

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Mr. R. Lewis 'A'	Proposed demolition of existing dwelling and erection of two detached dwellings (as augmented by Ecological Assessment received 24.05.2010, Phase 1 Habitat Survey and Protected Species Survey Assessment received 21.06.2010 and Arboricultural Report received 02.06.2010 and amended by plans received 02.06.2010, 06.06.2010 and 07.06.2010)	RES	10/0326-CE 22.06.2010

Councillor C. B. Taylor has requested that this application be considered by the Committee, rather than being determined under delegated powers.

RECOMMENDATION: that permission be **APPROVED**.

Consultations

WH Strategic Planning (Policy)	<p>Consulted - view received 17.05.2010. No objection.</p> <p>Consulted - view received 17.05.2010.</p> <ul style="list-style-type: none"> ▪ The proposal is for windfall housing development. ▪ PPS3 states that "good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted... " ▪ The issue of scale, density and infill development in SPG1 are of particular relevance in this application. Para 5.5 states that "To be acceptable, infill development must be well designed and of a suitable scale so that it can be easily assimilated whilst avoiding problems with adjoining properties." ▪ The views of the Highways Engineer will be of relevance in relation to surrounding highway capacity and sustainability issues. ▪ If SPG11 is strictly applied an open space contribution should be sought. Further comments included below.
Tree Officer	Consulted - view received 28.06.2010. No objection subject to conditions.
Conservation Officer	Consulted - view received 10.05.2010. No objection. The existing building has no architectural merit and its replacement with a higher quality building is welcomed. The scale of the two replacement dwellings is large and Plot 1 seems to take its design from a neo-classical copy further along Plymouth Road rather than the historic arts and crafts style housing opposite. A design which takes its cues from the properties immediately surrounding the site would be more successful. However, the setting of the adjacent Conservation Area, would not be compromised by this development.
EHM (Contaminated Land)	Consulted - view received 10.05.2010. It is considered that a proposed end-use of residential housing is a sensitive end use and would be particularly vulnerable to the presence of any contamination. No objection subject to conditions requiring the applicant to undertake and

	submit a preliminary risk assessment, site investigation, risk assessment and remediation scheme.
EHM (Pollution Control)	Consulted - view received 04.05.2010. Note suggested regarding the burning of materials on site during demolition / construction.
ENG	Consulted - views received 05.05.2010 and 27.05.2010. No objection subject to a condition requiring the submission of a scheme for the disposal of storm water. Due to the relief of the land, there will be problems in solving the retention of surface water within the site. Guidance provided on how this may be achieved including the use of porous hardstanding and extensive attenuated soakaway systems which can be discharged into a former ditch. No flood risk assessment required. Disposal of foul sewage shall be to the mains located within Plymouth Road via a new private pump
Severn Trent Water	Consulted - view received 15/05/2010. No objection subject to a condition relating to the disposal of surface water and foul sewage.
West Mercia Police	Consulted - view received 08.06.2010. No objection.
WWT	Consulted 25.05.2010: no response received to date (expired 15.06.2010).
Lickey and Blackwell PC	Consulted - view received 27.05.2010. The Parish Council has concerns about this application, especially when considered with other recent and current applications. The density of dwellings in the area is increasing and is in danger of changing the character of the area. Consideration should be given to the Strategic Housing Land Availability Assessment which states that in some of the smaller settlements, such as Barnt Green, which are characterised by large properties with large gardens, densities of 30 dwellings per hectare would cause significant harm to the character and appearance of the area.
Publicity	3 letters sent 29.04.2010 (expired 21.05.2010). 1 site notice posted 14.05.201 (expired 04.06.2010). 1 press notice published 06.05.2010 (expired 27.05.2010). 11 responses received raising the following issues: <ul style="list-style-type: none">▪ Harm to and loss of trees. Potential harm to the boundary hedge with number 19A which is essential for privacy and screening.▪ The application site forms part of a low density residential area which is characterised by semi rural mature woodland that blends visually into the surrounding countryside and provides a unique setting for the adjacent Lickey Hills. The site is located on a elevated slopes and appears conspicuous when viewed from the conservation area, Green Belt and 4 Wood End Drive.▪ Introduction of an incongruous feature within an otherwise open area of the site, harm to special character and woodland setting of Barnt Green, pressure to increase housing density in this locality, and unrelated to street scene and traditional pattern of development.▪ There are no infill developments in the immediate area of the application site.▪ Tandem development does not respect the character of the area and such development has been resisted over the years.

