
Appeal Decisions

Site visit made on 15 January 2020

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 27th February 2020

Appeal Ref: APP/Z4310/W/19/3233393

Land to west of Woolton Manor, East of Hillfoot Road, Woolton, Liverpool, Merseyside L25 7TB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Rushton Properties Ltd against Liverpool City Council.
 - The application Ref 19F/0025 is dated 19 December 2018.
 - The development proposed is the erection of 10 single storey/partly subterranean detached 4/5 bedroom executive family dwelling houses, each with an integral double garage and driveway, private accessible green roofs and sunken gardens, and associated hard and soft landscaping (including boundary treatment, external lighting and CCTV apparatus); the erection of a warden's bungalow with ancillary office to facilitate 24 hour security/site management; the erection of a secure warden's store for the storage of ground maintenance equipment/materials; the reconstruction of the northern former convalescent shelter to create a bat roost; the erection of a contemporary shelter to replace the former (collapsed) convalescent shelter to the south; and the demolition/removal of the decrepit central timber 'shelter', the brick former 'piggery' structure, the separate brick outbuilding, tennis court, foundation walls of former greenhouse, and third brick structure (a possible former water fountain).
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Appeal Ref: APP/Z4310/Y/19/3233407

Land to west of Woolton Manor, East of Hillfoot Road, Woolton, Liverpool, Merseyside L25 7TB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Rushton Properties Ltd against Liverpool City Council.
 - The application Ref 19L/0026 is dated 19 December 2018.
 - The works proposed are the reconstruction of the northern former convalescent shelter to form a bat roost; the demolition/removal of the decrepit central timber 'shelter', the brick former 'piggery' structure, the separate brick outbuilding, tennis court, foundation walls of former greenhouse, and third brick structure (a possible former water fountain); the repair and restoration of paths associated with the historic convalescent use of the site; the creation of a new 1.0 metre wide pedestrian/cyclist access gate in the boundary wall along Allerton Road; and the repair/restoration of boundary walls and fences.
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Decision

Appeal Ref: APP/Z4310/W/19/3233393

1. The appeal is allowed and planning permission is granted for 'the erection of 9 single storey/partly subterranean detached 4/5 bedroom executive family dwelling houses, each with an integral double garage and driveway, private accessible green

roofs and sunken gardens, and associated hard and soft landscaping (including boundary treatment, external lighting and CCTV apparatus); the erection of a warden's bungalow with ancillary office to facilitate 24 hour security/site management; the erection of a secure warden's store for the storage of ground maintenance equipment/materials; the reconstruction of the northern former convalescent shelter to create a bat roost; the erection of a contemporary shelter to replace the former (collapsed) convalescent shelter to the south; and the demolition/removal of the decrepit central timber 'shelter', the brick former 'piggery' structure, the separate brick outbuilding, tennis court, foundation walls of former greenhouse, and third brick structure (a possible former water fountain)' at land to west of Woolton Manor, East of Hillfoot Road, Woolton, Liverpool, Merseyside in accordance with the terms of the application Ref 19F/0025, dated 19 December 2018, subject to the conditions in a schedule attached to this Decision.

Appeal Ref: APP/Z4310/Y/19/3233407

2. The appeal is allowed and listed building consent is granted for 'the reconstruction of the northern former convalescent shelter to form a bat roost; the demolition/removal of the decrepit central timber 'shelter', the brick former 'piggery' structure, the separate brick outbuilding, tennis court, foundation walls of former greenhouse, and third brick structure (a possible former water fountain); the repair and restoration of paths associated with the historic convalescent use of the site; the creation of a new 1.0 metre wide pedestrian/cyclist access gate in the boundary wall along Allerton Road; and the repair/restoration of boundary walls and fences' at land to west of Woolton Manor, East of Hillfoot Road, Woolton, Liverpool, Merseyside in accordance with the terms of the application Ref 19L/0026, dated 19 December 2018, subject to the conditions in a schedule attached to this Decision.

