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## Appeal Decision

Site visit made on 15 August 2019

**by M Seaton DipTP MRTPI**

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

**Decision date: 17 February 2020**

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**Appeal Ref: APP/G5180/W/19/3225672**

**Bassetts Day Care Centre, Acorn Way, Orpington, BR6 7WF**

- 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 London Square Developments Limited against the decision of the Council of the London Borough of Bromley.
  - The application Ref DC/18/02700/FULL1, dated 13 June 2018, was refused by notice dated 30 November 2018.
  - The development proposed is the proposed replacement of consented 3 no. 4 bed houses and 3 no. 5 bed houses (plots 39-40 and 49-52) of application ref. 15/04941/FULL3 and the replacement with two three storey blocks of flats to provide 10 no. one bed units and 12 no. two bed units with 24 associated vehicle spaces and 36 cycle spaces.
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### Decision

1. The appeal is allowed and planning permission is granted for the proposed replacement of consented 3 no. 4 bed houses and 3 no. 5 bed houses (plots 39-40 and 49-52) of application ref. 15/04941/FULL3 and the replacement with two three storey blocks of flats to provide 10 no. one bed units and 12 no. two bed units with 24 associated vehicle spaces and 36 cycle spaces at Bassetts Day Care Centre, Acorn Way, Orpington, BR6 7WF, in accordance with the terms of application Ref DC/18/02700/FULL1, dated 13 June 2018, subject to the conditions attached in the Annex.

### Procedural Matters

2. Since the Council refused planning permission for the proposed development, the London Borough of Bromley Local Plan 2019 (the Local Plan) has been adopted, with The Bromley Unitary Development Plan (UDP) being superseded as a result. Whilst the planning application was determined in accordance with the Development Plan and the UDP in place at the time, the courts have held that appeals must be determined on the basis of the Development Plan and national policy which are in place at the time of the decision on the appeal, rather than at the time of the earlier determination.
3. I note that the reasons for refusal highlighted the policies of the draft Local Plan as it was at the time of the decision, but that all parties have been afforded the opportunity during the course of the appeal to address the proposals in the context of the newly adopted Local Plan.
4. The appellant has submitted a Unilateral Undertaking dated 24 July 2019 during the course of the appeal, which I will address later in this Decision Letter.

## Background and Main Issues

5. The parcels of land the subject of this appeal are set within a larger site which formerly comprised of the Bassetts Day Care Centre. Planning permission was approved in August 2016 (*LPA Ref: 15/04941/FULL3*) for a comprehensive residential redevelopment of the wider site, and for which at the time of my visit many units and blocks of accommodation had been completed and occupied.
6. The appeal proposal addresses two specific areas of the site known as Site A (Plots 34 & 39) and Site B (Plots 49-52), across which were previously consented 6 family dwellings comprising 3 x 4-bed and 3 x 5-bed houses. The plots would be redeveloped to provide 22 residential flats comprising of 10 x 1-bed and 12 x 2-bed units, provided in the form of 3-storey blocks, with each block at Sites A & B accommodating 5 x 1-bed and 6 x 2-bed units.
7. The Council has highlighted within their submissions that there are concerns that the proposal represents a cramped overdevelopment of the wider site, that there would be an adverse impact on the living conditions of the neighbouring occupiers of Arden Close, and that the revised housing mix would lead to an over-concentration of flats and smaller units across the wider development.
8. The main issues are therefore;
  - whether the proposed development would accord with local and national housing policies, particularly with regards to the mix of housing;
  - the effect of the proposal on the character and appearance of the wider development and surrounding area; and,
  - whether the proposed development would safeguard the living conditions of neighbouring occupiers, having regard to outlook and sense of enclosure.

