



Appeal Decision

Hearing Held on 13 October 2020

Site visit made on 16 October 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2020

Appeal Ref: APP/K5600/W/20/3251026

St John's House, St John's Gardens, London W11 2NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Real Estate Management Services Ltd against the decision of The Council of The Royal Borough of Kensington & Chelsea.
 - The application Ref PP/19/06989, dated 15 October 2019, was refused by notice dated 18 December 2019.
 - The development proposed is full height extension to north east corner of building, addition of a mansard roof extension, excavation of a basement under footprint and part of rear courtyard, extension of lower ground floor under front garden, introduction of an entrance to eastern façade and alterations to entrance on St John's Gardens, external alterations to all elevations and internal alterations in association with the reorganisation of 6 existing flats to provide 1 x 6 beds and 5 x 2 bed with associated landscaping alterations and improvements (resubmission).
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Decision

1. The appeal is allowed and planning permission is granted for full height extension to north east corner of building, addition of a mansard roof extension, excavation of a basement under footprint and part of rear courtyard, extension of lower ground floor under front garden, introduction of an entrance to eastern façade and alterations to entrance on St John's Gardens, external alterations to all elevations and internal alterations in association with the reorganisation of 6 existing flats to provide 1 x 6 beds and 5 x 2 bed with associated landscaping alterations and improvements (resubmission) at St John's House, St John's Gardens, London, W11 2NP, in accordance with the terms of the application, Ref PP/19/06989, dated 15 October 2019, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - whether the proposal should provide affordable housing;
 - whether the proposal should optimise housing density; and
 - the effects of the proposal on the character and appearance of the host building, the Ladbroke Conservation Area and settings of the grade II listed, Church of St John and Grade II Registered Gardens, Ladbroke Square Garden and Hanover Garden.

Preliminary Matters

3. Following the hearing, the Council drew attention to an inconsistency with the floorspace calculations. As was discussed and agreed at the hearing, the additional floorspace to be created by the proposal is 606.9 sqm (rounded to 607 sqm) and the existing building floorspace is 773.7 sqm (rounded to 774 sqm). Both of these totals are correct within the appellant's Statement of Case and appendix 8 to the same.

Reasons

Affordable housing

4. Policy 3.12 of the London Plan¹ sets out that the maximum amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes having regard to a range of both wider and site-specific circumstances. It is an overarching Policy which directs Councils to be ambitious in negotiations on schemes to maximise the delivery of much-needed affordable housing in the capital.
5. Policy 3.13 of the same sets out that Councils should normally require affordable housing from schemes which deliver 10 or more homes (of a density also guided by Policy 3.4 of the Plan). However, where local circumstances dictate, Councils are able to set lower thresholds for securing affordable housing through their own Policies.
6. The Local Plan² sets its own affordable housing threshold in Policy CH2. The justification for the Policy was apparent from the evidence collated by the Council and was accepted by the examining Inspector. Viability scenarios were tested on a range of alternative development types, including schemes of four or five new homes on lower floorspace thresholds than the typical 1,000 sqm³. Following these assessments, it was concluded that a threshold of 650 sqm would secure more affordable housing, without harming viability or becoming a disproportionate burden to small developers. The Policy specifically says:
"The Council will seek the maximum reasonable amount of affordable housing. To deliver this the Council will require:
a) Developments to provide a minimum of 35% of all residential floorspace as affordable housing on sites that provide 650 sqm or more gross residential floorspace (gross internal area), once the threshold is met all gross residential floorspace is liable for an affordable housing contribution".
7. The existing building, comprising six units, currently has a total gross internal area (GIA) of approximately 774 sqm. The proposed additions would have a total floor area of around 607 sqm, though the number of residential units would remain the same.
8. Explained in a conventional manner, the scheme is *providing* 607 sqm of additional GIA. The 774 sqm of residential floorspace that the existing building

¹ The London Plan 2016

² The Royal Borough of Kensington and Chelsea Local Plan (September 2019)

³ Establishing an approach to affordable housing payment in lieu in RBKC (BNP Paribas, July 2015) and Affordable housing viability study update (BNP Paribas, April 2017)

already provides will remain and is being refurbished, or alternatively, remodelled, improved, enhanced or reconfigured. But it is not being *provided* as new or additional floorspace as argued by the Council at the hearing. Whilst at the hearing the Council indicated that it was a complete redevelopment, in my view, the refurbishment of an existing building that is staying within the same use class and providing the same number of units, even with extensions, is distinct from a *new development*. Therefore, what is being provided is below the 650 sqm threshold set out in Local Plan Policy CH2. The appellant agreed that had the threshold of 650 sqm *additional* GIA been met or exceeded, then the sum of both the existing and new floorspace would have been liable for inclusion in the calculation of 35% affordable housing. I fully agree with this approach.