Procedural matter

3. The proposed development was amended after the application was submitted to be for nine dwellings, rather than ten. The appeal has been considered, and planning permission has been granted, on this basis

The Site and its Surroundings

4. The site is about five hectares and has a north-west frontage to Allerton Road and a west frontage to Hillfoot Road. The site rises gradually from west to east and is heavily wooded, particularly along the road frontages, but has some open areas of rough grassland. The north part of the east boundary of the site is to a driveway that leads to Woolton Manor, a Grade II listed building, that was originally Liverpool Convalescent Institution but is now Woolton Manor Care Home. The site was originally part of the grounds of the home and was laid out for walking and resting purposes with a series of paths leading to shelters. Woolton Manor is generally to the east of, and at a slightly higher level than, the site.

5. The former paths are now indistinct and overgrown whilst only remnants of two of the historical shelters remain; a third shelter having virtually collapsed. Along the road frontages are sandstone walls with iron railings above, and there are two blocked original entrances in the frontage wall to Hillfoot Road. The site and Woolton Manor are within the Woolton Village Conservation Area (WVCA). The woodland on the site is protected by this designation and by the recent issue of a woodland Tree Preservation Order (TPO 450). To the north of the site, on the opposite side of Allerton Road is Woolton Village.

The Proposed Development

6. The proposed development is, principally, the erection of nine large detached dwellings and warden's accommodation on the north part of the site; which is roughly half of the overall site. The flat roofed dwellings would each have a double garage, a driveway and parking areas, and roof and ground level gardens. Vehicular access to the dwellings would be off the existing driveway leading to Woolton Manor, and pedestrian and cycling access to the dwellings would be created in the frontage wall to Allerton Road.

7. The south part of the site and a narrow strip alongside Hillfoot Road would become an ecological enhancement area that would be open to the public between dawn and dusk. Public access to the area would be along a path through the roadside strip from a reinstated gated opening in the boundary wall close to the north-east corner of the site, and from the other reinstated gated opening at the south end of the highway frontage to Hillfoot Road. The gates would be locked and unlocked by the warden, whose accommodation is on the path from the north gate.

8. The proposed development includes the reconstruction of a former shelter close to the driveway to form a bat roost, the replacement of a shelter and the provision of paths, a pond and a bee hive in the ecological enhancement area, the removal of the dilapidated third shelter, and the construction of a warden's store.

Local Planning Policy

9. The Development Plan is the Liverpool Unitary Development Plan (UDP), which was adopted in 2002. The UDP designates areas of Green Wedge and Green Space in the city. The site is within the designated Woolton/Calderstones Green Wedge and within designated Green Space.

10. Saved UDP policy OE3 'Green Wedges' states that the City Council will protect and improve the open character, recreational and ecological quality of Green Wedges by i. not granting planning permission for new development that would affect the predominantly open character of the Green Wedges or reduce the physical separation between existing built areas, and ii. requiring that, where new development is permitted such development has regard to the openness of the Green Wedge and the purposes of including land within it, should be in accordance with criteria in policy HD18 and, in particular, uses materials and built forms sympathetic to the character of the area, retains existing vegetation and special site features where appropriate, and provides and maintains a high standard of landscaping. Part iii. of policy OE3 is not relevant in this case.

11. Saved UDP policy OE11 'Protection of Green Space' states that planning permission will not be granted for development on a green space unless the development can be accommodated without material harm to; i. the recreational function of the green space; ii. the visual amenity of the green space in terms of important vistas into and across the site, key frontages which are visible from a main road, important trees and landscape features, and the character of the site within the surrounding area; iii. its relationship to adjoining green spaces; and iv. any known nature conservation value as identified in policy OE5. Saved UDP policy OE5 seeks the protection of nature conservation sites and features.

12. Saved UDP policy HD5 states that planning permission will only be granted for development affecting the setting of a listed building which preserves the setting and important views of the building, and that this, will include where appropriate, control over the siting and design of new development and the use of adjacent land,

and the preservation of trees and landscape features. Saved policy HD11 seeks to preserve the character and appearance of Conservation Areas and saved policy HD18 sets out general design requirements for new development.

