

**PLANNING AND DEVELOPMENT COMMITTEE
MINUTES**

Date: Tuesday, 4 February 2020

Time: 6.30pm

Place: Council Chamber, Daneshill House, Danestrete

Present: Councillors: David Cullen (Chair), Michelle Gardner (Vice Chair),
Doug Bainbridge, Sandra Barr, Jody Hanafin, Lizzy Kelly,
Graham Lawrence, John Lloyd, Sarah-Jane McDonough,
Maureen McKay, Graham Snell and Tom Wren

Start / End Start Time: 6.30pm
Time: End Time: 8.15pm

1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received on behalf of Councillor Liz Harrington.

2 MINUTES - 16 DECEMBER 2019

It was **RESOLVED** that the Minutes of the Planning and Development Committee held on 16 December 2019 be approved as a correct record and signed by the Chair.

3 17/00862/OPM - LAND TO NORTH OF STEVENAGE

The Committee considered an outline application for the erection of 800 residential dwellings, creation of a new local centre, provision of a primary school, provision of landscaped communal amenity space including children's play space, creation of new public open space together with associated highways, landscaping, drainage and utilities works.

Prior to the consideration of the application, the Assistant Director, Planning and Regulation reminded Members of the Nolan principles of public life, the ethical standards code of conduct for those in public life. He also advised Members that the Secretary of State had been asked by the MP for Stevenage to call in the application but no notification had yet been received from the Secretary of State.

The application was before the Committee for determination as it was a major application.

The Development Manager introduced the report to the Committee.

The Chair then called Mr John Spiers on behalf of Friends of Forster Country, an objector to the application to address the Committee. Mr Spiers raised a number of issues including:

- There had been over 400 objections to the application on the impact on the countryside, overdevelopment, loss of rural aspect and loss of character to Stevenage and created an urban sprawl which would absorb Graveley Village;
- Not delivering truly affordable homes for local people;
- Failure of officers to give proper due consideration of the proposed development in accordance with the NPPF;
- The construction of 800 houses on this site would directly contradict the Council's recent declaration of a Climate Emergency and its aim to be carbon neutral by 2050;
- There were several previously developed sites within Stevenage which could be redeveloped to take most of the 800 houses in this application.
- The application had the effect of destroying green belt land whilst use of alternative sites had not been properly considered;
- The impact and loss of wildlife in the area including the endangered skylark;
- Concerns around air quality and the impact this will have;
- Inability of GP surgeries to cope with the additional number of residents;
- There is already congestion on North Road. Access to the hospital will be made slower by the increased traffic and congestion will be exacerbated by construction traffic for approximately 5 years;
- The proposed highway infrastructure is not acceptable as it would not properly address cycling and walking;
- No proper consideration of the development's impact in relation to the future Smart Motorway;
- Concerns had been raised by both Historic England and the Campaign to Protect Rural England (CPRE);
- The significance of Forster Country should merit consideration as a Heritage Asset and be taken into account when assessing the application. This application would destroy the heritage and should be rejected.

The Chair thanked Mr Spiers for his presentation, and invited Catherine Bruce from Savills on behalf of the applicant, to address the Committee.

Ms Bruce stated that the applicants had worked closely with Stevenage Borough Council on the proposal including through the Local Plan process. She advised the Committee of the significant benefits to the town including affordable homes and new park land and the proposal accords with the Local Plan. The development would deliver 168 affordable homes, a new primary school and community centre, a country park, the planting of 2,200 trees and reintroducing historic field patterns.

The Masterplan had been sensitively designed in consultation with the Council's Independent Heritage Advisor and the biodiversity would be improved through the new Country Park. Improvements would be made to the highway and also to the cycleways and footpaths along with an improved bus route. This would allow for an increase in sustainable transport journeys.

The Chair thanked Ms Bruce for her presentation.

The Development Manager then gave an oral and visual introduction and presentation to the Committee. He advised that the main issues for consideration in determining this application were its acceptability in land use policy terms; housing policies and planning obligations; the conservation and nearby listed buildings; the impact on the character and appearance of the area generally the impact on both existing amenities; the effect of the proposals on the highway network and the adequacy of parking provision, trees and landscaping, ecology, climate change and flooding and Archaeology.

