
Appeal Decision

Hearing Held on 11 January 2018

Site visit made on 11 January 2018

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 7 February 2018

Appeal Ref: APP/E2734/W/17/3181743

Ripon Police Station, North Street, Ripon HG4 1HJ

- 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 McCarthy & Stone Retirement Lifestyles Ltd against the decision of Harrogate Borough Council.
 - The application Ref 16/04989/FULMAJ, dated 14 November 2016, was refused by notice dated 13 February 2017.
 - The development proposed is described as demolition of existing building and erection of Retirement Living Housing (category II type accommodation), communal facilities, landscaping and car parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing building and erection of Retirement Living Housing accommodation including, communal facilities, landscaping, ancillary works and car parking and alterations to existing dwelling (revised Scheme) at Police Station, North Street, Ripon, North Yorkshire HG4 1HJ in accordance with the terms of application Ref 16/04989/FULMAJ, dated 14 November 2016, subject to the attached schedule of conditions.

Procedural Matters

2. The Council changed the description of the proposed development from that contained on the application form to 'the demolition of existing building and erection of Retirement Living Housing accommodation including, communal facilities, landscaping, ancillary works and car parking and alterations to existing dwelling (revised Scheme)'. This description incorporates the inclusion of the existing dwelling at No 2 Tower Road in the site which would be retained as part of the proposals. It is therefore a more accurate description of the proposed development which I have therefore used in the determination of this appeal.
3. A signed and dated Statement of Common Ground (SCG) agreed by the main parties was provided at the start of the hearing which I have taken into account in the determination of this appeal.
4. A signed and dated Unilateral Undertaking in accordance with Section 106 of the Town and Country Planning Act 1990 was provided by the appellants at the

hearing. This contains obligations providing financial contributions to affordable housing and public open space. I shall refer to this again below.

5. Subsequent to the determination of the planning application by the Council, the appellants submitted minor amendments to the appeal scheme for consideration at the hearing pursuant to the provisions of the 'Wheatcroft' procedure. At the hearing the appellant confirmed that the proposed minor revisions to the scheme constituted non-material amendments which were not intended to overcome the Council's reasons for the refusal of planning permission but were intended to provide minor design improvements to the architectural detailing of the proposed building in response to comments made by the Council's Conservation Officer. The Council's statements confirm that the revisions are minor in nature and make small improvements to the scheme but do not overcome the reasons for the refusal of planning permission. The revised plans are contained within the agreed plans list as provided in the SCG and I have therefore determined the appeal on the basis of those revised plans.

Main Issues

6. The main issues are:

- The effect of the proposed development on designated heritage assets and in particular the setting of 'Princess Terrace' which is a Grade II Listed Building and whether the proposed development would preserve the character and appearance of the Ripon Conservation Area.
- Whether the proposal would provide adequate living conditions for future occupiers of the residential units with particular regard to the provision of external amenity space.
- Whether any harmful impacts are outweighed by any public benefits of the proposal sufficient to justify the development.

Reasons

Heritage assets

7. The appeal site comprises the Ripon Police Station and associated car parking and garage areas and includes a detached two storey property to the rear of the site at No 2 Tower Road. The Police Station occupies a prominent position fronting onto North Street and is located between Princess Terrace, which is a Grade II Listed Building, and a Petrol Filling Station. The site slopes markedly downwards from North Street to Tower Road.
8. The site is located within Character Area D (the Victorian Suburbs) of the Ripon Conservation Area. The character of the surrounding area predominantly comprises brick built terraces of residential properties and detached and semi-detached villas with steeply pitched gables, natural slate roofs and brick walls with properties set back from the road behind low stone walls. Many properties, including elements of Princess Terrace, have projecting front gables. Both main parties agree that the existing buildings on the site do not make a positive contribution to the character or appearance of the Conservation Area.
9. The proposed development would involve the demolition of all the existing buildings on the site with the exception of the former Police house in the south east corner (No 2 Tower Road) and the construction of 28 Retirement Living

Apartments. The proposal would comprise a 3-storey terraced building with pitched roof and accommodation in the roof space facing North Street. A secondary adjoining block would extend eastwards, progressively stepping down with the topography of the site, to 2-storey plus attic accommodation.

