



Committee and Date
Northern Planning Committee
6th April 2021

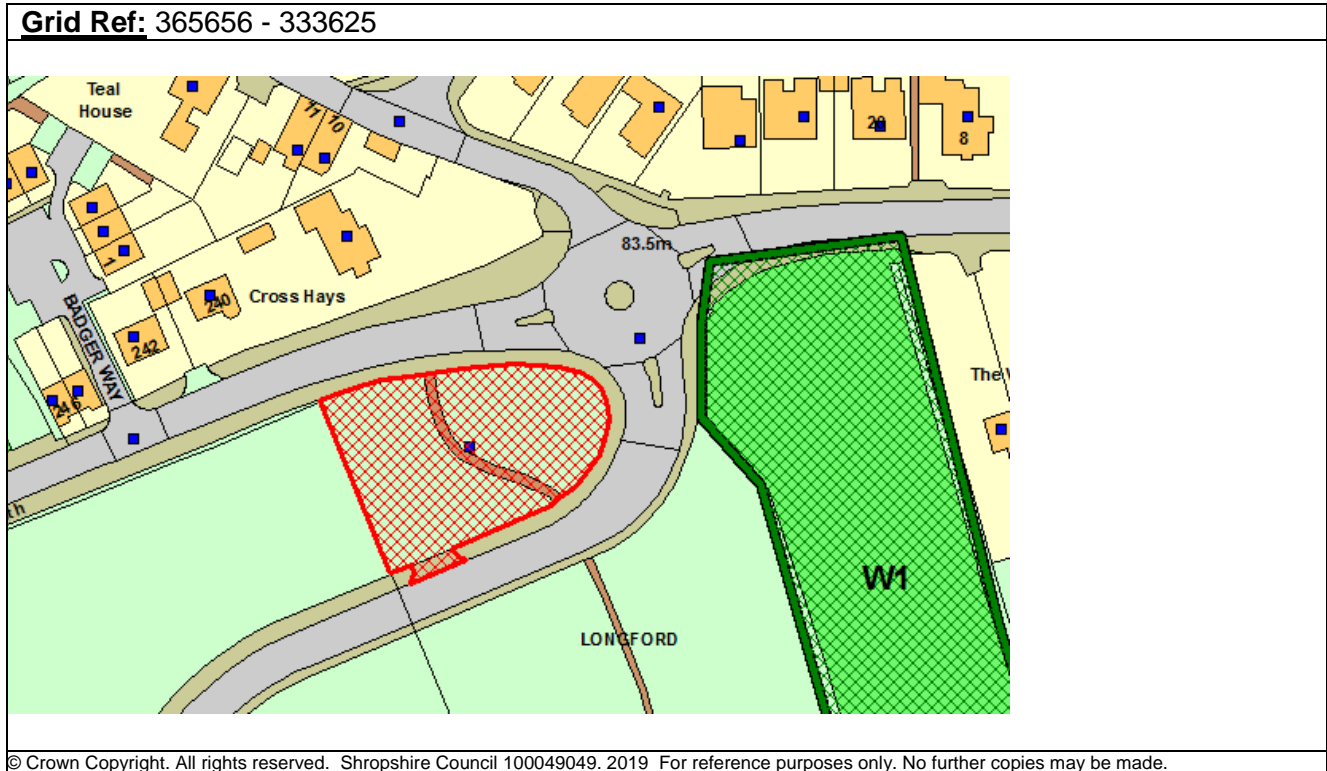
Item
5
Public

Development Management Report

Responsible Officer: Tim Rogers
Email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

| | |
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| Application Number: 21/00176/OUT | Parish: Market Drayton Town |
| Proposal: Outline application for class E(b) (restaurant) development with means of access and all other matters reserved | |
| Site Address: Proposed Restaurant Development Site Wallace Way Tern Valley Business Park Market Drayton Shropshire | |
| Applicant: Mr John Gwilliam | |
| Case Officer: Sue Collins | email : planning.northern@shropshire.gov.uk |



Recommendation:- Refuse subject to the conditions set out in Appendix 1.

