
Appeal Decisions

Site visit made on 31 October 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 24 November 2017

Appeal A - Ref: APP/Z4718/W/17/3180494

Land at Old Lane / Taylor Lane, Scapegoat Hill, Huddersfield

- 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 the Yorkshire Baptist Association (Scapegoat Hill Baptist Chapel) against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2015/62/92476/W, dated 4 August 2015, was refused by notice dated 10 May 2017.
 - The development proposed is the erection of four detached dwellings.
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Appeal B - Ref: APP/Z4718/W/17/3178805

Land at Old Lane / Taylor Lane, Scapegoat Hill, Huddersfield

- 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 Brierstone Limited against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2016/62/94061/W, dated 30 November 2016, was refused by notice dated 9 May 2017.
 - The development proposed is the erection of two dwellings.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for the erection of three detached dwellings on land at Old Lane / Taylor Lane, Scapegoat Hill, Huddersfield in accordance with the terms of the application, Ref 2015/62/92476/W, dated 4 August 2015, subject to the conditions in the schedule at the end of this decision.

Appeal B

2. The appeal is allowed and planning permission is granted for the erection of two dwellings on land at Old Lane / Taylor Lane, Scapegoat Hill, Huddersfield in accordance with the terms of the application, Ref 2016/62/94061/W, dated 30 November 2016, subject to the conditions in the schedule at the end of this decision.

Procedural matters

3. In Appeal A, following submission of the application the scheme was amended reducing the number of proposed detached dwellings from four to three. I have dealt with the appeal on this basis.
4. As set out above, Appeals A and B relate to land at Old Lane / Taylor Lane. They materially differ only in that Appeal A also includes land on the northern

side of the existing grassed access road to the burial ground and is for three houses rather than two. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Application for costs

5. In both appeals an application for costs was made by the appellant against Kirklees Metropolitan Borough Council. These applications will be the subject of separate Decisions.

Main Issues

Appeal A

6. The main issues in this appeal are;
 - the effect of the proposed development on the character and appearance of the area; and,
 - the effect of the proposed development on highway safety.

Appeal B

7. The main issue in this appeal is the effect of the proposed development on highway safety.

Reasons

Appeals A and B

8. The appeal site is located within the village of Scapegoat Hill. It lies next to the burial ground associated with the Scapegoat Hill Baptist Chapel. In both appeals the extent of the appeal site is small and the land is unallocated for development by the Kirklees Unitary Development Plan (UDP). The site comprises steeply sloping open grassland bounded by drystone walls with a few shrubs and trees towards its south eastern corner where a single domestic garage is located.
9. Policy D1 of the UDP protects valuable open land from development. The land in question is privately owned and does not provide opportunities for recreation or outdoor sport. The land is also not of significant ecological value. Therefore whilst its openness and greenness has some value in contributing to the character of Scapegoat Hill, this land does not constitute valuable open land that policy D1 of the UDP seeks to protect. As a result, the proposed schemes would not be contrary to this policy and development of the site would be acceptable in principle.

Appeal A

Character and appearance

10. Development in the vicinity of the appeal site is characterised by linear development along the lanes within the village, with some development in depth. Housing is a mixture of older mature houses and more recent stone built dwellings from the latter half of the twentieth century. The older housing is detached or terraced, traditionally designed with a narrow rectangular plan form set close to the highway. More recent housing is larger, detached and positioned on bigger plots set further back from the road.
11. In this context, in terms of the pattern of development and use of natural stone and slate, the houses proposed on plots 1 and 2 along the front of the site

would complement surrounding development. The houses respectively at four and three storeys in height would be taller than other houses in the area. However, as they would be set into the slope of this steep site they would not appear unduly large or prominent in public views. The varied features of each house would help to break up their mass and provide visual interest.

12. The proposed dwelling on plot 3 would be located on the highest part of the site which is to the rear. In public views from lower down in the village plot 3 is a gap between the row of houses that form the northern skyline. Although the proposed house would be set forward of the houses on either side it would be set down into the slope of the site. As a result, the proposed three storey dwelling would nestle between neighbouring dwellings and would not appear incongruous or unduly prominent. The two storey front gable to the house would be subservient and well proportioned. In addition, the parapets to the ends of the roof and clearly defined headers and cills to window openings are traditional features that would help detail and define the building.
13. Other than to create accesses to the houses the drystone walls would be kept and the leaning sections of the walls rebuilt. Taking all these matters into account, I therefore conclude that the proposed development would be well designed and would complement the character and appearance of the area. As a result, it would comply with policies D2, BE1 and BE2 of the UDP which require the protection of the character and appearance of a locality through high quality design that respects local design features. It would therefore also comply with section 7 of the National Planning Policy Framework ('the Framework') which requires good design.

