



Appeal Decision

Hearing Held on 26 February 2019

Site visit made on 26 February 2019

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 30 April 2019

Appeal Ref: APP/H1705/W/18/3201671

Land off Dixon Road, Dixon Road, Sherfield-on-Loddon RG27 0SJ

- 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 Mr S Smith against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 17/02123/FUL, dated 15 June 2017, was refused by notice dated 1 November 2017.
 - The development proposed is the use of land for the stationing of caravans for residential purposes, together with the formation of hardstanding and utility/dayroom ancillary to that use.
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Decision

1. The appeal is allowed and planning permission is granted for the use of land for the stationing of caravans for residential purposes, together with the formation of hardstanding and utility/dayroom ancillary to that use at land off Dixon Road, Dixon Road, Sherfield-on-Loddon RG27 0SJ in accordance with the terms of the application, Ref 17/02123/FUL, dated 15 June 2017, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development has been taken from the application form. On the evidence before me it is clear that the proposal relates to a single pitch containing a mobile home, touring caravan and associated day room and hardstanding. The Council determined the proposal on this basis and so shall I.
3. At the Hearing I was provided with additional evidence as listed at the end of this decision. The parties agreed that such evidence was integral to the main issues and there would be no prejudice to any party from my consideration of these documents in determining the appeal. I have therefore taken them into account.
4. The Council accept that the appellant comes within the definition of gypsies and travellers in Annex 1 of the PPTS¹. I have no reason to reach a different conclusion.

Main Issues

5. The main issues are:

¹ Planning Policy for Traveller Sites August 2015.

- The effect of the proposal on the character and appearance of the area, with particular regard to trees and the landscape.
- The effect of the proposal on the health and safety of future occupants, with particular regard to buried ordnance.
- If harm is found in relation to the first and second main issues the relevance of other material considerations:
 - The need for, and provision of, accommodation for gypsies and travellers within the area.

Reasons

Background

6. The current application and appeal follow the refusal of an application on neighbouring land for the use of land for the stationing of caravans for residential purposes for 3 Gypsy pitches, together with the formation of hardstanding and utility/day rooms ancillary to that use and the subsequent dismissal of a related appeal in 2016². In that appeal the Inspector found that proposal would cause significant harm to the character and appearance of the area, predominantly through the loss of trees. Whilst each case must be determined on its own merits, I have had regard to this previous decision in the determination of this appeal.
7. The land immediately to the north was commercial woodland, forested with Scots Pine until unauthorised clearance without a felling licence took place in June 2014. The Forestry Commission issued a re-stocking notice (which excluded the appeal site) and required the land to be restocked by 30 June 2015. The restocking notice has not been complied with to date but that is not a matter for me to address as part of this appeal and would be dealt with by the Forestry Commission.

Character and appearance

8. The appeal site comprises an area of early/mature commercial Scots woodland and forms part of a wider parcel of land within the appellant's ownership which extends to about 3.5 hectares. The site is bound by the A33 to the east and Dixon Road, a public right of way, to the south. The Taylors Farm housing development adjoins the opposite side of Dixon Road, whilst Bramley Ministry of Defence ('BMOD') training camp adjoins the site to the northwest. Dixon Road is owned and maintained by the Ministry of Defence ('MOD') although it is not the principal access to the MOD land. There are several buildings on the MOD land, including a building at the end of Dixon Road, a short distance from the appeal site.

Trees

9. The trees on the appeal site and adjoining land are covered by a Woodland Tree Preservation Order³ ('TPO'). Unlike in the previous appeal and despite some drafting errors on the submitted tree survey plan⁴, the appellant

² APP/H1705/W/15/3067583.

³ BDB593.

⁴ 14_613A_009.

confirmed at the Hearing that the proposal does not require the removal of any trees.

10. I observed on site that the access would be partly on an existing hard surfaced track from Dixon Road and where it would turn into the wooded area it would be narrow and between existing trees that are close to one another given they were grown for commercial purposes. I have some reservations regarding the lack of detail about the construction of the access in such proximity to the protected trees, but a short length of hard surface could probably be constructed without adversely affecting the roots of those trees or requiring any of the surrounding trees to be removed. In any event, any uncertainty of effects could be resolved by the Council's suggested conditions 9 and 10 which require Arboricultural Impact and Method statements.
11. The mini-packaged treatment plant would be sited a sufficient distance away from the trees and its system could be routed without affecting the roots of nearby protected trees. Although other services are also not shown the level of surfaces associated with a single pitch is likely to be minimal and the location, type and design can be agreed by condition without resulting in harm to the trees.
12. The matter of the future location of re-stocked trees (following the Forestry Commission Notice) was also raised by the Council but the relevant order does not appear to stipulate the location. It is reasonable to assume that any re-stocking would take place at a sufficient distance from the plant, mobile home and other development so that it would not, over time, be affected. There is also nothing substantive that there would be a likelihood of further trees within falling distance needing to be felled and in any event, consent would be required from the Council as they are protected. Overall, I am satisfied that unlike in the previous scheme dismissed on appeal, in this proposal there would be no harm to protected trees or harm from the removal of trees, subject to conditions.

Landscape character

13. The site lies within the North Sherborne character area as identified by the Basingstoke and Deane Landscape Assessment 2001 (LCA) and immediately to the east of the Loddon and Lyde Valley character area. I observed it has a quiet and rural character and the North Sherborne character area is described as a low lying, gently undulating landform that links various landscape types into one distinct character area. In relation to the Loddon and Lyde Valley character area the urban influence of Basingstoke and Chineham, together with the intrusion of major roads and electricity pylons in some areas is noted. Despite its location adjacent to Taylors Farm, the MOD land, and the proximity of the A33, the appeal site and its surroundings had a rural character.
14. The more recent Hampshire County Integrated Assessment 2012 ('HCIA') identifies the landscape character as North Hampshire lowland mosaic. It refers to the contained nature of the views within the landscape and its tranquil character. It identifies the threat to this landscape from the loss of tranquillity and visual quality near urban areas, main roads and pylon lines. It also identifies the opportunity to diversify coniferous plantations to include native broadleaved species.

15. The boundary to the dwellings at Taylors Farm is set behind a buffer of deciduous trees on the opposite side of the footpath from the appeal site. Dixon Road provides the transition between the more urban character of Taylors Farm and the countryside to the north. I observed that in the locality there are a number of buildings of varying sizes, gates on the MOD land at the end of Dixon Road and electricity pylons but the Council's assessment of a 'medium' sensitivity is reasonable.
16. The previous character of the land was as a plantation and this would prevail. With the re-stocking order it would be an area of mixed deciduous woodland and the proposal includes a substantial amount of additional tree planting which could be secured by condition. This would complement both existing and the planting required by the re-stocking order, once completed, which would accord with an objective of the HCIA and assist in the natural regeneration of the woodland.
17. Nonetheless, the introduction of such a use and the associated buildings would bring about a small but permanent change in the landscape and this would be exacerbated by domestic paraphernalia and parked vehicles. There would also be a small loss of tranquillity from comings and goings associated with the proposal including enjoyment of the area by walkers and other users of Dixons Road.
18. Overall, there would be a slight to partial loss and alteration of the landscape resource and the magnitude of change to the landscape resource would reduce over time as additional planting became established and trees on adjoining land are re-stocked. In my view, the magnitude of change would be more 'low' to 'medium'. This would result in some slight to moderate harm to the landscape character of the area but I do not consider it would be significant and adverse as the Council suggests.

Visual effects

19. In visual terms and closer to the appeal site, the trees are a prominent feature in both views from Dixon Road and within the wider landscape. They limit views between the open countryside to the north and Taylors Farm and contribute to the enclosed nature of the footpath and its rural character. This sense of enclosure would be maintained given the location of the appeal site being set substantially back from Dixon Road and because trees would be retained which would provide a visual buffer. Further planting would have the potential to achieve some of the other benefits set out in paragraph 26 of the PPTS.
20. Outside the summer months when deciduous trees and hedgerows are not in leaf, the structures could be partially visible. However, the same could be said for other buildings and structures in the vicinity and the topography of the site would mean that the structures would not be seen against the skyline. From Dixons Road and residential properties opposite there would still be sufficient screening from the trunks of the trees and other vegetation so that the eye would not be unacceptably drawn to them.
21. Similarly, in views from the A33 to the east the proposal would be screened by the trees and hedgerow along the site boundary. Views of the required acoustic fencing would be possible from the footpath and neighbouring dwellings and the planting is deciduous. Nonetheless, I observed that the substantial amount of planting resulted in glimpsed and fleeting views and it would be possible to

supplement the existing vegetation as part of the landscape scheme. I also see no reason why a suitable fence could not be erected without causing unacceptable visual harm. In combination with the distance from the A33 and sloping nature, the proposal would not result in an unacceptably prominent development in views from the east or from Taylors Farm.

22. In wider views I observed the appeal site from St Leonards Church to the north. The proposal would not be harmfully conspicuous from the car park or church grounds and the implementation of the re-stocking order would, over time and in combination with the low scale of the mobile home and day room along with the proposed additional planting, ensure that the proposal would not be visually prominent or unduly dominant and be glimpsed within a wooded landscape context. Taking everything together, the visual effects would be considerably less than in the previous appeal and not overwhelmingly decisively negative. I share the Council's view that the visual impacts would not be significant⁵.

Character and appearance - conclusion

23. The PPTS accepts that gypsy and traveller sites can locate in rural areas. In doing so it is logical to also accept that some harm may occur from many sites particularly those that are not on land which was previously developed, untidy or derelict and that caravans will be a part of the rural scene in some countryside locations.
24. For the reasons given above there would be no significant adverse visual effects but the proposal would cause some slight to moderate harm to the character of the area. It would therefore conflict with Policy EM1 of the Basingstoke and Deane Local Plan 2016 ('LP') insofar as development proposals must respect, enhance the character of an area paying regard to, amongst other things the qualities identified within the landscape character assessments. Further, that proposals must respect the sense of place, tranquillity and quiet enjoyment of the landscape from public rights of way. The appellant contends that this policy is inconsistent with the National Planning Policy Framework ('the Framework') and this is a matter I return to in the planning balance below.

Health and Safety

25. The previous Inspector did not refer to this in her decision, although I do not know exactly what material was presented to her and it was not a reason for refusal. The Council contend that additional information⁶ and a change in its personnel are material and that I must consider the implications for future occupiers from the historic use of the appeal site in connection with the BMOD to the west. I find this to be a somewhat weak justification, but it is a matter before me and I must deal with it.
26. The appellant does not dispute that the appeal site was leased by the MOD until the late 1950's but because it was predominantly used for temporary dwellings of workers it is unlikely that ordnances were buried on the site. Since the previous appeal, an aerial photograph from 1952 shows that activities on site were extensive above and beyond the 1968 historic map. Further, evidence has emerged of a buried ordnance being found in 1987 on the eastern

⁵ Paragraph 4.1.45 of Councils statement.

⁶ Including a 1952 aerial photograph.

boundary of the camp and on land at Dixon Road. The cordon of a subsequent 'Operation Apple' to undertake surveys and recover ordnance included the appeal site although it was given over to woodland and no record exists that this was surveyed. Munitions were also discovered at a previous development at German Road in 1997. To my mind, the fact that ordnance has not been discovered due to use of heavy machinery in association with the commercial felling of trees does not conclusively mean such ordnance could not be present. Further, I heard that ordnance can be buried between 0.5 and 2m deep.

27. Taking a precautionary approach given the intended residential use and the interrelationship of the various sites, I am satisfied that the evidence before me and given orally at the Hearing by the Council's Environmental Health Officer ('EHO') is sufficiently persuasive to suggest a risk from buried ordnance. I do not consider the uncertainty to be so great to exclude residential use in principle but in accordance with the Framework the responsibility of securing a safe development rests with the appellant and I note that requests for such a survey prior to submission of the application from the Council were not carried out.
28. Although the appellant sought to argue that there was no suitable company or person to carry out an appropriate survey of the appeal site, I give greater weight to the relevant expertise of the EHO. Notwithstanding the Council's comments on the appropriateness of such a condition, I agree with the EHO's view that such a survey is possible, and the appellant agreed that this could be achieved by condition.
29. Consequently, whilst I cannot rule out the possibility of a risk to future occupants, I am satisfied that an appropriately worded condition would ensure compliance with Policy EM12 of the LP insofar as it requires development to be permitted where it does not pose unacceptable risks to health.

