



Appeal Decision

Hearing held on 24 July 2019

Site visits made on 24 July 2019 and 1 August 2019

by Robert Parker BSc (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/L3625/W/18/3209521 241 Station Road North, Merstham RH1 3YU

- 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 Chris Jasper of Bellway Homes (South London) Ltd and SAL Pension Fund Ltd against the decision of Reigate & Banstead Borough Council.
 - The application Ref 17/02542/F, dated 31 October 2017, was refused by notice dated 17 May 2018.
 - The development proposed is demolition of existing buildings and the erection of 33 apartments (including affordable housing), provision of car parking, amenity space and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings and the erection of 33 apartments (including affordable housing), provision of car parking, amenity space and associated infrastructure at 241 Station Road North, Merstham RH1 3YU in accordance with the terms of the application, Ref 17/02542/F, dated 31 October 2017, subject to the conditions set out in the attached schedule.

Application for Costs

2. At the hearing, an application for costs was made by Mr Chris Jasper of Bellway Homes (South London) Ltd and SAL Pension Fund Ltd against Reigate & Banstead Borough Council. This application is the subject of a separate decision.

Procedural Matters

3. The appeal form refers to the site as being located on London Road North. However, the appellant confirmed at the hearing that the correct postal address is Station Road North. I have therefore used the site address from the application form in my formal decision.
4. The application was amended during its consideration, with one of the main changes being the reduction in the number of apartments from 39 to 33. Subsequent to the Council's decision, further revised plans were provided to correct errors and inconsistencies. The changes are minor, and no party would be prejudiced if I determined the appeal based on the latest plans. I have proceeded on that basis.

5. The site was inaccessible on the day of the hearing, but I was able to walk the Merstham Conservation Area and assess the scheme from public viewpoints. A further visit was arranged to enable me to enter the site and building.
6. A draft Unilateral Undertaking (UU) was discussed at the hearing with a signed version being provided after the close of the event. This secures affordable housing within the scheme and provides for a car club. I shall return to this later.

Main Issues

7. The main issues in this case are:
 - a) the effect of the proposal on the character and appearance of the surrounding area, including the setting of the adjacent Merstham Conservation Area; and
 - b) the effect on the living conditions of the occupiers of The Old Sweet Shop and The Old Post Office, with reference to outlook and privacy.

Reasons

Character and appearance

8. The appeal site is located at the junction of London Road North (A23) and Station Road North. It comprises a vacant office building known as Bellway House, a store/workshop building and car parking. The land lies immediately outside of the Merstham Conservation Area; the boundary for this designation wraps around the site on two sides.
9. The Merstham Conservation Area Appraisal and Management Proposals (2014) (MCAA) has not been subject to public consultation and remains in draft form. This document explains that the special interest of the Conservation Area is derived from the format of a traditional village with church, street, farms, inn, as well as vestiges of manor house and mill pond, complemented by later arts and crafts development.
10. The MCAA divides the Conservation Area into different identity areas. The one most relevant to the appeal is the High Street. This contains a variety of vernacular buildings which collectively give the impression of a historic village centre. The MCAA refers to relatively continuous townscape frontages, but in fact there is a more open grain and wider spacing than might typically be associated with a village such as this. The cohesiveness of the urban form is weaker at the northern end of the High Street, due to the failure of both the petrol forecourt and pub car park to create street enclosure.
11. But that is not to say this end of the village lacks heritage significance. The Feathers, amusingly described by the appellant's heritage consultant as a 'jolly Edwardian pub', is a prominent listed building, whilst directly opposite the site there is a relatively ordinary terrace of unlisted Victorian cottages which are embellished by an attractive half-timbered porch.
12. The 1980s office building on the appeal site is rather humdrum by comparison. The mundane architectural detailing and overly regimented fenestration lets down what could otherwise have been an interesting corner development. The impact of the building on the street scene and setting of the Conservation Area is, at best, neutral and it is fortunate for those entering the village that the eye

- is drawn towards the rich architectural detailing of the Feathers Hotel, with its impressive chimneys and balustraded timber balcony on its northern elevation.
13. The proposed apartment block would be marginally wider than the building it replaces, but it would also extend deeper into the site in a linear fashion. The Council contends that the development would be an overly dominant feature on London Road North. It draws my attention to the fact that the building would extend along the full length of the site frontage (estimated at 68 m) at a height varying between 11 m and 14 m. The implication of this being that the scheme would be of excessive scale and bulk.
 14. There can be no question that the proposed building would be substantially larger and bulkier than those in the High Street which are typically 2-storey and modest in scale and footprint. However, this does not automatically render the scheme unacceptable; the judgement will hinge upon the visual impact. The new building at the corner of London Road North with Station Road North would closely resemble the existing offices in height, scale and form. The ground levels fall away significantly within the site relative to London Road North adjacent, and this means that the lower ground floor of the development would be hidden from view from the road. Large parts of the upper ground floor would also be screened by hedging along the western site boundary. In practice, therefore, the development would read as 2½ storey.
 15. Much of the additional building mass, relative to the existing offices, would be screened for significant periods of the year by the trees on the wedge shaped embankment which separates the site from London Road North. This area is outside of the appellant's control, but the evidence indicates that it is highway land and therefore within public ownership. I take the Council's point about seasonality, but the density of vegetation is such that views into the site would be heavily filtered when the trees are not in leaf. The building footprint would be angled away from the road, such that it would be set well back into the site at its northern end. Consequently, the development would not appear unduly prominent and it would maintain the sylvan parkway approach to the village.
 16. The London Road North elevation would be visible from public vantage points in the general vicinity of the nearby petrol forecourt, which is within the Conservation Area, but it would be foreshortened in this view. Whilst I agree with the Council that this elevation could be better designed with greater depth to the set-backs in the façade, it would nonetheless be articulated by gables and a varied palette of locally distinctive materials. The architectural detailing¹ would be a significant improvement over the existing office building.
 17. The Council contends that at 165 dwellings per hectare the appeal scheme would be out of character, given the comparative densities within the local area which were set out in the officer report. However, the site is allocated for up to 30 homes in Policy RED2 of the emerging Reigate and Banstead Development Management Plan (DMP). This allocation would equate to a maximum density of 150 dwellings per hectare. The appeal scheme would be built at a greater density, but not significantly so.

¹ This would include red brick in Flemish bond, a clay plain tile roof with inset gabled dormers, vertical clay tile hanging with traditional brick corbeled banding detail to the base, projecting brick quoin detail to key corners, white framed casement windows with traditional brick arches above and brick-on-edge sills, and black and white painted balconies.

18. Drawing the threads together, I conclude that the development would not be overly dominant on the approach to the village, despite its larger scale in comparison with the vernacular buildings in the High Street. The character and appearance of the area and setting of the Conservation Area would be unharmed and there would be no conflict with Policy CS4 of the Reigate and Banstead Core Strategy (2014) (CS) or Policies Ho9, Ho13 and Pc13 of the Reigate and Banstead Borough Local Plan 2005 (LP). These policies are consistent with the National Planning Policy Framework (the Framework) in seeking buildings of high quality design which are visually attractive and sympathetic to local character and history, including heritage assets.

Living conditions

19. The Old Sweet Shop and The Old Post Office are ex-commercial premises which have been converted to residential use, the former as a single dwelling and the latter as a pair of flats. The properties are semi-detached with a frontage onto Station Road North. Both have rear gardens which bound onto the appeal site.
20. The existing office building runs longitudinally into the appeal site and it is substantially deeper than the adjoining dwellings, running parallel to their rear gardens. The occupiers of both residential properties will already feel the physical presence of the offices, especially when they are within their gardens.
21. Many of the upper storey windows on this side of Bellway House are obscurely glazed, but windows within the offices provide views into the garden of The Old Sweet Shop. Neither of the affected gardens are truly private; both are also overlooked from a first floor flat associated with Merstham Village Club and Hall.
22. Under the appeal proposals, the height of building would increase slightly, with the development extending much further into the site. However, the relationship with residential properties would not be significantly different to existing. The new building would be slightly wider, bringing it closer to the adjoining gardens, but the access road would maintain a degree of physical separation. The neighbours would experience a change in outlook, in that there would be views of building where there is presently open car park and a backdrop of trees at the northern end of the site, but the additional building mass would be sufficiently far away to ensure that it is not unduly dominant or overbearing.
23. The angle of view from the proposed apartments towards the rear windows of The Old Sweet Shop and The Old Post Office would be oblique and as such there would be no material effect on privacy within those properties. The scheme does include 3 bedroom windows which would look directly onto the gardens. Whilst this is not ideal, there are already views into the gardens from surrounding buildings. I must also have regard to the likely impact of a residential conversion of the existing offices. Plans for this have already been submitted as part of an application for prior approval and under these proposals the overlooking would be greater if the obscure glazing were swapped for plain glass – as seems likely. The Council accepted that conversion under permitted development rights is a realistic fallback position and therefore I have attached it significant weight.
24. From what I heard, considerable thought was put into the design of the scheme to minimise the opportunities for overlooking. Most windows are positioned to face towards Merstham Telephone Exchange or across the roofs of outbuildings at the lower end of the garden to The Old Post Office. Some of the proposed

balconies would be enclosed on their sides, restricting views, with the remainder being a significant distance away from the existing residential properties.

25. LP Policy Ho9 stipulates, amongst other things, that the layout and design of residential development should not seriously affect the amenities of adjoining properties. Policy Ho 13 states that proposals should not unreasonably affect the amenities of adjoining properties. I am satisfied that the proposal would not have an unacceptable effect on outlook for the occupiers of The Old Sweet Shop and The Old Post Office. Whilst there would be some direct overlooking of their gardens, and therefore some impact on living conditions, this would not be significantly more harmful or intrusive than the status quo or the fallback of a residential conversion of the offices. Accordingly, I find no conflict with LP Policies Ho9 and Ho13.

Other Matters

26. The appeal scheme would not give rise to a significant net increase in vehicle movements and access to the site would be in the same position as existing. Whilst concerns have been raised regarding traffic congestion and impacts on highway safety, there is no substantive evidence to support dismissal of the appeal on these grounds.
27. Concerns have been raised regarding the need for the development. However, there is a demonstrable requirement for new housing in the Borough, including affordable homes, and the Council has recognised this by allocating the site in its emerging DMP.
28. I have considered all other concerns raised in representations, including the effects on local property values and the inconvenience to existing residents during construction, but no matter is of such strength or significance as to outweigh my findings on the main issues.

Planning Balance

29. There is no dispute that the site is suitable for residential development. The land lies within the urban area and is allocated for 30 homes in the emerging DMP. This plan has reached an advanced stage of preparation and is nearing adoption, and it is common ground that it should carry significant weight.
30. In delivering 33 new apartments, the proposal would boost the supply of housing in the Borough. It would also make on-site provision for 10 affordable homes of an appropriate tenure, in compliance with the requirements of CS Policy CS15. These are social benefits of considerable weight.
31. The proposal would provide a building to modern energy-efficient construction standards and it would make optimum use of previously developed land, in line with Government objectives. The site is located close to Merstham railway station and bus routes; future occupiers of the development would have ample opportunity to make use of public transport. These benefits would contribute to the environmental dimension of sustainable development.
32. The scheme would create employment during construction and its occupation would generate additional spending in local businesses. There would be financial gains in terms of Council Tax receipts, Community Infrastructure Levy payments and New Homes Bonus. These are all important economic benefits.

33. The scheme would be deficient against the Council's parking standards, but it would offset the shortfall by provision for a car club and upgrading local bus stops. The measures are mitigatory and therefore neutral in the planning balance, but I acknowledge that the bus stop improvements would benefit existing residents.
34. As I have summarised above, there would be multiple benefits to granting permission. There would be no harm to the character and appearance of the area, or the setting of the adjacent Merstham Conservation Area. Furthermore, there would be no significant adverse effects on the living conditions of the occupiers of The Old Sweet Shop and The Old Post Office. Even if I had identified some minor harm in respect of the latter issue, the additional overlooking would not be so significant as to outweigh the benefits of the scheme or to bring the scheme into conflict with the development plan taken as a whole.

Unilateral Undertaking

35. The UU secures 10 units of affordable housing (shared ownership tenure) within the scheme and the establishment of a car club for a period of 2 years, with new households being given 25 hours of free drive-time credit. Information provided by the Council demonstrates that the obligations contained within the UU are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. They therefore comply with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Conditions

36. The Council's suggested planning conditions were discussed at the hearing. I have considered these having regard to paragraph 55 of the Framework and advice contained in the Planning Practice Guidance.
37. In addition to the standard commencement condition, I have attached a condition listing the approved plans to provide certainty. The site was originally used as a builder's yard, and therefore to safeguard the health of future residents, a suite of conditions will require that any ground contamination is identified and remediated. For the same reason, it is necessary to ensure that any hidden asbestos is appropriately dealt with.
38. There was some discussion at the hearing as to whether it would be acceptable for the existing building to be demolished prior to intrusive site investigation. Whilst I accept that it may be possible to carry out tests through the ground floor slab, it may be more practical to do so with the building removed. I can see no reason why this should prejudice the objectives of the condition and have adjusted the wording accordingly.
39. To prevent flooding, conditions are necessary to secure a surface water drainage scheme and a verification report to confirm that the drainage has been constructed in accordance with the agreed details. The trees on the adjacent road embankment are important to the character and appearance of the area and therefore a condition is required to ensure that tree protection measures are in place prior to development commencing. To ensure that the construction process does not prejudice highway safety or inconvenience other highway users it is reasonable to impose a condition requiring submission of a Construction Transport Management Plan for the Council's approval.

40. To protect the character and appearance of the area, I have imposed conditions relating to landscaping, external lighting and plant and machinery. For the same reason, and to ensure that the promise of high quality design follows through into reality, a condition is needed to secure details of materials and architectural detailing. The suggested condition wording is too prescriptive and therefore I have adjusted it to provide flexibility. I am satisfied that the Council will retain the desired level of control.
41. In the interests of highway safety, a condition is needed to ensure that the parking spaces are laid out and made available prior to the development being first occupied. To offset the shortfall in parking provision, it is reasonable to secure cycle parking, provision of a 'Residents Travel Pack' to first occupiers and improvements to local bus stops. Whilst I agree with the appellant that it would be disproportionate to expect the scheme to fund every improvement itemised within paragraph 3.9 of the Transport Statement, there is scope for a negotiated package of measures aimed at making bus travel more attractive to future residents. This would accord with CS Policy CS17 insofar as it seeks to work with developers to facilitate sustainable travel choices by, amongst other things, enhancing provision for bus journeys.
42. The Air Quality Assessment makes recommendations to ensure that the development would not put existing residents and occupiers of the scheme at risk of poor air quality. The Noise Impact Assessment identifies a glazing and ventilation specification to mitigate the impact of road traffic noise. Conditions are needed to secure these measures.
43. I have imposed a condition requiring the provision of refuse stores prior to first occupation of the development. This will ensure that rubbish is stored in a designated area which does not detrimentally effect residents or neighbours.

Conclusion

44. For the reasons given above I conclude that the appeal should be allowed.

Robert Parker

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Sasha White Q.C.	Landmark Chambers
Kieran Wheeler BSc DipTP MRTPI	Planning Director, Savills
Ben Thomas BA(Hons) MSc MRTPI	Associate Planning Director, Savills
Dr Chris Miele PhD MRTPI IHBC FRHistS	Senior Partner, Montague Evans LLP
Andrew Mortimer BA(Hons) DipArch RIBA	Architect

FOR THE LOCAL PLANNING AUTHORITY:

Rosie Baker BSc MSc MRTPI	Senior Planning Officer
Hollie Marshall BA PGDipTP MRTPI	Senior Planning Officer
Andrew Benson BSc MSc MRTPI	Development Manager

INTERESTED PARTIES:

Jonathan Essex BSc MSc CEng CENV MICE FRSA	Borough councillor
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Documents submitted at the hearing

1. Draft Unilateral Undertaking
2. Opening speech of the appellant
3. Email from Council's Conservation Officer in respect of materials condition
4. Email from Highway Officer dated 16 July 2019
5. Policies DES1, NHE9 and RED2 from emerging Development Management Plan
6. Appellant costs application
7. Council's costs rebuttal

SCHEDULE OF CONDITIONS

- 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:
 - Location Plan 1823_0001 B
 - Site Layout Plan 1823_0020 H
 - Site Layout Plan 1823_0030 D
 - Floor Plan 1823_0109 W
 - Floor Plan 1823_0110 R
 - Floor Plan 1823_0111 Q
 - Floor Plan 1823_0112 R
 - Roof Plan 1823_0113 P
 - Floor Plan 1823_0150 A
 - Floor Plan 1823_0151 A
 - Floor Plan 1823_0152 A
 - Elevation Plan 1823_0200 F
 - Elevation Plan 1823_0201 E
 - Section Plan 1823_0202 B
 - Elevation Plan 1823_0250 B
 - Other Plan 161661-002 C
 - Other Plan 161661-003 A
- 3) No development shall commence including groundworks preparation and demolition until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Tree Protection Plan and Arboricultural Method Statement compiled by SJA Trees, Ref SJA air 17063 -01a dated November 2017.
- 4) No development shall commence until a Construction Transport Management Plan, to include details of:
 - a) Parking for vehicles of site personnel, operatives and visitors;
 - b) Loading and unloading of plant and materials;
 - c) Storage of plant and materials;
 - d) Programme of works (including measures for traffic management);
 - e) Provision of boundary hoarding behind any visibility zones;
 - f) Measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.
- 5) No development shall commence until a written comprehensive Phase 1 environmental desktop study report is prepared to identify and evaluate possible on and off site contamination sources, pathways and receptors and enable the presentation of all plausible pollutant linkages in a preliminary conceptual site model. The study shall include any relevant

regulatory consultations such as with the Contaminated Land Officer and be submitted to the Local Planning Authority and is subject to the approval in writing of the Local Planning Authority and any additional requirements that it may specify. The report shall be prepared in broad accordance with the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR11) and British Standard BS 10175.

- 6) Should the Phase 1 study identify ground contamination which requires remediation, the following additional information, and any additional requirements that the Local Planning Authority may specify, should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding demolition) and prior to any activities specified:
- a) A contaminated land site investigation proposal detailing the extent and methodologies of sampling, analyses and proposed assessment criteria to enable the characterisation of the plausible pollutant linkages identified in the preliminary conceptual model.
 - b) A contaminated land site investigation and risk assessment undertaken in accordance with the above site investigation proposal as approved and reported in accordance the standards of DEFRA's and the Environment Agency's Model Procedures for the Management of Contaminated Land (CLR 11) and British Standard BS 10175 which determines the nature and extent of contamination on the site.
 - c) If applicable, ground gas assessments completed in line with CIRIA C665 guidance.
 - d) Prior to any remediation being commenced on site, a detailed remediation method statement that explains the extent and method(s) by which the site is to be remediated and provides details of the information to be included in a validation report.
 - e) Contamination not previously identified by the site investigation, but subsequently found to be present at the site, shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary by the Local Planning Authority, development shall cease on site until an addendum to the remediation method statement detailing how the unsuspected contamination is to be dealt with, has been submitted in writing to the Local Planning Authority. The remediation method statement is subject to the written approval of the Local Planning Authority and any additional requirements that it may specify.

Following approval of the details in relation to parts (b) and (d) above, the Local Planning Authority shall be given a minimum of two weeks before the relevant investigation or remediation works commence on site.

- 7) No development shall commence until an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 has been carried out and submitted to and approved in writing by the Local Planning Authority. The survey shall be carried out by a suitably qualified person and shall include details of removal and mitigation. Development shall be carried out in accordance with the approved details.

- 8) No development shall take place until the detailed design of the surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Such details should include:
- a) A finalised design and strategy that follows the principles set out in the approved drainage strategy (Flood Risk Statement by Ardent Consulting Engineers dated October 2017 ref: 161661-05);
 - b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC%) allowance for climate change storm events during all stages of the development and in occupation. Associated discharge rates shall be provided using a discharge rate as close as practical to the Greenfield run-off rates of 0.8 litres/second for 1 in 1 year, 2.2 litres/second for 1 in 30 year and 3.2 litres/second for a 1 in 100 year + climate change event unless otherwise agreed with the Local Planning Authority;
 - c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, long or cross sections of each drainage element including details of flow restrictions and how they will be protected from blockage;
 - d) Details of how SuDS elements will be protected against ingress of debris and siltation and root damage;
 - e) Details of construction phasing, including how SuDS and any temporary drainage will be managed during the works including dealing with flows, silt, prevention of pollution and construction loading;
 - f) A plan showing exceedance or system failure flows and directions, building finished floor levels, external finished levels and how property on and off site will be protected; and
 - g) Details of management and maintenance regimes and who will be responsible for the maintenance of the SuDS.

Development shall be carried out in accordance with the approved details.

- 9) The development hereby permitted shall not be occupied until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme.

All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the Local Planning Authority.

All new tree planting shall be positioned in accordance with guidelines and advice contained in British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations (or any superseding document). Any trees, shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or plants of the same size and species.

- 10) Notwithstanding the submitted details, no development shall take place above ground floor slab level until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) External materials (including samples);
 - b) Brick bond;
 - c) Method for tile hanging gables;
 - d) Eaves, verges and bargeboards (including scale drawings and details of materials/finishes);
 - e) Quoins and corbel detail (including scale drawings);
 - f) Windows (including details of material, colour and finish and scale drawings showing frame sections and glazing bar profile);
 - g) Window heads and sills;
 - h) Rainwater goods (including details of the material, profile and colour);
 - i) Rooflights.

The development shall thereafter be carried out in strict accordance with the approved details.

- 11) The development hereby permitted shall be carried out in accordance with the approved Air Quality Assessment produced by Ardent Consulting Engineers dated October 2017, with particular regard to the recommendations in relation to:
- a) mitigating construction activities (Table 6.1)
 - b) the provision of at least 5 Electric Vehicle charge points which should have a minimum power of 7kW
 - c) the use of low NO_x emission boilers meeting a standard of <40mg NO_x/kWh
- 12) The development hereby permitted shall be carried out in accordance with the approved Noise Impact Assessment produced by Ardent Consulting Engineers dated March 2018 (reference 161661-08A), with particular regard to the recommendations in relation to external building fabric (including ventilation and glazing) to prevent noise intrusion into residential units.
- 13) The development hereby permitted shall not be first occupied until the space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter, the parking/turning areas shall be retained and maintained for their designated purpose.

- 14) The development hereby permitted shall not be occupied unless and until improvements to the northbound and southbound bus stops on the A23 High Street have been completed in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. Such improvements shall be confined to land within the ownership of either the Local Planning Authority or the County Highway Authority and shall include provision of some or all of the measures set out on pages 17 and 18 of the Transport Statement.
- 15) The residential units hereby permitted shall not be first occupied unless and until a 'Residents Travel Pack' containing details of the availability of and whereabouts of local public transport (including up to date bus and travel information), walking and cycling routes, cycle storage, promotion of car sharing schemes and the nearest local amenities, leisure, health facilities and schools has been submitted to and approved in writing by the Local Planning Authority. The Travel Packs shall thereafter be provided to each household within the development upon their taking occupation.
- 16) The development hereby permitted shall not be first occupied until facilities for the secure, accessible storage of a minimum of 33 bicycles have been provided within the site in accordance with the approved plans. Thereafter, the bicycle storage facility shall be retained and maintained for its designated purpose.
- 17) The development hereby permitted shall not be first occupied until details of external lighting within the site have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed prior to occupation and thereafter maintained in accordance with the approved details.
- 18) The development hereby permitted shall not be first occupied until refuse storage facilities have been provided in accordance with the approved plans. The said facilities shall thereafter be retained exclusively for their designated purpose.
- 19) The development hereby permitted shall not be first occupied unless and until a remediation validation report for the site has been submitted to the Local Planning Authority in writing. The report shall detail evidence of the remediation, the effectiveness of the remediation carried out and the results of post remediation works, in accordance with the approved remediation method statement and any addenda thereto, so as to enable future interested parties, including regulators, to have a single record of the remediation undertaken at the site. Should specific ground gas mitigation measures be required to be incorporated into a development the testing and verification of such systems should be in accordance with CIRIA C735 guidance document entitled 'Good practice on the testing and verification of protection systems for buildings against hazardous ground gases'.
- 20) The development hereby permitted shall not be first occupied unless and until a verification report demonstrating that the sustainable urban drainage system has been constructed as per the agreed scheme has been submitted to and approved in writing by the Local Planning Authority. The validation report should be carried out by a qualified drainage engineer.

- 21) No plant or machinery, including fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within or on the building without the prior approval in writing of the Local Planning Authority. Any approved plant or machinery shall be installed and thereafter maintained in accordance with the approved details and any manufacturer's recommendations.

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