

**ANNEX B TO NATIONAL ASSEMBLY FOR WALES LETTER DATED 29 MARCH 2006 REF: A- - PP 117-98-007**

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 78**

**APPEAL BY NATIONAL ASSEMBLY FOR WALES FOR RESIDENTIAL DEVELOPMENT FOLLOWING DEMOLITION OF EXISTING BUILDINGS AT MEADOWSLEA HOSPITAL PENYFFORDD CHESTER**

**PLANNING CONDITIONS ATTACHED TO PLANNING PERMISSION OF 29 MARCH 2006 IN RESPECT OF PLANNING APPLICATION REF. 038451 DATED 16 SEPTEMBER 2004**

1. Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called " the reserved matters") shall be obtained in writing from the local planning authority before any development begins.
2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall begin either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Notwithstanding the fact that the siting of the buildings is a reserved matter, the extent of the proposed redevelopment of the site shall be restricted to the curtilage of the presently developed part of the site as shown edged red on drawing No. P16\_01S/2 and the combined footprints of the proposed buildings shall not exceed 2913m<sup>2</sup> in area.
5. Notwithstanding the requirement of condition1, development shall not commence until details showing that the height of any building, the landscaping of the site and any lighting proposed would not compromise aerodrome safety have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
6. Notwithstanding the requirement of condition 1, the development shall include for the provision of open space in accordance with details submitted to and approved in writing by the local planning authority prior to the commencement of development. The details to be submitted shall include a timetable for the provision of the open space. The open space shall be provided in accordance with the approved details.

7. The development shall not begin until details of the arrangements for the provision of 30% of the dwellings on the site as affordable housing have been submitted to and approved in writing by the local planning authority. Such details shall include:

- i) The type and location on the site of the affordable housing provision to be made;
- ii) The timing of the construction of the affordable housing;
- iii) The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- iv) The occupancy criteria to be used in determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be enforced.

The affordable housing shall be provided in accordance with the approved arrangements.

8. No development shall commence until the existing site access has been improved in accordance with details previously submitted to and approved in writing by the local planning authority.
9. No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted to and approved in writing by the local planning authority.
10. No development shall commence until a detailed scheme for the disposal of foul sewage and surface water drainage has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details which shall be completed prior to the occupation of any dwelling.
11. Prior to the commencement of development, a survey of the site shall be carried out by a licensed ecologist to identify the presence of any protected species. A copy of the survey shall be submitted to the local planning authority. If any protected species are found, a scheme for the protection during the course of development of any such species shall be submitted to and approved in writing by the local planning authority before works of development commence on site. Development shall take place in accordance with the approved scheme.
12. a) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected, between the previously developed part of the site (including the access) as shown on drawing P16\_01S/2 and the remainder of the site together with a

timetable for the erection of the boundary treatment. Development shall be carried out in accordance with the approved details.

b) No development shall commence until a boundary management plan in respect of condition 12a) has been submitted to and approved in writing by the local planning authority and such plan shall be carried out as approved.

13. Prior to the commencement of development a detailed report shall be submitted to and approved in writing by the local planning authority identifying any contamination on the site and any measures necessary for its treatment and/or remediation. Development shall be carried out in accordance with the approved details.