An update was circulated to Members with 2 revised conditions set out in the recommendations below at (1) and (16) and the following amendments:

- To clarify the figure of £111,577.00 toward outdoor sport will absorbed in the cost of creating the Country Park not provided as well;
- Section 9.1 bullet point 2 should refer to the gifting of land and a contribution not the provision of the Primary School which would be undertaken by Hertfordshire County Council;
- Also reference should be made to HCC Waste facilities included in the S106.
- HCC have confirmed that following discussions with the applicant the Primary Education contribution has increased to £8,334,675.00 and the Secondary Education to £8,266,890.00.
- HCC has also confirmed that there is no requirement for Contributions toward Nursery Education, however, Childcare contributions are required in accordance with the HCC Toolkit. This would amount to £96,750.00.

In terms of land use, The application had been assessed at the Local Plan stage following submission to the Secretary of State. The Committee was reminded of the Inspector's conclusions that there was a pressing need for housing within the Borough that could not be met outside of the Green Belt and that this site would be the most suitable, along with others, to meet the housing need in Stevenage.

It had also been demonstrated through the Master Plan that the layout of the site incorporating a substantial Country Park and open space to the east, the development would result in less than substantial harm to the designated heritage assets.

It was noted that the applicant had confirmed that the development would comprise of 30% affordable units. In addition, financial contributions would be required in relation to NHS facilities, indoor and outdoor sports facilities, contributions to Stevenage Borough Council for the maintenance of the Country Park and the provision of the primary school within the development site.

In terms of the impact on the highway network, the Transport Assessment undertaken by the applicant demonstrated that with the introduction of improvements to the highway network, the development would have an acceptable impact which would not prejudice the safety and operation of the existing road network. With regard to sustainability, through the provision of new cycle and pedestrian connections and the funding of an expanded bus service, the development would be sustainably connected to the wider urban area of Stevenage.

Members raised the following issues and questions in relation to the application:

- The balance between the development and the importance of the land had to be considered with the need for new homes;
- Officers advised that the electricity pylons would be grounded in some parts of the site;
- Members were advised that once the development was completed the Council would adopt and maintain the Country Park;
- How does the approval of this application align with the Council's commitment to addressing the climate change emergency; officers advised that the developers would ensure the works would be as carbon neutral as possible;
- Concern was expressed by a Member that the Council was not listening to the objections from the public. Officers reiterated that all objections had been considered but a balance between these views and the urgent need for housing was required;
- In relation to overflow parking from the Lister, these details would be considered at the appropriate point;
- Officers advised that the next stage of the application would be brought back to Committee if requested by Members.

It was **RESOLVED** that Planning Permission be **GRANTED** subject to the following revised conditions and the clarifications set out above and subject to the applicant having first entered into a S106 agreement to secure/provide contributions towards:-

- The provision of 30% affordable housing;
- The provision of a 2FE Primary School including nursery provision;
- Indoor sport;
- Secondary Education;
- Library services;
- Youth services;
- Sustainable Transport and Infrastructure;
- Securing of the travel plan and a monitoring fee;
- Trees and Plants from UK nurseries;
- Secure the provision of a maintenance company for the development of the open space and play area;
- Secure the provision of the Country Park and the transfer of the land to SBC;
- A contribution toward the future maintenance of the Country Park;
- Secure a Landscape Management Plan;
- GP Provision;
- Community use agreement to use the school facilities;
- Contribution toward upgraded or new HCC Waste facilities;
- Provision of fire hydrants; and
- Associated Section 278 Highway Works.

The detail of which is to be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed Solicitor and subject to the

following conditions:-

1. The development hereby permitted shall be carried out in broadly accordance with the following approved plans: UD01 Rev C, UD02 Rev L, UD03 Rev M, UD04 Rev L, UD05 Rev L, and NSTV-WSP-00-XX-SK-CE-0002 P01.
2. The development hereby permitted shall be begun either before the expiration of seven years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.
4. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.
5. No development, including site clearance, shall take place until a phasing plan, identifying the areas of the site to be developed under each phase for the delivery of housing, infrastructure, open space and the Country Park, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the phasing plan.
6. No more than 300 properties shall be occupied until a housing and infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority and assessed in conjunction with the appropriate sewerage and water company to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
7. No development shall take place (including any demolition, ground works, site clearance) until a method statement for dealing with ecology at the site prepared in accordance with BS 42020:2013, D.2.2 has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include :-
 - a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials e.g. species in planting schemes and species mixes for wildflower meadow, to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

- e) persons responsible for implementing the works and funding details;
- f) initial aftercare, long-term maintenance, monitoring and requirement for remedial action should management be judged to be failing;
- g) disposal of any wastes arising from works.
- h) Number, model and location of integrated bat and bird boxes in built environment.