Appeals A & B

Highway safety

14. Roads in Scapegoat Hill reflect the historic pattern of development in the area which has been heavily influenced by its steep topography. The appeal site is located by the crossroads of Old Lane and Taylor Lane. Grand Stand also joins Old Lane opposite the appeal site just before the junction. Whilst at its junction with Taylor Lane, Old Lane widens considerably along much of the front of the appeal site Old Lane is particularly steep, does not have a footway and is only wide enough to accommodate one vehicle. Taylor Lane, which passes along the remainder of the front of the appeal site, is less steep and is wide enough to allow two cars to pass, but also does not have a footway. As a result, drivers, other road users and pedestrians on both lanes share the same surface. In the last ten years though there have only been two minor accidents recorded in the vicinity of the appeal site. This is a low accident rate. Based upon the submitted highway evidence this appears to be due to the low levels of traffic and the need to drive slowly given the nature of the lanes.
15. Adequate on-site parking provision would be made for each of the proposed dwellings together with sufficient turning space so that vehicles would not need to reverse on to the highway. Suitable visibility splays for exiting vehicles would be provided to the houses on plots 1 and 2 on Old Lane. Similarly, in Appeal A, with the widening of the existing access track that serves plot 3 and the burial ground adequate visibility would be provided for exiting vehicles.
16. As part of the proposed schemes in the vicinity of the appeal site Old Lane and Taylor Lane would be widened respectively to 4.8m and 5m in width. This would be wide enough to allow vehicles such as a car and lorry, or other road users to safely pass by each other. In Appeal A, a passing bay would also be

created on the access track to plot 3 together with a turning head. As a result, the likelihood of a vehicle having to reverse out onto Old Lane because it meets another vehicle travelling in the opposite direction, or because it cannot easily turn, would effectively be avoided. Whilst no separate footway would be provided, traffic speeds are constrained by the steepness of the lanes. As a result, use of the lanes as a shared surface by pedestrians would not harm highway safety.

17. The question which therefore remains is whether the proposed development would intensify use of the adjacent lanes, which would remain narrow beyond the appeal site, to the extent that vehicles would be significantly more likely to come into conflict with each other and harm highway safety. It is to this matter that I now turn.
18. During the site visit Taylor Lane was closed due to road works. However, as part of highway evidence of the appellants at appeal stage a traffic survey has been carried out. Such surveys provide a more accurate assessment of traffic activity than can be gleaned from a site visit. During the morning peak hour (8am to 9am) 60 two way vehicle movements were recorded in the vicinity of the appeal site with only a small number using Old Lane. In terms of pedestrians, three used the junction of Taylor lane and Old Lane during this period. These findings are similar to a survey that has been carried out by a local resident at appeal stage.
19. The traffic that would be generated by the development in each appeal has been assessed by the appellant using TRICS¹ data which is a recognised data source. 85th percentile figures have also been used to provide a higher figure than the average. The three proposed dwellings in Appeal A would intensify use of the local highway network in the vicinity of the appeal site by 3 two way movements during the morning peak hour and by 3 two way movements in the afternoon peak hour. The two dwellings proposed in Appeal B would intensify vehicle use by 2 two way movements in each of the same hours. In addition, in each scheme during the morning peak hour a pedestrian and cyclist are likely to complete a two way movement, with a sole pedestrian likely to do so during the afternoon peak hour. These figures have not been challenged by the Council. The proposed developments in both appeals therefore would not result in significant levels of traffic using Old Lane or Taylor Lane.
20. Reference has been made to a planning application dismissed on appeal for a house at 9 Taylor Lane². However, the Inspector in that appeal did not find that the development would harm highway safety. As a result, this is a consideration of little weight against the proposed developments in the appeals before me and it has not altered my findings in relation to this issue.
21. Concerns have been expressed that widening the lanes would attract more on road parking, negating the benefit of widening. However, in my judgement, outside of evenings and weekends, when most people are likely to be at home, the extent of on road parking is unlikely to have this effect. Even if it did, if highway safety was compromised I agree with the appellant that if the highway authority thought it appropriate it could take steps to introduce parking restrictions.
22. For all of these reasons, I therefore conclude that the proposed development would not harm highway safety. As a result, it would comply with policies D2

¹ Trip Rate Information Computer System

² Ref APP/Z4718/W/15/3012823

and T10 of the UDP which seek to prevent such harm. As the highway improvements would significantly widen sections of the highway it would reduce the likelihood of conflict between road users in compliance with paragraph 35 of the Framework.

