

## Without Prejudice Comments on Planning Conditions

Condition	Comments
1. Time commencement	Statutory requirement
2. Approved documents and plans	<p>Suggest delete reference to Cover Letter, D&amp;A Statement, Air Quality Assessment, Tree Data Spreadsheet, Planning and Heritage Statement, Arboricultural Report, Transport Report. The condition is for the purpose of plan compliance. These documents do not relate to the development to be permitted and should be deleted. Similarly, Tree Constraints Plan should be deleted.</p> <p>Is X1-115 and X1-111 correct. With the appeal documentation Revisions A have been submitted for these plans.</p>
3. Materials	<p>Suggest a simpler condition relating to proposal as described:</p> <p>“Notwithstanding any details on any approved plans, before development takes place, samples and details of any new facing and roof materials, and hard surfaced materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.”</p> <p>Suggest “hereby approved” here and elsewhere. It is clear that the conditions relate to the development permitted without this phrase.</p>
4. Demolition and Construction Environmental Management Plan	<p>For consistency, suggest use common trigger “Before development takes place” instead of “Prior to the commencement of any development. “</p> <p>Second sentence suggest simplified by deleting reference to the SPG, “The DCEMP shall identify the steps and procedures to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from site preparation, demolition activities, groundwork , refurbishment and construction .. “</p> <p>There is no need to specify the SPG as it will be a tool to judge the submitted</p>

	<p>details and in any case, policy documentation can become superseded over time.</p> <p>Third sentence, is there a missing “which” to make better sense.</p> <p>Fourth sentence, in the interests of simplicity and avoiding superfluous text, suggest. “The DMP and CLP shall include the following”.</p> <p>Is clause needed regarding employees confirmation by sustainable transport in light of further clause ref a travel plan?</p> <p>Is clause on protection of controlled waters. Are there any protected waters on site in need of protection.</p> <p>Is clause on unexpected contamination needed. There is another condition dealing with this.</p>
5. Contaminated land desk top investigation	The Inspector would query the justification. No environmental consultee appears to recommend such a condition and planning history does not indicate any polluting uses. Subject to clarification, there does not appear to be any controlled water nearby. If there is justification, the Inspector reserves right to further comment of the wording of the condition, if necessary.
6. Contaminated land method statement	As above
7. Contaminated land remediation scheme	As above
8. Contaminated land verification report	As above
9. Contaminated contamination reporting	Necessary. Final sentence wording “to the satisfaction” appears vague and imprecise. Suggest final sentences. “The remediation strategy shall include measures to resolve the identified contamination, an associated timetable and a verification scheme to ensure measures are carried out. The remediation shall be implemented in accordance with the approved strategy.”

<p>10. Tree assessment and protection measures</p>	<p>Is part a) not covered by the appellant's tree constraint plan, drawing number CCL 12056 /TCP Rev 1. The condition is repetitive and suggest be simplified in the interests of brevity. Elsewhere, there is also reference to a Arboricultural Report (29/10/2024) by Crown Tree Consultancy although it does not appear to have been submitted.</p> <p>Suggest</p> <p>"No development shall take place until a Tree Protection Plan has been submitted to and approved in writing by the local planning authority. In accordance with tree constraint plan, drawing number CCL...., the plan shall specify methods of demolition, driveway/roadway construction and hard-surface design including foundation, tree protection measures, ground protection boards, services installation, materials storage, and plant machinery use.... and site supervision.</p> <p>The development shall be carried out in accordance with the approved plan. "</p> <p>If the Arboricultural Report covers some of these matters, the above condition could be amended to reflect this.</p>
<p>11. Ecological Conservation Management Plan</p>	<p>Reference to the ecological plan submitted. ? Suggest:</p> <p>"No development shall take place until an ecological conservation management plan, in accordance with the recommendations in the Ecological Report (produced by AA Environmental Limited dated December 2024) has been submitted to and approved in writing by the local planning authority. .."</p>
<p>12. Preliminary bat mitigation plan</p>	<p>The condition suggests further bat survey because under the first bullet point, it indicates a bat roost assessment.</p> <p>Government advice, paragraph 99 of circular 06/05 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed</p>

	development, is established before the planning permission is granted. However, it is noted that the Ecological Report details a low value for roosting bats, subject to a single follow-up bat activity survey to confirm absence of roost. Is a condition necessary and if so, is it compliant with government advice.
13. Hard and soft landscaping	In the interests of simplification, suggest: “Before development commences, a landscaping scheme shall be submitted and approved in writing by the local planning authority. The scheme shall include: a) ...  Bullet point 4 could be simplified and superfluous text removed.  “location and design of play equipment, including associated safety features; “
14. Energy and safety strategy	In the interests of preciseness, suggest second sentence “The strategy shall detail greenhouse gas emissions and energy demand reductions, following the energy hierarchy set out in London Plan Policy S12 and how the BREEAM .. will be achieved (or demonstrate why this ...feasible) for the existing buildings.”.
15. Energy and sustainability strategy - verification	Suggest “in writing” after “approved” after second sentence.
16. BREEAM – refurbishment post-construction	Noted.
17. Carbon reductions -new build	Noted but if the proposal relates to use of the buildings, is this condition necessary and if so, in this form? .
18. Carbon reductions and BREEAM -new build	As above
19. BREEAM completion -new build	As above
20. Cycle parking	In the interests of consistency, suggest “before development takes place” instead of “prior to ...development.” Suggest delete “all cycle parking should ... Standards.” in the interests of conciseness. The Council will no doubt

	use standards to assist in determination of detail acceptability.
21. Delivery and servicing	In the interests of consistency, suggest “before development takes place” instead of “prior to ...development.” Suggest delete “all cycle parking should ... Standards.” Suggest delete “(but is not limited to)” unnecessary and superfluous.
22. Car parking management plan	Noted.
23. Travel Plan	Add “in writing” after “approved” Delete “to the satisfaction of” as vague and imprecise (second para).
24. Temporary accommodation management plan	Noted
25. Fire safety	Justification from consultees? What is the detailed justification based on policy. The reasoning for condition is quite general. Is the matter not covered by building regulations and if so, is it necessary?
26. Accessible temporary accommodation	Suggest deletion “within the hereby approved development” as unnecessary. Conditions clearly relate to what is allowed (if allowed). Suggest substitution of “1:50 plans” with scaled detailed plans showing layout of rooms...” “1:50 plans” is overly prescriptive. Suggest “in writing” after “approved”
27. Details of lighting	Suggest deletion of “This lighting plan must follow best practice industry guidance ..” in the interests of brevity. In any case, the Council can use this guidance in assessing the acceptability of any details. Does the condition not require an implementation clause?
28. Sound proofing	Is this condition necessary. Does not Building Regulations cover sound proofing?
29. Signage and wayfinding strategy	After “approved” insert “in writing” Suggest delete “hereby approved” as unnecessary.
30. Refuse and recycling storage	Noted.
31. External ventilation equipment	Is there a need for an implementation clause for the approved details.

32. Ancillary use	If this condition has been read correctly, it is seeking to prevent residential use by restricting use. However, would this not require planning permission in any case and therefore, do we need the condition?
33.Construction hrs	Noted.
34.satellite dishes	Noted.