1. There is no objection in principle to the development of the application site. However, insufficient information has been submitted with the application to demonstrate that the proposal will not have a detrimental impact on this visually important site which provides a green entrance to the Business Park. Furthermore there insufficient detail to be able to assess fully the impact of the development on traffic movement, the ecology and biodiversity of the area, and the residential amenities of properties within the surrounding area.

While the principal of the development in in accordance with the NPPF and policies S11, CS13 and MD9 of the Shropshire LDF, on balance this is outweighed by the potential detrimental impact on the character and appearance of the area, residential amenity, highways and the landscaping of the site. As such the proposal as submitted is considered contrary to policies CS6, CS17, CS18, MD2, and MD12 of the Shropshire LDF.

REPORT

1.0 THE PROPOSAL

1.1 This application seeks outline planning permission for the erection of a restaurant Use Class E(b) on land at Wallace Way, Tern Hill, Market Drayton. Only the issue of the means of access is included as part of the outline application with landscaping, appearance, layout and scale to be dealt with as reserved matters.

2.0 SITE LOCATION/DESCRIPTION

2.1 The land is at the entrance to the business park and was undertaken as part of the works to create the entrance to the site off Shrewsbury Road. The land was landscaped and a right of way crosses the site to connect Shrewsbury Road to the Damson Wood Walk on the opposite side of Wallace Way. The land has over time become denser with trees and other plants which have self-set and creates a screen to the houses on the opposite side of Shrewsbury Road and the Business Park.

2.2 The land currently undulates and contains bunds which have been created as part of the landscaping carried out.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The application is referred to Committee owing to it not being in accordance with the scheme of delegation.

4.0 COMMUNITY REPRESENTATIONS full details of the responses can be viewed online

4.1 Consultee Comments

4.1.1 **Town Council:** Market Drayton Town Council support this application.

Ecology: No objection

I have reviewed the Preliminary Ecological Update (Absolute Ecology, July 2019, updated/amended February 2021) and plans submitted in association with the application and I am happy with the survey work carried out.

The ecology survey carried out by Absolute Ecology (February 2021) found that

the habitats of most ecological value at the site was the onsite trees, scrub and bordering hedgerows. Due to the likely removal of trees and scrub at the site a further application should include some suitable landscaping proposals to show overall biodiversity gains.

Any external lighting to be installed in association with the development should be kept to a low level to allow bats and other wildlife to continue to forage and commute around the surrounding area and a further application should include a detailed lighting plan.

Conditions and informatives are recommended for inclusion on any planning permission that may be granted.

4.1.2 **Tree Officer:** No objection

The site has a group of scattered immature self-set trees and scrub described in the updated Ecology report. These do not appear to be important amenity trees and they are not protected. Their removal would have a low overall arboricultural impact. However, they do have a greening and softening impact to the entrance to the site and a further application should include some suitable landscaping proposals in mitigation.

Regulatory Services: No objection

There are residential properties located directly opposite the proposed site that could be impacted by noise and odour if the site is not carefully designed. Therefore, any future reserved matters application must ensure that the site is designed to minimise the impact on amenity. For example where possible noisy activities such as carparks, plant and any external eating areas should be located furthest from the houses with the building acting as a screen between the noise source and the receptors, any cooking fumes must be adequately extracted and dispersed so as not to impact on the neighbouring properties and lighting should also be designed so as not to impact on the amenity of neighbouring dwellings.

Depending on the proposed design a noise assessment may be required with future applications and conditions to protect residential amenity.

4.1.3 **Drainage:** No objection subject to the inclusion of a condition requiring full drainage details to be submitted prior to any development commencing on site. Informatives are also recommended for inclusion should planning permission be granted.

United Utilities: No objection

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The applicant can discuss any of the above with Developer Engineer, Shoaib Tauqeer, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an

Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

Water Supply

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk. Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999. United Utilities' Property, Assets and Infrastructure

A public sewer crosses within the vicinity of the site and we may not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of Part H of the Building Regulations, for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer may be necessary.

All costs associated with sewer diversions must be borne by the applicant.

To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at

wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further. Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Highways: No objection

This development is likely to be acceptable as the proposed use is unlikely to create "severe harm" on the adjacent public highway. It is located adjacent to an area of employment, with other local amenities and services close by. It is also near a predominantly residential area, on the edge of Town. Therefore, this development could be relatively sustainable in transport terms.

