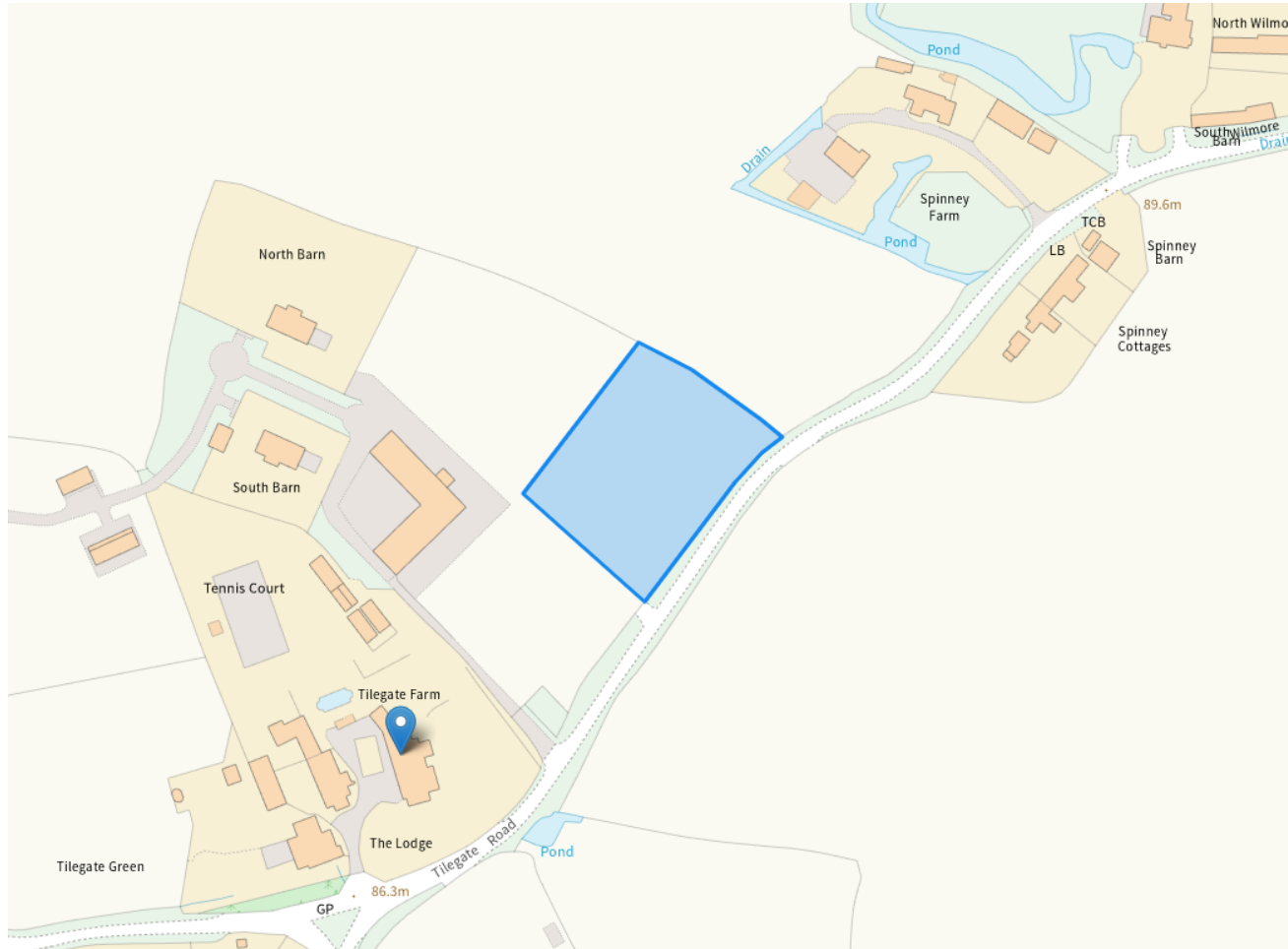




Epping Forest District Council

EFDC



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Application Number:	EPF/2883/22
Site Name:	Land Adjacent to Tilegate Farm, Tilegate Road, High Laver, Ongar, CM5 0EA