9. The Council's Community Housing SPD⁴ (SPD) states that: "*In the unlikely event that a very large home is being extended and the 650 sq. m is reached or exceeded, and there is no provision of a new home, the Council will make a judgement on whether a payment in lieu for affordable housing is required*". Even if the SPD's reference to 'home' is substituted for homes (plural) it still requires that the threshold has to be reached or exceeded. Though I accept that the Local Plan has set this new approach to prevent the 'netting off' of existing floorspace as was previously the case under the former plan, this is only where the threshold is met in the first instance.
10. I acknowledge that the Borough is highly constrained and that most of its new housing (of both market and affordable tenures) will come from brownfield sites. However, the purpose of the threshold is to avoid placing a disproportionate burden on small developments. The effect of applying Policy CH2 on schemes that did not meet or exceed the specifically identified threshold could result in the discouragement of small developments and place an unintended disproportionate burden thereupon. Though the Council indicated at the hearing that each proposal would be considered on the basis of any submitted plans and the nature of the proposer (i.e. householders or developers) as a 'matter of fact and degree', this is not sufficiently clear and is not explained in the Plan, either in the Policy, its supporting text or any other specifically relevant SPD⁵ to which my attention has been drawn.
11. Therefore, as confirmed by relevant caselaw⁶, policy must be read as it is written. Local Plan Policy CH2 does not explicitly say it shall apply to the refurbishment and extensions of existing residential buildings where the total additional floorspace is less than 650 sqm. Had there been an intent that such schemes were liable to an affordable housing contribution, the wording of the Policy should have more plainly set this out, or the method of calculation for liability related to another trigger, either, instead of, or in addition to floorspace.
12. Drawing together the above conclusions, the proposal does not meet the threshold in Local Plan Policy CH2 and, therefore, it is not applicable.

⁴ RBKC Community Housing Supplementary Planning Document (SPD) (June 2020)

⁵ Planning Contributions: Supplementary Planning Document (SPD) (September 2019)

⁶ Tesco Stores Ltd v Dundee City Council [2012] UKSC 13

Optimisation of units

13. Policy CH1 of the Local Plan seeks to meet and exceed the London Plan target for new homes of 733 net additional dwellings per year through such measures as resisting the loss of units through amalgamations. It also seeks to optimise the number of residential units delivered in new developments by restricting very large units.
14. Policy 3.4 of the London Plan seeks to ensure that developments optimise housing for different types of location within the relevant specified density ranges. In relation to this Policy, the existing building, with 6 units, currently sits around the low-to-mid density range considered acceptable for an 'urban' area in Public Transport Accessibility Level 6. The proposed scheme of six units would not affect the total number of units or density of dwellings but would increase the number of habitable rooms per unit. As such, there is no obvious compromise of London Plan Policy 3.4 in this instance.
15. The emerging London Plan⁷ includes a Policy, H8, that seeks to supersede Policy 3.4 of the current London Plan and which more specifically states that: "*Loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace*". Even if significant weight is attributed to this Policy given its advanced stage of preparation, the proposal does not include any loss of housing or floorspace and therefore, does not conflict therewith.
16. Returning to Local Plan Policy CH1, its supporting text states that there have been past increases in the number of new build 'prime' and 'super prime' residential units that have affected housing delivery. The Policy clearly seeks to minimise the building of new 'very large units' in order to address this trend.
17. The Council agreed during the hearing that the Local Plan omits a specific definition in floorspace terms of a 'very large unit'. However, the parties agree that the existing building already accommodates one such unit with a generous floorspace of approximately 393 sqm.
18. The supporting text to Policy CH1 indicates that opportunities to meet the identified demand for prime units will remain in the second-hand housing market. The appellant suggested at the hearing that such units will need to be enhanced over time to remain attractive to prospective purchasers and it is plausible that such enhancements will include further extensions. The proposal includes extensions to the existing very large unit, including subsuming one unit into its floorspace and replacing that unit, with enhancements, within a new mansard roof extension. Further extensions to the very large unit would take place below ground level.
19. In its application of Policy CH1 to the current scheme, the Council implies that to 'restrict very large units' can also mean to restrict or prevent the addition of floorspace to an existing very large unit that could otherwise theoretically be optimised to deliver additional homes.
20. Whilst I accept that the Borough is highly constrained and that much existing historic building fabric will be retained in redevelopment schemes, the words of the Policy and the explanation provided in the supporting text do not indicate

⁷ The London Plan – Intend to Publish (December 2019)

that an existing very large unit cannot be extended, particularly where there is no overall loss of housing. There are no other policies in the Local Plan that do so. Nor are there any policies that prevent them from being modernised and improved.

