
Appeal Decision

Site visit made on 3 October 2016

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 December 2016

Appeal Ref: APP/N5090/W/16/3149976

Church Walk House, Church Walk, Childs Hill, London NW2 2TJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Church Walk House Development LLP against the decision of the Council of the London Borough of Barnet.
 - The application Ref 15/05969/FUL dated 23 September 2015, was refused by notice dated 10 March 2016.
 - The development proposed is the demolition of the existing building and the erection of a part two, part three storey building including lower ground level to provide 35 residential units (Use Class C3), parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing building and the erection of a part two, part three storey building with additional roof level and basement level to provide 35 residential units (Use Class C3), parking and landscaping at Church Walk House, Church Walk, Childs Hill, London NW2 2TJ in accordance with the terms of the application, Ref 15/05969/FUL, dated 23 September 2015, subject to the conditions on the attached Schedule A.

Procedural Matters

2. A signed unilateral undertaking under section 106 of the Town and Country Planning Act 1990, dated 7 September 2016, has been submitted. It secures contributions towards affordable housing and provision for employment opportunities either in the form an agreement or contribution. The Council has confirmed that it no longer wishes to pursue its third reason for refusal which relates to the loss of nursing home accommodation. I will comment upon both matters in this decision.
3. During the consideration of the planning application, amended plans were submitted showing changes to the cycle store and plant room, and slightly reduced overall floorspace for the scheme. I have based my decision on them. Under the banner heading, the description of the proposal is as that described in the application form. However, the Council's description of the proposal is more accurate and the proposal has been considered on this basis, including within the decision itself.

Main Issues

4. The main issues are the effects of the proposal on (a) the character and appearance of the area, (b) the living conditions of the occupiers of
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neighbouring properties, having regard to outlook from gardens, (c) the loss of a nursing home, (d) affordable housing and (e) employment opportunity provision.

Reasons

Character and appearance

5. The appeal site comprises Church Walk House, a much altered and extended Victorian three storey building, and JF Kennedy House, a two storey modern building. These buildings were used for a nursing home and sheltered housing. The site slopes upwards across the frontage towards the junction of Church Walk with Finchley Road and also downwards from the frontage to the rear boundary with properties in Lyndale Avenue. To the rear and along this boundary, there are trees, some protected by a Tree Preservation Order, and vegetation.
6. The site's context includes semi-detached dwellings at Lyndale Avenue and terraced dwellings on Prospect Road. The latter dwellings back onto Church Walk. To the side of the appeal site, there is a two storey detached dwelling at 11 Church Walk and beyond this, there is a block of flats at Moreland Court which wraps around the junction of Church Walk, Finchley Road and Lyndale Avenue. On the opposite side of the site, there is the All Saints Vicarage, a two storey dwelling, and further down Church Walk, there is the local church and associated hall. These developments differ in scale, building types and plot sizes such that there is a varied built-up character and appearance to the area.
7. By reason of the topography of the site, the new residential building would vary in storey height. At maximum it would be four storeys in scale above ground level with an additional basement when viewed from the rear. Although part of the basement would be visible, most of the basement would be below ground level. The building would be centrally sited within a large plot of approximately 0.42 hectares. The building's elevations would be articulated with recesses and staggered storey levels which would visually break up its scale and size. In the street scene, the building would gradually step up in height from its side to the topmost storey and so would not dominate the adjacent dwellings of lower height. The building would also be considerably lower than Moreland Court building.
8. The Council refers to the cumulative impact of incremental issues. The building would project behind the dwellings at No 11 and the vicarage but there would be significant space behind and to the side by reason of the size of its garden areas. By reason of this spacious setting, the projection of the building would not visually stand out despite its width. On the development's frontage, hard surfacing would be more extensive than that currently existing but it would be visually broken up by the retention of existing trees and landscaping. Neighbouring properties at No 11 and the vicarage also have considerable areas of frontage hardstanding, albeit they are on smaller sites. As a result, the proposed hard surfaced areas would not unduly dominate the surroundings.
9. The Council refer to the introduction of gardens which are of a size and purpose not evident at this location. There has been a large garden area associated with the former uses on the site and there are clearly private gardens of varying sizes in the vicinity. Against this context, there would be no harm arising from the garden arrangements proposed here especially as gardens are

largely undeveloped features and conditions can control the quality of boundary treatments and landscaping within them.

10. Church Walk has buildings fronting onto it, in particular those on the appeal site, and therefore the proposed building would not destroy any sense of openness. There has been no detailed assessment justifying a quality of openness. From what I saw on my site visit, neighbouring buildings at No 11 and the vicarage do not have any clear building identity by reason of their non-descript design. Consequently, any argument on the new building's adverse impact on these building's 'legibility' or character fails. The architecture of the proposed building would be different to other buildings within this part of Church Walk but buildings are varied in their design and external finish. The facing materials would include some red brick, buff brick stone reveals and aluminium cladding, which reflects the varied use of materials in the vicinity. Although there would inevitably be some domestic paraphernalia associated with the development, there would be extensive space about the building which would negate any significant visible impact. Furthermore, there is an extensive basement for the parking of vehicles and ground floor areas for bins and cycle storage.
11. A protected tree in the north-west part of the site would be close to the rear of some residential units. The appellant's arboricultural impact assessment report indicates that this tree can be retained in the development. The Council's Arboricultural Officer found this report comprehensive and raised no objections with its conclusion. As with any protected tree within a residential development, there could be future applications to undertake tree works. However, the nearest units would be beyond the canopy edge of the tree and based on the professional arboricultural opinions expressed, I am not persuaded that the tree would have to be significantly trimmed back or felled.
12. The proposal would meet the dwelling density level but not the habitable room density level of the London Plan (LP) 2015 Policy 3.4, Table 3.2 Sustainable residential quality density matrix. However, density level calculations are crude measures of assessing character and appearance by reason of their arithmetic workings and do not take into account other relevant considerations such as design. The Council has referred to the scheme exceeding the relevant room level by 9.2% but the LP's explanatory text indicates that it is not appropriate to apply Table 3.2 mechanistically in this way.
13. In conclusion, the proposal would not harm the character and appearance of the area and cumulatively the cited different issues would not amount to harm for the reasons indicated. Accordingly, the proposal would comply with Policy DM01 of the Barnet Development Management Policies (DMP) 2012, Policy CS5 of the Barnet Core Strategy (CS) 2012 and Policies 7.4 and 7.6 of the London Plan (LP) 2016 which collectively and amongst other matters, require development to create places and buildings of high design quality, to be respectful of local context and distinctive local character, take account of scale, mass and proportion and comprise details and materials, that complement rather than necessarily replicate local architectural character.

Living conditions

14. The properties on Lyndale Avenue have gardens at a lower ground level than that of the appeal site. The new building would be larger, higher and closer to these neighbouring properties than the existing buildings on the site.

15. As well as a drop in ground levels down to these properties, there is also a drop in ground levels across the site towards the vicarage. At its maximum extent, this would result in the building being four storeys in scale with an additional basement partially exposed above finished ground level which is shown in the appellant's cross-sectional plans. However, these plans along with those for elevation and floor levels show an articulated designed building which would be set back from the site's common boundaries with these properties by reason of the proposed gardens. Furthermore, the areas of the neighbours' gardens adjacent to their dwellings would be a substantial distance away and yet they would be the most important garden areas given their proximity to the dwellings themselves. Additionally, the gardens of these neighbouring properties are quite extensive by reason of their depth and width.
16. For all these reasons, there would be no overpowering or dominating impact arising from the proposed development even taking into account the lower ground level of the neighbouring gardens which I saw on my site visit. Therefore, there would be no significant loss of outlook for the neighbouring residents. There is no guarantee that the trees and vegetation would remain along the common boundary here for a number of reasons, including disease or storm damage. However, even in the unlikely event of their removal, the separation distances and design of the building would ensure no adverse impact, taking into account topography. The Council refers to parts of DMP Policy DM01 and CS Policy CS5 but these relate to how the effects of housing proposals on character and appearance should be considered, especially where garden land is being developed.
17. In conclusion, the scale, size, height and bulk of the building would not harm the living conditions of the occupiers of Lyndale Avenue, having regard to outlook from gardens. Accordingly, the proposal would comply with Policy DM01 of the DMP, Policy CS5 of the CS and Policies 7.4 and 7.6 of the LP, which collectively and amongst other matters, require a high quality of design, development to be human in scale, that neighbours enjoy a high standard of amenity and unacceptable harm to be avoided. Furthermore, the Council has confirmed that the development has been designed in line with the spacing standards set out the Council's Sustainable Design and Construction Supplementary Planning Document (SPD) 2013.

Loss of a Nursing Home

18. The site has not been used as a care home since 2013. Explanatory text within the CS indicates that there is an oversupply of care homes and no policies or evidence has been brought to my attention regarding the protection of nursing homes. Within the withdrawn reason for refusal, there would be no conflict with DMP Policy DM07 because there would be no loss of housing on the site and the policy does not require the protection of care homes. For all these reasons, there would be no harm arising from the loss of the nursing home or conflict with planning policy.

Affordable Housing

19. The obligation would secure an affordable housing contribution of £470,513. DMP Policy DM10 states that 40% of housing should be affordable having regard to the borough-wide target and that the maximum reasonable amount of affordable housing will be required on site, subject to viability. The Council's Planning Obligations SPD further confirms this threshold and states that this

may be provided off-site or through a commuted payment through an identified methodology in exceptional circumstances. The Council has accepted an affordable housing viability assessment, the resulting commuted sum figure and the need for off-site provision.

20. Given the need identified and the viability assessment, I consider that the contribution is necessary based on the evidence before me and would meet the statutory tests under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). As the proposal would result in additional affordable housing provision, it is also a benefit that would weigh in favour of the proposal. For these reasons, the proposal would comply with DMP Policy DM10.

Local Employment Agreement and Alternative Employment Opportunities

21. The obligation would secure a Local Employment Agreement (LEA) and in the event that a LEA cannot be implemented, a contribution of £37,380 towards the provision of employment, skills, training and enterprise support and initiatives delivered by the Council. The Skills, Enterprise, Employment and Training SPD 2014 states that in exceptional circumstances, the Council will require a commuted sum in order to generate alternative employment opportunities with regard to non-construction and construction jobs. The SPD provides a robust methodology of how the contribution figure sought is derived.
22. Based on the policy documents, the requirement for a LEA and if not, a contribution in lieu is justified. In the event of a contribution coming forward, I am satisfied that the contribution given its purpose would not amount to the funding or provision of an infrastructure project or type of infrastructure under Regulation 123(3) of the CIL regulations. Consequently, the obligation is necessary and would meet the statutory tests under Regulation 122 of the CIL regulations and would comply with the SPD.

Monitoring costs

23. The obligation sets out a monitoring fee but I am not persuaded that any of the requirements would be exceptionally difficult to monitor with regard to compliance. For this reason, I am not convinced that the costs of monitoring cannot come within the scope of reasonable everyday functions of the local planning authority. Accordingly, the fee does not meet the tests of Regulation 122 of CIL and I have not taken it into account in my decision.

Other matters

24. The residents' views from their gardens in Lyndale Avenue are clearly valued but being able to see a development does not constitute harm. There must be something more tangible such as dominant or overbearing impact and for the reasons already indicated, there would be no significant impact on outlook for residents using their gardens. As to the neighbouring dwellings themselves, there would be substantial distance separating their rear facades from the new building, and therefore, there would be no dominant or overbearing impact even with the differing ground levels.
25. Turning to the loss of privacy, the new building would have windows and balconies/terraces but similarly, there would be no significant overlooking to these neighbouring properties by reason of the separation distances involved despite the topography of the area. The front of the building would similarly

have windows and balconies at upper floor levels facing the rear of properties on Prospect Road, many of which have been extended to the rear. Again, there would be significant separation between these properties by reason of the step-back of the appeal building from Church Walk and the road itself. The facades of the neighbouring dwellings would be further separated by the depth of their gardens. Accordingly, there would be no significant overlooking from the new development into the properties at Lyndale Avenue or Prospect Road.

26. A daylight and sunlight report assesses the impact of the scheme on the vicarage, 11 Church Walk, 2-21 Prospect Road, and Moreland Court Mansions. Based on professional experience and standards, it indicates the loss in terms of both daylight and sunlight would be minimal. Having assessed, the submitted details of the proposal on the site, I find the findings to be realistic and persuasive taking into account the separation distances of the development from these neighbouring properties.
27. Off-street car parking would be provided to accord with the standards set with DMP Policy 17. The appellant's transport assessments show no material change in traffic flows between the proposed and previous development. Although this is strongly disputed, the assessments are based on best industry practice and a professionally recognised vehicle trip database based on empirical evidence. Furthermore, the proposed site's access arrangements would comply with the guidance set out in the Manual for Streets and the highway aspects of the proposal have been found acceptable by the Council's Highways Department. There have been no objections from the Fire and Police services regarding emergency access. It has been stated that Church Walk would be unsafe for road users, including pedestrians and would not allow use by emergency vehicles/refuse vehicles. However, the weight of detailed highway evidence before me would indicate that the transport impacts, including highway safety, of this development would not be severe and the scheme would be acceptable in highway terms.
28. The surrounding area suffers from elevated levels of air pollution but the appellant's air quality assessment indicates that the impact of any additional road traffic is imperceptible and there is no detailed evidence to refute the assessment. Church Walk House has been unsympathetically extended and altered such it would not merit being defined as a non-designated heritage asset by reason of significance. Noise and disturbance during the construction would be for a short-term duration only. In terms of drainage, a condition can be imposed to address site specific issues. Individually and cumulatively these considerations would not outweigh the acceptability of the proposal for all these reasons.

Conditions

29. Suggested conditions have been considered in light of the advice contained in Planning Practice Guidance (PPG). For clarity and to ensure compliance with the Guidance, I have amended some of the Council's suggested wording. For a number of the conditions, the appellant has submitted details to address requirements which I have taken into account.
30. A condition requiring that the development is carried out in accordance with the approved plans is necessary in the interests of providing certainty. In the interests of the character and appearance of the area, conditions are necessary to ensure the implementation of satisfactory external materials including hard

surfacing, boundary treatments, landscaping and management and the protection of existing trees and details of service excavations. A suggested condition for early planting along the site's boundary with Lyndale Avenue would not be necessary given previous comments about the building's relationship here. A condition requiring details of the sub-division of amenity areas replicates the condition imposed on boundary treatments.

31. In terms of protected species, the main recommendation of the appellant's ecological report relates to bats. No bats have been found to breed or roost on the site but as the report recommends some further survey work, a condition is necessary to ensure this and where appropriate, provision of mitigation, in accordance with this report. In the interests of biodiversity, a condition is necessary to secure ecological enhancements. To safeguard the living conditions of residents and highway safety of people, the appellant's Construction Management Plan shall be adhered to during construction which addresses the details required by the Council's suggested condition, including vehicle washing measures and dust management. For the sake of clarity, a separate condition restricts construction hours.
32. For the sake of the appearance of the site, a Refuse and Recycling Collection Strategy is necessary. A condition has been imposed to ensure compliance with the recommendations of the appellant's consultant's report on contamination in the interests of the environment and public health. Although the appellant has produced a drainage strategy, a condition has been imposed to secure details as the details have not been finalised. In accordance with planning policy, there is a need for a condition requiring some play equipment on site in accordance with that specified in the appellant's Landscape Strategy.
33. In the interests of the living conditions of residents and those either side of the site, a condition is necessary to secure privacy screens for balconies/terraces within the development. A condition controlling noise levels from external equipment is necessary although a further condition requiring calculations and baseline data of background noise and new equipment noise is not necessary due to this being included with the appellant's noise report. In the interests of transport sustainability and highway safety, conditions are required to secure the proposed vehicle and cycle parking, a satisfactory ramp to basement parking and electric vehicle charging points. Finally, conditions requiring the implementation of satisfactory lighting to safeguard the living conditions of residents and to minimise pollution from boilers are necessary.
34. With respect to conditions relating to housing accessibility, water standards and security, these are affected by the Written Ministerial Statement (March 2015) which details a new system of building regulations. For accessibility and water standards, there is no evidence of the need to require compliance with the optional building regulations. For security considerations, there is provision within the minimum building regulations. In the transitional period until the Royal Assent of the Deregulation Act, higher energy performance standards than in the building regulations can be imposed but not above the level of the former Code 4 for Sustainable Homes. A condition ensuring this has been imposed.
35. Withdrawal of permitted development rights has not been justified because there are conditions requiring mitigation against the impact of construction activity on protected trees. Additionally during the lifetime of development,

there are legislation safeguards to be abided with. No condition has been imposed preventing any houses in multiple occupation coming about because there has been no evidence pointing to the likelihood of this occurring.

Conclusion

36. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

Jonathon Parsons

INSPECTOR

Schedule A

1. The development hereby permitted shall begin not later than 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: A2598 100 P10; A2598 101 P10; A2598 110 P10; A2598 120 P10; A2598 121 P10; A2598 130 P10; A2598 199 P11; A2598 200 P11; A2598 201 P11; A2598 202 P11; A2598 203 P11; A2598 204 P11; A2598 300 P11; A2598 301 P11; A2598 400 P11; A2598 401 P11.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building and hard surfaced areas hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the permitted building and hard surfaced areas, including roads, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
5. Prior to the commencement of the development hereby approved, details of the design, height and materials of all boundary treatments shall be submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be implemented prior to the first occupation of the development and retained as such thereafter.
6. No site works in connection with the development hereby permitted shall take place until the findings of a bat survey, the extent and nature of which shall have been agreed in writing beforehand, have been submitted to and approved in writing by the local planning authority. Should the survey reveal the presence of bats then mitigation measures must be submitted and approved in writing by the local planning authority before development commences. The development shall be carried out in accordance with these approved measures.
7. Before the development hereby permitted commences, a scheme demonstrating ecological improvements to the site, including the design and position of bat and bird boxes, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with these details and retained as such thereafter.
8. The Card Geotechnics Limited Construction Management Plan- Revision 1 September 2015 Statement shall be adhered to throughout the construction period for the development.
9. Demolition or construction works shall take place only between 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
10. Notwithstanding the details submitted with the application and otherwise hereby permitted, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which shall include details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) the enclosures, screened facilities and internal areas of

the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other storage containers where applicable, and (iii) plans showing points of collection for refuse and recycling have been submitted to and approved in writing by the local planning authority. The Refuse collection point should be located within 10m of the public highway otherwise arrangements, to be submitted for approval, must be put in place to bring the refuse bins to the back of the public highway on the day of collection.

The refuse and recycling facilities shall be fully implemented in accordance with the approved details before the development is first occupied and after first occupation, the approved collection arrangements shall be also be fully implemented. Both the facilities and arrangements shall be retained as such thereafter.

11. No development shall commence until the recommendations (Section 9, pages 23-24) of the Soils Limited Geotechnical & Environmental Consultants Phase 1 Desk Study Report, report No 13550/DS, has been fully carried out. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of the development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 28 days of the report being completed and approved in writing by the local planning authority.
12. No development shall commence until there has been submitted to and approved in writing by the local planning authority a scheme of soft landscaping. The scheme shall include details of existing trees to be retained and size, species, planting heights, densities of all soft landscaping.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any new trees or plants which within a period of five years from the completion of the development die, are removed or become seriously injured or diseased shall be replaced in the next planting season with others of similar size and species.

Any existing trees shown to be retained as part of the approved landscaping scheme which are removed, die or become severely damaged or diseased within 5 years of the completion of the development shall be replaced with trees or shrubs, the details of which shall be approved in writing by the local planning authority, in the next planting season.

13. No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on or adjacent to the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with these approved details.

14. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
15. Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.
16. Notwithstanding Meinhadt Below Ground Drainage Strategy P3 Issue September 2015 report, development shall not commence until surface drainage works for the development have been submitted to and approved in writing by the local planning authority. These details shall take into account the topography of the site. The approved drainage works shall be completed before the first occupation of the permitted development and retained thereafter in accordance with the approved details.
17. Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in full accordance with the approved details and retained as such thereafter.
18. Before the development hereby permitted is first occupied, details of privacy screens for balconies/ terraces to be installed shall be submitted to and approved in writing by the local planning authority. The approved screens shall be implemented prior to the first occupation of the development and retained as such thereafter.
19. The level of noise emitted from the plant hereby permitted shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least be 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.
20. Before the development hereby permitted is occupied, full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the local planning authority. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities. The development shall be implemented in accordance with the approved details prior to first occupation and thereafter be retained as such.
21. Before the development hereby permitted is first occupied, car parking spaces shall be provided at basement level and at ground level in accordance with drawing Nos A2598 199 P11 and A2598 200 P11 submitted with the planning application. Thereafter, the parking spaces shall not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

22. Before the development hereby permitted is first occupied, cycle parking spaces shall be provided in accordance with drawing No A2598 200 P11 submitted with the planning application. Thereafter, the cycle parking spaces shall not be used for any purpose other than the parking of bicycles in connection with the approved development.
23. Notwithstanding the plans submitted, before development commences details of the layout, gradient and design of the access ramp to the basement car parking area and vertical clearances along the ramp and within the parking areas shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out nor shall it be subsequently operated other than in accordance with the approved details.
24. Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is occupied. Development shall be implemented in accordance with the approved details.
25. Prior to installation, details of the boilers shall be submitted to in writing by the local planning authority for approval. The boilers shall have dry NOx emissions not exceeding 40mg/kWh (0%). The development shall be implemented in accordance with these details.
26. The residential units shall not be occupied until the relevant requirements of the level of energy performance equivalent to ENE1 Level 4 for Sustainable Home have been met and the details of compliance provided for the local planning authority.