Other matters

Appeals A & B

23. The Council states that it has less than a 5 year housing land supply. The proposed developments in both appeals therefore would make a small contribution to helping address this shortfall.
24. The rear elevations of houses along Grand Stand face the front of the appeal site and are set below the level of Old Lane. The proposed houses on plots 1 and 2 would not be so near as to reduce levels of natural light entering the rear of the houses along Grand Stand or for them to be overbearing. The low number of vehicle movements generated by the proposed development would mean that light from the headlights of vehicles leaving the dwellings on plots 1 and 2 would not harm the living conditions within the houses along Grand Stand. Similarly, in the event that cars are parked on Old Lane once it is widened, the frequency with which cars park along the lane is unlikely to result in noise or vehicle emissions that would adversely affect living conditions.
25. With regard to noise, dust and dirt during construction, should problems occur the Council has statutory powers to abate any nuisance caused. Reference has been made to the sighting of bats and owls on the appeal sites. However, whilst such wildlife may forage on the appeal sites no substantive evidence has been brought to my attention that they reside there. The Council's ecology officer is satisfied that given the location of the appeal sites and the nature of its habitats the effects of development can be mitigated by condition and appropriate planting. I have no reason to disagree with that assessment.
26. The sites are not large and their steep slope means that rain water is likely to run off fairly quickly. Subject to the adequate drainage provision required by Building Regulations development of the sites is unlikely to increase rates of surface water drainage to the extent that the risk of flooding off site is materially increased.
27. Concerns have been raised regarding the structural stability of retaining walls next to the highway should the development go ahead. However, this is a matter that can be dealt with by the developer through appropriate design and construction which can be secured by condition.

Appeal A

28. In terms of living conditions, although the proposed house on plot 3 would be set forward of the houses on either side as it would be set into the slope it would be markedly lower in height than its neighbours. As a result, it would not unduly enclose the outlook from either dwelling. Subject to a condition requiring that all windows in the side elevations of the house on plot 3 are obscurely glazed no material overlooking would occur. Given the steep slope of the ground there would be no material overlooking between the dwelling in plot 3 and the houses on plot 1 and 2.

Appeal B

29. In relation to character and appearance, for the reasons that I have given earlier in relation to Appeal A, which proposes the same houses on plots 1 and

2 as in Appeal B, the proposed development would be well designed and complement the area.

Conclusions – Appeals A and B

30. I have found that the proposed developments would accord with the development plan as they would not involve the loss of valuable open space, they would complement the character and appearance of the area and highway safety would not be harmed.
31. The Council has less than a 5 year housing land supply. In such circumstances, the tilted balance in paragraph 14 of the Framework applies. I have not identified any material adverse impacts of the developments. The adverse impacts that would occur therefore would clearly fall considerably short of significantly and demonstrably outweighing the benefits that these well designed schemes would make to addressing the shortfall in housing that exists.
32. I therefore conclude that the appeals should be allowed. In reaching this decision the views of local residents and councillors have been taken into account.

Conditions common to both Appeals

33. In the interests of certainty, I have imposed a condition specifying the relevant drawings that the development is to be carried out in accordance with. In order to ensure that the development complements its surroundings further details on materials and landscaping are required. For the same reason the highway retaining walls need to be finished in local stone and a landscaped buffer created to separate the site from the neighbouring burial ground.
34. In the interests of highway safety during construction, arrangements for access and management of the site need to be made. In relation to highway safety more generally, suitable visibility splays need to be provided, road widening needs to occur, the gradient of access ramps needs to be controlled and details of highway retaining structures need to be provided. For the same reason areas for vehicle access, on-site parking (including garages) and turning need to be provided and retained.
35. To protect birds and enhance biodiversity, site clearance needs to be carried out at an appropriate time of year and an Ecological Design Strategy implemented. In the interests of minimising pollution, electric vehicle recharging points need to be provided.
36. I have required all these matters by condition, revising the conditions suggested by the Council where necessary to reflect the advice contained within Planning Practice Guidance.

Further conditions particular to Appeal A

37. In order to protect the living conditions of neighbours, windows within the side elevation of the house on plot 3 need to be obscurely glazed and permitted development rights allowing the creation of new openings, the extension of the house and outbuildings removed.
38. It was suggested that Class D permitted development rights that relate to porches on the proposed house on plot 3 should be removed. However, as such development would not harm the living conditions of neighbours this is unnecessary.

