

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	07/03/2023
		N/A	<b>Consultation Expiry Date:</b>	N/A
<b>Officer</b>			<b>Application Number(s)</b>	
Sophie Bowden			2023/0113/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
13 Princess Road, London NW1 8JR			Refer to Draft Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Change of use of ground floor and basement from retail to residential comprising 1 x 1 bed flat and associated alterations to fenestration.				
<b>Recommendation(s):</b>		Refuse planning permission		
<b>Application Type:</b>		Full planning permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	
<b>Consultations</b>	
<b>Summary of Consultations</b>	<p>One site notice was displayed near to the site on the 15/03/2023. (Consultation end date 08/04/2023).</p> <p>The application was also advertised in the local press on 23/03/2023 (Consultation end date 08/04/2023)</p>
<b>Adjoining occupiers</b>	<p>No. of responses: 60 No. of objections: 60</p>
<b>Summary of consultations responses</b>	<ol style="list-style-type: none"> <li>1. Loss to the local community <ul style="list-style-type: none"> <li>- This unit is currently occupied by Milner, a garden design shop.</li> <li>- The objections specifically refer to the loss of an established business at ground floor level which has been serving the community for nearly 20 years.</li> <li>- Provides a beneficial visual display on the street.</li> <li>- Loss of thriving retail unit</li> <li>- Only plant shop in the vicinity</li> <li>- Reduces the supply of locally oriented retailers in the area and denies the residents the services of an excellent garden company</li> <li>- Reduced amenity</li> </ul> </li> <li>• Reduce footfall. <ul style="list-style-type: none"> <li>- The shops have a small footfall on this road and this would contribute to reducing it further detriment to the success of the businesses in close proximity</li> <li>- Princess Road will become a sterile area</li> <li>- Princess road needs to continue to be a vibrant shopping and community area otherwise the soul of the area is lost.</li> </ul> </li> <li>• Will set a bad precedent. <ul style="list-style-type: none"> <li>- Once this retail space is lost it will never be regained and is a truly retrograde step</li> </ul> </li> </ol>

CAAC

Primrose Hill Conservation Area Advisory Committee

- The provision of shops in terraces, with their ground floor display windows, is both integrated with the other, residential, terraces in the conservation area, but is also distinctive from them. This distinction is a significant contributor to the character and appearance of the conservation area. In Princess Road the contrast is particularly strong as the parade of shops faces the uniformly residential terrace opposite. The cumulative loss of this distinction, as proposed in this application, would harm the character and appearance of the conservation area. It would neither preserve nor enhance the character and appearance of the conservation area. The harm to the conservation area would not be outweighed by any public – as opposed to private – benefit.
- We note that the loss of the shopfront at no. 15 Princess Road is over 30 years old, and sets no precedent given the adoption of the Local Plan and its shopping and shopfronts policies in 2017.
- Camden's Local Plan Policy TC2a states that the Council will 'seek to protect and enhance the role and unique character of each of Camden's centres, ...'. We endorse this policy objective in general and see the protection of the commercial use at no. 13 as a clear example of the value of the policy to local communities.
- The application property provides a horticultural service highly valued in the conservation area where the green environment is a critical contributor to the character and appearance of the conservation area. The service is well-established and in active operation: the space is not vacant.
- The current use also contributes to the unique character of the neighbourhood centre where the parade of shop buildings from 11-31 Princess Road currently provides a range of services valued by the local community. The mix and range of services is critical to the success of the parade as a group and the cumulative loss of these services as proposed would undermine the future of what is a key local commercial area in the Primrose Hill Conservation Area.
- In addition to local services, the parade provides local employment which further supports the economic life and character of the conservation area. The PHCAAC strongly supports local SMEs and employment uses in our area.
- object strongly to the cumulative loss that the application proposes as undermining the viability of the larger parade.
- We also note that the cumulative loss of such uses directly counters the wider environmental aspiration of the '15-minute city', with its ecological objectives in terms of the Climate Emergency as well as its social value.
- The application proposals would neither preserve nor enhance the character and appearance of the conservation area.

Response to CAAC in below report

## Site Description

The application site comprises a four-storey mid-terrace building situated on the southern side of Princess Road. The basement and ground floors are in retail use (Class A1). The first and second floors are in residential use, accessed from an entrance fronting Princess Road, adjacent to the shopfront. This application relates to the retail use which is being proposed to change to residential use.

The building is not listed but is located within the Primrose Hill Conservation Area and is identified as a key primary frontage within Camden's centres as shown on the Local Plan Policies Map. The building has been identified a positive contribution to the character and appearance of the conservation area in the Primrose Conservation Area and Management Strategy.