The planting works shall be carried out strictly in accordance with the approved details in the first planting season relating to the agreed phasing after the approval of the method statement and shall be retained in that manner thereafter and other agreed ecology measures shall be carried out strictly in accordance with the approved method statement within the first suitably available season relating to the agreed phasing, unless otherwise agreed in writing by the Local Planning Authority.

8. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been 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.

9. No development shall take place, including demolition, ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to ensure the implementation and establishment of each of the phases of the proposed Country Park before phased adoption by the Local Planning Authority to encourage a net increase in biodiversity. The content of the Strategy shall include the following:-

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.

- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

- 10. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 11. Piling or any other foundation design using penetrative methods shall not be permitted within the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. The development shall be carried out in accordance with the approved details.
- 12. A scheme for managing any borehole installed within the development for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the Residential Development Plot.
- 13. No removal of trees, scrubs or hedges shall be carried out on site between 1st March and 31st August inclusive in any year, unless a pre-works survey of the vegetation to be removed and surrounding vegetation, is undertaken immediately prior to removal by a suitable qualified Ornithologist, and approved confirmed by the Local Planning Authority.
- 14. Prior to the commencement of development (including site clearance) a Construction Management Plan for the construction phases shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works of construction of the development shall only be carried out in accordance with the approved statement and Hertfordshire County

Council's specifications. The Construction Management Plan shall address the following matters:-

- (i) Details of construction phasing programme (including any pre-construction enabling works);
- (ii) Hours of operations including times of deliveries and removal of waste which should avoid school pick up/drop off times;
- (iii) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0830 and 1300 on Saturdays only.
- (iv) The site set-up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- (v) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- (vi) Details of the provisions for temporary car parking during construction which shall be provided prior to the commencement of construction activities;
- (vii) The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- (viii) Screening and hoarding;
- (ix) End of day tidying procedures;
- (x) Construction and storage compounds (including areas designated for car parking);
- (xi) Siting and details of wheel washing facilities;
- (xii) Cleaning of site entrances, site tracks and the adjacent public highway;
- (xiii) Control measures to manage noise and dust;
- (xiv) Disposal of surplus materials;
- (xv) Post construction restoration/reinstatement of the working areas and access to the public highway.
- (xvi) Details of the access and highways works from Fishers Green to accommodate construction traffic.

- (xvii) Details of consultation and compliant management with local businesses and neighbours.
 - (xviii) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
 - (xix) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
 - (xx) Details of a Site Waste Management Plan (SWMP) detailing actual waste arising and how waste is managed (i.e. re-used, recycled or sent off site for treatment or disposal) and where it is sent to. Further updated should be provided throughout the life of the development at an interim of two months or sooner should the level of waste be considered significant by the developer.
15. The development hereby permitted shall not commence except for works related to the construction of one of the proposed accesses until one of the proposed accesses from the North Road has been constructed to accommodate construction traffic to the minimum standard of base course construction for the first 50 metres and the join to the existing carriageway has been constructed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.
16. Prior to occupation of the first dwelling the southern access shall be provided, and prior to occupation of the 100th dwelling hereby permitted, the northern vehicular accesses shall be provided and thereafter retained at the position shown on the approved in principle drawing number General Arrangement drawing number NSTV-WSP-00-XX-SK-CE-0002 revision P01. The principal access road shall be provided 6.75 metres wide complete with 10.0 metres radius kerbs. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
17. Prior to the occupation of each phase of development full details (in the form of scaled plans and written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:
- i) Roads, footways.
 - ii) Cycleways.
 - iii) Foul and surface water drainage.
 - iv) Visibility splays.
 - v) Access arrangements.
 - vi) Parking provision in accordance with adopted standard.
 - vii) Bus Stops.
 - viii) Turning areas.
18. Prior to the occupation of each phase of the development, the applicant shall submit a Servicing and Delivery Plan. This plan is to be submitted and

approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall contain the delivery and servicing requirements, waste collection points for the proposed use, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles, and access to from the site for delivery and servicing vehicles. The details shall include waste vehicle circulation route and constructed in accordance with the approved details. Thereafter the route shall be maintained in accordance with those approved details.