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2013

OFFICER REPORT

Application Ref: EPF/2883/22
Application Type: Full planning permission
Applicant: Mr & Mrs C Sullivan
Case Officer: Kie Farrell
Site Address: Land Adjacent to Tilegate Farm, Tilegate Road, High Laver, Ongar, CM5 0EA
Proposal: Construction of a natural pond together with new tree planting and associated landscaping
Ward: Moreton and Fyfield
Parish: Moreton, Bobbingworth and the Lavers
View Plans: <https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001UyIX>
Recommendation: Approve with Conditions

This application is before this committee since the recommendation is for approval contrary to an objection from a Local Council which is material to the planning merits of the proposal, supported by 1 local resident (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council).

Description of Site

The application site is located on the north-west side Tilegate Road, within the settlement of High Laver.

The site adjoins the application site of a neighbouring residential development.

The site is accessed from the main public carriageway via a private access road which serves the neighbouring residential development.

The application site is located within the Metropolitan Green Belt and it is not within a Conservation Area.

The site is within Flood Zone 1 (Low probability of flooding).

Amended Drawings

The following new and amended drawings were received from the applicant's agent by email dated 25th January 2023:

- Proposed site plan, ref: (02)003B (replaces 003#) - contours for pond and bank added, plus decking / bridge and pathways removed
- Proposed layout, ref: (02)004B (replaces 004#) - contours for pond and bank added (proposed and existing), plus decking / bridge and pathways removed
- Existing and proposed site sections, ref: (02)005B (replaces 005#) - levels added, plus decking / bridge and pathways removed
- Proposed level changes, ref: (02)006# (new) - existing and proposed contours shown
- Proposed landscaping plan, ref: (02)008A (new) - sets out details / species of new trees, grasses and shrubs (no reference to decking / bridge and pathways)
- Existing layout plan, ref: (02)012# (new) - existing contours shown

The new and amended drawings were provided by the applicant's agent in response to the representation from the trees and landscape officer dated 4 January and comments of the Bobbingworth and The Lavers Parish Council.

The new and amended drawings illustrate the extent of the existing bunding, the proposed contour changes and the proposed planting scheme. The proposed scheme has also been amended so as to remove the decking, the bridge and pathways that was shown on the original submitted drawings.

The Tree and Landscape Officer's final comments dated 2nd February 2023 were provided following her review of the new and amended drawings provided on 25th January 2023.

Description of Proposal

Construction of a natural pond together with new tree planting and associated landscaping.

The application site falls outside of the previously approved residential development site and the residential curtilage of the approved houses.

The proposed development is for a natural pond with a view to enhancing wildlife and ecological value of the area.

The pond will be integrated into the surface water drainage system, so as to offer additional attenuation of rainwater runoff from the site.

The proposals include a comprehensive landscaping scheme incorporating tree and shrub planting.

The scheme takes advantage of the existing contours of the site. Whilst some re-contouring will take place, the submitted Existing and Proposed Site Sections Drawing (005 Rev B), shows that the changes in land levels will be minimal. The applicant's agent has confirmed that there will be little if any importing or exporting of materials as the works will comprise the re-arrangement of the existing only.

The design of the pond allows for the creation of islands, providing an opportunity for birds to refuge and nest.

Planning History (006988)

In June 2017 planning permission (EPF/1052/17) was granted for three residential units plus annexes and outbuildings.

Over the period March 2018 to October 2019 planning permission EPF/1052/17 was amended by way of six Non Material Amendments (NMAs).

The development is being built out and two of the three houses are complete and occupied.

In May 2022 a Section 73 Minor Material Amendment application (EPF/3231/21) was approved creating a planning permission which consolidates the original EPF/1052/17 scheme with the subsequently approved NMAs along with some additional amendments relating to the design of the main house. This included the retention of an original secondary access road.

In October 2022 a Section 73 Minor Material Amendment application (EPF/1355/22) was approved for amendments to planning permission EPF/3231/21.

EPF/1355/22

Application for variation of condition 2 of EPF/3231/21. (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex and outbuilding together with reconfiguring of access road and landscaping)

Approved 14.10.2022.

EPF/3231/21

Application for Variation of Condition 2 for EPF/1052/17. (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex and outbuilding together with reconfiguring of access road and landscaping).

Approved 30.05.2022.

NMAs Reference Decision

NMA1 EPF/0417/18 Approved 14.3.18

NMA2 EPF/2826/18 Approved 25.10.18

NMA3 EPF/3354/18 Approved 11.01.19

NMA4 EPF/0674/19 Approved 12.4.2019

NMA5 EPF/1336/19 Approved 24.06.19

NMA6 EPF/2526/19 Approved 25.10.19

Conditions

Discharge of Conditions 4, 6, 7, 8 and 9 of EPF/1052/17. EPF/0307/19 Approved 29.05.19

Discharge of Conditions 3 and 5 of EPF/1052/17 EPF/3232/21 Approved 02.02.22

EPF/1052/17 - Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus granny annexe and outbuilding together with reconfiguration of access road and landscaping – Approved 01.06.2017.

Policies Applied

The following saved policies within the Council's adopted Local Plan (1998) and Alterations (2006) are relevant:

CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC5	Promotion of nature conservation schemes
U3B	Sustainable Drainage Systems
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity
LL1	Rural landscape
LL10	Adequacy of provision for landscape retention
LL11	Landscaping schemes

NPPF (July 2021):

The National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. The above policies are broadly consistent with the NPPF and should therefore be given appropriate weight.

Epping Forest District Local Plan Submission Version) 2017 (LPSV):

On 14 December 2017, full Council resolved that the Epping Forest Local Plan Submission Version 2017 be endorsed as a material consideration to be used in the determination of planning applications and be given appropriate weight in accordance with paragraph 48 of the NPPF.

Paragraph 48 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The LPSV has been submitted for Independent Examination and hearing sessions were held on various dates from February 2019 to June 2019.

The appointed Inspector issued her initial advice on 2 August 2019 and since then, the Council has undertaken further work to address the actions identified by the Inspector. This has led to the production of a number of proposed changes to the Local Plan Submission Version 2017 (known as the Schedule of Main Modifications) and additional supporting documents associated with the Main Modifications. These are to address issues of soundness and/or legal compliance identified by the Inspector.

The Main Modifications include changes to some of the supporting text and Policies within the Plan, deletion and amendment to some site allocations, updated Housing Supply data to March 2020, along with associated changes to the mapping contained within the Plan.

The Main Modifications are put forward without prejudice to the Inspector's final conclusions on the Plan. Following the close of the consultation (ended 23rd September 2021), the representations will be passed to the Inspector for her consideration before the publication of the Inspector's final report.

The following policies in the LPSV are considered to be of relevance to the determination of this application:

SP1 Presumption in favour of sustainable development
 SP6 Green Belt and District Open Land
 SP7 The Natural Environment, landscape character and green infrastructure
 DM1 Habitat protection and improving biodiversity
 DM2 Epping Forest SAC and Lee Valley SPA
 DM3 Landscape Character, Ancient Landscapes and Geodiversity
 DM4 Green Belt
 DM5 Green and Blue Infrastructure
 DM9 High Quality Design
 DM15 Managing and reducing flood risk
 DM16 Sustainable Drainage Systems
 DM18 On site management of waste water and water supply
 DM19 Sustainable water use
 DM21 Local environmental impacts, pollution and land contamination
 DM22 Air quality

Consultation carried out and summary of representations received

MORETON, BOBBINGWORTH & THE LAVERS PARISH COUNCIL – Objection:

The Parish Council has considered the application EPF/2883/22 for the site; Land Adjacent to Tilegate Farm, Tilegate Road, High Laver, to construction a natural pond together with new tree planting and associated landscaping and objects to the application on the following:

"1. The Parish Council has noted that the 'Existing Site plan of this application Ref 272/04 (02)002 #' does no longer show, the Red Boundary of the previous Section 73 Application EPF/1355/22 (Site plan attached). for the entire Housing Development approved for Tilegate Farm. The application should not be considered until an 'Accurate Existing Site Plan' is submitted.

2. The Parish Council has also noted that both the 'Existing Site' plan of this application Ref 272/04 (02)002 #' and 'Proposed Site' plan Ref 272/04 (02)003 # show a proposed tennis court, on Green Belt land as well as additional pathways, which join pathways around the pond. Additional new planting is shown on "Green Belt" land without an application having been submitted.
3. The proposal will result in the introduction of a substantially increased garden with associated residential hard landscaping features which would constitute inappropriate development in the Green Belt. This will compound the already substantial loss of openness for which no case of very special circumstances has ever been advanced to outweigh the identified harmful impact on the setting of the Grade II listed buildings - Tailgate Farm, Tilegate Barn and the surrounding area.
4. The proposal is therefore contrary to Policy GB2A of the Local Plan (1998/2006), policy DM 4 of the Submission Version of the Local Plan (2017) and the National Planning Policy Framework.
5. The Parish Council has noted that the plans also show the tennis courts and additional pathways with planting within the blue outlined 'existing plans' document; the Green Belt land has slowly been incorporated into the development site over a number of years - further erosion of Green Belt land. We suggest that EFDC reviews the earlier plans (EPF/1355/22, which show substantial Green Belt land and compares these with the current ones.
6. We understand that EFDC's Officers have ignored a valid objection (EPF/0307/19) from Melinda Barham, Trees and Landscape (EFDC Officer) in the past and we encourage EFDC to take this into account when considering this application.
7. The Parish Council has previously brought to the attention of EFDC that there is the issue of contaminated waste, which has been imported onto the site and we believe that a contamination report be submitted with this planning application. Reason being exposure to additional poisonous or polluting substance will have an effect on wildlife in and around the proposed pond.
8. If this application is approved, we request that all 'Permitted Development Rights' be removed."

10 Neighbours consulted. 1 objection received:

Mr Padfield, Fenner's Farm:

"This Application forms part of a 9.5 acre Green Belt Development which has grown out of 18 successive applications. The Application pretends to be a nature conservation project. However, there is an extensive footpath network which extends beyond the existing red line boundary. The wildlife pond is equipped with staging, a bridge and stepping stones. This nature conservation application fails to pass the "Duck Test". "If it looks like a duck, swims like a duck, and quacks like a duck, then it probably is a duck."

In other words, the observable characteristics of this Application's identity is sufficient to define the classification of this Application. In reality it is an extension of the domestic curtilage of the 8,000 sq feet Mansion.

There can be no doubt that this is a garden extension proposed under a misleading description. The site is in the Green Belt. Furthermore, if past planning history is any guide we can expect follow-up applications built upon any permission granted under this application.

In the first instance this application should not be considered before the errors and omissions on the submitted plans are corrected and together with the details required by Council's Trees and Landscape Officer they are made available for consultation by the Residents and the Parish Council.

The Plan which accompanies this Application bears no resemblance to the actuality on site. A corrected Application and Plan must acknowledge the following:

- 1) The actual correct positioning of the currently built and in construction housing
- 2) The already built Permitted Development extensions.
- 3) The already built Garages and Storage buildings
- 4) The use of the proposed pond as part of a sustainable drainage system requires a separate plan.

- 5) The Applicants were insistent on retention of their PD Rights on the Granny Annex, Tractor Shed and Main house during the last Section 73 Application. Those obviously pre-planned PD additions should now be shown.
- 6) Any amendments including drainage resulting from the changes to the "Tractor shed" (NOT/5792/22) resulting in it now being repurposed as an Office.
- 7) The plan must show the existing red line of the granted permission.
- 8) The Tennis court has no permission and should not be included in the plans.
- 9) Paths and plantings not covered by any granted permission should not be shown.
- 10) Given the history of the site a first stage contamination report is obviously required as there must be concern about seepage into the pond from the bunds which are made up from imported waste material. In addition to the above list the outstanding issues arising from the previous application which do have an impact on this Application must be addressed.

The following Conditions attached to EPF/1355/22 are a relevant concern with regard to this Application.

6 The development hereby approved shall be implemented in accordance with the foul and surface water disposal details approved under application EPF/0307/19, approved 29.05.19.

EPF/0307/19 in turn referred to EPF/1052/17 where the Drainage Officer stated:

In reply to the recently submitted documents for application EPF/1052/17, the details provided are sufficient to discharge condition 4 Flood Risk Assessment and 6 Foul and Surface Water details in principal.

This approval is subject to the applicant installing the drainage system, including reinforced gravel storage system and sewage treatment plants to the specifications detailed in the drainage plan 18-104-DWG-200-H and manufacturers specifications etc. This approval is also subject to the applicant installing and constructing all drainage systems, in accordance with relevant and current industry standards and regulations.

It seems that the drainage plan 18-104-DWG-200-H was modified 9 times until the final version dated 17/5/19 Plan H. This final plan is not on Planning search which only shows the second modification Plan A.

The drainage actually installed is of a significantly degraded design which would not have been approved if it had been offered originally. There is no plan or specification for the installed drainage which now includes using the "wildlife pond" as part of a sustainable drainage scheme.

Condition 8 Trees and Landscaping

Hard and soft landscaping shall be carried out in accordance with details approved under application EPF/0307/19, approved 29.05.19. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

I attach here EFDC's the report from the Tree's and Landscaping Officer ref EPF/0307/19 and the officer's comments.

This report was ignored by the Planning Officers. Stated Reasons for ignoring this advice is a requirement of planning decision making. None were given at the time.

On 30th June 2020 the Council responded to our Complaints on this issue.

The Tree and Landscaping Officer comments are also not binding on the final decision taken by the planning case officer, being part of the planning merits for consideration. This is the same with any third party representations received as in the case of the contamination advice and decision on Tilegate Farm.

On 18th September 2020 again clarified their reasons for ignoring their own Officer.

The Bunds, A Waste Disposal Operation: We have taken the view that the bunding was part of the proposal's landscaping scheme and this is legitimate because bunding and other forms of earth works do not require a separate planning permission where they are part of an existing approved landscaping scheme which was discharged accordingly. The fact that the bunding falls outside of the application red line is acceptable, on the basis that it is under the control of the applicant i.e. within the blue line. The content of the bunding would not have been conditioned requiring earth detail to be submitted if it had been part of the original planning application given that is subject to separate legislation control from the Environment Agency.

Conclusion

The National Planning Policy Framework, (NPPF), 2021 states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is a presumption against inappropriate development which is, by definition, harmful to the green belt and should not be approved except in very special circumstances. The introduction of a residential use on to what was open agricultural land does not fall under 'appropriate' uses within the Green Belt as outlined in Paragraph 147-150 of the NPPF. The proposed new Mansion seeks to change the use of the remaining agricultural land within its curtilage to residential for urban domestic purposes and is therefore inappropriate development in terms of the Green Belt which is, by definition, harmful and which would have the potential to cause further pressures on other sites within the this Green Belt Development.

Subject to the Application being correctly presented our view is that it does not stand alone and that in the context of the whole development it should be refused. The reasons being.:

The proposal results in the introduction of a substantially increased garden with associated residential landscaping features which would constitute inappropriate development in the Green Belt and would compound the already substantial loss of openness for which no case of very special circumstances has ever been advanced to outweigh the identified harm. The proposal is therefore contrary to policy GB2A of the Local Plan (1998/2006), policy DM 4 of the Submission Version of the Local Plan (2017) and the National Planning Policy Framework.

If the Council were to decide to grant permission then Permitted Development Rights should be removed."

Response to objections:

The applicant's agent has responded to the Parish Council's objection in a letter dated 25th January 2023.

Issues and considerations

The main issues to consider when assessing this application are:

- Green Belt
- Residential Amenity
- Land Drainage
- Trees and Landscaping

- Ecology
- Highways

Green Belt

The stated purpose of the pond is to enhance wildlife and the ecological value of the area and to integrate into the surface water drainage system; so as to offer additional attenuation of rainwater runoff from the site.

Changes in existing land levels will be minimal and there will be little or no import or export of material to/from the site.

The provision of a pond the application site would not seem to raise any significant issues around appearance and openness in the Green Belt. The works can be seen to have general visual interest in terms of landscaping and ecological enhancements.

Paragraph 150 of the NPPF states that engineering operations may not be inappropriate development in the Green Belt where they preserve its openness and do not conflict with the purposes of including land within it.

The proposed pond can be considered to be an engineering operation which preserves the openness of the Green Belt and as such is not inappropriate development.

There are concerns from objectors that the proposed pond may be used as a stepping stone to further future development in the Green Belt. A number of conditions have been proposed in order to ensure that the proposed pond is used only for its intended purpose (wildlife/ecology/drainage).

Residential Amenity

The proposed pond would not have a harmful impact on the residential amenity of any neighbouring properties, subject to the suggested planning conditions.

Land Drainage

The application site falls within flood zone 1 (low probability of flooding). The intention is that the pond will be integrated into surface water drainage system.

EFDC Land Drainage comments:

Given the likelihood of future connections from the development proposals at Tilegate farm and previous discussions that consider its use for sustainable drainage, further details will be required to demonstrate the pond has capacity to accommodate any connection for surface water drainage. Ensuring it meets the councils Development Management policies, namely DM16, alleviating the risk of overtopping to the neighbouring watercourse.

No objection to planning application in principle, subject to the approval/implementation of the requirements set out above by this team.

Trees and Landscaping

Tree Officer original comments 4th January 2023 (superseded by final comments dated 2nd February 2023 below):

“We have a holding objection on this application due to lack of information

Comments –

The proposal description includes ‘new tree planting and associated landscaping’ as such we would expect to be provided with fully detailed landscaping proposals – i.e. species / sizes / planting densities etc. Given that this is a fundamental part of the proposal, we consider that this information should be provided as part of this application and not a later approval of conditions application.

In terms of existing and proposed levels – its not clear whether the recontouring of the land will involve importing / exporting of materials from the site. You may find it useful to request additional details for the re contouring of the land e.g. –

- Accurate levels survey of the site and immediate surroundings – with contours shown at 1m intervals.
- A plan at the same scale showing proposed contours (at 1m intervals)
- A plan at the same scale showing the degree of change of levels, at not greater than 1metre intervals.

Should this information be provided during the course of the application please re-consult.”

Tree Officer final comments 2nd February 2023:

“These comments are based on revised plans received on 25th January 2023.

In respect of the levels information , the agent has advised that ‘there will be little if any importing or exporting of materials, as the works will comprise the re-arrangement of existing.’ You may consider it appropriate to condition that no materials should be imported or exported to/ from the site.

In terms of the soft landscaping information – the detailed information requested in our previous comments have not been received.

Should you be minded to approve this application without further information being submitted please include the following condition

soft landscaping:

Prior to commencement of works, full details of soft landscape (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place. Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.”

The proposed development is acceptable, subject to the soft landscaping condition suggested by the Trees and Landscape Officer.

The above condition is required in order to secure details of tree sizes and planting densities for the shrubs and marginals as this information has not been provided to date.