10. The design of the proposed building would be reflective of the architectural character of the surrounding area with brick walls and artstone dressings, 2-storey bays and pitched roofs with gables and dormers. Both main parties agree that the architectural design style of the proposed building would be appropriate in the area.
11. The ridge height of the proposed block fronting North Street would be set below that of the adjacent Princess Terrace which ensures that the primacy of the Listed Building is maintained. The proposed frontage of the building would also have a similar alignment and relationship to the road as exists at Princess Terrace. Both parties agreed that overall the design of this part of the proposed building fronting North Street would be reflective of the scale and design characteristics of nearby development and would represent a significant improvement in architectural terms over the existing building. As such, I consider that the part of the building fronting North Street would preserve the character and appearance of the Conservation Area.
12. The Council's main concern relates to the overall scale, form and mass of the proposed development in relation to the plot size and, in particular, that the rear wings would have an adverse impact on the character and appearance of the Conservation Area and would not preserve the setting of the Listed Building.
13. The rear of Princess Terrace has two storey outrigger wings with single storey extensions beyond and also extends eastwards as a three-storey block along Princess Road. Therefore, the adjacent buildings have some degree of projection to the rear of the main block to the east that also progressively steps down in height similar to the appeal scheme.
14. The proposed rear block would extend to the east beyond the projection of the extensions to the rear of Princess Terrace. However, the stepping down of the building to match the site topography contributes to breaking the mass of the building. Whilst elements of the proposed rear wing would be visible from North Street in the gap between the adjacent buildings, it would not be possible to see the full extent of the rear wings in such views. The extent of the visible elements from North Street would comprise of partial views of the decreasing height of the extending rear wing that would appear subservient to the primary elevation fronting the road.
15. Whilst the proposed building would have a large footprint, the substantial depth of the plot and the decreasing height of the building means that a building of this scale can be absorbed into its surroundings without resulting in a cramped or overdeveloped appearance. In views from Tower Road the proposed development would be seen as a building that progressively increases in height which would provide a more gradual transition to the full height fronting North Street. In such views, I do not consider that the mass of the proposed building would appear significantly greater than the dominant mass of the rear elevation of Princess Terrace.

16. Furthermore, I observed at my site visit that the nearby North House Surgery, located to the south of the appeal site, has rear projecting wings of varying heights that considerably extend to the east and beyond the depth of the rear wing proposed in the appeal scheme. Therefore, there is existing development within the Conservation Area that has significant rear wings. As such, this also contributes to the character of the area.
17. The Council suggest that the width of the block fronting North Street would be too wide and therefore would not enable tree planting to be undertaken to the front of the building and that the roof pitch facing north and south would be more steeply pitched than those facing the front. However, the set back of the proposed building to the road would be commensurate with that of Princess Terrace and the proposed landscaping scheme clearly shows shrub and tree planting to the site frontage. Steeply pitched roofs and gables are a characteristic feature of this part of the Conservation Area. Consequently, I do not consider that these factors would cause harm to the character and appearance of the area.
18. The existing Police Station is positioned close to the boundary with Princess Terrace. The proposed building would be set considerably further away, approximately 19m, with an access road and soft landscaping in between. In considering the effect of the proposed development on the setting of the Listed Building, the proposals would significantly increase the gap between the Listed Building and adjacent development to the south thereby exposing more of the southern gable of Princess Terrace in views from North Street. This would enhance the visible extent of the terraced building in the street scene.
19. In addition, the removal of the negative contribution that the existing Police Station makes to the appearance of the area and its replacement with a building that is reflective of the architectural style of the area and with a ridge height that would be set below that of Princess Terrace would enhance the setting of the Listed Building and ensure that its primacy is maintained. Thus, even though the appeal proposal would be larger and more visible than the existing building, it would not be unacceptably out of character with the buildings in the area which contribute to the area's significance. Nor would it have any material effect on the setting of the adjacent Listed Building. The significant degree of separation and the intervening landscaping would enhance its setting from that which currently exists.
20. For these reasons, the proposed development would preserve the character and appearance of the Conservation Area as a whole and the setting of the Grade II Listed Building. It would therefore accord with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would accord with paragraphs 131 and 132 of the National Planning Policy Framework (the Framework). As a result there would be no conflict with Saved Policies HD3 and HD20 of the Harrogate District Local Plan 2001 (as amended, 2004) (Local Plan) or Policies SG4 and EQ2 of the Harrogate District Local Development Framework – Core Strategy 2009 (Core Strategy). These policies, amongst other things, require that new buildings should make a positive contribution to the spatial quality of the area and their siting should respect the areas character and layout. In addition, development which has an adverse effect on the character or appearance of a Conservation Area will not be permitted.