## Reasons

### *Housing mix*

9. In assessing the proposed development, I note that the Council has focussed upon the housing mix for the appeal sites alone rather than considering the sites in the context of the housing mix for the wider development. Despite the focus of the appeal on the replacement of only certain aspects of the previously consented development, I disagree with the Council's approach in this respect as it is evident that the appeal sites as originally consented contributed towards the housing mix of the wider development. To consider their impact in isolation now would be somewhat perverse as they would still be a part of the mix of the same overall development.
10. In this regard, the appellant has provided a comparison between the approved and proposed housing mix across the entire development site at paras. 5.54-5.55 of the Grounds of Appeal. The assessment highlights that there would be an overall increase in the proportion of 1 bed units from 20% - 25% (+10 units) and 2 bed units from 26% - 32% (+12 units). Conversely there would be a slight reduction in the proportion of 3 bed units from 6% - 5.5%, although no actual reduction in the number of units, and a reduction in 4 bed units from 45% - 37.5% (-3 units). The approved 3 x 5 bed units would also be removed from the proposals.

11. In considering the housing mix of the development, both main parties have referred me to extracts from the 2017 London Strategic Housing Market Assessment (the SHMA) in the absence of any such guidance within the development plan. The SHMA provides a strategic assessment of housing need across London as a whole, and indicates that the annualised net requirement for new homes for the period 2016 to 2041 is 65,878 of which 55% should be 1 bed units, 16% 2 bed units, 14% 3 bed units, and 15% 4 bed units or larger.
12. Based on the requirements of the SHMA for the proportion of new homes, I note that the approved mix of dwelling sizes included a significantly greater percentage (48%) of 4 bed units or larger, whilst the percentage (20%) of 1 bed units was substantially less than the annualised net requirement in the SHMA.
13. I accept that housing mix must also be considered having regard to local context as would have originally in this instance been the case. However, I am satisfied that the wider development as completed and proposed would continue to provide a significant proportion of larger units in accordance with the character of the wider area, albeit that the proportion of 1 bed units as proposed would be more reflective of the percentage net requirement as indicated within the SHMA. There would be an increase in 2 bed units on the site which would lead to a greater disparity from the SHMA requirement, but in the context of the complete provision of the development I do not regard this as being harmful to the overall housing mix.
14. The Council has expressed concerns that the proposal would lead to an over-concentration of studio flats within Site A and residential flats across the two sites. However, although it is an inevitability of the proposed development that flats would dominate the two sites, for the reasons already set out a substantial proportion of the overall development would remain comprised of larger units and houses rather than flats.
15. Turning to the tenure, I note the Council has also indicated some reservation over the provision of 2 x 1 bed intermediate units within the revised housing mix, which is highlighted within the SHMA to be the least required by tenure. I do not dispute that the SHMA indicates a lower percentage total, but in noting the Council's concern that the housing requirement as set out in the SHMA has not been demonstrated to be fully applicable in the London Borough of Bromley area, the Council has not directed me to any localised evidence to indicate that the requirements of the SHMA are not fully applicable or have been already met. In the absence of such contrary evidence, I do not share the Council's concern in this respect.
16. In determining the planning application, the Council highlighted the proposal as being in conflict with the draft of Policy 37 of the Local Plan within the reason for refusal, which is now of the adopted Local Plan. However, from reviewing the policy which focuses on the *General Design of Development*, it is not clear from the reasoned justification attached to the policy or the Council's submissions as to how the policy is specifically relevant to this main issue. In the absence of any other Development Plan policies being identified in the Council's submissions, I have considered this matter against other material considerations, including the National Planning Policy Framework, and the extracts referred to from the SHMA.

17. In this regard, I do not consider that the revised mix of housing provided on the appeal site would result in an adverse impact on the overall balance of housing across the wider development. As a consequence, I am satisfied that the proposed development would not conflict with the SHMA or with the National Planning Policy Framework (the Framework), which sets out the need to significantly boost the supply of homes and to ensure that the size, type and tenure of housing needed for different groups in the community is reflected in planning policies and provides for the creation of mixed and balanced communities.