Ecology

The submitted Ecology Report provides details of the design features of the pond and sets out that the intention is to develop a natural pond which encourages native wildlife.

Highways

Vehicular access to the site is from the main public carriageway via a private access road which serves the neighbouring residential development.

Conclusion

Recommended for approval subject to conditions.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

Planning Application Case Officer: Kie Farrell

Email: kfarrell@eppingforestdc.gov.uk or if no direct contact can be made, please email: contactplanning@eppingforestdc.gov.uk

Conditions: (8)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans:

Drawing (02)001 – Site Location Plan
Drawing (02)002 – Existing Site Plan
Drawing (02)003 Rev B – Proposed Site Plan
Drawing (02)004 Rev B – Proposed Layout
Drawing (02)005 Rev B – Existing and Proposed Sections
Drawing (02)006 – Proposed Level Changes
Drawing (02)008 Rev A – Proposed Landscaping Plan
Drawing (02)012 – Existing Layout Plan
Covering Letter, RPS, 20 December 2022
Letter from RPS, 25th January 2023
Ecological Pond Proposals, Coyne Environmental, November 2022.

Reason: For the avoidance of doubt and to ensure the proposal is built in accordance with the approved plans.

- 3 Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be

implemented in accordance with the approved details and shall be provided on site prior to the first occupation and shall be retained for the lifetime of the development.

Reason: To ensure satisfactory provision and disposal of surface water in the interests of Land Drainage, in accordance with policy RP3 of the adopted Local Plan and Alterations 1998 & 2006, policies DM16 and DM18 of the Local Plan Submission Version 2017, and the NPPF.

- 4 Prior to commencement of works, full details of soft landscape (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place. Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complementary, and to ensure a satisfactory appearance to the development, in accordance with policies CP2 and LL11 of the adopted Local Plan and Alterations 1998 & 2006, policies DM3 and DM5 of the Local Plan Submission Version 2017, and the NPPF.

- 5 No soil / earthwork materials shall be imported or exported to/from the site unless otherwise agreed by the Local Planning Authority through discharge of this condition.

Reason: In order to ensure that levels are not materially altered across the site as a result of removed or deposited materials, in the interests of amenity, in accordance with Policies CP2, DBE1 and DBE9 of the adopted Local Plan 1998 & 2006, Policies DM9 & DM21 of the Local Plan Submission Version 2017, and the NPPF.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no hard surfaced areas, paths or boardwalks shall be laid within the application site, unless otherwise agreed by the Local Planning Authority through an appropriate application. Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and the Green Belt, in accordance with policies GB2A and GB7A of the adopted Local Plan 1998 & 2006, Policy DM4 of the Local Plan Submission Version 2017 and the NPPF.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no structures, above ground plant, machinery, equipment or lighting relating to the works hereby permitted shall be installed without the prior agreement of the Local Planning Authority through an appropriate application. Reason: To ensure further consideration is given with regards to the effect on the character and appearance of the area and the Green Belt], in accordance with policies GB2A and GB7A of the adopted Local Plan 1998 & 2006, Policy DM4 of the Local Plan Submission Version 2017, and the NPPF.

- 8 The pond hereby permitted shall be only for the purposes specified in the application, namely to enhance wildlife and the ecological value of the area and to integrate into the surface water drainage system, so as to offer additional attenuation of rainwater runoff from the site. It shall not be used for any leisure or recreational activity by occupiers of the adjoining residential properties or by any third party without prior consent of the Local Planning Authority through an appropriate application. Reason: In order to ensure the pond remains available for the stated purpose, and to minimise impact on the Green Belt, local character and amenity in accordance with policies GB2A, NC1, DBE2, DBE9, LL2 and ST2 of the adopted Local Plan and Alterations, policies T1, DM2, DM4 and DM9 of the Local Plan Submission Version 2017, and the NPPF 2021.

Informatives: (1)

- 10 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.