relationship between Plot 1 and Plot 2, the north elevation of Plot 1 contains one bedroom on the ground floor which face the south elevation of Plot 2. It is accepted that suitable boundary treatments would mitigate any overlooking issues, and the bathroom windows on the First Floor of Plot 2 would be obscurely glazed. The remaining central window on the First Floor of Plot 2 would not have a direct overlooking impact on the ground floor bedrooms of Plot 1.
- 8.15. The north elevation of Plot 1 contains several rooflights which would not result in overlooking impacts to Plot 2. This proposal extends a flat roof dormer window (two windows) along the northern elevation to improve head space on this floor. These windows serve a hallway and would face the south elevation of plot 2, which features three windows, two of which are obscurely glazed and serve bathrooms, and one bedroom window. To minimise the risk of perceived overlooking impacts, condition 12 of 24/00146/CONDIT has been amended to request obscure glazing for the extended dormer window.
- 8.16. It is acknowledged that the rear garden areas for Plots 1 and 2 are smaller than what would usually be expected for dwellings of this size (approximately 115sqm and 105 sqm). However, in the interests of making efficient use of the land it is considered that they are acceptable and would provide adequate amenity space for prospective residents. A condition to remove permitted development rights has been included to ensure that the gardens are not further minimised by extensions to the dwellings and to preserve residential amenity space in the future.
- 8.17. With the imposition of conditions, the proposal is considered to meet policies DM10(a) and (b) of the SADMP, the Good Design Guide SPD and national policy in the NPPF regarding neighbouring and occupier amenity.

Conditions

- 8.18. The full application 21/01146/FUL was issued with 13 conditions. Conditions attached to this permission would continue to apply. Condition 2 is amended to reflect the revised drawings 6f, 8e, and 15g, and condition 12 is amended to include obscure glazing on the extended dormer window on the north elevation.
- 8.19. The listed building application 22/00563/LBC was issued with 7 conditions. Condition 2 is amended to reflect the revised drawings 6f, 8e, and 15g. All other conditions attached to this permission would continue to apply.

Equality Implications

9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3 There are no known equality implications arising directly from this development.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1. The proposed development is considered to be compliant with relevant national and local policy and guidance as it:

- Is of an appropriate scale and design
- Would not have a harmful impact upon the character and appearance of the area
- Would not have a harmful impact on heritage assets
- Would not have a significantly detrimental effect on the amenity of neighbouring residents.

10.2. Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions set out below.

11 Recommendation

11.1 **Grant planning permission** subject to the conditions below.

24/00146/CONDIT:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission 21/01146/FUL (7/12/2023).

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Site Plan – Drawing No. 06f
- Proposed Site Block Plan – Drawing no. 05b
- Plot 1 Elevations and Floor Plans – Drawing no. 08e
- Plot 2 Elevations and Floor Plans – Drawing no. 10c

- Plot 3 Elevations and Floor Plans – Drawing no. 11a
- Proposed Garage/Car Port Plans and Elevations – Drawing no. 12a
- Levels and street scenes – Drawing no. 15g
- Vehicle tracking plan – Drawing No. 16

Reason: To ensure a satisfactory form of development and to preserve the special interest of the buildings in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the submitted details, before any development commences full details and/or samples of all external materials for the construction of the new dwellings (plot 2 and 3) and the garage block, including facing walls, roof tiles, details of proposed new windows, doors and roof lights, window cill and header treatments, and rainwater goods shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details.

Reason: To ensure that the development has a satisfactory external appearance in the interests of visual amenity and to preserve the significance of the listed building the Moore's Arms to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

4. The development hereby permitted shall not be occupied until such time as the access, parking and turning facilities have been implemented in accordance with Proposed Site Block Plan drawing number P / 002 (Revision A). Thereafter the onsite parking (and turning) provision shall be kept available for such use(s) in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

5. No dwelling as hereby approved shall be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:
 - i. proposed finished levels or contours
 - ii. hard surfacing materials
 - iii. retained trees and hedgerows
 - iv. planting plans
 - v. written specifications
 - vi. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
 - vii. implementation programme.

The landscaping scheme shall be carried out in accordance with the approved details in the first planting season following the date of the details being approved.