- Form and distribution of buildings and driveway would be an alien and conspicuous feature. This will be contrary to the objectives of conservation policy and will undermine the principles of Green Belt policy.
- Existing development in area is more spacious.
- Design of the buildings will result in an intrusive insertion of a grandiose nature with the large but generally understated design of existing houses
- Following the amendment to PPS3 and the letter from Eric Pickles (indicating the Government's intention to abolish RSSs) the application site must now be considered as a Greenfield site and therefore would be considered less favourably.
- Increase in traffic.
- Loss of residential amenity including loss of privacy and openness, harm to outlook and overbearing development.
- Noise, disturbance and pollution from proposed driveway.
- Impact of the development on protected and other species and destruction of natural amenity. The adjoining occupiers at numbers 17 and 19A have reported the presence of great crested newts, badgers, bats, grass snakes, water voles, butterflies, moths, birds, deer, foxes, dragon flies and damsel flies in their gardens and the potential presence of dormice. No wildlife survey has been submitted to address these protected species and this is a serious omission. It is requested that time be given to allow the adjoining occupiers to undertake a protected species survey.
- Proposal will exacerbate existing long-term problems with sewage services and drainage. In 1999, surface water draining from the application site demolished the common boundary wall with 4 Wood End Drive and 23 Leylandii. Further problems were encountered when the wall was rebuilt. Concern is raised that the proposed driveway will act as a channel directing further water towards 4 Wood End Drive. Any pumping station may generate additional noise.
- Driveway may introduce additional threats to security.
- Reference is made to a restrictive covenant on the land.

The site and its surroundings

This application relates to a large detached bungalow, dating from the 1970s, located on the south side of Plymouth Road, opposite the entrance to Ashley Court. The property occupies a generous plot measuring some 90 metres in depth. The site level falls away from the road with the dwelling being set some 3 metres below the front boundary. To the east, the boundary with number 17 is marked by a mixture of mature shrubs and trees. To the west, the boundary with number 19A is marked by a conifer hedge. The front boundary is relatively open and is marked by a line of trees. The site is located in a recognised residential area but adjoins the Green Belt along part of its southern boundary. The northern boundary of Barnt Green Conservation Area lies approximately 10 metres to the south of the site.

Proposal

This application proposes the demolition of the existing bungalow and the construction of two new houses. Plot 1 will occupy the position of the existing dwelling. It will be three storeys in height with the second floor provided in the roof space. Plot 2 will be set 62 metres back into the plot and will be two storeys in height. A new private driveway will be created running from the existing vehicular cross over down to the second dwelling.

Relevant Policies

WMSS	CF2, CF3, CF6, QE3, QE5, QE6, T2, T7
WCSP	SD.1, SD.2, SD.4, SD.5, CTC.1, CTC.2, CTC.5, CTC.8, CTC.12, CTC.20, T.1, T.3, T.4
BDLP	DS4, DS13, S3, S4, S7, S8, S35A, S36, C4, C10A, C17, TR8, TR11, ES6, ES7
Others	PPS1, PPG2, PPS3, PPS5, PPS9, PPG13, PPS23, PPS25, SPG1, SPG11, Lickey and Blackwell VDS

Relevant Planning History

09/0331	Additional storey extension, alterations and detached garage. Approved 23.06.2009.
B/2004/0028	Additional storey extension and alterations. Approved 16.03.2004.

Notes

As Members will be aware, an amendment to PPS3: Housing, issued on the 9th June 2010, removed garden land from the definition of Brownfield land. However, it is important to note that the revision made to PPS3 does not indicate that development of garden land is no longer acceptable. Policy S7 of the Bromsgrove District Local Plan 2004 states that new dwellings outside of the Green Belt will be considered favourably where they meet a number of criteria. The amendment to PPS3 does not alter or supersede the Council's support of development in residential areas and as such the proposed development is acceptable in principle. The main issues in the consideration of this application are therefore layout, design and density, the Green Belt and conservation area, residential amenity, trees, ecological issues and drainage.

Layout, density and design

Policy S7 requires residential development to be of a density, form and layout appropriate for the area whilst policy S8 resists the sub-division of plots where such development would be detrimental to the character, traditional pattern or amenity of the location. Policy BG4 recognises this area of Bant Green as having a special character which must be maintained. The supporting paragraph to this policy explains that dwellings in this area have a density of 1 to 4 dwellings per acre. I have noted the comments raised by local residents in relation to this matter.

During the latter half of the twentieth century, Plymouth Road was extensively redeveloped. Plots were subdivided along their frontages, cul-de-sacs created or private driveways formed to access backland plots. Although neither number 17 or 19A has

been sub-divided, I would note that 2 doors to the west, the former plot of 21 Plymouth Road is now 3 houses in depth and 3 doors to the east, Wood End House has been sub-divided into flats and 5 houses built within its former curtilage. I acknowledge that there are no existing examples of tandem development (one house placed directly behind the other and sharing the same access) within Plymouth Road. However, along a road where there is such a diverse range of development patterns, including the use of existing shared access points (for example at number 21), I am of the opinion that tandem development will not appear out of keeping with the character or pattern of development in the area. It is also important to note that, although previous national planning policy guidance (PPG3) resisted tandem development, this is not the case under the current guidance (PPS3). The density of the proposed development would be 2.5 dwelling per acre and the proposed plots sizes are comparable with others in the area.

There is an eclectic range of housing types and designs along Plymouth Road. These range from the remaining architect-designed dwellings, to the simpler houses of the 1960s and 1970s, though to the larger dwellings built in more recent years. I disagree with the view put forward in response to the publicity exercise that houses along Plymouth Road are generally of an understated design. In particular, I would draw Members attention to the neo-classical design of numbers 21 and 21b. As noted by the Conservation Officer, the design of proposed Plot 1 appears to take reference from the design of these two existing houses. Given the mix of architecture which exists along Plymouth Road, I see no reason why a new dwelling needs to specifically relate to its immediate neighbours. The large size of Plot 1 is comparable to that of other recent development (for example 10) and I would note that its overall impact will be significantly reduced by the fact that it is set 3 metres below the level of the pavement. As such, I do not consider that Plot 1 will appear incongruous in the street scene. It would also note that Plot 1 is 8m smaller in width and just 0.7m greater in height than the size of the dwelling approved under 09/0331. The proposed detached garage is similar to that approved under 09/0331 except that it has been pushed closer to the boundary with number 17. Plot 2 has been kept to a much simpler design than Plot 1. Given the range of house types in the locality, I am satisfied that Plot 2 will not appear out of keeping.

Green Belt and Conservation Area

PPG2 requires the visual amenities of the Green Belt to be protected from development which may be conspicuous from the Green Belt. Policy S35A of the BDLP requires development adjacent to conservation areas to be sympathetic to the character of buildings in terms of form, scale and design. From the conservation area and Green Belt, the proposed development will primarily be seen in the context of 4 Wood End Drive, a large property open to the adjoining field, and also the backland development to the rear of number 21. Whilst I appreciate that both proposed plots will occupy elevated positions, I am satisfied that, in the context of other nearby built development, the proposal will not be harmful to the visual amenities of the Green Belt or the setting of the conservation area. The Conservation Officer has raised no objection to the scheme.

Residential amenity

SPG1: Residential Design Guide sets out guidelines which seek to protect the amenities of adjoining occupiers. Number 19A has a number of windows and balconies directly facing the new dwelling to Plot 1 and these are likely to experience loss of morning

sunlight as a result of the development. However, I note that the windows are secondary openings and I do not consider that the level of light lost will be significantly greater than that which would have been blocked under the extant consent for the second floor. Taking into consideration the difference in levels between the application site and adjoining properties, together with the existing boundary screening, I am satisfied that the proposal will otherwise be in compliance with SPG1 in relation to the level of light received by adjoining properties. SPG1 suggests that, in order to achieve a degree of privacy, two storey houses should be set a minimum 21 metres apart and three storey houses, 27.5 metres apart (paragraph 8.2). Windows of development overlooking existing private spaces should be set back 5 metres per storey from common boundaries (paragraph 8.5). Where a significant change in levels exists, greater distances are required. In most cases, the proposed development complies with this guidance and where it does not, obscure glazing can be used to prevent overlooking. The one exception to this is the separation distance between the two plots, where there is shortfall of 7.5m. However, future occupants of the development will be aware of the situation upon occupation and soft landscaping can be introduced to limit the level of overlooking. I consider the separation distances and boundary treatments are sufficient to prevent the development appearing overbearing when viewed from the windows and gardens of the adjoining houses. I acknowledge that the neighbouring occupiers will be aware of the vehicles using the proposed driveway but I do not consider that this will be harmful to their residential amenities.