It should be noted however, that it will be the end user which would determine the specific level of impact, on the local highway. As the size and type of restaurant will set the level of operational need for the business. This in turn will interface with the public highway differently. Unfortunately, no specific details have been provided, therefore no specific assessment of the access and internal car parking arrangements can be undertaken.

Given this is an "outline" application with all matters reserved and the Council is minded to approve this development. The recommended pre-commencement highway conditions should be imposed together with the recommended informatives, if planning permission is to be granted.

4.2 Public Comments

4.2.1 13 letters of representation have been received with one being in support. The

following concerns have been raised

- Insufficient information to enable the full impact of the proposal to be assessed.
- There is a public right of way across the site which has not been referred to in the application.
- A restaurant is not required in this location.
- This is overdevelopment of the business park as it is too close to residential properties
- Erecting a restaurant here could take trade away from existing establishments in the town.
- This is a highly prominent site where any development will have a visual impact.
- If the restaurant would have to be highly visible from the main road in order to catch passing trade. This would be detrimental to the current rural character of the site.
- The existing trees provide screening from the development on the business park and Muller's and a green gateway to the business park.
- Loss of the trees would severely impact on the character and appearance of the area.
- If a fast food outlet this will result in rubbish being discarded in the area.
- Lighting particularly if it were on for 24 hours a day would have a detrimental impact on the residential amenities of the area.
- The development would result in a loss of privacy to dwellings on the opposite side of Shrewsbury Road
- Use of the restaurant would cause noise and disturbance through traffic, deliveries, extractor fans and outside use of the premises
- A restaurant in this location could lead to anti-social behaviour being introduced.
- Food cooking would result in unacceptable levels of odours affecting properties.
- It would increase the amount of traffic along Shrewsbury Road gaining access to Wallace Way. This will affect highway safety for both pedestrians and other road users.
- No details are provided to demonstrate the entrance and exit for the unit together with space for any queuing traffic for a drive thru' establishment.
- There is little public transport available in the area and therefore it is most likely that any use of the premises would be by people in cars.
- The proposed removal of the trees and bushes will have a detrimental impact on wildlife in the area.
- This is an area of outstanding natural beauty in close proximity to Damson Wood.

The letter of support provides no justification for their comment.

5.0 THE MAIN ISSUES

- Policy and Principle of Development
- Design, Scale and Character
- Impact on Residential Amenity
- Highways

- Impact on Trees
- Ecology
- Drainage

6.0 OFFICER APPRAISAL

6.1 Policy & principle of development

- 6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Since the adoption of the Councils Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight in the determination of planning applications. The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications.
- 6.1.2 Tern Valley Business Park has in the main been developed for use in association with Use Classes B1 Business, B2 General Industrial and B8 Storage or Distribution of the Use Classes Order 1987. However, in 2020 the Use Classes Order was amended with Class B1 now being Use Class E(g). As a business park the development of plots for food outlets, takeaway, café, restaurant etc has not been previously considered as it was aimed at being a business park rather than aiming at providing leisure facilities.
- 6.1.3 Under policy S11.1 Tern Valley Business Park is identified as a committed urban employment site in order for Market Drayton to build on its role as a principal centre and a main provider of employment opportunities for the area. The Business Park is also identified as a protected employment area as defined in policy MD9 of SAMDev. This policy identifies it as a site suitable for Class B development or appropriate sui generis employment uses. The protection of these areas from inappropriate development will be proportionate to the significance of the employment area.
- 6.1.4 Policy CS13 of the Shropshire Core Strategy supports the principle of economic development, enterprise and employment in Shropshire. This seeks to deliver sustainable economic growth and prosperous communities. This policy also protects existing employment areas for alternative uses.
- 6.1.5 Overall in view of the above it is considered that the potential for development of the site could be considered to be acceptable in principle. However, development would also need to be in accordance with other relevant policies and these are discussed further in this report.
- ### **6.2 Design, Scale and Character**
- 6.2.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are

incorporated within the new development. The National Planning Policy Framework indicates that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In addition policy MD2 of SAMDev builds on policy CS6 and deals with the issue of sustainable design.