Reason: To enhance the appearance of the development and biodiversity of the site in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The development hereby approved shall be implemented in strict accordance with the measures stated in section 1.1 Mitigation Strategy of the Bat Survey report (Focus Environmental Consultants, July 2023). Long term replacement roost sites must be delivered prior to occupation of the development and be retained and maintained thereafter in perpetuity.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. If during development, contamination is found to be present at the site, no further development shall take place until a scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy DM7 of the adopted Site Allocations and Development Management Policies DPD (2016).

8. No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers. The scheme shall thereafter be retained in perpetuity.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

9. No development or demolition shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies Development Plan Document.

10. Notwithstanding the provisions of Part 1 of the Second Schedule of the Town & Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that order with or without modification), no buildings or enlargements permitted under classes A, B, C, D or E shall be carried out without the express permission of the Local Planning Authority.

Reason: To safeguard the rural character of the area in accordance with Policy DM4 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the advice contained in the NPPF

11. Site preparation and construction works shall be limited to the following hours: Mondays to Fridays between 07.30am to 18.00pm; Saturdays between 08.00am to 13.00pm and at no time on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of the occupiers of neighbouring dwellings from potential noise, vibration, and disturbance etc. in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Notwithstanding the approved plans all windows serving bathrooms or en-suites in all dwellings and the windows serving Bedroom 1 on the east (side) elevation of the first floor of Plot 3 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and thereafter shall be retained as such in perpetuity. Additionally, the dormer window serving the hallway on the north elevation of Plot 1 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and thereafter shall be retained as such in perpetuity.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. The development shall be carried out in accordance with the 'Nutrient Neutrality Assessment and Mitigation Strategy: Issue 1.2' received by the Local Planning Authority on 1st December 2023.

Reason: To protect the River Mease Special Area of Conservation and SSSI from additional phosphorus or pollutants arising from the development in accordance with the Habitats Regulations (The Conservation of Species and Habitats Regulations 2017[as amended]) and the advice contained in the National Planning Policy Framework 2023.

24/00106/CONDIT:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original listed building consent permission (7/12/2023).

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Site Plan – Drawing No. 06f
- Proposed Site Block Plan – Drawing no. 05B
- Plot 1 Elevations and Floor Plans – Drawing no. 08e
- Plot 2 Elevations and Floor Plans – Drawing no. 10c
- Plot 3 Elevations and Floor Plans – Drawing no. 11a
- Proposed Garage/Car Port Plans and Elevations – Drawing no. 12a
- Levels and street scenes – Drawing no. 15g
- Vehicle tracking plan – Drawing No. 16

Reason: To ensure a satisfactory form of development and to preserve the special interest of the buildings in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the submitted details, before any development commences full details and/or samples of all external materials for the construction of the new dwellings (plot 2 and 3) and the garage block, including facing walls, roof tiles, details of proposed new windows, doors and roof lights, window cill and header treatments, and rainwater goods shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details.

Reason: To ensure that the development has a satisfactory external appearance in the interests of visual amenity and to preserve the significance of the listed building the Moore's Arms to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

4. Before any development commences, details of any new and replacement windows and doors on each elevation of the listed building the Moore's Arms shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details. The details shall include the window and door style, window frame and door materials, window frame and door finish, and sectional and elevational window and door drawings to a recognised scale. Reason: To ensure that the development has a satisfactory external appearance in the interests of visual amenity and to preserve the significance of the listed building the Moore's Arms to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.
5. There shall be no occupation of Plot 3 authorised to be constructed pursuant to the planning permission 21/01146/FUL unless and until the repairs to the listed building The Moore's Arms have been completed in accordance with a schedule of repairs consented by listed building consent reference 22/00563/LBC.

Reason: To secure the enhancement of the significance of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

6. No demolition works to the curtilage listed outbuilding (plot 2) shall commence until a contract has been let to carry out the building operations permitted under this permission (or any superseding consent as first agreed in writing by the Local Planning Authority) has been made.

Reason: To avoid premature demolition which would be harmful to the setting of the listed building the Moore's Arms and to safeguard the local environment and in accordance with the aims and objectives of the NPPF and in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies DPD.

7. No development or demolition shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving in accordance with Policies DM11, DM12 and DM13 of

the Site Allocations and Development Management Policies Development Plan Document.

Informatives:

1. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
2. Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
3. The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor. 3 The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.
4. This development will require a European Protected Species licence to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution.