

From:
To: [DCAdmin](#)
Subject: Objection to planning application number 2023/91472
Date: 15 June 2023 17:16:11

Dear Sirs,

I wish to object to planning application number 2023/91472 for the variation of conditions 9, 11, 12, 22, 23, 25, 27, 29, 30, 33, 34 and 38 on the previous permission 2020/90436 for outline application.

I understand that the applicant wishes to vary the pre-commencement conditions to allow them to proceed with demolition works prior to the decision on the full application, reference 2023/61/90909

It is my firm belief that varying the conditions prior to approval of the full development plans is unacceptable. Planning conditions (and regulations, for that matter) are there to protect public amenity and the environment and to ensure that any development is carried out in a safe and legal manner. If conditions can be varied to suit the developer's convenience, they would not have been there in the first place.

A few comments on specific conditions:

Condition 9 – Drainage – temporary drainage plans for the construction phase need to be approved first, in order to avoid flooding down-hill due to potential escape of water (e.g. burst pipes). This is to protect amenity, environmental wellbeing and accord with Policies LP27, LP28 and LP34 of the KLP.

Condition 12 – Arboricultural Method Statement – this is to ensure that any works related to the development do not have an adverse impact on the existing trees (sadly, most of them no longer there) and the TPO trees. Demolition work should not commence until Condition 12 is discharged in full, to ensure that what is left of site vegetation is appropriately safeguarded and protected from further damage. Note that the work already carried out deems the development non-compliant with this condition and should therefore invalidate the outline permission 2020/90436.

Condition 25 – Waste storage and collection – permanent waste collection plans have not yet been approved. My concern is that no temporary waste handling, storage and collection plans have been put forward, let alone approved, as far as the demolition works are concerned. The demolition works should not be allowed to commence until the plans and timescales are clear, and inward / outward traffic projections have been assessed and accepted. I am very concerned about the nuisance (dust, noise, traffic, highway safety, PROW user safety) that will result from the demolition phase, and will affect the neighbourhood. To protect public amenity and highway safety, this variation should not be allowed.

Condition 27 - CMP approval is a pre-commencement condition. Demolition is a part of the development and therefore should not commence until the CMP (including a timetable of all works, details of point(s) of access for construction traffic, vehicle sizes and routes, times of vehicle movements, parking for construction workers, signage, pre-development road condition

surveys, wheel washing facilities within the site, lighting during construction works, hours of working, details of dust, noise and vibration suppression measures) is approved. To the best of my knowledge, having reviewed the documentation submitted by the applicant, the above detail has not been proposed, let alone approved. Therefore, varying this condition should not be considered as it is designed to protect public amenity and highway safety.

Condition 30 – Internal Highway design – as the internal highway design is essential for the development phase to proceed safely and effectively, this should be approved before any site traffic access is allowed, to ensure highway safety both within the site and the way internal traffic merges with external traffic.

Condition 34 – Access to the development (layout, construction specification, and programme of works for the access to the development, visibility splays, internal roads, footways, turning areas to accommodate an 11.85m refuse vehicle, and all associated works). This condition protects highway safety during the development phase as well as after. As such, it should not be varied as access should be approved at the appropriate stage of the development (i.e. before any work commences).

Condition 38 – CEMP. Unfortunately, this condition has already been broken as an extensive site clearance has taken place already. Approximately 90 of the previously existing 110 trees / shrubs / vegetation clusters were removed in February, subjecting the remaining vegetation (including the TPO trees on site) to stress and pollution from the machinery and vehicles used in the process, and leaving them exposed to the elements by removing all surrounding shrubs and vegetation. Site biodiversity has been largely destroyed as the clearance process removed all existing habitat for hedgehogs, squirrels, foxes, birds and not least, bats. The developer has demonstrated reckless disregard for local planning laws, including this pre-commencement condition. As it has already been broken, I do not see what purpose would be served by the variation that they are requesting. It is my firm belief that having broken this condition, the developer has invalidated the outline permission of 2020/90436.

And finally, may I express my viewpoint that that the reasons (i.e. vandalism and break-ins) for varying the conditions, in order to allow demolishing the building, are laughable? We have full view of the bungalow day and night as it is now exposed and lit up generously by street lighting, due to the above-mentioned extensive vegetation clearance. We can state with confidence that neither the bungalow, nor the site, have been exposed to any vandalism or break-ins; there are no signs of vandalism, no broken windows, no reports to the police have been made.

May I suggest that the appropriate approach to preventing vandalism and potential break-ins would be to improve site security and surveillance? After a recent break-in at our property, the attending Police officers advised us to install security cameras and a stronger gate – demolishing our dwelling was never suggested?

Kind regards,