The need for, and provision of, accommodation for gypsies and travellers within the area

30. There is a general unmet need nationally and regionally. It is also acknowledged by the Council that there is a general unmet need for gypsy and traveller sites within the borough. The quantum of current need is not agreed by the parties, being estimated by the Council at 15 pitches, and at 23 pitches by the appellant. Evidence was submitted to indicate how those figures had been reached, and in the case of the appellant this includes a critique of the Council's calculation.
31. The Appellant's figures rely on a number of assumptions and have not been tested in any other way. As such I do not regard them as necessarily wholly reliable and the real figure of need may well lie between the positions of the parties. Whatever the case it does not seem to me that the matter of the actual number is determinative. The Council acknowledge that the need for pitches carries significant weight⁷, whereas the appellant considers it is substantial.
32. Further, the relevant sites within the LP are part of much larger allocations. The Council does not rely on these sites and contend that the delivery of the Council's strategy is progressing. From what I heard at the hearing in terms of timescales there was nothing substantive to suggest to me that the plan led

⁷ Paragraph 5.1.28 of Council's statement.

system is likely to deliver within the short to medium term. Nonetheless, the Council accepted at the Hearing that there are currently no suitable, acceptable, affordable, and available sites on which the appellant as a Gypsy and Traveller could reside and there is a need for pitches in the short term.

33. The Council suggested that the fact the Council does not have alternative sites for an individual picked up by another areas needs assessment results in limited weight. I do not share this view as this would not be the case for the settled population and by definition the appellant is a traveller with a nomadic existence.
34. For these reasons, the need for pitches and lack of suitable, acceptable, affordable, and available sites in the borough attracts substantial weight in favour of the proposal.

Other Matters

35. A number of other matters were discussed at the Hearing and form part of the appellant's case. This included the Written Ministerial Statement ('WMS') of July 2015 which made a technical adjustment to the Framework which it was indicated that "...those persons who fall within the definition of "traveller" under the PPTS, cannot rely on the lack of a five-year supply of deliverable housing sites under the NPPF to show that relevant policies for the supply of housing are not up to date. Such persons should have the lack of a five-year supply of deliverable traveller sites considered in accordance with PPTS".
36. The WMS is a material consideration to which I must have regard and the appellant falls within the definition of a traveller. The appellant contends that it is discriminatory essentially because an application for a traveller site made by a person other than a traveller (such as a landowner or council) would not be caught by the provisions of the WMS, but an application made by a gypsy or traveller would. However, that is simply not a matter for me to address as part of this appeal.
37. In reaching this conclusion I have had regard to the comments made from third parties in relation to highway safety, living conditions, precedent, overcrowded local services, noise, the nature of future occupiers and ecology. However, the Council did not object on any of these grounds and there is nothing substantive in writing before me or that was raised at the Hearing in respect of these matters which would not be addressed by some of the suggested conditions or should warrant dismissal of the appeal.

Conditions

38. I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity and simplicity. A condition is required to ensure compliance with the approved plans as this provides certainty. Given there is some uncertainty surrounding effects on adjoining trees and discrepancies on the tree survey drawing, conditions for Arboricultural method and impact statements are required. Given the basis on which I have allowed the appeal it is necessary to restrict the occupation of the site to gypsies and travellers and condition the siting and number of mobile homes on the site, in accordance with the submitted plan, for reasons of certainty. A condition controlling lighting and commercial activities are also required to minimise the impact on the character and appearance of the area.

39. In the interests of the health and safety of future occupants a condition is required for an appropriate ordnance survey to be carried out. Details of utilities and services to be agreed is also necessary for tree protection. To ensure that acceptable noise levels within caravans or mobile homes cited at the pitch along with the appearance of the area, a condition requiring details of acoustic fencing location and design is necessary. A condition requiring details of refuse and recycling storage facilities is also necessary in the interest of local amenity. In the interests of sustainability details of water efficiency of the day room are required. In the interests of highway safety and the living conditions of neighbouring occupiers a condition requiring a construction method statement is necessary.
40. The Council's suggested condition 18 is not necessary as the hardstanding for parked vehicles is clearly shown on the approved plans and I have not imposed it. I have incorporated suggested conditions 16 and 22 into the details of landscaping required by condition 21.
41. Conditions 6, 8, 9, 10, 14, 16, 17 and 18 are conditions precedent and were agreed by the appellant at the hearing. I am satisfied that they are fundamental to the development to ensure that it does not occur until such matters are resolved, in the interest of avoidance of pollution, health and safety, character and appearance, ecology, sustainability, living conditions of neighbouring occupiers and highway safety.