Ian Radcliffe

Inspector

Schedule – Appeal A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans except as may be specified in the conditions attached to this permission, which shall in all cases take precedence: Site Location Plan ref SGH02/0715/01, Proposed site plan ref SGH02/0117/31, Plot 1 Basement and Ground ref SGH02/0716/14, Plot 1 First Floor and Roof Space ref SGH02/0716/15, Plot 1 Elevations 1 ref SGH02/0716/16, Plot 1 Elevations 2 ref SGH02/0716/17, Plot 2 Basement Plan ref SGH02/0716/18A revised, Plot 2 Ground and First floor plans ref SGH02/0716/19A revised, Plot 2 Elevations 1 ref SGH02/0716/20A revised, Plot 2 Elevations 2 ref SGH02/0716/21A revised, Plot 3 Basement Plan ref SGH02/0716/22A revised, Plot 3 Ground floor plan ref SGH02/0716/23, Plot 3 First floor plan ref SGH02/0716/24, Plot 3 Elevations 1 ref SGH02/0716/25, Plot 3 Elevations 2 ref SGH02/0716/26
- 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.
- 4) Prior to development commencing, a detailed scheme for the provision of a road widening scheme to Old Lane and Taylor Lane and all associated works as shown on indicative plan reference SGH02/0117/31 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audit covering all aspects of the work. Unless otherwise agreed in writing by the Local Planning Authority all of the agreed works shall be implemented before any part of the development is first brought into use.
- 5) Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.
- 6) Prior to the commencement of development the design and construction details of all temporary and permanent highway retaining structures, including any modifications to the existing highway retaining wall to Old Lane and Taylor Lane, shall be submitted to and approved in writing by the Local Planning Authority; such details shall incorporate a design statement, all necessary ground investigations on which design

assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be constructed in accordance with the approved details before the development is occupied and shall be retained as such thereafter.

- 7) No development shall take place until an Ecological Design Strategy (EDS) addressing impact avoidance measures for reptiles and biodiversity enhancement (including planting schemes) has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following;

- a. Purpose and conservation objectives for the proposed works;
- b. Review of site potential and constraints;
- c. Detailed design(s) and/or working method(s) achieve stated objectives;
- d. Extent and location/area of proposed works on appropriate scale maps and plans;
- e. Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g. Persons responsible for implementing the works;
- h. Details of initial aftercare and long-term maintenance;
- i. Details for monitoring and remedial measures;
- j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details pre, during and post construction.

- 8) Prior to first occupation of the dwellings hereby approved all areas indicated to be used for vehicular access, parking and turning on the approved plans shall have been laid out with a hardened and drained surface in accordance with the Department for Communities and Local Government and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or replaced by any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) these areas shall be so retained, free of obstructions and available for the use specified on the submitted plans.
- 9) Walls along both Old Lane and Taylor Lane to be repositioned shall be faced in local stone towards to the highway and completed prior to first occupation of the dwellings.

- 10) Notwithstanding details shown on drawing no. SGH02/0117/31, prior to the development being brought into use, sightlines of 2.4m x site frontage from Old Lane onto Taylor Lane and 2.4 x 43 metre sight lines from the driveways of plots 1, 2 and 3 onto Old Lane shall be cleared of all obstructions to visibility exceeding 1 m in height and these shall thereafter be retained free of any such obstruction.
- 11) An electric vehicle recharging point shall be installed within the garage serving each house in the development hereby approved or in a location accessible from the dedicated parking area to each house before first occupation of the dwelling. The cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.
- 12) A scheme detailing soft landscaping, tree/shrub planting, to form a buffer from the adjacent graveyard shall be submitted to and approved in writing by the Local Planning Authority before the hereby approved dwellings are brought into use. The scheme shall include a timetable for the phasing of the landscaping and planting. The works comprising the approved scheme shall be implemented in accordance with the approved timetable and phasing.
- 13) The openings in the side elevations of dwelling on plot 3 at ground and first floor level to serve the lounge, family kitchen, master bedroom with associated dressing area and en-suite shall be obscurely glazed (minimum grade 4) before the dwelling is first brought into use. Thereafter notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 (or anything revoking or re-enacting that Act with or without modification) the obscure glazing shall be retained.
- 14) No removal of trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active bird's nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that appropriate measures can be put in place to protect any birds, their nests, eggs or young. Any such written confirmation shall be submitted to the Local Planning Authority before removal begins.
- 15) Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new openings other than those expressly authorised by this permission shall be constructed in the external walls of the dwelling on plot 3.
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, B, C or E of Part 1 of Schedule 2 to that Order shall be carried out to the dwelling on plot 3.
- 17) The maximum gradient of the access ramp to the car park areas of the development hereby permitted shall not exceed 1 in 8.

- 18) Notwithstanding the provisions of section 55(2)(a)(i) of the Town and Country Planning Act 1990 the garages serving the houses in the development hereby approved shall be used for the garaging of motor vehicles and shall not be converted to habitable accommodation.

Schedule - Appeal B

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans except as may be specified in the conditions attached to this permission, which shall in all cases take precedence: Proposed site plan ref SGH04/017/30B, Proposed street scene and site section ref SGH02/0716/31A revised, Plot 1 Elevations 1 ref SGH02/0716/16B, Plot 1 Elevations 2 ref SGH02/016/17A, Plot 1 Basement and Ground level as proposed ref SGH03/0716/14, Plot 1 First floor and roof space as proposed ref SGH03/0716/15, Plot 2 Elevations 1 ref SGH02/0716/20B revised, Plot 2 Elevations 2 ref SGH02/0716/21A revised, Plot 2 Basement Plan ref SGH02/0716/18B, Plot 2 Ground and first floor plans ref SGH02/0716/19B revised ,
- 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.
- 4) Prior to development commencing, a detailed scheme for the provision of a road widening scheme to Old Lane and Taylor Lane and all associated works as shown on indicative plan reference SGH04/017/30B shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audit covering all aspects of the work. Unless otherwise agreed in writing by the LPA, all of the agreed works shall be implemented before any part of the development is first brought into use.
- 5) Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.
- 6) Prior to the commencement of development the design and construction details of all temporary and permanent highway retaining structures including any modifications to the existing highway retaining wall to Old Lane and Taylor Lane shall be submitted to and approved in writing by the Local Planning Authority; such details shall incorporate a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, structural

calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be constructed in accordance with the approved details before the development is occupied and shall be retained as such thereafter.

- 7) No development shall take place until an Ecological Design Strategy (EDS) addressing impact avoidance measures for reptiles and biodiversity enhancement (including planting schemes) has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a. Purpose and conservation objectives for the proposed works.
- b. Review of site potential and constraints.
- c. Detailed design(s) and/or working method(s) achieve stated objectives.
- d. Extent and location/area of proposed works on appropriate scale maps and plans.
- e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g. Persons responsible for implementing the works.
- h. Details of initial aftercare and long-term maintenance.
- i. Details for monitoring and remedial measures.
- j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details pre, during and post construction.

- 8) Prior to first occupation of the dwellings hereby approved all areas indicated to be used for vehicular access, parking and turning on the approved plans shall have been laid out with a hardened and drained surface in accordance with the Department of Communities and Local Government and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or replaced by any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) these areas shall be so retained, free of obstructions and available for the use specified on the submitted plans.
- 9) Walls along both Old Lane and Taylor Lane to be repositioned shall be faced in local stone towards the highway and completed prior to first occupation of both dwellings.
- 10) Notwithstanding details shown on drawing no. SGH04/017/30 B, prior to the development being brought into use, sightlines of 2.4m x site frontage from Old Lane onto Taylor Lane and 2.4 x 43 metre sight lines

from the driveways of plots 1 and 2 onto Old Lane shall be cleared of all obstructions to visibility exceeding 1 m in height and these shall be retained free of any such obstruction.

- 11) An electric vehicle recharging point shall be installed within the garage serving each house in the development hereby permitted or in a location readily accessible from the dedicated parking area to each house before first occupation of the dwelling. The cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.
- 12) A scheme detailing soft landscaping, tree/shrub planting, to form a buffer from the adjacent graveyard shall be submitted to and approved in writing by the Local Planning Authority before the hereby approved dwellings are brought into use. The scheme shall include a timetable for the phasing of the landscaping and planting. The works comprising the approved scheme shall be implemented in accordance with the approved timetable and phasing.
- 13) No removal of trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active bird's nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that appropriate measures can be put in place to protect any birds, their nests, eggs or young. Any such written confirmation shall be submitted to the Local Planning Authority before removal begins.
- 14) The maximum gradient of the access ramp to the car park areas of the development hereby permitted shall not exceed 1 in 8.
- 15) Notwithstanding the provisions of section 55(2)(a)(i) of the Town and Country Planning Act 1990 the garages serving the houses in the development hereby approved shall be used for the garaging of motor vehicles and shall not be converted to habitable accommodation.

-----End of Conditions Schedules-----