Reasons

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13. The main issues are the effect of the proposed development on; first, the character of the Green Wedge and Green Space; second, the character and appearance of the WVCA; third, the setting of Woolton Manor; and fourth, the ecology of the site.

Green Wedge and Green Space

14. The designated Green Wedge and Green Space are, for the purposes of this appeal, largely the same area between Woolton and the suburbs of Calderstones and Allerton to the west and Hunts Cross to the south. In this regard and in the immediate area, only the grounds of St Julie's Catholic High School to the east of the site is in the Green Space but not in the Green Wedge.

15. The Appellants have suggested that saved UDP policy OE3 should be afforded only limited weight. But the policy, though adopted about 18 years ago and conceived earlier than that, generally conforms with the National Planning Policy Framework (NPPF) and was given more than limited weight in two relatively recent appeal decisions for residential development in the Green Wedge. Saved policy OE3 is therefore afforded as much weight as other relevant UDP policies. Regard has been given to the interpretation of policy OE3 by Kerr J in his recent judgement in *LOGS CIC v Liverpool CC and others*, and to the possibility that the judgement may be overturned if an application to the Appeal Court is successful.

16. The Green Wedge/Green Space comprises areas of open ground, such as Camp Hill to the south of the site, and areas of woodland, such as that to the south of Woolton Road and to the west of Hillfoot Road beyond open ground. There are also areas of both open ground and woodland such as Allerton Manor Gold Club and Allerton Tower Park. The appeal site has open areas within it but from outside trees and dense vegetation along the two road frontages prevent anything but glimpses into the site. In this regard the site, currently and with regard to policy OE3, does not, as a matter of planning judgement, contribute to the predominantly open character of the Green Wedge.

17. The proposed development would result in the removal of about 60 trees but this is a small percentage of the total number of trees on the site. Furthermore, the proposed landscaping scheme includes the planting of replacement trees and other vegetation, particularly along the road frontages. Consequently, there would be no material change to the current glimpses into the site. The scheme has been carefully designed and, on the north part of the site, flat roofed dwellings would be set down in the landscape. The introduction of this built development, given also the limited views into the site, would not undermine or compromise the open character of the north part of the site.

18. The south part of the site would remain undeveloped, other than by the erection of a replacement shelter and a beehive. The beehive, it is worth noting, would preserve an informal ecological and socially beneficial use of the site by local residents. Overall, the proposed development would not affect the predominantly open character of the Green Wedge. Furthermore, given the nature of the

development proposed, the limited extent of the development when compared to the overall extent of the Green Wedge, and the lack of views, as opposed to glimpses, into the site, the development would not, also as a matter of planning judgement, reduce the physical separation between existing built up areas.

19. The appeal site is not an open site and does not contribute significantly to the openness of the Green Wedge. In this regard, given the nature of the site and the extent of the development proposed, it is unlikely that residents of, and visitors to, the area would notice any material change to the openness of the area. With regard to the purposes of designating land as Green Wedge, currently there is no public access into the site, other than that authorised for bee keeping purposes, and it provides no public amenity. The proposed development would provide public access to about half of the site which would be an ecological enhancement area. There would thus be a net gain for public amenity.

20. The ecology of the site is considered later in this decision but, for the purposes of assessing the proposed development against the aforementioned purposes, the ecology of the site would certainly change but, overall, the ecological value of the site would not be diminished. The site contains remnants of buildings associated with Woolton Manor but these are either not worthy of retention or would be replaced. Finally, the proposed development would not, given its nature and extent and the retention and reinforcement of frontage trees and vegetation, undermine the appearance of 'parkway' approaches provided by Hillfoot Road and Allerton Road.

21. With regard to the development according with policy HD18, the Council accepts that "...this to be more a matter of detail where the principle of development is accepted...". Assuming that the principle of development is accepted the Council has not raised any concerns regarding the number and design of the dwellings or the layout of the scheme. Consequently, it may be assumed that the proposed built forms would be sympathetic to the character of the area, and materials to be used in the construction of the dwellings can be controlled by condition. The proposed development would retain the majority of existing vegetation and would include replacement planting, special site features would be retained, reinstated or replaced, and there is good reason to suppose that landscaping of the site would be provided and maintained to a high standard.