21. Even though the current scheme requires the relocation of a unit elsewhere within the building, none would be lost through amalgamation. The scheme would involve elements that constitute 'development', but it would not be entirely new, nor would it result in any new 'very large units' that do not already exist. The existing very large unit would remain, and despite the new extensions, it would be available within the second-hand rather than newbuild housing market. As such, whilst there is a theoretical capacity within, on, or below the building to accommodate further units, as arguably is the case with many other homes and buildings within the Borough, the nature of the proposal is not such that it triggers the application of the Policy.
22. During the hearing, the Council drew attention to an appeal decision⁸ for a site within the Borough which involved the loss of a hotel and its conversion into a luxury five-bed dwelling. Whilst that proposal was found to conflict with the Council's optimisation policy (CH1), that was a site where the residential use (C3) was an entirely new use of the building, i.e. a 'new development' and where one large unit clearly compromised the ability to secure a denser scheme. That differs from the appeal scheme which is a building with an established residential use, the same number of units overall and which already includes an existing very large unit.
23. Drawing together this main issue, I do not consider that there is a conflict with Policy CH1 of the Local Plan, Policy 3.4 of the London Plan, or Policy H8 of the emerging London Plan.
24. Even if it were argued that there is some degree of tension with the objective of the aforementioned Policies to maximise the delivery of additional housing, a material consideration relevant to the density is that there are two extant permissions⁹ that permit two separate amalgamations within the appeal building. The implementation of these fallback permissions would result in the building containing only four residential units as a baseline. The appeal scheme is at least capable of preserving the six units without losses that otherwise undermine the objectives of the aforementioned Policies.

Character and appearance

25. The appeal building is situated at the end of a terrace and fronts St John's Gardens, opposite St John's Church (the Church). The appellant highlights that the building is a non-designated heritage asset and there is no dispute from the Council on this point despite the absence of a specific register entry. The site and surroundings are wholly within the Ladbroke Conservation Area (CA). Due to its proximity to the Grade II Church, the building falls within its setting. The building is also within the setting of the Grade II Registered Gardens, Ladbroke Square Garden and Hanover Garden, but has a more direct relationship with the latter.

⁸ APP/K5600/W/19/3231664

⁹ PP/19/07010 and PP/20/01498

26. Under the respective sections of the Listed Building and Conservation Areas Act 1990 (66(1) and 72(1)), and the National Planning Policy Framework (the Framework), my statutory duties involve the consideration of any harm to, or loss of, the significance of any designated heritage assets from either their alteration or from development within their respective settings. Such harm requires clear and convincing justification and attracts considerable weight and importance.
27. It was agreed between the parties prior to the hearing that many of the external alterations, including the rebuilding of the dilapidated garden wall fronting Ladbroke Grove and the improvements to the east and west elevations to rationalise windows, downpipes, clutter and reintroduce symmetry thereto would be beneficial to the character and appearance of the building, the wider CA and the settings of the Church and Registered Gardens. The mansard roof extension and other below ground extensions were also agreed as being acceptable. I find no reason to reach alternative conclusions regarding these separate aspects and their effects on the building's or area's character, appearance or the heritage significance of any of the identified assets.
28. The element of the proposal in dispute is the full height extension to the north-east elevation. At present, the northern elevation fronting St John's Gardens is asymmetrical due to a full height extension added at some time between 1862 and 1896. It is understood that the building would have originally been built as two adjoining dwellings, with a symmetrical principal north elevation designed to front St John's Road. The building has since been subdivided into flats and has had an asymmetrical elevation for a substantial period. Despite this asymmetry, there is no dispute that it is a 'positive contributor' to the character and appearance of the CA and settings of the Church.
29. The Ladbroke CA, designated in 1969, was planned and developed speculatively from south to north by a number of different architects, including James Thomson and Thomas Pocock. The luxuriant buildings are a key component of the character. In the Ladbroke area, in which the appeal site lies, the terraces were broadly designed to follow the contours of the hill so that the roof lines and parapets appeared continuous. The private gardens and other green spaces nestled between the terraces provide a verdant and prestigious quality to the area. Many buildings have either half or full stucco with elaborate detailing. The types of housing built are highly significant and distinctive to the area. Particularly relevant to the appeal is that a very special feature of the CA is the terrace ends, which were often designed to have the appearance of a symmetrical detached house.
30. The extension would infill the leftover gap on the north-eastern end of the building and recreate a symmetrical northern elevation fronting St John's Gardens. It would be in a scale, form and with detailing entirely consistent with its existing character and appearance, designed to provide a matching wing to that which has existed since the late 1800s. There would be a modest change which would result in the building having a greater sense of grandeur than it currently presents, but not in a manner that exceeds such buildings deliberately designed as features at the ends of terraces. It would also be consistent with buildings also found within the surrounding well-defined urban grain which upholds symmetry and repetition of stylistic features as a defining characteristic.