## Relevant History

9100029- Change of use of the front part of the basement and ground floors from retail to residential to enlarge the existing maisonette at basement and ground floor levels together with alterations to the ground floor frontage and the formation of a new access to the front basement area

**Planning Permission granted 12/04/1991**

9502090- Change of use of ground floor and basement from Retail (A1) to Veterinary surgery (Sui generis)

**Permission granted 10/05/1996**

2017/7002/P- (Flat 3) Replacement of existing window with French doors and erection of railings to create a Juliette balcony

**Permission granted 09/02/2018**

## Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- D1 Design
- D2 Heritage
- TC2 Camden's centres and other shopping areas
- H1 Maximising Housing Supply
- H4 Maximising the supply of affordable housing
- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- DM1 Delivery and monitoring

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Employment Sites & Business Premises (2021)
- CPG Town Centres and Retail (2021)
- CPG Housing (2021)
- CPG Developer Contribution (2019)
- CPG Transport (2021)

Primrose Hill Conservation Area and Management Strategy (2000)

### 1. The proposal

- 1.1 Change of use of ground floor and basement from retail to residential comprising 1 x 1 bed flat and associated alterations to fenestration.

### 2. Assessment

- 2.1 The principal considerations material to the determination of this application are as follows:

- Principal of change of use
- Housing, dwelling mix and standards
- Design and Heritage
- Neighbour Amenity
- Transport

### 3. Principle of change of use

*Policy context*

- 3.1 Policy TC2 of the Council's local plan ensures that development in its centres is appropriate to the character and role of the centre in which it is located and does not cause harm to neighbours, the local area, or other centres.
- 3.2 The building has been designated a primary frontage as identified on the Local Plan Policy Map. We will
- protect the primary frontages as locations with a high proportion of shops (A1) in order to maintain the retail function of the centre; and
  - protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre

uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre.

- 3.3 In order to protect the retail and town centre function of our centres the Council will only permit conversion of retail and other town centre uses to residential use on the protected frontages where it does not harm the role and character of the centre, including maintaining the supply of shop premises in centres across the borough.
- 3.4 Due to high demand for housing and high housing prices in Camden shop units across the borough and particularly those in the Neighbourhood Centres face pressure for conversion to residential use. Shop premises that are converted to homes are likely to stay in residential use even if local market forces swing back in favour of retail uses, whereas changes of use between town centre uses are more flexible over the longer term. The Camden Retail Study anticipates demand for additional retail floorspace in designated centres throughout the Plan period. Camden seeks to protect the role and character of the designated centres. The most significant way we can protect the function of centres is by ensuring that sufficient ground floor premises remain in retail or other town centre uses.
- 3.5 The use of the premises over the years has included commercial activity at ground floor level with residential on the upper floors, this is characteristic of most of the properties within the terrace from 13 to 31 (odds) Princess Road. The mixed-use nature of these properties within the terrace are well established which includes the application building. Access to both the residential and commercial uses are on the princess Road frontage.
- 3.6 The proposal involves the complete loss of this primary frontage and retail use. Overall, this would be an unacceptable development in this row of buildings with similar facades and uses. The loss of the retail frontage at this site would have a significant impact on vitality and character of Princess Road which benefits the wider community.
- 3.7 In agreement with Primrose Hill CAAC, the current use contributes to the unique character of the neighbourhood centre where the parade of shop buildings from 11-31 Princess Road currently provides a range of services valued by the local community. The mix and range of services is critical to the success of the parade as a group and the cumulative loss of these services as proposed would undermine the future of what is a key local commercial area in the Primrose Hill Conservation Area.
- 3.8 The previous permission at this property for a similar conversion and the conversion at No.15 Princess Road cannot be used as precedence in this circumstance as the policies and guidelines relating to this conversion are no longer in use.
- 3.9 The difference between residential and commercial values in this location means commercial premises are particularly vulnerable to conversion. The Council made Article 4 Directions to withdraw the Class MA permitted development right to change from Use Class E (Commercial, Business, and Service) to Use Class C3 (dwellinghouses) for parts of the borough where there exists strong justification. The introduction of residential uses into town centres in an unplanned way through permitted development rights would cause the loss of local facilities and create dead frontages, reducing the attractiveness of, and variety within, centres. This property is subject to this Article 4, the conversion could not be carried out without the benefit of planning permission as stated in the design and access statement submitted.