22. With regard to policy OE11, the site does not currently have any recreational value but the proposed development includes opening up about half of the site as an ecological enhancement area accessible by the public. The recreational value of the Green Space would thus be enhanced. The Council has referred to views into and across the site by drivers and pedestrians but has not identified any important vistas into and across the site. Glimpses into the site cannot be regarded, in landscape and townscape terms, as important vistas. There would be no significant visual change to the character or appearance of the two road frontages or to the wooded character of the site within the surrounding area. The proposed development would not compromise the relationship of the Green Space to any adjoining green spaces and, as stated previously, the ecology of the site would change but, overall, the conservation value of the site would not be diminished.

23. The proposed development can be accommodated on the site without causing material harm to the Green Space and does not therefore conflict with saved UDP policy OE11. Furthermore, the proposed development would not harm the open character, recreational and ecological quality of the Green Wedge and would not thus conflict with saved UDP policy OE3.

The character and appearance of the WVCA

24. The WVCA encompasses Woolton Village, to the north of Allerton Road, Woolton Manor and its former grounds, and open ground at Camp Hill and Woolton Woods further to the south. Woolton Manor is an important landmark in the WVCA but, though its south elevation is visible from Camp Hill, its principal west frontage is screened by trees and vegetation on the site in views from Hillfoot Road. Photographic evidence indicates that the grounds sloping down to Hillfoot Road from the Manor were once generally open thus affording almost uninterrupted views of the building from the road. The landscaping scheme for the proposed development would not reinstate the openness of the grounds but it would improve views of Woolton Manor from Hillfoot Road. Furthermore, closer views of the principal frontage of the Manor would be possible from the public open space thus affording the public a greater appreciation of this landmark feature.

25. It has already been concluded that the introduction of the proposed built development, given the limited views into the site, would not undermine or compromise the open character of the north part of the site. For the same reasons the proposed development would not undermine or harm the character and appearance of the WVCA. In this regard it is worth noting that Heritage England, who are empowered to consider and advise on development affecting heritage assets, concluded that "...the proposals will not cause harm to the character of Woolton Conservation Area, as the contribution that site makes to it as a large area of landscaped grounds...would not be altered by the proposed development".

26. In their consultation response Heritage England referred to paragraph 200 of the National Planning Policy Framework (NPPF), which states that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. The creation of a public open space in the south part of the site would better reveal the significance of Woolton Manor, a landmark building in the WVCA, and the proposed nine dwellings and other minor development in the north part of the site would not harm the character and appearance of the Conservation Area. The proposed development does not thus conflict with saved UDP policy HD11.

The setting of Woolton Manor

27. The appeal site is the principal part of the former grounds of Woolton Manor, when it was in use as a convalescent home. Paths that provided access through the grounds are now indistinct and overgrown and, in many places, it is not now clear where they were. Without development of the site there would be no incentive to maintain the former grounds and the paths would ultimately disappear. The proposed development would not reinstate the paths but it would result in the introduction of a network through the undeveloped parts of the site, along the frontage to Hillfoot Road and through the public open space, from where there would be views of the principal frontage of Woolton Manor. In this regard, there would be an improvement in the degree to which this listed building can be experienced and appreciated. This is a significant benefit.

28. The boundary between the built development and the public open space would be a native hedgerow with mesh fencing within. There must be a boundary and it would not be arbitrary or unattractive, but would be an element in a comprehensive and sensitively designed landscape. With regard to works associated with the restoration and replacement of shelters the Council accepts that "...there would be an overall net gain in conservation terms...".