Trees

Policy C17 of the BDLP requires development proposals to retain existing trees wherever possible. Whilst none of the trees to the application site are protected, those within the boundaries of number 17, including a number adjacent to the common boundary, are the subject of a Tree Preservation Order. The proposed development involves the removal of a couple of small trees and some Leylandii. These trees are of minimal value. The trees and hedgerow which are to be retained can be adequately protected through conditions. The Tree Officer has raised no objection to the scheme.

Ecological issues

PPS9: Biodiversity and Geological Conservation states that the aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where a proposed development would adversely affect those interests, suitable mitigation measures will need to be secured or, where significant harm cannot be prevented, adequately mitigated against or compensated for, then planning permission should be refused. Article 12 (1) of the EC Habitats Directive requires Member States to take requisite measures to establish a strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites or resting places.

I have noted the concerns raised by adjoining occupiers regarding the impact of the development on protected and unprotected species in the area. The applicant has submitted an Ecological Assessment focussing on bats and a Phase 1 Habitat Survey and Protected Species Survey which together cover the existing house and wider plot. The documents report that there was no positive evidence of bats and that there are no immediate and obvious implications for great crested newts, badgers, water voles, dormice or other wildlife as a result of the development. It is considered highly likely that

birds will use some of the vegetation for nesting and as such precautions are recommended to ensure that no nesting wild birds are disturbed during clearance works. Further precautionary and enhancement measures are recommended. I have noted the request for time to be given to allow adjoining occupiers to undertake a survey on their own land. However, I am satisfied that the Council is in possession of sufficient information in order to discharge its biodiversity duty under Section 40 of the Natural Environment & Rural Communities Act 2006. The recommendations made in the report cover the unlikely possibility that protected species will be found during works. I have suggested a condition below to ensure the development is carried out in accordance with these recommendations.

Drainage

Due to the nature of the soil in this part of Barnt Green and the local topography, surface water drainage is an issue in this locality. The applicant has submitted 3 possible schemes for the disposal of storm water. The Council's Drainage Engineer has verbally indicated that these would be acceptable subject to the submission of information to demonstrate their appropriateness. Local residents have also raised concern about the disposal of foul sewage. Severn Trent Water has raised no objection the scheme and I am satisfied that sufficient capacity exists to accommodate an additional dwelling.

Other matters

Worcestershire Highways has raised no objection to the proposed development and I am satisfied that the proposed access arrangements and parking provision are acceptable. The risk of contamination on the land can be addressed through the conditions recommended by Environmental Health Manager.

The application site measures over 0.2 hectares and therefore, under SPG11: Outdoor Play Space in the District of Bromsgrove, falls within the threshold for the provision of on-site play space or a contribution for off-site facilities. The sum required under SPG11 is £32,704. Circular 05/2005 requires requests for planning contributions to be fairly and reasonably related in scale and kind to the proposed development. The Council's Strategic Planning Officer has acknowledged that a net increase of one dwelling will have only a very limited impact on local play space facilities. In addition, the main purpose for the 0.2 hectare threshold in SPG11 is to prevent applicants reducing densities to avoid payments. Barnt Green is characterised by large properties on good sized plots and therefore higher densities on the site are unlikely to be possible. In my opinion, a request for £32,704 cannot be justified in this instance.

It is acknowledged that the proposed driveway will open up the most of the length of the application site. West Mercia Police has raised no objection to the layout of the scheme and I note that the driveway will benefit from natural surveillance from both proposed houses.

Conclusion

Having considered the material considerations of this application, including the views of local residents, I find the proposed development acceptable subject to the following conditions.

RECOMMENDATION: that permission be **APPROVED**.