- 6.2.2 A number of objections have been received to the proposal on the basis of the potential layout design and scale of the facility that is to be built on the site and the lack of information provided.
- 6.2.3 The only detail provided with the application is the proposed access into the site off Wallace Way. Therefore it is not possible for officers to determine the full scale of the proposed operation, the proposed building works to be carried out or the intended layout of the scheme. While with some applications the information provided may be considered acceptable, in this case the site is visually highly prominent, and as a result any works will have a significant impact on the character and appearance of the area. As such the amount of information that needs to be provided is significantly higher
- 6.2.4 In view of this lack of information it is considered by officers that the full implications of the proposal can be assessed and as such is contrary to the NPPF and policies CS6 and MD2 of the Shropshire LDF.
- 6.3 Impact on Residential Amenity**
- 6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity.
- 6.3.2 A number of concerns regarding the impact the proposed development will have on residential amenities of the area.
- 6.3.3 It is appreciated that there are residential properties on the opposite side of Shrewsbury Road and that the construction of a restaurant could have an impact. While some have commented that the development would impact on their privacy, the distance between the site and the dwellings where a public highway passes in between would negate the potential loss of privacy.
- 6.3.4 However, issues such as potential noise, odours and light pollution from the site could be potential issues. While it might be possible to overcome some of these issues as part of a reserved matters application, there are concerns that an approval in principle may cause such issues to be overlooked or not properly be dealt with by future developers.
- 6.3.5 Comments also relate to the benefits that are afforded to dwellings from the trees and bushes that are on the site. These currently screen them from the sights of the Business Park as well as providing a green and an attractive entrance into the business park which blends well with the Damson Wood and the associated walk on the opposite side of Wallace Way.
- 6.3.6 On the basis of the above it is the opinion of officers that insufficient information has been provided to ensure that the future development of the site will not have

an unacceptable impact on residential amenities of the area. This is contrary to the NPPF and policy CS6 of the Shropshire Core Strategy.

6.4 **Highways**

- 6.4.1 Concerns have been raised by local residents that the development will encourage excessive traffic to be generated. This would not only result in additional noise for the residents along Shrewsbury Road but also a highway safety issue for pedestrians and other road users.
- 6.4.2 While no objection has been raised by the Council's Highways Development Control Manager, the comments do imply an air of caution as no end user has been identified and as such no specific assessment of the access and internal car parking arrangements can be undertaken. As such if the application is approved, then a number of conditions which would require information to be provided prior to any works commencing on site have been recommended for inclusion on any planning permission.

6.5 **Impact on Trees**

- 6.5.1 Many of the letters of representation refer to the impact caused as a loss of the greenery from the site.
- 6.5.2 An outline planning permission granted in 2008 for the development of the business park included a condition regarding landscaping and the retention of this for the lifetime of the development. However this planning permission was not implemented as development that has been carried out was subject to further full planning applications. The landscaping was carried out as part of the creation of the access into the business park to give it an attractive green entrance and as such has been left.
- 6.5.3 While the Tree Officer has raised no objection to the removal of the trees on the site, there is no doubt in the opinion of the case officer that the loss of these trees and bushes would have a detrimental impact on the character of this area. While landscaping could potentially be carried out as part of any future scheme, it would not be possible to achieve something that provides so much of a screen from any development of the site or the Business Park beyond.
- 6.5.4 Overall the Case Officer is concerned that the lack of information provided with the application as to the scale and layout of the development could result in a significant loss of the established trees and shrubs. Any potential landscaping scheme could have a detrimental impact and not screen development of the existing site or the land beyond.

6.6 **Ecology**

- 6.6.1 The NPPF and policy CS17 of the Shropshire Core Strategy require consideration to be given to the impact of the proposed development on the natural environment. This particularly relates to the impact on statutorily protected species and habitats. Policy MD12 of SAMDev further supports the principle of protecting and enhancing the natural environment. Therefore the application has been considered by the Council's Ecologist.
- 6.6.2 Concerns have been expressed by local residents that the site due to the level of

trees and bushes is used by wildlife and as such should be protected.