29. Heritage England concluded, amongst other things, that “The retention of a large area of open space directly in front of Woolton Manor helps to sustain the interaction between the listed building and the landscape which historically formed part of the recreation space for the rehabilitation centre and is a welcomed part of the proposal”. There is no reason to disagree with this conclusion. The proposed development would enhance, and would not harm, the setting of Woolton Manor. The proposed development does not thus conflict with saved UDP policy HD5.

The ecology of the site

30. The Council is intending to designate the site and adjoining land as the Woolton Manor, Woolton Wood and Camp Hill Local Wildlife Site (LWS). But this designation is being pursued through the planning process leading to adoption of a Local Plan for the city, which has yet to be concluded. The site is not a designated LWS and is not a designated or proposed Special Protection Area, Ramsar Site or Site of Special Scientific Interest, or a designated Site of Nature Conservation Value, or a Regionally Important Geological/ Geomorphological Site. There is, furthermore, no evidence to indicate that the proposed development would have an adverse effect on a legally protected wildlife species. Saved UDP policy OE5 is not therefore relevant to this issue.

31. Merseyside Environmental Advisory Service (MEAS) have provided advice to the Council on ecology matters throughout the application and appeal processes. They have, throughout these processes, considered the LWS to be formally designated and they have concluded, in their probably last letter to the Council dated 2 September 2019, that the proposed development would “...result in significant harm on the LWS...”. MEAS have consistently elevated the status of the site and doubt is therefore cast over their assessment and their conclusions.

32. The Council has stated that “The appeal site covers...5 hectares...of which 3 hectares...would be developed...” and that “The mitigation...strategy focuses on the 2 hectares open space and remaining woodland habitats within the development zone, which is largely confined to the western boundary narrow woodland belt”. But there would also be a wide woodland belt along the frontage to Allerton Road and woodland areas around the wardens accommodation. The ‘developed area’, in fact, is about 2 hectares and there would be areas of trees within that area, particularly within plot 5, between plots 3 and 4 and plot 5, between plots 4 and 6, and between plots 5 and 8. The ecology and biodiversity of the site is not confined to the 2 hectares of public open space.

33. The thrust of national policy in the NPPF and saved local policy in the UDP, on ecology matters, is towards avoiding or mitigating harm. The application was accompanied by a Landscape Management Plan (LMP), which, as stated in its introduction, “...will provide guidance for the establishment, maintenance and future management of all external landscaped areas, planting and ecology and wildlife areas within the site”. The LMP is for the whole site and not just for the public open space. This document could form the basis for the submission and prior approval of a Landscape Management Plan, which would be required by a condition suggested by the Council.

34. This issue can be considered briefly. The LMP sets out, in detail, mitigating measures to conserve the habitats of important species on the site, and specifies, amongst other things, the creation of a wildlife pond and associated wetland habitat. In terms of mitigation, for instance and with regard to bats that are present on the site, trees, hedgerows, grassland and the pond would be created and

maintained, a cluster of twelve bat boxes would be introduced to ensure that there is no loss of bat roost habitat, and lighting across the site would be minimised. In addition, amongst other things, 56 bird boxes would be introduced and maintained, and gaps under fences would permit hedgehogs to access the whole site and log piles would be introduced for their hibernation.

35. The proposed development would result in significant changes to the site. Built development and a public open space would be introduced whereas the site is currently unmaintained woodland and grassland. But there is nothing in evidence to indicate that the effect of the development on the ecology of the site would not be properly mitigated by the requirements of an LMP, the submission and approval of which would be required by condition. The condition, which is agreed by the Appellant, requires an approved LMP to be maintained in perpetuity. The proposed development, both short term and long term, would not result in any significant adverse effect on the ecology of the site and does not, in this regard, conflict with saved UDP policy OE3 or, if it is relevant, saved UDP policy OE5.

Other matters

36. The Council has no concerns with regard to the design of the dwellings and with the effect of the proposed development on residential amenity and highway safety, and considers that the development would have adequate parking provision. Their concerns regarding drainage are alleviated by the imposition of condition that requires the prior approval of a scheme for surface water drainage. The site is within the WVCA and covered by a woodland tree preservation order so future pressure by residents to prune or remove trees could be resisted. These and all other matters mentioned in opposition to the proposed development have been taken into account but they do not, either individually or collectively, outweigh the conclusions reached on the main issues.