Living conditions – amenity space provision

21. The amenity space for residents would be provided in the form of an internal communal lounge and an external communal garden. The Council expressed concern that the space available for outdoor amenity use would be inadequate in size as a consequence of the proposed extent of the site coverage from the building and hard standing. In addition, the Council considers that the use of the amenity area would be further compromised as a consequence of extensive shading that would occur for much of the day due to the presence of retained protected trees along the southern boundary of the site and due to noise generated by the car wash facilities at the adjacent Petrol Filling Station.
22. The appellants emphasised that they have wide experience in providing sheltered accommodation for elderly clients and that they would not promote a development that potential purchasers would find unacceptable in respect of the availability and usability of amenity space. It was emphasised that the internal communal lounge is the most important communal space in such developments and as such forms part of the consideration of amenity space provision.
23. The Council do not refer to any adopted space standards that are relevant to the amount of external amenity area that may be required for retirement living housing accommodation. In the absence of any adopted space standards, I have attached considerable weight to the appellants experience and knowledge of the requirements of elderly clients and the contention that the most important amenity space is internal to the building. The appellants indicated at the hearing that the extent of external amenity space that would be provided amounts to 22.5sq m per apartment, which was considered to be adequate, and that the site was within an easy walking distance to nearby areas of public open space at Paddy's Park and Riverside Park. Taking the above factors into account, and the compelling arguments provided in the appellants' statements relating to the adequacy of the amenity areas, leads me to find that the amount of external amenity space would be adequate for the proposed development.
24. A Daylight and Sunlight Report dated December 2016 was submitted with the application. This accords with the Building Research Establishment (BRE) Report 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' which I accept, in the absence of any other planning policy guidance, is an established document to consider the impact of new development on daylight and sunlight. Consequently, I have attached substantial weight to this assessment.
25. The report considered the BRE Guidelines test which sets out that an amenity space is well sunlit if it receives two or more hours direct sunlight on ground to 50% of the area on 21 March (spring equinox, which represents the average for the year). It identified that the proposed external amenity area would provide contrasting areas of direct sunlight and shade and concluded that the amount of daylight and sunlight that the southern amenity area would receive exceeds the relevant recommended BRE Guidelines. No evidence was provided to indicate that the assessment or conclusions of the report may be incorrect.
26. An addendum to this report was also provided at the hearing (Document B) which considered the sunlight to the southern amenity area during the summer

months and assessments were undertaken for 21 June, 21 July and 21 August. The addendum identified that in all of the months tested, when the amenity space is most likely to be used, the sunlight that would be received exceeds the BRE Guidelines.

27. The appellants explained at the hearing that their experience of the use of amenity areas in the summer months was that residents enjoy shaded areas and that the combination of internal and external communal areas provided sufficient space to enjoy either direct sun, external shade or use internal communal areas with good levels of daylight. On the basis of the evidence provided, I find that the external amenity area would provide adequate levels of sunlight and that the shaded areas would be a useful benefit to residents seeking to avoid direct sun. Consequently, I do not consider that the shade provided by the trees along the southern boundary would compromise the amount of sunlight received to the amenity area to an extent that would be detrimental to the use of the area for communal recreational purposes.
28. A Noise Assessment dated 11 November 2016 was submitted with the planning application which, amongst other things, considered the impact of the adjacent car wash facilities on the external amenity areas. It identified that, subject to the provision of a 2.5m high close boarded fence installed on the boundary with the Petrol Filling Station, the car wash facilities would have a low impact on the external areas of the proposed development.
29. The Council's Environmental Health Officer indicated that the scheme has the potential, with mitigation in place, to improve the level of amenity to the outdoor amenity space and recommended conditions requiring the noise mitigation measures to be put in place. At the hearing the Council explained that although the noise from the car wash facilities could be mitigated concerns still remain, particularly with regard to the appearance of the proposed acoustic fence.
30. I have no evidence to suggest that the findings of the Noise Assessment may be incorrect and although the proposed 2.5m high fence would be a substantial feature it would be located to the south of the mature trees along the southern boundary of the site which would mitigate its visual appearance. Moreover in the context of the size of the amenity area, the scale and mass of the proposed building and the fencing and car wash screening provided at the Petrol Filling Station, I do not consider that the fence would appear as a stark or alien feature within the locality.
31. Taking these factors into account and subject to the imposition of an appropriate planning condition requiring the implementation of the noise mitigation fence, I do not consider that there is any substantive evidence to suggest that the noise generated from the car washing facilities would cause any levels of noise that would be of an extent that would be detrimental to the use of the amenity area for communal recreational purposes.
32. Local residents also suggested that spray from the car washing facilities may also be detrimental to the use of the amenity area. However, at the site visit on a relatively breezy day with the wind blowing from the south west I was unable to detect any spray being blown onto the appeal site whilst the car washing facilities were in full operation. Furthermore, in addition to the screens already provided around the facilities, the proposed close boarded fence would also have the effect of mitigating any windblown spray.