*Character and appearance*

18. The appeal sites are both set adjacent to the central road running through the development. Site A occupies a parcel of land close to the boundary between the development and Starts Hill Road, whilst Site B is located adjacent to Bassetts Pond and the boundary with properties on Arden Grove.
19. The Council has objected to the proposed development on the basis of the increased scale of the buildings as expressed in the design by their greater width, depth and height along with revised spatial distances between the buildings and boundaries. The concerns also address the increased density of the development and the contention that the revised scheme now results in a cramped overdevelopment of these plots.
20. I accept that the proposals would result in a greater footprint of each of the buildings than the previously approved dwellings, and that in being replaced, there would result a more intensive use of the respective sites. However, I do not regard that the resultant development would result in an overdevelopment by virtue of the increased footprint, rather an alternative and more efficient use of the two sites. Whilst the depth and footprint of the proposed blocks would also undoubtedly exceed that which has been constructed elsewhere within the development, I am not persuaded that the visual experience of these changes would translate into a form and layout which would detract from the character and appearance of the wider development.
21. Turning to the overall height of the buildings, the wider development accommodates a range of 2 to 3 storey buildings which the revised proposals would broadly adhere to. Furthermore, I am satisfied that there is enough spatial variety across the wider site in terms of both the relationship between buildings and boundaries, and the use of a range of building types and forms including terraces, so that revised spatial relationships would not appear to be uncharacteristic or obtrusive, or the development appear cramped in the respective contexts.
22. The detailed design of the blocks as proposed would reflect the characteristic design features as expressed in the architecture of the remainder of the development, and would utilise the same palette of materials to ensure an effective assimilation with the remainder of the development. I accept that the flank elevations of Block C2 on Site A remains somewhat unresolved in design terms but given the detail and articulation of the principal elevations, on balance I consider the detailed design of the block to be acceptable overall.
23. Turning to the density of the development, I have noted the references to the increased density as cited by the Council and interested parties as a consequence of the introduction of additional flats to replace the houses. I

accept that were these elements of the development to be taken in isolation then the development would undeniably exceed the suggested guideline ranges for a suburban setting as set out in The London Plan – The Spatial Development Strategy for London Consolidated with Alterations since 2011 (the London Plan). However, I again agree with the appellant that consideration must be given to the impact of the increased density in the context of the wider development, of which the proposals are an intrinsic part.

24. In this respect, the evidence before me indicates that whilst the habitable rooms per hectare range of 150-200 would be marginally exceeded, the development would still fall comfortably within the units per hectare (u/ha) range of 35-55, with an increase reported from 45 to 51 u/ha. Whilst I acknowledge the submissions that the guidelines should not be applied mechanistically, in this instance and having regard to my conclusions on whether the proposals would appear as an overdevelopment of their sites, I do not consider the increased density of development to either mark a significant change from the previously approved development or represent overdevelopment.
25. In addition to the points raised above, concerns have been raised by interested parties regarding the impact on the character of the site from a greater number of flats. However, for the reasons as set out above, I do not consider that the effect of the revised development would be an adverse impact when assessed in the context of the character of the previously approved development.
26. For the above reasons, I am satisfied that the proposed development would not result in an adverse impact on the character and appearance of the area. The proposals would not conflict with Policies 4 and 37 of the Local Plan, or Policies 3.5 and 7.4 of the London Plan. These policies seek to ensure that housing design is of a high standard and layout, and respects local character, spatial standards, physical context and density.

#### *Living conditions*

27. The Council has highlighted their concerns over the relationship between the proposed development of Site B and the rear of Block D3 to properties beyond the boundary of the appeal site on Arden Grove. In particular, in light of the increased proximity of the rear of the block from that of the approved scheme, concerns have been raised regarding the impact on outlook and a sense of enclosure which would be experienced by occupiers of No. 16 Arden Grove as the nearest property.
28. I accept that the effect of the revision to the footprint of the development on Site B and the increased scale and massing of Block D3 would be that there would undoubtedly be a greater impact on the residential amenity of the neighbouring occupiers of No. 16 Arden Grove. However, the orientation of the rear of the neighbouring property would not be directly towards the proposed development which would sit perpendicular to the rear elevation of the dwelling and therefore only within the periphery of the rear outlook. Whilst the visual impact of Block D3 would be more keenly experienced from the rear garden of No. 16 Arden Grove, there would remain a reasonable level of separation from the rear of Block D3, and the retained mature planting on the boundary would continue to provide a significant visual screen for users of the rear garden and a substantial level of mitigation. As a consequence, I am not persuaded that

- any additional impact from the proposed development would result in an unacceptable resultant effect on the living conditions of neighbouring occupiers.
29. I note that the Council has not raised any objections on the basis of the impact of the development on sunlight and daylight, privacy and noise. However, concerns regarding the impact of the proposal on privacy and noise have been raised by interested parties, including from properties on Arden Grove.
30. In respect of privacy, I have had regard to the absence of habitable room windows facing towards the neighbouring properties and despite the reduction in the distance to the boundary with No. 16 Arden Grove, I do not consider that an unacceptable privacy relationship will result. With regards concerns over noise from the proposed development, I note the findings of the submitted vehicle noise assessment which conclude that an acceptable internal and external noise environment can be achieved. Whilst I recognise that the increased number of units in this location may result in some additional comings and goings, I do not have any contrary technical evidence before me from which to reach an alternative conclusion.
31. In addition to the above concerns have been raised over the eventual slab height of the proposed buildings, and whether the plans properly and accurately indicate the levels of the proposed development relative to existing levels and surrounding land. In this respect, Condition No.6 addresses the detail of slab levels and I am satisfied presents an appropriate means of ensuring that the proposed buildings accord with expectations over their terminal heights.
32. I have also had regard to the contention that the proposed development would result in the loss of a view across the appeal site from a neighbouring occupier. However, whilst this may possibly be the case, the right to a view is not a matter which is a material planning consideration, although as already addressed outlook would be.
33. For the reasons as set out, the proposed development would safeguard the living conditions of neighbouring occupiers to an acceptable degree, having regard to outlook and sense of enclosure. I do not therefore find there to be conflict with Policy 37 of the Local Plan, which seeks to ensure that development proposals respect the amenity of occupiers of neighbouring buildings.

### **Planning Obligations**

34. As already referred to, the appellant has submitted a Unilateral Undertaking with the appeal. The legal agreement provides for 2 intermediate affordable housing units on site along with a financial contribution of £19,715.25 for the provision towards affordable housing outside of the development. The legal agreement also provides for financial contributions towards health (£11,906), carbon offsetting (£31,356), and highway works in the form of a cycle link from Locksbottom to Orpington Station (£15,000). In addition, the agreement secures the provision of 2 car club spaces with 2-year free membership and 20 driving hours. The legal agreement was in accordance with the Heads of Terms as set out by the Council in the recommendation to the Planning Committee.
35. The Council has indicated within the Appeal Statement that despite the identification of the need for an off-site affordable housing contribution the

affordable housing liability for the current application would be met, further to viability testing, by the provision on-site of 2 intermediate units. For this reason, the Council has indicated there to be no additional requirement for an affordable housing payment and is not now pursuing one as it would not comply with the Community Infrastructure Levy Regulations 2010 (CIL Regulations). Based on the evidence I have before me I have no reason to disagree with this conclusion.