Conditions

37. The Council has suggested 27 conditions and these have been considered in the light of advice in the National Planning Practice Guidance. Suggested condition 4 has been amended to require the prior approval of specified works before those works are carried out, rather than before development commences, which is unnecessary. Suggested condition 16 is unnecessary because there is no existing vehicular access onto Hillfoot Road, and suggested condition 20 has not been imposed because to retain gates in an open position negates the purpose of installing gates and would compromise security of the development.

38. The phrase 'at nil cost to the user' in suggested condition 21 has been deleted as it fails the test of necessity. Suggested condition 19 requires the public open space to be kept open at all times whilst the Appellant intends to keep it open between dawn and dusk. Merseyside Police have expressed concern regarding security of the site and trespassing is known to occur; evidence of this was noted at the site visit. The suggested condition has therefore been amended to incorporate the Appellant's intention to keep the space open to the public between dawn and dusk. The remaining suggested conditions have been imposed though they have been amended in the interests of clarity and precision. A reason for each condition is given in the attached schedule.

Conclusion

39. The proposed development would not harm the character of the designated Green Wedge or Green Space, the character or appearance of the WVCA, the

setting of Woolton Manor, or the ecology of the site, and no harm would be caused to any other matters of acknowledged planning importance. The development does not conflict with any saved UDP policies.

40. Paragraph 11 of the NPPF requires development proposals that accord with an up-to-date development plan to be approved without delay. The appeal thus succeeds and planning permission has been granted, subject to conditions.

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41. The Council maintains that the appeal site is part of the curtilage of the listed building and that, therefore, the shelters and the boundary walls are listed structures and that listed building consent is required for works to those structures. The Appellant disagrees and counter-maintains that listed building consent is not required for such works. However, they submitted the listed building consent application, without prejudice, to, amongst other things, cover the event that it was determined in this decision that listed building consent is required.

42. The Appellant does not dispute that the site was originally laid out, and incorporated shelters, to support the convalescent health use of Woolton Manor. Those structures, albeit that they are in various states of disrepair, still exist, as do remnants of the paths that wound through the grounds of the Manor. The stone walls along the road frontages to Hillfoot Road and Allerton Road were built to enclose the grounds, which are contiguous with the areas adjoining the Manor. The site may not now be in the same ownership as the Manor but, taking all other historic, layout and function considerations into account, the appeal site is part of the curtilage of Woolton Manor. Listed building consent is therefore required for works to the walls and for those associated with the shelters.

43. In their appeal statement the Council has not referred to any of the works for which listed building consent is sought, other than works associated with the shelters and walls. With regard to the works to the shelters the Council has stated that "...in relation to this aspect there would be an overall net gain in conservation...", and they have reported that their Heritage Officer "...advises that there would be no objection to the replacement of the existing gates with new gates which replicate the style of the existing. Support would be given in relation to the repair of the existing walls". The Council has not therefore raised any concerns with the extent or nature of the proposed works that are the subject of the listed building consent application.

Conditions

44. The Council has suggested five conditions and these have been imposed though they have been amended in the interests of clarity and precision. A reason for each condition is given in the attached schedule.

Conclusion

45. There are no objections to the proposed works that are the subject of the listed building consent application. The appeal thus succeeds and listed building consent has been granted, subject to conditions.

John Braithwaite

Inspector

SCHEDULE OF CONDITIONS FOR PLANNING PERMISSION 19F/0025

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with Section 91 (as amended) of the Act.