#### **4. Housing, dwelling mix and standards**

- 4.1 Self-contained housing is the priority land-use of the Local Plan. Policy H1 aims to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing. Policy H6 seeks to provide new housing that is high quality, functional, adaptable and accessible, and meets space standards.
- 4.2 As the proposed development converts existing retail space to accommodate 1 residential dwelling over two floors creating 1 x bed unit, it is considered the new accommodation would provide additional C3 use and would add to the supply of homes to meet the future housing demand. It is therefore considered that the principle of housing would be acceptable in this location in a mixed use scheme where the primary frontage of retail activity is retained.

##### *Dwelling mix and standards*

- 4.3 Policy H7 of the Local Plan seeks to secure a range of homes of different sizes in all residential development and will seek to ensure that all residential development contributes to meeting the priorities as set out in the Dwelling Sizes Priority Table. The Priority Table indicates that market housing with 2 or 3 bedrooms are the highest priority and most sought-after unit size.
- 4.4 The Council's planning records show there are four 1 x bed flats on the upper floors of this building. The proposal seeks to create an additional 1 x bed flat which would increase the capacity of dwellings but wouldn't be an ideal housing mix as 1x bed units are considered low priority in Camden. However, the proposal would still increase the capacity for greater dwellings in Camden according with Policy H1 (Maximising housing supply) therefore, the proposed size of the accommodation cannot be used as a reason for refusal in this case.

4.5 New residential units should provide high standard of living accommodation for prospective occupiers whilst maintaining the amenities of the neighbouring residential properties. In order to provide one bedspace, a single bedroom should have a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide. The proposed bedroom at the application site would have a floor area of 12sqm and a width of 2.7m. The residential unit provided accords with National Space Standards (58sqm), being 61sq.m in total for a 1x bed (2 person) flat set over two floors. The size, form and layout of this one unit is acceptable and appropriate.

4.6 In terms of adequate living standards for the occupier of the conversion it is considered that the living room, located on the lower ground level would have satisfactory sunlight/daylight from the bi-fold doors proposed to be installed into the front lightwell. The outlook from the bedroom and living area would be acceptable.

## 5. Affordable Housing Policy

5.1 Policy H4 of the Local Plan expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floor space of 100sqm or more. This is based on the assessment where 100sqm of floor space is considered to provide capacity for one home. In developments that provide less than 10 units, affordable housing contributions can take the form of a payment in lieu (PIL).

5.2 The proposed scheme would create a new residential unit that measures 61 sqm. The floorspace falls below the 100sqm trigger therefore an affordable housing contribution would not be required if the scheme were acceptable in all other respects.

## 6. Design and Conservation

6.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation areas that fails to preserve or enhance the character and appearance of that conservation area.

6.2 13 Princess Road is a positive contributor within the Primrose Hill Conservation Area. Its significance includes its positive contribution to the conservation area and townscape by reason of its age, its appearance as an early Victorian terraced house with shop at ground floor, and design and materials. The physical fabric of the shopfront is not of merit in itself (it is of later C20th appearance) but the fact that there is a shopfront is of merit. The terrace is primarily a parade of shops and a pub and the existing shopfront contributes to this typical C19th commercial "high street" character. The buildings within the subject terrace appear to have all been in use as shops at ground floor by 1861 or earlier.

### Impact of Proposals on Significance

6.3 The site is noted in the Primrose Hill Conservation Area Statement as follows:

*A number of terraces were designed to accommodate retail uses, small businesses and public houses on the lower floors, with residential flats above. They are located primarily within the small Neighbourhood Shopping Centres to Chalcot Road, Gloucester Avenue, Princess Road and Regent's Park Road. (p.14)*

*The retail and small business units generally occupy a standard width terrace property or corner property, incorporating an original framework and shopfront at ground floor level, and front forecourt (as opposed to basement lightwell) with glazed pavement lights. The shopfront framework comprises an entablature with fascia board, stucco columns and corbels. Within this framework is a timber shopfront and a side door that allows access to the residential accommodation on the upper floors. Most original frames and a large number of shopfronts are retained to throughout this part of the Conservation Area. These are of a traditional design with timber stallriser, slender glazing bars with a vertical emphasis and panelled front doors. A number of shopfronts also retain large sliding sash windows to glazed areas. (p.14)*

6.4 There is no objection to the principle of the replacement of the existing shopfront, i.e. it is not an especially high quality shopfront, although the fascia, and especially the lettering, is well-designed and sympathetic to its historic context. However, there is certainly scope for enhancing the character and appearance of the conservation area by replacing it with a shopfront of more sympathetic, i.e. more Victorian, design.