36. Turning to the remaining obligations, the Council has submitted a Section 106 and CIL Regulations Compliance Statement, which provides justification for each of the obligations requested. Policy 26 of the Local Plan and Policy 3.17 of the London Plan are cited as providing the justification for the Healthcare contributions indicated to be required to address the demands placed on healthcare infrastructure and services. The legal agreement identifies the beneficiary to be the Orpington Health and Wellbeing Centre whilst the Council in citing the pooling restrictions as set out in Regulation 123(3)(b) has expressed that the contributions should be focussed on supporting existing provision at the Green Street Surgery and Summercroft Surgery. Whilst I am satisfied that both projects would relate acceptably to the proposed development, I am mindful that Regulation 123 was removed by the 2019 CIL Amendment Regulations on 1 September 2019, and therefore the legal agreement as completed would not conflict with the CIL Regulations.
37. The obligation for carbon offsetting contributions is indicated to be required by Policy 124 of the Local Plan and Policy 5.2 of the London Plan, where these policies seek to ensure that development reduces its carbon dioxide emission, in this instance through a carbon offsetting payment made-in-lieu. The Council has identified a specific project related to this payment, with a series of LED Street lighting upgrades identified for surrounding streets.
38. The justification for the highway contributions and car club membership is set out in Policies 31 & 33 of the Local Plan, and 6.3 & 6.13 of the London Plan. The provision of 2 car club spaces and 2 years free membership with 20 hours driving time for new occupiers of the development would encourage the use of sustainable travel modes in accordance with Policy 31 of the Local Plan. Improvements to the linkages to the Locksbottom to Orpington cycle route would also seek to reduce the potential for car borne trips to Orpington Station from the development in a low public transport accessibility area (PTAL 1b), in accordance with Policy 33 of the Local Plan.
39. I am satisfied that the legal agreement itself appears to be in order and meets all the requirements set by the Council. Whilst I am mindful that the Council is no longer pursuing an off-site affordable housing contribution, I have given due weight to all other remaining obligations, but no weight to the included affordable housing financial contribution. On this basis, I consider the obligations to be acceptable in light of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

### **Other Matters**

40. In addition to the main issues, interested parties have raised a series of further concerns.
41. I note that matters related to the adequacy of parking provision within the development and the surrounding area, and the potential impact on traffic

conditions and highway safety were considered in detail by the Council during their assessment of the planning application. I have had regard to the Council's conclusions as set out in the Committee Report and in particular that despite an overall reduction in the proposed parking ratio of spaces per dwelling across the wider site, the proposals would continue to accord with the Development Plan requirements for car parking. Furthermore, the Council agrees with the conclusions reached by the appellant in the Transport Assessment that the local transport network can adequately accommodate the additional trips from the development, and I see no reason to disagree with these conclusions. Furthermore, and whilst I noted the parking on Starts Hill Road, based on my observations and the submitted evidence I am not persuaded that any additional traffic generated would result in an adverse impact on highway safety.

42. I have also had regard to the references to the unsuitability of the appeal site for accessing public transport options, and the capability of local infrastructure to accommodate the additional demands of the development. In these respects, whilst I acknowledge that the public transport accessibility level for the location is poor, the acceptability of the principle of residential development in this location has already been established by virtue of the planning permission for the wider development and I do not consider that the uplift in overall numbers of dwellings and occupants would lead to a different conclusion on the acceptability of the principle of the development.
43. With regards the capabilities of local infrastructure, I have noted the references to local infrastructure in the form of the GP Practice, hospital and school being over-stretched and at capacity, and that inadequate power and water utilities are in place with power cuts already occurring locally. However, for the reasons as set out in the submitted evidence, the nature of the proposed development would not place any further burden on the local education resources, and an obligation to mitigate any impact was not therefore deemed necessary by the Council. With regards the effect of the proposal on local healthcare, I have not been provided with any compelling evidence that the increased demands which would arise from the development would lead to an unacceptable impact on the existing available capacity. Furthermore, with regards utilities there is no evidence before me that any shortcomings with regards current supply are linked to issues related to capacity and that the proposed development would therefore exacerbate matters.
44. I note that matters related to biodiversity and the drainage of the site have been addressed by various technical reports. These include an Arboricultural Impact Assessment, updated and extended Phase 1 Habitats Survey and Assessment, an Ecological Management and Mitigation Strategy, a Bat Survey, and Flood Risk Assessment.
45. The Council's Trees Team has expressed their satisfaction with the updated arboricultural submissions whilst the Orpington Field Club has indicated that, subject to an adherence to the recommendations of the Updated Phase 1 Habitat Survey and Assessment and Ecological Management and Mitigation Strategy, there are no objections to the proposals. Turning to drainage, the Council's Drainage Engineer has not objected to the revised scheme and Thames Water has raised no objections on the basis of the information provided regarding either surface water or waste-water drainage. I have no reason to dispute these conclusions.