31. The Church lies opposite the site and is a building deliberately sited and designed in order to form a prominent landmark and focal point of the area with a vertiginous spire. Its significance derives, not only from its siting, but also from its age, dramatic gothic form and appearance, and the specified features of special interest, including some internal features.
32. Owing to its scale, form, siting and appearance, the rebalancing of the elevation with the extension would have a neutral effect on the setting of the Church. It would mirror an element of the building which has been 'tried and tested' and been found to contribute to the overall characteristics of the area, including the setting of the Church. Though the resulting building, through this notable change and other alterations, would have a heightened sense of grandeur, it would not compete with the Church for dominance given the obvious contrasts between their function, scale, form and appearance and the intervening degree of separation.
33. Owing to the siting and scale of the extension to the north-east elevation in relation to the orientation and views from the Registered Gardens, this aspect of the proposal would have a neutral effect on the settings thereof.
34. The proposed extension would result in an enhancement to the character and appearance of the area and the CA. It would also at least preserve the settings of the Church and the Registered Gardens. Considered holistically with the other external changes, the proposal has an overall beneficial effect on designated heritage assets and their settings. The proposal therefore complies with Local Plan Policies CL1, CL2, CL3, CL9 and CL11. These Policies, amongst other things, seek to ensure development contributes positively to the townscape, is of the highest architectural quality and preserves or enhances the character or appearance of the conservation area, special architectural or historic interest of the area and its setting.
35. For similar reasons, the proposal would also comply with the Ladbroke Conservation Area Appraisal (2015).

Other Matters

36. Though the Council's decision notice refers to London Plan Policy 3.3, that is a strategic policy seeking to increase housing supply generally and sets parameters for the formulation of policy relevant to the boroughs. It does not specify how it is to apply to decision making and, as such, is not determinative in this case.
37. I have taken into account the concerns raised by neighbouring occupiers in respect of noise and disturbance from construction activities, particularly also in relation to the excavation works and potential effects on structural stability. The imposition of conditions would ensure that construction methods and activities were appropriately managed and overseen so as to avoid any structural or unneighbourly effects. Any agreement necessary under the Party Wall Act (1996) in relation to such falls outside of the planning process.

Planning balance and conclusion

38. For the reasons outlined above, the proposal complies with the development plan, read as a whole. There are no considerations of sufficient materiality to indicate that a decision should be taken other than in accordance therewith.

Conditions

39. I have considered the conditions in light of paragraph 55 of the Framework and the Planning Practice Guidance. I have undertaken some minor editing in the interests of precision and clarity. I have also sought specific agreement to the imposition of any pre-commencement conditions where necessary.
40. In addition to the statutory time limit, a condition listing the approved plans is necessary in the interests of certainty.
41. In the interests of the preservation of the character and appearance of the area, numerous conditions are required to secure an appropriate palette of building materials, including painted timber windows and boundary features.
42. For further reasons relating to the character and appearance of the area, it is necessary to condition the undertaking and method of tree works, tree protection during construction and also landscaping measures.
43. To protect the living conditions of neighbouring occupiers, it is necessary to impose conditions to limit noise and vibration from building service plant, including air conditioning and extraction equipment. For similar reasons, it is necessary to prevent odour issues from equipment associated with the swimming pool. Furthermore, it is necessary to impose conditions relating to construction practices, and also specifically in relation to works below ground.
44. In the interests of human health, it is necessary to condition remediation of any ground contamination.
45. For the avoidance of any unintended surface water flood risks, conditions requiring approval and implementation of sustainable drainage systems is necessary.
46. In the interests of the safe and efficient operation of the highway network, it is necessary to condition the approval of a Construction Traffic Management Plan.
47. Due to the site's location within an archaeological priority area, it is also necessary to condition that an archaeological watching brief shall be agreed and implemented during construction works.