6.5 However, the proposed replacement of the shopfront with a window would legibly alter the ground floor from a shopfront to a residential building and this fails to preserve or enhance the character and appearance of the conservation area. The contribution which the existing façade makes to the conservation area is partly its Victorian Italianate architectural treatment but also the presence of a shopfront at ground floor level.

6.6 The prevailing character of the block is as a parade of shopfronts and appears to have been such since at least the 1860s. The building makes a positive contribution to the character and appearance of the conservation area. A

conservation area can possess character through evidential value of its historic uses and in this case the majority condition of the subject terrace both historically and currently is as a parade of shops. The proposals would dilute this condition and reduce the special individual character of this terrace.

- 6.7 Any form of façade treatment at ground floor which is not a shopfront will harm the character and appearance of the conservation area and should be refused accordingly.
- 6.8 The works to lower the front vaults and the front lightwell would not be readily visible and are not considered to harm the character of the host building or wider conservation area.
- 6.9 The overall design and materials used for the shopfront would be considered unacceptable and inappropriate in this location and setting. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

## **7. Neighbour amenity**

- 7.1 Policy A1 of the Camden Local Plan seeks to ensure that development does not cause adverse amenity impacts upon neighbours. This is regarding sunlight, daylight, privacy and outlook. The proposed conversion and front alterations are not considered to result in any adverse impacts towards neighbour's amenity in regard to loss of light, overlooking or privacy impacts.
- 7.2 In terms of adequate living standards for the occupier of the conversion no details have been provided to demonstrate if there would be amenity impacts in terms of sunlight/daylight, outlook or what artificial lighting would be installed, specifically to the lower ground level. From the plans provided it is unlikely that the living room would be significantly impacted from the amenity concerns listed above due to the installation of bi-fold doors and a reasonable terrace area but further details in the form of a design and access statement would have confirmed this.

## **8. Transport**

- 8.1 Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets. In line with Policy T1 of the adopted Camden Local Plan and in accordance with the standards set out in the London Plan, we would require the provision of 1.5 cycle parking spaces. This would help to promote a move to sustainable modes of transport. However, no formal cycle parking is shown on the submitted plans. A contribution of £1,440 should be secured by means of a Section 106 Agreement towards the provision of a cycle hanger in the vicinity of the site.
- 8.2 Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done through not issuing parking permits, resisting development of boundary treatments and using legal agreements to secure these actions. The new unit would be car-free to limit the availability of both off-street and on-street parking. This would be secured by a S106 legal agreement if planning permission is granted and would prevent future occupiers from obtaining on-street parking permits. In the absence of a S106 legal agreement, this forms a reason for refusal.
- 8.3 The development would involve converting the existing vaults into a study. Any works which will or may affect the structural integrity of the highway requires approval and inspection by the Engineering Service's structural engineers. Works may be subject to a formal 'Approval in Principle' under highways legislation. The structures team have confirmed an AIP Cat 1 would be required - to ensure there is sufficient floor slab propping to the front retaining wall from the lowering of the vault.



## **9. Planning obligations**

9.1 If the proposal was considered to be acceptable it would be the subject of a Section 106 legal agreement. Many of the obligations required have been discussed above and are included as reason for refusal. Below is a summary of the heads of terms that would be sought for a successful scheme:

- Car-free development
- Cycle parking contribution
- Approval in principle

9.2 The proposal would be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as it involves the creation of new residential floorspace. See section (Justification for S106 Legal Agreement) for justification for the above obligations.

## **10. Appeal submitted on the ground of non-determination**

10.1 The appellant's have provided a statement explaining the reason for the submission of non-determination appeal. Officers have reviewed and taken into consideration the submitted documents with the application and have provided a thorough assessment of all matters within the officer's report above. From our assessment of the document's submitted officers do not think the appellant overcomes the reasons for refusal and therefore this appeal should be dismissed.

## **11. Recommendation**

11.1 Planning permission would have been refused had an appeal not been submitted for non- determination.

11.2 Reasons for refusal:

1. The change of use fails to protect the primary frontage, nor does it enhance the role and unique character of Princess Road. The proposal will result in the loss of a suitable retail use that provides variety, vibrancy and choice and maintains the retail function of the area. The proposal is therefore contrary to policies TC2 (Camden's centres and other shopping areas)
2. The design of the front elevation fails to respect the local context, nor does it preserve or enhance the character and appearance of Primrose Hill Conservation area. The proposal is therefore contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
3. The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.
4. The proposed development, in the absence of adequate cycle parking spaces or a legal agreement securing a financial contribution to provide cycle parking in the vicinity, would fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T1 (Prioritising walking, cycling and public transport) of Camden Local Plan 2017, cycle facilities section of CPG Transport, and the London Plan.
5. The proposed development, in absence of a legal agreement securing an Approval in Principle, would contribute unacceptably to the increased impact of the structural integrity of the highway as a result of the proposed development contrary to DM1 (Delivery and monitoring) of the Camden Local Plan 2017, Assessing Transport Impact section of CPG Transport and the London Plan.