## **Conditions**

46. In addition to conditions addressing the timing of development and ensuring accordance with approved plans and documents, conditions requiring details of the materials, landscaping, the provision of protection to the retained trees, and the final slab levels of the proposed development would be required in the interests of the character and appearance of the area. The details of the slab levels would also be in the interests of safeguarding the living conditions of existing and neighbouring occupiers, as would be adherence to the approved construction management and logistics plans, control over hours of operation during the construction period, and details of external lighting.
47. The details of external lighting and adherence to the Ecological Management and Mitigation Strategy as well as the provision of additional protection measures prior to the commencement of construction works on the respective sites would be required in the interests of biodiversity. Securing 90% of the 22 units to be built in accordance with Building Regulations Part M4(2) would be in the interests of ensuring the units would be both adaptable and accessible.
48. A condition securing the waste and cycle parking provision would be necessary in the interests of the living conditions of occupiers and the promotion of more sustainable travel options respectively. The requirement for details of a scheme for the management of the car parking provision on the site, and an updated car park management plan would be in the interests of both managing air quality and emissions, and highway and parking provision management
49. The provision of a scheme of surface water drainage would allow control over the environmental and flood management of the site, and the submission of a site-wide energy strategy would be in the interests of the sustainability of the development respectively. Details confirming the proposed development would accord with secured by design accreditation would be in the interests of security and crime prevention.

## **Conclusion**

50. For the reasons given above, and subject to the conditions listed, the appeal is allowed.

*M Seaton*

INSPECTOR

## **Annex**

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Unless as otherwise required by the conditions below, the development hereby permitted shall be carried out in accordance with the following approved plans:

#### Drawing Numbers;

- 1447-P-010 Rev P3 – Site Location Plan;
- 1447-P-020 Rev P1 - Consented Site A Ground Floor Block Plan;
- 1447-P-021 Rev P1 - Consented Site A First Floor Block Plan;
- 1447-P-022 Rev P1 - Consented Site A Second Floor Block Plan;
- 1447-P-030 Rev P1- Consented Site B Ground Floor Block Plan;
- 1447-P-031 Rev P1 - Consented Site B First Floor Block Plan;
- 1447-P-032 Rev P1 -Consented Site B Second Floor Block Plan;
- 1447-P-110 Rev P5 - Proposed Site Plan - Sites A & B Replan;
- 1447-P-120 Rev P2 - Proposed Site A (Block C2) Ground Floor Block Plan;
- 1447-P-121 Rev P3 - Proposed Site A (Block C2) First Floor Block Plan;
- 1447-P-122 Rev P3 -Proposed Site A (Block C2) Second Floor Block Plan;
- 1447-P-130 Rev P1 - Proposed Site B (Block D3) Ground Floor Block Plan;
- 1447-P-131 Rev P1 - Proposed Site B (Block D3) First Floor Block Plan;
- 1447-P-132 Rev P1 - Proposed Site B (Block D3) Second Floor Block Plan;
- 1447-P-470 Rev P1 - Proposed Site Sections;
- 1447-P-650 Rev P5 - Flat Block C2 Proposed Floor Plans & Elevations;
- 1447-P-651 Rev P5 - Flat Block D3 Proposed Floor Plans & Elevations;
- 1447-P-660 Rev P1- Adaptable Dwelling Floor Plan;
- D2350 L.200 Rev.H Detailed Hard Landscape General Arrangement;
- D2350 L.201 Rev J- Detailed Hard Landscape General Arrangement;
- D2350 L.220 Rev F Boundaries Plan Sheet 1 of 2;
- D2350 L.221 Rev F Boundaries Plan Sheet 2 of 2;
- D2350 L.250 Rev B - Detailed Hard Landscape General Arrangement Plan;
- D2350 L.260 Rev B - Boundaries Plan;
- D2350 L.304 Rev F Detailed Planting Plan Sheet 1 of 2;
- D2350 L.305 Rev F Detailed Planting Plan Sheet 2 of 2;
- D2350 L.350 Rev B - Detailed Planting Plan;
- D2350 L.410 Rev F - Typical Details - Wall and Gate;
- D2350 L.432 Rev D - Typical Detail - Tree Planting;