Planning balance and conclusion

42. The Council do not dispute that the site is in an accessible location with access to a range of day to day services and facilities. I agree. For the reasons given above the harm caused by the development in this location differs substantially from the previous proposal and reflects compelling and substantial changes in the appeal proposal's siting, scale and subsequent effects on character and appearance, in particular the effects on trees and on the wider landscape and visual amenity.
43. The harm in terms of the first main issue would be no more than 'moderate' and I have found no other material harm. Nonetheless, the harm and conflicts with the LP are such that the proposal should be regarded as being in conflict with the development plan, when read as a whole. It is therefore necessary to consider whether there are material considerations which indicate that permission should be granted, notwithstanding this conflict.
44. The appellant contends that a whole raft of policies of the LP (EM1, EM12, CN5, CN6, CN9, EM4, EM9, EM11 and SD1) are inconsistent and out of date with the Framework. The issue of inconsistency is intended to either reduce the weight to be given and/or to seek to engage the tilted balance in paragraph 11 (d) of the Framework. However, these other policies in my view are not determinative in this case because in Framework terms the most important policies that led to the Council's reasons for refusal are Policies EM1 and EM12.
45. Dealing with the latter first, Policy EM12 is part of suite of policies seeking to address local issues relating to climate change. It sets out the approach to assessing development proposals that are likely to result in pollution or which are sensitive to pollution. I do not agree with the appellant's contention it is inconsistent with the approach in paragraphs 178 to 181 of the Framework but in any event and subject to conditions, the proposal would accord with it.

46. I note that the previous Inspector found Policy EM1 to be consistent with the Framework. The appellant contends that things had moved on through recent case law and specifically that there is no requirement to enhance a non-valued landscape in the Framework. The Framework is a significant material consideration but any findings of inconsistency and a subsequent reduction in weight to be applied or to engage the tilted balance in paragraph 11 (d) of the Framework is not necessary in this appeal.
47. This is because in the normal section 38(6) balance and even if I were to agree with the Council that Policies EM1 and CN5⁸ and the conflicts with them carry full weight, the substantial weight I give to the valuable contribution towards meeting a clear and immediate need for additional permanent privately-owned pitches in the district, in combination with the lack of suitable, acceptable, affordable, and available sites, outweighs the moderate harm to the character and appearance of the area that I have identified. These are material considerations which indicate to me that in this case a decision should be taken other than in accordance with the development plan.
48. Although the accommodation needs and other personal circumstances of the proposed occupants were also discussed at the Hearing, given this conclusion there is no need to include them in the balancing exercise as they would not alter my decision.
49. Having considered all other matters raised, I therefore conclude that the appeal should be allowed.

Richard Aston

INSPECTOR

⁸ Ms Katherine Fitzherbert-Green referred to its exclusion from the RfR as an 'oversight'.

APPEARANCES

FOR THE APPELLANT:

Mr Matthew Green	Green Planning Studio Limited
Mr Sammy Smith	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Ms Katherine Fitzherbert-Green	Basingstoke and Deane Borough Council
Mr Paul Johnston	Basingstoke and Deane Borough Council
Mr Frank Wright	Basingstoke and Deane Borough Council
Ms Laura Grimwood	Basingstoke and Deane Borough Council
Mr Steve Jarman	Opinion Research Services Ltd

Interested persons

Mr J Smith
Mr N Robinson
Cllr Venetia Rowan
Cllr Elaine Still
Mr A Byres
Ms Alyson Dean
Mr and Mrs Jeffrey and Margaret Daly

DOCUMENTS AND PLANS SUBMITTED AT THE HEARING

1. Signed Statement of Common Ground.
2. Amended witness statement of Sammy Smith.
3. Basingstoke and Deane Local Plan 2011 – 2029 extract Policy SS3.7 Redlands.
4. Application 54044 extracts.
5. Suggested acoustic fence condition.