- 6.6.3 While no statutorily protected habitat or species were found in the area, the trees scrub and bordering hedgerows are of ecological value on the site. The recommendation of the Ecologist is that any landscaping scheme for the development of the site would have to show overall biodiversity gains. In addition conditions are also recommended for inclusion on any planning permission that may be granted. These include landscaping, lighting and that works be carried out in accordance with the ecological survey.
- 6.6.4 As lighting may be an issue to bats in the area, any future lighting scheme for any development of this site would have to be to an appropriate level which may not be bright enough for a commercial use. However as no details of the potential development have been submitted it is not possible to assess this fully enough to be able to support the scheme given its potential impact.
- 6.6.5 For clarification, a comment has been received claiming that the site is adjacent to an area of outstanding natural beauty. While the neighbouring area may be considered beautiful and is a pleasant feature of the area, it is not formally recognised as an Area of Outstanding Natural Beauty.
- 6.6.6 In view of the above it is considered that the proposed development may have a detrimental impact on the ecology and biodiversity of the area. Therefore the proposal is not in accordance with the requirements of the NPPF policy CS17 of the Shropshire Core Strategy and policy MD12 of SAMDev
- 6.7 **Drainage**
- 6.7.1 The NPPF and policy CS18 of the Shropshire Core Strategy require consideration to be given to the potential flood risk of development.
- 6.7.2 While the agent has provided some drainage information in relation to the development, both the Council's Drainage Engineer and United Utilities require further details to be submitted for approval. As such each have requested that conditions and informatives be included on any planning permission that may be granted to ensure that an appropriate scheme is devised for the development.
- 6.7.3 The comments of United Utilities also indicate that there is a main sewer within or close to the site for which they require a buffer strip to be kept clear from development. This would need to be taken into consideration with any potential development.
- 6.7.4 In view of the above it is considered that an appropriate drainage system can be installed to meet the requirements of the NPPF and policy CS18 of the Shropshire Core Strategy.
- 6.8 **Public Right of Way**
- 6.8.1 There is a public right of way which crosses the site and provides a direct link from Shrewsbury Road to the Damson Walk across Wallace Way. This meanders through the trees and bushes and provides a relatively peaceful and a pleasant access to the Damson Wood Walk. A number of concerns have been raised regarding the impact of the development on this right of way.

6.8.2 While no response has been received from the Council's Rights of Way Officer, the Case Officer is also concerned at the loss of this means of access through the site. The Agent has confirmed that if any development were to be considered as the footpath crosses the centre of the site, it would be necessary to either divert or extinguish the footpath. This would have to be subject to a separate application made to the Council.

7.0 CONCLUSION

7.1 No objection in principle is raised to the possibility of developing the site, however Officers are aware of the initial purpose of this site being landscaped to provide a green entrance to the business park. Due to the lack of information submitted with the application, it is not possible to fully assess the impact of a restaurant on this site which is in a highly prominent location. There is a concern at the loss of the amenity afforded by the trees and shrubs and the impact that this would have on the character, appearance and the ecology and biodiversity of the surrounding area. There are also concerns regarding traffic movement, and the impact such a scheme will have on the residential amenities of the area.

From the above it is officer opinion that while the principal of the development is in accordance with the NPPF and policies S11, CS13 and MD9 of the Shropshire LDF, on balance this is outweighed by the potential detrimental impact on the character and appearance of the area, residential amenity, highways and the landscaping of the site. As such the proposal as submitted is considered contrary to policies CS6, CS17, CS18, MD2, and MD12 of the Shropshire LDF.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.
- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 **Equalities**

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

9.0 **FINANCIAL IMPLICATIONS**

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

National Planning Policy Framework

Settlement: S11 - Market Drayton

CS6 - Sustainable Design and Development Principles

CS13 - Economic Development, Enterprise and Employment

Economic Development, Enterprise and Employment

CS17 - Environmental Networks

CS18 - Sustainable Water Management

MD2 - Sustainable Design

MD9 - Protecting Employment Areas

MD12 - Natural Environment

RELEVANT PLANNING HISTORY:

21/00176/OUT Outline application for class E(b) (restaurant) development with means of access and all other matters reserved PDE

11. Additional Information

[View details online:](#)

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| List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information) |
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| Cabinet Member (Portfolio Holder) Councillor Gwilym Butler |
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| Local Member |
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| Cllr Roger Hughes Cllr David Minnery |
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| Appendices APPENDIX 1 - Conditions |
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APPENDIX 1

Conditions

STANDARD CONDITION(S)

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

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