2. C03 - materials to be submitted.
3. Prior to the occupation of Plot 1, the en suite window to the west facing elevation of this dwelling shall be fitted with obscure glass and have a top hung casement opening only, and shall remain so in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
4. Prior to the occupation of Plot 2, the lounge, Bed 1, en suite and bathroom windows to the east facing elevation of this dwelling shall be fitted with obscure glass and have a top hung casement opening only, and shall remain so in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that order with or without modification), no extensions shall be added which extend beyond any part of the rear elevation of Plot 1 without the prior written consent of the Local Planning Authority.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows shall be added to the east facing roof slope or east facing elevation of the lounge, Bed 1, en suite to Bed 1 and bathroom of Plot 2 and no extensions of more than one storey shall be added to front elevation of Plot 2 without the prior written consent of the Local Planning Authority.
7. The existing bungalow outlined by a dashed line on Drawing Number: 10.06.09 Revision B and annotated 'Outline of existing dwelling to be taken down' shall be demolished and all the resultant materials removed from the site (apart from materials to be used in the construction of the proposed development) before development in pursuance of this permission is commenced.
8. The development hereby approved shall be carried out in accordance with the recommendations set out in part 4 Conclusions and Recommendations of the Phase 1 Habitat Survey and Protected Species Survey by Worcestershire Wildlife Consultancy dated June 2010. This includes the provision of bat boxes and bird bricks / boxes.
9. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, protective fencing shall be erected around the Root Protection Areas of the trees shown retained on the approved plans and trees on adjoining land. The fencing shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority. It shall be constructed as illustrated by Figure 2, and at positions in accordance with Section 5.2.2 of British Standard BS5837:2005 and shall be maintained as approved by the Local Planning Authority until all development, subject of this permission, has been completed.
10. No works of any kind shall be permitted within or through the Root Protection Areas of trees on and adjacent to the application site without the prior specific written permission of the Local Planning Authority. This specifically includes any works such as changes in ground levels, installation of equipment or utility services, the passage or use of machinery, the storage, burning or disposal of materials or waste or the washing out of mixing or fuel tanks.

11. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, an Arboricultural Method Statement or similar detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall then be carried out in accordance with the approved statement or schedule.
12. No trees or hedges on the application site, other than those shown to be removed on the approved plans, or the branches or roots of trees growing onto the site from adjacent land, shall be topped, lopped or felled without the specific written permission of the Local Planning Authority.
13. C10 - landscaping
14. Unless otherwise agreed in writing by the Local Planning Authority, development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until:
 - a. A preliminary risk assessment has been submitted to and approved in writing by the Local Planning Authority. This study shall take the form of a desk top study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors.
 - b. Where necessary, a scheme for detailed site investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"
 - c. Where necessary, a detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"
 - d. Where necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be submitted to and approved in writing by the Local Planning Authority. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - e. Where necessary, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
 - f. Where necessary, following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to and

approved in writing by the Local Planning Authority prior to the occupation of any buildings.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.
16. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
17. Prior to the occupation of the approved development, the access, parking and turning arrangements shown on Drawing Number: 10.06.09 Revision B shall be provided on site.

Reasons

- 3 & 4. To protect the privacy of adjoining occupiers in accordance with policy S7 of the Bromsgrove District Local Plan 2004.
5. To protect the privacy of occupants of Plot 2 in accordance with policy DS13 of the Bromsgrove District Local Plan 2004.
6. To protect the privacy of adjoining occupiers and the special character of the area in accordance with policies DS13, S7 and BG4 of the Bromsgrove District Local Plan 2004.
7. In order to secure a well-planned development in accordance with policies DS13 and S7 of the Bromsgrove District Local Plan 2004.
8. To ensure there are sufficient protection and mitigation measures to address the potential presence of protected species on site in accordance with policy C10A of the Bromsgrove District Local Plan 2004.
- 9-12. In order to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties in accordance with policies S7, C17 and DS13 of the Bromsgrove District Local Plan January 2004 and policies CTC.1 and CTC.5 of the Worcestershire County Structure Plan 2001.
- 14 & 15. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ES7 of the Bromsgrove District Local Plan 2004.
16. To ensure that the development is provided with a satisfactory means of drainage as well to reduce the risk of creating or exacerbating flooding problems and to minimise the risk of pollution in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

17. In the interests of highway safety in accordance with policy TR11 of the Bromsgrove District Local Plan January 2004 and policy T.1 of the Worcestershire County Structure Plan 2001

Notes

1. The scheme of landscaping required under condition 13 shall include no less than 2 trees positioned adjacent to the rear boundary of Plot 1. These trees shall be of a suitable species and height and positioned to provide effective screening to Plot 2 from the windows to Plot 1. Details of the species, age, height and position of the trees shall be provided as part of the scheme.
2. There is no Public Surface Water Sewer available and no surface water will be allowed to discharge to the foul sewer.
3. If the preliminary risk assessment required under condition 14a indicates that land contamination does not exist at the application site, it may not be necessary for the documents required under conditions 14b to 14f to be submitted.
4. The granting of planning consent does not supersede the applicant's responsibilities for biodiversity under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006 and the Badgers Act 1992.
5. The applicant is advised that any materials resulting from the demolition of the existing building(s) and clearance of the site, should be disposed of in an appropriate manner and should not be burnt on site.