SCHEDULE

CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan (dwg no 14_613A_001)
 - Proposed site plan (dwg no 14_613A_003)
 - Utility/Day Room – Indicative Layout (dwg no 14_613A_004)
- 3) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 Planning Policy for Travellers Sites 2015 (or as defined in any Policy revoking and re-enacting that Policy with or without modification).
- 4) No commercial activities shall take place on the land at any time, including the storage of materials. No vehicles over 3.5 tonnes shall be stationed, stored, or parked on the site and not more than 6 vehicles shall be stationed, stored, or parked on the site at any one time.
- 5) No more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravans Sites Act 1968 (of which no more than one shall be a static or mobile home) shall be stationed on the site at any one time. The caravans shall be sited in accordance with the approved plan.
- 6) No works pursuant to this permission shall commence on site until there has been submitted to and approved in writing by the local planning authority:-
 - (a) a desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011; and a UXO survey carried out by competent UXO specialists to provide a clearance certificate for ordnance for the site.

And, unless otherwise agreed in writing by the local planning authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites – Code of Practice;

and, unless otherwise agreed in writing by the local planning authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The

scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary, proposals for future maintenance and monitoring.

If during any works contamination is encountered which has not been previously identified it should be reported immediately to the local planning authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

- 7) The development hereby permitted shall not be occupied/brought into use until there has been submitted to the local planning authority verification by the competent person approved under the provisions of condition 6(c) that any remediation scheme required and approved under the provisions of condition 6(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise;
- as built drawings of the implemented scheme;
 - photographs of the remediation works in progress;
 - Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 6(c).

- 8) No development including site clearance, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until an Arboricultural Impact Assessment ('AIA') prepared in accordance with BS5837:2012 "Trees in relation to design, demolition and construction" has been submitted to and approved in writing by the local planning authority. The AIA shall be based upon a comprehensive survey of all the trees within the application site and on adjacent land within the applicant's ownership (edged in blue on the Location Plan dwg no 14_613A_001) and shall demonstrate which trees can be retained and which trees are to be removed.
- 9) No development including site clearance, ground preparation, material storage, temporary access construction/widening or construction works shall commence until an Arboricultural Method Statement, prepared in accordance with the BS5837 "Trees in Relation to Design, Demolition and Construction" has been submitted to and approved in writing by the local planning authority. The statement shall outline how trees will be protected during the development and shall include a tree protection plan. No development or other operations shall take place other than in complete accordance with the approved method statement and tree protection plan.

- 10) No development including site clearance, ground preparation, temporary access construction/widening, material storage or construction works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 11) No occupation of the development shall take place until an acoustic fence has been erected, the location, extent, design, and colour of which shall have been submitted to and agreed in writing by the local planning authority. The fence shall be retained thereafter in accordance with the approved details.
- 12) The materials to be used in the construction of the external surfaces of the utility/dayroom hereby permitted shall match, in type, colour and texture those on the submitted application form and approved plans. The timber cladding shall be stained or painted in a recessive colour (such as dark brown or black colour) and retained as such in perpetuity.
- 13) No external lighting of any kind, either permanent or temporary, shall be installed at the site without the prior written approval of the local planning authority.
- 14) No development, including any soil moving, temporary access construction/widening, or storage of materials, shall commence until a Wildlife Protection and Habitat Enhancement Scheme which includes the recommendations set out within the ecological assessment submitted by Biocensus dated December 2014 has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the site and therefore maintained in accordance with the approved details.
- 15) No occupation shall take place until full details of the refuse and recycling storage and collection facilities have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 16) No development of the day room above slab level shall commence on site until details of how the new utility/day room shall meet a water efficiency standard of 110 litres or less per person per day have been submitted to and approved in writing by the local planning authority, unless otherwise agreed in writing with the local planning authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details and maintained thereafter.
- 17) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors and traffic management;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;

- iv) wheel washing facilities;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vii) delivery, demolition, and construction working hours.
 - viii) The erection and maintenance of security fencing/hoardings.
- 18) No development shall take place until details of the soft and hard landscaping of the site, including future management and maintenance have been submitted to and approved in writing by the local planning authority. The details shall include schedules of plants/trees noting species, sizes and proposed numbers/densities, an implementation program and details of written specifications including cultivation and other operations involving tree, shrub, and grass establishment and removal or long-term management/eradication of the invasive species Himalayan Balsam *Impatiens glandulifera*. Further, the design, type and position of hardsurfacing and boundary treatments. Development shall be carried out in accordance with the approved details.
- 19) All planting, seeding, turfing and other details comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees 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 similar size and species.

---- end of conditions ----