Hollie Nicholls

INSPECTOR

DOCUMENTS SUBMITTED

Document 1

Appeal decision APP/K5600/W/19/3231664

APPEARANCES

FOR THE APPELLANT:

Mr Richard Ground QC	Cornerstone Barristers
Mr Simon Wallis BA(Hons) MRTPI	Savills
Mr Edward George BA(Hons) MRTPI	Savills
Ms Hannah Parham BA MA FSA	Insall Architects
Mr Peter Mishcon ARB RIBA	Mishcon Jackson Architects
Mr Gavin Jackson BA(Hons) DipArch RIBA	Mishcon Jackson Architects
Mr David Mansour MRICS	London Wall Group

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Stephanie Malik MRTPI	RBKC
Ms Sarah Buckingham MRTPI FSA	RBKC
Ms Preeti Tyagi Gulati MRTPI	RBKC

INTERESTED PARTIES:

Ms Ciara Halleman	Interested person
Mr Vaci Kobilez	Interested person

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing plans Refs: 116/01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15 and 16

OS Location/Site Plan	Ref 116/100	1:1250 / 1:500
East Elevation Proposed	Ref 116/101	1:100
North Elevation Proposed	Ref 116/102	1:100
West Elevation Proposed	Ref 116/103	1:100
Fourth Floor Plan Proposed	Ref 116/105	1:100
Third Floor Plan Proposed	Ref 116/106	1:100
Second Floor Plan Proposed	Ref 116/107	1:100
First Floor Plan Proposed	Ref 116/108	1:100
Ground Floor Plan Proposed	Ref 116/109	1:100
Lower Ground Floor Plan Proposed	Ref 116/110	1:100
Basement Floor Plan Proposed	Ref 116/111	1:100
Front Garden Plan Proposed	Ref 116/112	1:200
St John’s Garden Wall	Ref 116/114	1:100
Lower Ground Floor Plan Proposed	Ref 116/115	1:100
Roof Plan	Ref 116/116	1:100
Section AA Proposed	Ref 116/120	1:100
Section BB Proposed	Ref 116/121	1:100
Section EE Proposed	Ref 116/124	1:100
Proposed Section EE Under Garden	Ref 116/125	1:100
West Elevation Existing and Proposed	Ref 116/140	1:150
North Elevation Existing and Proposed	Ref 116/141	1:200
East Elevation Existing and Proposed	Ref 116/142	1:150
East and West Elevation Proposed	Ref 116/143	1:150
Ladbroke Grove Elevation Proposed	Ref 116/151	1:250
- 3) All work and work of making good shall be finished to match the existing exterior of the building in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing, and shall be so maintained.
- 4) The windows hereby permitted shall be framed in painted timber, and be so maintained.
- 5) The roof slopes of the extension hereby permitted shall be clad in natural slates, and so maintained.

- 6) The cheeks of the dormer windows shall be clad in lead and be so maintained.
- 7) The railings to the proposed side gate and lightwells shall be painted black, and so maintained.
- 8) For the duration of works the trees existing on the site at the date of this permission shall be protected so as to prevent damage above and below ground, and no tree shall be lopped, topped, or felled, or root pruned, without the prior written approval of the Local Planning Authority.
- 9) No development shall commence until full particulars of the methods by which all existing trees on the site and adjacent land are to be protected during site preparation, demolition, construction, landscaping, and other operations on the site including erection of hoardings, site cabins, or other temporary structures, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with the details so approved.
- 10) No development shall commence until a scheme of landscaping, to include all existing trees and shrubs and proposed trees shrubs and paths and their surfacing materials, has been submitted to and approved in writing by the Local Planning Authority, and the development shall only be carried out and maintained in accordance with the details so approved.
- 11) All tree and shrub planting forming part of the plans and details approved through this planning permission shall be carried out in the first planting and seeding season following the first occupation of the development or the completion of the development whichever is the sooner. Any trees or shrubs which, within a period of five years from the first planting and seeding season referred to above, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 12) Noise emitted by all building services plant and vents shall not exceed a level 10dBA below the existing lowest LA90(10min) background noise level at any time when the plant is operating, and where the source is tonal it shall not exceed a level 15dBA below. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with the manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is determined by the Local Planning Authority to be failing to comply with this condition, it shall be switched off upon written instruction from the Local Planning Authority and not used again until it is able to comply.
- 13) The plant shall not operate unless it is supported on adequate proprietary antivibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.
- 14) Fumes or odours expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not be detectable at the property boundary. If at any time the extraction plant is determined by the Local Planning Authority to be failing to comply with this condition,

it (or the source equipment) shall be switched off and not used again until it is able to comply.