2. The development hereby permitted shall be carried in accordance with the following drawings and documents:

Drawing numbers

RBA_086	(2-)	A001	Existing location plan	P01
RBA_086	(2-)	A002	Existing site plan	P01
RBA_086	(2-)	A003	Proposed location plan	P02
RBA_086	(2-)	A004	Proposed site plan	P02
RBA_086	(2-)	A005	Proposed block plan	P02
RBA_086	(2-)	A006	Compliance diagram	P02
RBA_086	(2-)	A007	Existing site sections	P01
RBA_086	(2-)	A008	Proposed site sections	P01
RBA_086	(2-)	A009	Proposed LBC site plan	P01
RBA_086	(2-)	A101	House type 1 - plans	P01
RBA_086	(2-)	A102	House type 1 - elevations	P01
RBA_086	(2-)	A103	House type 2 - plans	P01
RBA_086	(2-)	A104	House type 2 - elevations	P01
RBA_086	(2-)	A105	House type 3 - plans	P01
RBA_086	(2-)	A106	House type 3 - elevations	P01
RBA_086	(2-)	A107	House type 4 - plans	P01
RBA_086	(2-)	A108	House type 4 - elevations	P01
RBA_086	(2-)	A109	House type 5 - plans	P01
RBA_086	(2-)	A110	House type 5 - elevations	P01
RBA_086	(2-)	A111	Shelter Type 1	P01
RBA_086	(2-)	A112	Shelter Type 2	P01
RBA_086	(2-)	A113	Warden's Accommodation	P01
RBA_086	(2-)	A114	Warden's Store	P01
RBA_086	(2-)	A115	Proposed Plot Areas	P01
RBA_086	(2-)	A116	House Type 2a - Plans	P01
RBA_086	(2-)	A117	House Type 2a - Elevations	P01
RBA_086	(2-)	A201	Boundary Treatment Types	P02
RBA_086	(2-)	A202	Boundary Treatment Key Plan	P02
RBA_086	(2-)	A501	Proposed CGI 01	P01
RBA_086	(2-)	A502	Proposed CGI 02	P01
RBA_086	(2-)	A503	Proposed CGI 03	P01
RBA_086	(2-)	A504	Proposed CGI 04	P01

101 Rev A – Tree Survey: Sheet 1 of 2

102 Rev A – Tree Survey: Sheet 2 of 2

103 Rev J – Tree Constraints Sheet 1 of 2

104 Rev H – Tree Constraints Sheet 2 of 2

105 Rev N – Landscape Layout

106 Rev C – Construction Details

201 Rev C – Planting Plan

202 Rev C – Planting Plan

QDS/350/795/TOP Rev A – Topographical Survey Sheet 1 of 3

QDS/350/795/TOP Rev A – Topographical Survey Sheet 2 of 3
QDS/350/795/TOP Rev A – Topographical Survey Sheet 3 of 3

Documents

Archaeological Desk Based Assessment
Design & Access Statement
Planning Statement
Letter from Roman Summer Associates Ltd dated 10th July 2019
Landscape & Visual Impact Appraisal
Arboricultural Impact Assessment & Method Statement
Breeding Bird Survey Report
Butterfly Survey & Assessment
Phase 2 Ground Vegetation Survey
Bat Survey Report
Transport Statement
Landscape Design Statement
Bat Transect and Automated Survey Report, v2
Ecological Assessment Report

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until samples or specifications of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples/specifications.

Reason: To ensure that the development has an acceptable appearance.

4. Before the relevant works are commenced details of the following shall be submitted to and approved in writing by the local planning authority:
- All hard surfaces not built upon (for the avoidance of doubt all footpaths shall be suitable for disabled access);
 - CCTV including field of view;
 - Design and location of all lighting which for the avoidance of doubt shall be accompanied by a lux contour diagram showing light levels not exceeding 6 lux at any nearby habitable roomed windows;
 - Design of platform to pond; and
 - Design/species to be used in green roofs.

Development shall be carried out in accordance with the approved details prior to the first occupation of the dwelling to which the details relate.

Reason: In the interests of the amenity of the surrounding area.

5. No development shall commence, including any ground works or demolition, until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:
- days and hours of operation for construction work;
 - measures to control noise and dust;
 - details of location of site compounds, storage of plant and materials;
 - temporary highway works or closures;

- access for construction traffic;
- parking of vehicles of site operatives and visitors;
- wheel washing facilities;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- measures to protect existing planting to be retained on the site; and
- details of the relevant contact person for the local community during the course of construction.