Consequently, I do not consider that any spray generated by the adjacent car washing facilities would be of an extent that would be detrimental to the use and enjoyment of the amenity area.

33. I therefore find that the proposed amenity space would be appropriate for the development both in terms of its amount and location. As such, the proposed development would provide adequate amenity space and in this regard it would not have a harmful effect on the living conditions for future occupiers of the residential units. Consequently, there would be no conflict with Policy SG4 of the Core Strategy which, amongst other things, seeks to protect residential and general amenity.

Benefits of the scheme

34. The proposal would bring undisputed social benefits in meeting the needs/demands of an ageing population. In addition to increasing the supply of housing within the District, it would also comply with paragraph 50 of the Framework which states that local planning authorities should plan for a mix of housing based on a range of factors including the needs of different groups in the community such as older people. The proposal would provide 28 units of specialised housing for which the evidence provided identifies that there is a national and local need whilst providing an opportunity to release larger family homes to the market. The proposal would also provide funding towards the provision of affordable housing within the District which can also be seen as a social benefit. I attach significant weight to these social benefits.
35. Employment opportunities would be created during the construction and operational phases. It could also be reasonably be expected that use will be made of local suppliers and local services during the construction phase and by prospective residents on occupation of the development. Incoming residents would also provide increased footfall and local expenditure to local shops and services. These economic benefits are significant.
36. In addition to preserving the character and appearance of the Conservation Area, the proposed development would take place in an accessible location, within walking distance of the facilities and services of the town centre and would entail the re-use of previously developed land.
37. I therefore find that the proposal would be sustainable development and the above package of environmental, economic and social benefits must be weighed in the planning balance and can be given significant weight in the determination of this appeal.

Other matters

38. Local residents expressed concerns that the proposed car parking provision of 20 spaces on site would be inadequate with the consequence that demand for limited available on-street car parking spaces would be increased. The appellants have submitted a Transport Statement which identifies that car ownership is low in this form of sheltered housing resulting in a requirement for a relatively low level of parking provision to be made, when compared to other forms of residential development. It also provides evidence of parking surveys undertaken at the appellants existing Retirement Living Developments and identifies that the average peak demand equates to 0.434 spaces per apartment.

39. The parking provision proposed at the appeal site would be greater than that which is available at all of the developments identified in the survey. I also note that the Council and North Yorkshire County Council, in its capacity as highway authority, raised no objections to the proposed development and were satisfied that the proposals would not result in any serious highway or car parking implications. Furthermore, the appeal site is sustainably located within a short walking distance of the town centre with a range of facilities and a number of bus services. Whilst I do not set aside lightly the concerns of local residents, there is no technical or other cogent evidence to warrant taking a different stance to the Council and the highway authority on this matter.
40. I have also taken into account the detailed geotechnical concerns raised by the City of Ripon Trust. The appellants stated at the hearing that their Geotechnical Consultants had been made aware of these concerns but advised that there were no technical impediments that would prevent the safe construction and occupation of the proposed development. I also recognise that there are other statutory controls in place through the Building Regulations in relation to geotechnical matters relevant to foundation and construction design. In the absence of any other definitive evidence to suggest that the ground conditions would have a material impact on the land use planning considerations identified in his appeal, I have attached minimal weight to these concerns.