19. Prior to the completion of the primary road as identified on drawing ref: UD02 Rev L, the following passenger transport infrastructure shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority:-

The provision of road infrastructure both within the development site and on the wider routes that the proposed public transport services will travel to facilitate delivery of the strategy. This infrastructure shall comprise of but is not limited to the following:

Provide temporary bus stops along North Road during the first phase of the buildout of the development i.e. to serve the dwellings that are not more than 400 metres from the temporary bus stops.

High quality bus stop facilities along the bus service route within the development to include raised height kerbs and shelters that are within 400 metres of all residential areas, Real time information signs at key stops.

The future locations of all bus stops within the development should be determined prior to commencement of works and clearly marked on site during construction of the internal roads to ensure visibility for perspective purchasers.

20. Prior to the first occupation of each phase of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for the future management and maintenance of the proposed streets within the development. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.
21. Prior to the occupation of each phase of the development, the visibility splays to be provided shall be agreed with Hertfordshire County Council and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2.0 metres above the level of the adjacent highway carriageway.
22. Prior to the commencement of development a Written Scheme of

Investigation detailing a programme of archaeological trial trench evaluation of the proposed development site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

23. No development shall commence in each phase of the development until an Archaeological Written Scheme of Investigation detailing a programme of archaeological mitigation, as appropriate given the results of the archaeological evaluations, has been submitted to and approved by the Local Planning Authority in writing.
following archaeological investigation
24. The development in each phase shall take place in accordance with the Written Scheme of Investigation approved under condition 23.
25. The development of each phase shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 24 and the provision made for analysis and publication where appropriate.”
26. Prior to the occupation of each phase, details of Electric Vehicle Charging Points in that phase to include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles have been submitted to and approved in writing by the Local Planning Authority. The approved Electric Vehicle Charge Points shall be installed in accordance with the approved details and thereafter permanently retained.
27. Prior to the first occupation of the non-residential units to be used within class A3/A4 hereby permitted, a scheme for the installation of equipment to control the emission of fumes and smell from the premises including any air conditioning equipment shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented prior to the first occupation of these units. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.
28. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that order) the non-residential units shall be used for Use Classes A1 /A2 /A3/ A4/ B1/ D1/ D2 only of the schedule to the Town and Country Planning (Use Classes) Order 1987 and for no other purposes, unless agreed in writing or approved by way of separate planning permission
29. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Flood and Drainage Technical Note, reference 70061701, dated 15 January 2020 and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off generated by the critical storm events so

that it will not exceed the surface water run-off rate of 23.7 l/s during the 1 in 100 year event plus 40% of climate change event.

2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 20,750 m³ (or such storage volume agreed with the LLFA) of total storage volume in swales, attenuation basin and deep-bore soakaway.

3. Discharge of surface water from the private drain into the Anglian Water sewer network and 25 deep-bore soakaways.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

30. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Detailed drainage plan including location of SuDS measures, pipe runs and discharge point.

2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

3. Detailed, updated post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period including a + 40% allowance for climate change.

4. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.

5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

31. No development shall take place until a sensitivity study to determine how the existing surface water flow path in the east of the site can be managed has been submitted to and approved in writing by the local planning authority. The sensitivity study should demonstrate a viable method of managing the flow

path during storm events up to and including the 1 in 30 year event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The study should consider:

1. Viable method of a positive discharge for the flow path and the proposed discharge rates.
 2. The required attenuation volumes for all return periods up to and including the 1 in 30 year event.
 3. Consultation with the LLFA and LPA regarding any proposals and the requirements they may have. 1. To provide betterment to the existing surface water flow path on site to reduce flood risk in north Stevenage.
32. No development shall take place within the development parcels on the phasing plan to be submitted pursuant to condition 5, within which the proposed underground cable corridor runs as shown on the Illustrative Masterplan SK21 Rev K, until a scheme, including timetabling, for undergrounding the 132Kv overhead power lines and removal and replacement of pylons as shown on this drawing, has been implemented or unless otherwise agreed on writing by the local planning authority.