- 1447-P-470 Rev P1 Proposed Site Sections;
- 8850/01 Rev D - Tree Constraints Plan;
- 8850/02 Rev 07 - Tree Protection Plan;
- 7001373-Sk-012-Atr-02 Rev C - Block C Layout Review Swept Path Analysis;
- 7001373-Sk-012-Atr-03 Rev C - Block D Layout Review Swept Path Analysis;
- 7001373-Sk-014-Rev A - Block C Refuse and Fire Vehicle Access Swept Path Analysis;
- 7001373-Sk-015-Rev A - Block D Refuse and Fire Vehicle Access Swept Path Analysis;
- 1447-P-160- Rev P1 - "As Consented" Schedule of Accommodation; and,
- 1447-P-155- P11 - Schedule of Accommodation dated 13th Nov, 2018.

Documents;

- Planning Statement (Montagu Evans, Dated June 2018);
- Design and Access Statement (Stanford Eatwell Architecture, Dated November 2018);
- Statement of Community Involvement (prepared by Cascade, Dated June 2018);
- Landscape Statement Addendum (Prepared by FABRIK, Dated July 2018);
- Daylight and Sunlight Assessment (Prepared by Point 2 Surveyors Ltd, Dated 21st May 2018);
- Environmental Noise Assessment (Prepared by Paragon Acoustic Consultants, Dated 29th May 2018);
- Vehicle Noise Assessment to No. 16 Arden Grove (Prepared by Paragon Acoustic Consultants, Dated 29th May 2018);
- Flood Risk Assessment (Prepared by Banrard & Associates Ltd, Dated May 2018);
- Phase III Geo-environmental Investigation (Prepared by AP Geotechnics: Dated 6th June 2018);
- Arboricultural Impact Assessment (Prepared by KEEN consultants, Dated May 2018);
- Energy Strategy (Prepared by DESCO Design and Consultancy Ltd; Dated 25th May 2018);
- Updated extended phase 1 survey and assessment (prepared by Richard Graves Associates Dated May 2018);
- Bat Survey 2018 report (prepared by Richard Graves Associates; Dated June 2018);
- Exterior lighting Assessment Site A and Site B replan (prepared by Desco Design and Consultancy Ltd; Dated 29th May 2018);
- Car park management plan (prepared by WSP; Dated June 2018);

- Transport Statement (Prepared by WSP; Dated May 2018);
  - Construction Logistics Plan (Prepared by WSP; Dated 2018);
  - Financial Viability Assessment (Prepared by Montagu Evans - June 2018), and
  - Application form; CIL form.
3. The external materials to be used on the buildings hereby permitted shall be strictly in accordance with the specification outlined in the Design and Access Statement (Nov 2018). Should there be any changes to the approved details, full details and sample boards of all relevant external materials and finishes shall be submitted to and approved in writing by the Local Planning Authority before the work is carried out. The development shall be carried out in accordance with the approved details.
4. The demolition and construction works shall be carried out in accordance with the approved construction management plan and construction logistics plan.
5. Within two months from the date of this decision notice, updated landscaping details including a landscaping management strategy shall be submitted to and approved by the Local Planning Authority. The landscaping scheme shall include details of:
- soft landscaping;
  - hard landscaping including the materials of paved areas and other hard surfaces;
  - any retaining walls;
  - street furniture; and,
  - boundary treatment and planting schedule including the edge of Bassetts Pond.

The landscape strategy and management plan shall include the following elements:

- detail, extent and type of new planting (planting to be of native species where possible);
- details of maintenance regimes;
- details of any new habitat created on site (to include the design and creation of green roofs); and,
- details of treatment of site boundaries and/or buffers around the Bassetts Pond

The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 10 years from the substantial 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 to those originally planted.

6. Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of work on the relevant site. The

development shall be completed strictly in accordance with the approved levels.

7. Twenty (20) of the twenty-two (22) units hereby approved (90%) shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence from an approved building control inspector demonstrating compliance, together with detailed plans of the completed units, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development hereby approved and the development shall be retained in accordance with these approved details thereafter.
8. Details confirming the proposal would achieve secured by design accreditation shall be submitted to and approved in writing by the Local Planning Authority. The approved Secured by Design measures shall be implemented in accordance with the approved details, completed prior to the first occupation of the development and retained for the lifetime of the development.
9. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:
  - Location and installation of services/ utilities/ drainage.
  - Methods of demolition within the root protection area (RPA as defined in BS5837: 2012) of the retained trees.
  - Details of construction within the RPA or that may impact on the retained trees.
  - A full specification for the installation of boundary treatment works.
  - A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
  - Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
  - Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
  - Boundary treatments within the RPA
  - Methodology and detailed assessment of root pruning
  - Arboricultural supervision and inspection by a suitably qualified tree specialist
  - Reporting of inspection and supervision
  - Methods to improve the rooting environment for retained and proposed trees and landscaping.
10. Prior to the occupation of the development, the waste and cycle provisions shall be provided and in accordance with the approved plans unless agreed

in writing with the Local Planning Authority. The waste and cycle provisions shall be permanently retained thereafter.

11. Details of a scheme for the management of the car parking areas shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied. The plan shall include the following:

- details and location of parking spaces for people with disabilities;
- details and location of 20% electric vehicle charging points and details of a further 20% passive provision;
- details of parking layout and allocations (including details as to how the occupancy will be maximised through the lease of sales)
- details of measures proposed to restrict parking to designated bays only and prohibit parking on the access road.

The car parking areas shall thereafter be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

12. Prior to the commencement of the development, a surface water drainage scheme for the site based on sustainable drainage principles, where possible, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves a greenfield runoff rate. The development shall be carried out and retained for the lifetime of the development in accordance the approved details.

13. The demolition, earth removal, piling work and any mechanical building operations required to implement this development shall only be carried out between the hours of:

- Monday to Friday 8.00 AM - 6.00 PM;
- Saturdays 8.00 AM - 1.00 PM;
- And not at all on Sundays and Public and Bank Holidays.

14. The Ecological Management and Mitigation Strategy as approved under Condition of 30 of an earlier planning application reference 15/04941 shall be continued unless agreed in writing by the Local Planning Authority. In addition, the following details should be provided prior to the commencement of any construction works:

- Site A:

Details of protection fencing adjacent acid grassland habitat; and  
Details of protection and mitigation measures for badger during constructions works.

- Site B:

Ecological supervision of the construction of the car parking space closest to the SINC pond;  
Adequate RPA fencing for the surrounding retained trees;

Removal of Cherry Laurel and broad-leaved bamboo from the pond area; and,

Ongoing measures for the removal and control of invasive species (Japanese Knotweed).

The approved works shall thereafter be implemented, maintained and operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

15. The external lighting details hereby by permitted shall be strictly in accordance with the approved document. The lighting shall be installed and be operational prior to the first occupation of the development in accordance with the approved details and shall permanently be retained thereafter.

16. An updated car park management plan incorporating the as approved details under Condition 24 of an earlier planning application reference 15/04941 shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following detail:

- Car parking layout;
- Spaces allocation by dwelling type and size;
- Management of parking demand of the site including the wider site;
- Control of site gate; and,
- Monitoring and enforcement process.

The car park management plan as approved shall be implemented prior to occupation of the Development and shall thereafter be retained and maintained in accordance with the approved details.

17. Before any work on site is commenced above ground floor slab level a site wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The assessment shall include details of measures to incorporate PV panels in the development. The results of the strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 25% above the TER level required by the Building Regulations 2013. The development shall aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final design, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.