- 15) No development shall commence until an Options Appraisal (OA) and a Remediation Strategy (RS), based on the GEA July 2019 Desk Study and Ground Investigation Report, has been submitted to, and approved in writing by, the Local Planning Authority.
- 16) No occupation or use of the development shall occur until the approved Remediation Strategies are implemented and a Verification Report (VR) has been submitted to, and approved in writing by, the Local Planning Authority. The VR shall include full details of requirements for ongoing monitoring and maintenance and be prepared in line with the Environment Agency's current Land Contamination Risk Management Guidance and Royal Borough of Kensington & Chelsea informatives / guidance or any subsequent updates. Ongoing monitoring and maintenance shall be implemented in line with the approved VR.
- 17) If during development, contamination not previously identified is found to be present at the site, development work shall cease and not be recommenced until a report indicating the nature of the contamination and how it is to be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be implemented in full.
- 18) No development shall commence until:
 - A. A Code of Construction Checklist and Site Construction Management Plan (SCMP) for the development have been approved, in writing, by the Council's Construction Management Team, and then
 - B. Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record.
- 19) No development shall commence until:
 - A. A Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed for the duration of building works and their appointment confirmed in writing to the Local Planning Authority, and
 - B. The name, and contact details of the person supervising engineering and construction on site for the duration of building works have been confirmed in writing to the Local Planning Authority.

In the event that either the Appointed Engineer or Appointed Supervisor cease to perform that role for whatever reason before the construction works are completed, those works shall cease until a replacement chartered engineer of the afore-described qualification or replacement supervisor has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer and supervisor are at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.
- 20) No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The statement should include:

- A. routing of demolition, excavation and construction vehicles, including a response to existing or known projected major building works at other sites in the vicinity and local works in the highway;
- B. access arrangements to the site;
- C. the estimated number and type of vehicles per day/week;
- D. details of any vehicle holding area;
- E. details of the vehicle call up procedure;
- F. estimates for the number and type of parking suspensions that will be required;
- G. details of any diversion or other disruption to the public highway during preparation, demolition, excavation and construction work associated with the development;
- H. work programme and/or timescale for each phase of preparation, demolition, excavation and construction work associated with the development;
- I. details of measures to protect pedestrians and other highway users from construction activities on the highway; and
- J. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, position of nearby trees in the highway or adjacent gardens, pedestrian routes, parking bay suspensions and remaining road width for vehicle movements.

The development shall be carried out in accordance with the approved CTMP. A one page summary of the requirements of the approved CTMP shall be affixed to the frontage of the site for the duration of the works at a location where it can be read by members of the public.

- 21) No development shall commence until a Sustainable Drainage Systems Strategy with the following information is submitted to and approved in writing by the Local Planning Authority:
- A. A detailed analysis of surface water run-off and attenuation volume (to demonstrate how the proposed measures will aim to comply with Local Plan Policy CE2 (g), which is to achieve a reduction of 50% of existing rates including climate change in the calculations and factoring in all flows into the sewer system including groundwater or other flows).
 - B. Information about the proposed SuDS types, their location, attenuation capacity, specification, structural integrity, construction, operation, access, and maintenance. (More sustainable green SuDS should be favoured over attenuation tanks).
 - C. Section/profile drawings of the SuDS, if relevant (green roofs, blue roofs, sub-base attenuation, permeable paving, planters, species, etc.).
 - D. Drainage plans to show clearly how surface water run-off will be conveyed to the SuDS and any connections to the sewer system if necessary.

- E. During construction of the development hereby permitted the approved Sustainable Drainage System (SuDS) shall be fully implemented and maintained thereafter.
- 22) During construction of the development hereby permitted the submitted Flood Risk measures shall be fully implemented and maintained thereafter.
- 23) No development shall take place until arrangements have been made for an archaeological "watching brief" to monitor development groundworks and to record any archaeological evidence revealed. These arrangements shall be submitted to, and approved in writing by, the Local Planning Authority, and the development shall take place only in accordance with the detailed scheme so approved.