Following the decision and with the agreement of the Chair, Councillors Graham Snell and Tom Wren requested that their votes against the resolution be recorded in the Minutes.

4 **19/00389/FP - ON THE GREEN RESTAURANT, 11 HIGH STREET**

The Committee considered an application for the variation of condition 1 (approved drawings) attached to planning permission reference 14/00095/FP

The application was before the Committee for determination as it had been called in by Councillor Loraine Rossati due to concerns as to the impact the proposal would have on local residents.

The Principal Development Officer advised that the main issues for consideration in the determination of the application were the impact on the character and appearance of the area and the setting of the conservation area, impact upon neighbouring amenity, impact on the highway network and parking provision.

It was noted that the application sought to create an outdoor seating area with free standing tables and chairs. As they were removable there would not be a detrimental impact on the setting of the Grade II listed building. This view was supported by the Council's Conservation and Historic Advisor.

In terms of the impact of noise and disturbance on neighbouring properties, officers advised that following advice from the Council's Environmental Health Officer, it was recommended that if permission was granted it should only be for the temporary period of 12 months and subject to the Council approving an Operational Management Plan submitted by the applicants.

In response to a question the officer advised that there was no room for seating at the front of the property and that as it was situated at the lower end of the High Street which was the quieter end, the 12 months would safeguard the amenities of neighbouring properties.

It was **RESOLVED**:

That planning permission be granted subject to the following conditions:

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

996:02F; 996:01B
- 2 The premises shall be used for Use Class A3 (Restaurant) and for no other purposes (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 3 The use of the restaurant hereby permitted shall only operate between the following times:

1130 to 2200 Mondays to Thursdays
1130 to 2300 Fridays and Saturdays
1130 to 2200 Sundays and Bank Holidays
- 4 Deliveries to or from the premises shall only take place between the hours of 09:30 and 15:30.
- 5 All equipment and ducting installed which controls the emissions of fumes and smells as approved by the Local Planning Authority shall be operated and maintained in accordance with the manufacturer's instructions.
- 6 The storage of refuse and recycling as approved by the local planning authority shall be made permanently available for the occupants of the building(s).
- 7 Prior to the first use of the outdoor seating area hereby permitted, a written notice shall be submitted to the local planning authority confirming the date in which the outdoor seating area will be in operation. The outdoor seating area shall thereafter only be operated for a period of 1 year from the date specified in the written notice.

- 8 No external lighting shall be installed or affixed to the building unless the local planning authority has first approved in writing details of position, height, design and intensity. Any that needs to be installed should be downward facing and directed away from any sensitive areas, including woodland edges, trees and hedgerows, potential or known bat access points and any installed artificial roosts. The design of the lighting scheme should follow the recommendations given in the Bat Conservation Trust's advice note on bats and lighting in the UK (BCT, 2008).
- 9 The premises shall not be used for the sale of food for consumption off the premises.
- 10 Prior to the first use of the external seating area, an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Operational Management Plan shall thereafter be implemented in accordance with the approved details.
- 11 No amplified music shall be played in the outdoor seating areas at any time.
- 12 No outdoor seating associated with the use hereby permitted shall be placed on the public highway or on land outside the premises at any time.
- 13 No customers shall be permitted to use the external seating area hereby permitted before 0830 hours or after 2100 hours on any day. Any part of any furniture that is in contact with the ground shall be fitted with rubber stoppers to minimise noise.

5 **INFORMATION REPORT - DELEGATED DECISIONS**

It was **RESOLVED** that the report be noted.

6 **INFORMATION REPORT - APPEALS/CALLED IN APPLICATIONS**

It was **RESOLVED** that the report be noted.

7 **URGENT PART I BUSINESS**

None.

8 **EXCLUSION OF THE PRESS AND PUBLIC**

Not required.

9 **URGENT PART II BUSINESS**

None.

CHAIR