Unilateral Undertaking and Conditions

41. Saved Policy H5 of the Local Plan provides for an element of affordable housing on new housing development and that such provision may be made by way of commuting the affordable housing by payment towards, or the provision of, a suitable alternative in the locality. A financial viability appraisal has been agreed with the Council's Valuation Surveyor and the submitted Unilateral Undertaking (UU) provides for a payment to the value of £318,556.45 in lieu of affordable housing provision on site.
42. The UU also provides for a contribution to offset the impact of the development on public open space provision within Ripon to the value of £28,085.49. This is a slight increase from the figure contained within the SCG. The Council confirmed at the hearing that the higher figure was correct and the difference between the two occurs as a result of a revised calculation following the proposed reduction in the number of units from 29 to 28.
43. I agree with both main parties that these provisions are necessary and meet the tests set out in Regulation 122 and 123 of the Community Infrastructure Regulations 2010 and paragraph 204 of the Framework.
44. The SCG proposes a number of planning conditions which I have considered against the advice given in paragraph 206 of the Framework and the guidance contained in the section on 'Use of Planning Conditions' in the Government's Planning Practice Guidance. Where necessary I have altered or amended them in the interests of necessity, precision, conciseness or enforceability and to minimise the use of pre-commencement conditions.
45. In addition to the standard implementation condition I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty.

46. A condition is necessary that restricts the age of the occupiers of the proposed residential accommodation to ensure that the development meets the needs of an ageing population and also as the proposed development would not be acceptable on other planning grounds, including parking provision and the need for affordable housing.
47. In the interests of protecting the character and appearance of the Conservation Area, I agree that conditions are necessary relating to the submission of details of all external wall and roofing materials, the submission of large scale details of the proposed windows and doors and the implementation of the proposed landscaping scheme including the replacement of any trees, shrubs or plants that may die, are removed or become seriously damaged or diseased.
48. In the interest of ecology and to safeguard the habitat of protected species, a condition requiring that the development is undertaken in accordance with the Extended Phase 1 Habitat Survey, November 2014 and Bat Presence/Absence Survey, June 2015 is necessary.
49. In order to protect the health and integrity of trees that are to be retained on the site, conditions are necessary to secure the implementation of tree protection measures and to restrict activities within the protected area during construction works.
50. A condition is necessary in the interests of highway safety to secure the provision of access, parking and manoeuvring areas. However, in the interests of precision I have amended the suggested condition to included details of surfacing and drainage. In the interests of conciseness I have also amalgamated the suggested condition preventing the use of such areas for any purpose other than the parking and manoeuvring. As the requirements of the condition are precise and enforceable I am not persuaded that it is necessary to further require the removal of any permitted development rights that may be applicable to such areas.
51. In order to protect the living conditions of the occupiers of nearby properties a condition is necessary requiring the submission of a Construction Management Plan. However, for the same reason I have included details of proposed working hours to be included within the Plan.
52. A condition requiring the implementation of the acoustic attenuation measures as identified in the Noise Report dated 11 November 2016 (Ref 418855/TO1) is necessary in order to protect the living conditions of the occupiers of the proposed flats with particular regard to the use of the outdoor amenity area.

Planning Balance/ Overall Conclusion

53. Having given special regard and attention to the need to safeguard heritage assets, I have found that the proposal would preserve the character and appearance of the Ripon Conservation Area and would not harm the setting of the Grade II Listed Building at Princess Terrace. The proposal also comprises sustainable development. Taking these factors into account and also weighing the extensive benefits of the appeal scheme in the planning balance there is a compelling case for granting planning permission.

54. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Robert Walton	Counsel
Alex Child BA(Hons) MRTPI	Director – Planning Bureau
Ken Earl BA(Hons) Dip Arch RIBA	Box Architects
Susan Amaku BSc Dip Arch MA RIBA SCA	Director Woodall Planning
Neil Appleton BSc CEng MICE	Transport Planning (York) Ltd

FOR THE LOCAL PLANNING AUTHORITY

Alex Robinson MA(Hons) MRTPI	Principal Planning Officer
Naomi Kempton BA(Hons) MA IHBC MRTPI	Principal Conservation Officer

INTERESTED PERSONS

John Lawton	Local resident
Sandra Kell	Local resident
Tim Freeman	Local resident
Peter Graham	Observer
Georgina Daintith	Observer
Alex Mangham	Observer
George Martin	Observer

DOCUMENTS SUBMITTED AT THE HEARING

Document A	E-mail representation dated 3 December 2017 received from a local resident in response to the public consultation on the revised 'Wheatcroft' scheme.
Document B	Supplementary sunlight and daylight report dated 8 January 2018 prepared by GVA.
Document C	Photographs and Plans of appellant's recent retirement housing development at Sanderstead showing relationship of the development to a car wash facility together with a note from the Housing Manager setting out the experience of the car wash facility in relation to the use of the amenity areas.