## **12. Suggested Conditions (should the appeal be allowed)**

12.1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

12.2 The development hereby permitted shall be carried out in accordance with the following approved plans: 5354/01, 5354/02, 5354/03 and Submission statement received 10/01/2023

Reason: For the avoidance of doubt and in the interest of proper planning.

12.3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture

those of the existing building, unless otherwise specified in the approved application

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017

- 12.4 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 12.5 Prior to commencement of development, full details of the cycle parking space shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in their entirety prior to the first occupation of any part of the development and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

### 13. Justification for Section 106 Legal Agreement

Car free:

- 13.1 A planning obligation is considered the most appropriate mechanism for securing the development as car capped as it relates to controls that are outside of the development site and the level of control is considered to go beyond the remit of a planning condition. Furthermore, the Section 106 legal agreement is the mechanism used by the Council to signal that a property is to be designated as “car free”. The Council’s control over parking does not allow it to unilaterally withhold on-street parking permits from residents simply because they occupy a particular property. The Council’s control is derived from Traffic Management Orders (“TMO”), which have been made pursuant to the Road Traffic Regulation Act 1984. There is a formal legal process of advertisement and consultation involved in amending a TMO. The Council could not practically pursue an amendment to the TMO in connection with every application where the additional dwelling (or dwellings) ought properly to be designated as car free. Even if it could, such a mechanism would lead to a series of disputes between the Council and incoming residents who had agreed to occupy the property with no knowledge of its car-free status. Instead, the TMO is worded so that the power to refuse to issue parking permits is linked to whether a property has entered a “Car Free” Section 106 Obligation. The TMO sets out that it is the Council’s policy not to give parking permits to people who live in premises designated as “Car Free”, and the Section 106 legal a mechanism used by the Council to signal that a property is to be designated as “Car Free”.

- 13.2 Further, use of a Section 106 Agreement, which is registered as a land charge, is a much clearer mechanism than the use of a condition to signal to potential future purchasers of the property that it is designated as car free and that they will not be able to obtain a parking permit. This part of the legal agreement stays on the local search in perpetuity so that any future purchaser of the property is informed that residents are not eligible for parking permits.

CIL compliance:

- 13.3 The car-free requirement complies with the CIL Regulations as it ensures that the development is acceptable in planning terms to necessarily mitigate against the transport impacts of the development as identified under the Development Plan for developments of the nature proposed. This supports key principle 4 of the National Planning Policy Framework: Promoting sustainable transport. It is also directly related to the development and fairly and reasonably related in scale and kind as it relates to the parking provision for the site and impact on the surrounding highway network.

Cycle parking contribution

- 13.4 A planning obligation is considered the only appropriate mechanism for securing a financial contribution to provide cycle parking in an appropriate location in the vicinity of the site where it is not possible to within the curtilage of a development or in a suitable location in the vicinity as it relates to controls that are outside of the development site and the level of control is considered to go beyond the remit of a planning condition.

CIL compliance:

- 13.5 The cycle parking contribution complies with the CIL Regulations as it ensures that the development is acceptable in planning terms to necessarily mitigate against the transport impacts of the development as identified under the Development Plan for developments of the nature proposed. This supports key principle 4 of the National Planning Policy Framework: Promoting sustainable transport.

## Approval in Principle

- 13.6 The approval in principle contribution is considered the most appropriate mechanism for securing funds that involve works which will or may affect the structural integrity of the highway and requires approval and inspection by the Engineering Service's structural engineers. The highway works relate to controls that are outside of the development site and the level of control is considered to go beyond the remit of a planning condition.
- 13.7 The highway works will seek to repair any construction damage to transport infrastructure or landscaping; reinstate all affected transport network links and road and footway surfaces; and ensure that the highway network adjacent to a site is of a suitable standard to accommodate any changes to activity arising from the development.
- CIL compliance:
- 13.8 The approval in principle contribution complies with the CIL Regulations as it ensures that the development is acceptable in planning terms to necessarily mitigate against the highway impacts of the development as identified under the Development Plan for developments of the nature proposed.

