

LOCAL PLANNING AUTHORITY SUGGESTED LIST OF CONDITIONS

Site Address: 39 Fair Oak Road, Bishopstoke, Eastleigh, SO50 6LF

Appeal Reference: APP/W1715/W/23/3323461

Planning Application Reference: F/23/94642

The following list of conditions is put forward by the Local Planning Authority (LPA) on a without prejudice basis. For the avoidance of doubt, the presence of conditions on this list, so far as they pertain to matters the subject of the reason(s) for refusal as set out within the Council's decision notice, do not indicate that the LPA is satisfied that such matters could be adequately addressed by way of planning conditions. Rather their presence is such as to allow a degree of control to be exercised in relation to specific impacts of the development should the Inspector be minded to allow the appeal. In such an event, the LPA respectfully requests that these conditions be imposed.

Conditions and Reasons:

1. The development hereby permitted shall start no later than three years from the date of this decision.

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

2. The development hereby permitted shall be implemented in accordance with the following plans numbered:
 - Block Plans 001 A
 - Proposed Floor Plans 002
 - Proposed Elevations 003
 - Proposed Elevations 009 a

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

3. No development shall start on site until a Construction Environmental Method Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority, which shall include:

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long-term facilities for contractor parking;
- (c) The arrangement for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;

(g) Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e wheel washers), and onwards mitigation should this fail, such as the

employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process;

(h) Details of noise mitigation measures.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

4. No development shall start until details for the sustainable disposal of surface water and the disposal of foul sewerage from the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall then accord with the approved details.

Reason: To ensure satisfactory provision of foul and surface water drainage.

5. No development shall start until details for the treatment of site boundaries for the existing and proposed dwellings (including the existing unauthorised fencing) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the boundary treatment have been provided in accordance with the approved details and these shall be retained thereafter.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

6. No development shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

a) The scheme shall cover all hard & soft landscaping (including biodiversity enhancements) and shall provide details of timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.

b) If, within a period of 10 years after planting, any tree or plant is removed, dies or becomes in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as that originally approved shall be planted at the same place within the next planting season, unless the Local Planning Authority gives its consent to any variation.

Reason: In the interests of the visual amenity of the locality and to safeguard the amenities of neighbouring residents.

7. No development shall start until details for the onsite provision of bin & cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the storage facilities have

been constructed in accordance with the approved details and these shall thereafter be retained and kept available for bin and cycle storage only.

Reason: To ensure the adequate provision of onsite facilities in the interest of the amenity of the area and to encourage the use of alternative transport to the private car.

8. Notwithstanding the approved plans / details, no development shall start until full details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 a satisfactory visual appearance in the interest of the amenities of the area.

9. The development hereby permitted shall not be brought into use until a minimum of 2 car parking spaces have been provided within the curtilage of the site and thereafter maintained and kept available for this purpose.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

10. The development hereby permitted shall not be brought into use until at least 2 car parking spaces have been provided for the retained dwelling at No.39 Fair Oak Road in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall thereafter be retained and kept available for vehicle parking only.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

11. No burning of materials obtained by site clearance or any other source shall take place during the demolition, construction and fitting out process.

Reason: To protect the amenities of the occupiers of nearby properties.

12. No construction, demolition or deliveries to the site shall take place during the demolition and construction period except between the hours of 0800 to 1800 Mondays to Fridays or 0900 to 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the occupiers of nearby dwellings.

13. Prior to the first occupation of the approved development, supporting information to confirm the predicted internal mains water consumption will achieve a maximum level

of 110 litres/person/day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To achieve water efficiency requirements in the interest of environmental sustainability, in accordance with Policy DM2 of the Eastleigh Borough Local Plan 2016-2036.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development permitted by Classes A, B, and E of Part 1, Schedule 2 and Class A of Part 2, Schedule 2 of the Order shall be carried out to the retained and proposed dwelling without the prior written consent of the Local Planning Authority.

Reason: To ensure the provision of an appropriate level of amenity space and in the interest of maintaining a good quality environment for future occupiers and neighbours.

15. The development hereby permitted shall not be occupied until a mitigation package addressing the additional nutrient inputs arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such a mitigation package shall address all of the additional nutrient loading upon protected European sites from the development and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of those European Sites, having regard to the conservation objectives for they are designated. The mitigation package shall be implemented in full and evidence of this provided to the Local Planning Authority in writing prior to first occupation of the development.

Reason: To mitigate the nitrates impacts arising from the development upon the European protected Solent Complex in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017.

16. Prior to the first occupation of the approved development, supporting information to confirm the predicted internal mains water consumption will achieve a maximum level of 110 litres/person/day shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: To achieve water efficiency requirements in the interest of environmental sustainability, in accordance with Policy DM2 of the Eastleigh Borough Local Plan 2016-2036.

17. Prior to first occupation of the approved development, evidence that the dwelling complies with Part M4(2) standard (Accessible and adaptable dwellings) of the building regulations for new build residential development (or future equivalent), shall be submitted to and approved in writing by the Local Planning Authority. The

development shall not be carried out otherwise than in accordance with the approved details.

Reason: To ensure the development meets higher national access standards in accordance with Policy DM29 of the Eastleigh Borough Local Plan 2016-2036.

Note to Inspector:

It is noted on the submitted 'Block Plans 001 A' the existing dwelling no.39 Fair Oak Road, appears to benefit from a wrap around extension. The Officer photos also show there to be a two-storey element. Should the Inspector be minded to grant the appeal they would be reminded to consider how best to address this element, so as not to prejudice any future application that would be required for these unauthorised extensions.

The unilateral undertaking together with the suggested conditions above would in combination secure the necessary mitigations.