Document D	Revised signed Statement of Common Ground dated 24 November 2017.
Document E	Completed Unilateral Undertaking dated 11 January 2018 providing for Affordable Housing Contribution and Public Open Space Contribution.

CONDITIONS SCHEDULE

- 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 - Drawing Numbers:
NE 1953 03 AC 001 – Location Plan;
NE 1953 03 AC 002 – Proposed Contextual Elevations;
NE 1953 03 AC 003 – Proposed Site Plan;
NE 1953 03 AC 004 – Proposed Floor Plans;
NE 1953 03 AC 005 – Proposed Elevations;
NE 1953 03 AC 006 – Proposed Elevations;
NE 1953 03 AC 007 – Proposed Sections New and Existing Buildings;
NE 1953 03 AC 008 – Proposed Tree Protection Area Sections;
NE 1953 03 AC 009 – Proposed Elevations with Existing Building;
NE 1953 03 AC 010 – Proposed Elevations with Existing Building;
NE 1953 03 AC 011 – 2 Tower Road, Existing Plans & Elevations;
NE 1953 03 AC 012 - 2 Tower Road, Proposed Plans & Elevations;
PA 10858 066 MCS – Visually Verified Montages;
NE 1953 03 03 LA 01 – Softworks Proposals (Landscaping Plan);
Tpp 8910-02 Rev A – Tree Protection Plan;
Topographical Survey
- 3) No flat shall be permanently occupied by any person under the age of 60, other than a spouse or partner of such persons being over the age of 55.
- 4) Development shall not continue past foundation stage of development until full details of all external wall and roofing materials to be used in the construction (including those of the substation) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.
- 5) The development shall be undertaken in accordance with the recommendations in the Innovation Group Environmental Services Extended Phase 1 Habitat Survey, November 2014 and Bat Presence/Absence Survey, June 2015 section 7.
- 6) Before any materials are brought onto the site or any development is commenced, the developer shall implement the tree protection measures contained in Ian Keen's Arboricultural Report and drawing 8910 -02 rev A for the entire area as specified in accordance with BS 5837:2012. The tree protection measures shall be maintained until all development which is the subject of this permission is completed.
- 7) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved root protection area scheme. The level of the land within the fenced areas shall not be altered without the prior written approval of the Local Planning Authority.
- 8) The development shall not be occupied until the areas shown on drawing NE 1953 03 AC 003 for access, parking and turning , has been laid out drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority. Those areas shall not

thereafter be used for any purpose other than the parking and manoeuvring of vehicles.

- 9) The landscape proposals as shown on approved drawing number NE 1953 02 03 LA-01 Rev shall be carried out prior to the occupation of any part of the development or as may be otherwise agreed in writing by the Local Planning Authority.
- 10) Any trees, shrubs or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same species, size and maturity as that originally planted. Such replacement trees, shrubs or plants shall be planted in the same position as those originally planted.
- 11) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Plan shall provide for:
 - i) vehicular access arrangements;
 - ii) the parking on-site of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials on-site;
 - iv) storage of plant and materials used in constructing the development;
 - v) wheel washing facilities;
 - vi) delivery, demolition and construction working hours.The approved Construction Management Plan shall be adhered to throughout the construction period for the development.
- 12) The development shall not be occupied until the scheme of sound attenuation works specified in the Noise Report dated 11 November 2016 by SRL, reference 418855/TO1, has been implemented and validated in accordance with the approved method statement and the validation test has been submitted to and approved in writing by the Local Planning Authority. If predicated levels are not achieved, irrespective of the sound attenuation work already approved, a further noise attenuation scheme incorporating the recommendations of an acoustic consultant to achieve the sound levels shall be submitted to and approved in writing by the Local Planning Authority. The approved and validated scheme shall be fully implemented and completed prior to first occupation of the building hereby approved.
- 13) Development shall not continue past foundation stage of development until large scale details of the window and doors at 1:20 with sections at 1:5 shall be submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details.