The approved CMS shall be adhered to throughout the construction of the development.

Reason: In the interests of the amenity of the surrounding area.

6. No development shall commence until:

- a. An investigation and assessment methodology, including analysis suite and risk assessment methodologies, has been submitted to and approved in writing by the local planning authority, prior to any site investigations; and
- b. A site investigation and assessment has been carried out by competent persons to determine the status of contamination including chemical, radiochemical, flammable or toxic gas, asbestos, biological and physical hazards at the site and has been submitted to the local planning authority. The investigations and assessments shall be in accordance with current Government and Environment Agency recommendations and guidance and shall identify the nature and extent of any contaminants present, whether or not they originate on the site, their potential for migration and risks associated with them.

The assessment shall consider the potential risks to human health, controlled waters, property (existing or proposed) including buildings, livestock, pets, woodland and service lines and pipes, adjoining land, ecological systems, and archaeological sites and ancient monuments.

- c. A detailed remediation scheme (if required), has been submitted to and approved in writing by the local planning authority. This scheme shall include an appraisal of remedial options, implementation timetable, works schedule, site management objectives, monitoring proposals and remediation validation methodology. The scheme once completed must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: To ensure that risks from contamination are minimised.

7. After development commences and prior to occupation of any dwelling;

- a. Following completion of the measures identified in the approved remediation scheme and prior to occupation of any part of the development, a verification report which shall confirm the adequacy of remediation must be submitted to and approved in writing by the local planning authority.

If a phased approach to the development is being proposed, then a validation/completion report for an agreed number of plots within each of the proposed phases shall be submitted to and approved in writing by the local planning authority before the condition relating to the phase in question shall be discharged.

- b. If any potentially contaminated (unusual/suspect) material or flammable/toxic gas not previously identified is discovered, this must be reported in

writing to the local planning authority and a further assessment and a revised remediation scheme will be required by the local planning authority. If no contamination is found then this should be detailed in the verification report.

Reason: To ensure that risks from contamination are minimised.

8. No development shall commence until a scheme for surface water drainage based on the hierarchy of drainage options in the National Planning Policy Framework, with evidence of an assessment of site conditions, has been submitted to and approved in writing by the local planning authority. The full drainage scheme shall have a maximum surface water discharge of 5 litres per second and development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the development has satisfactory drainage.

9. No development shall commence until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The details shall include a timetable for the implementation of the scheme and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the development has satisfactory drainage.

10. The approved landscaping scheme shall be completed either:

(i) not later than the first planting season following first occupation of the development; or

(ii) during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be approved in writing by the local planning authority.

All works must be carried in accordance with BS 8545:2014 and BS 4428:1989. Any trees/plants which die, become diseased, damaged or are removed within 5 years of planting shall be replaced with trees/plants of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter. An audit trail of the plant stock used for the scheme shall be submitted to the local planning authority on completion of the planting.

Reason: In the interests of the visual amenity of the area.

11. No development shall take place until a Landscape Management Plan (LMP), incorporating a habitat/ecological management plan, dealing with all parts of the site outside of the curtilage of any dwelling (including any water bodies) has been submitted to and approved in writing by the local planning authority. The LMP shall include details of the timescale, programme, monitoring & review periods and the body responsible for its implementation. The approved LMP shall be implemented in perpetuity. Any successors to the original body responsible for its implementation shall be notified to the local planning authority in writing within one month of any such change occurring.

Reason: In the interests of the long term visual amenity and ecology of the area.

12. The approved tree protection measures, as detailed in the approved Arboricultural Report, shall be in place prior to the commencement of the works on site, shall be retained in place throughout the construction period, and shall only be removed with the written approval of the local planning authority.

Reason: To ensure that retained trees are protected.

13. An Arboricultural Clerk of Works (ACoW) shall be appointed to report to the local planning authority at regular monthly intervals and key points in the development starting with a pre-commencement meeting that shall be held on site and attended by the ACoW, the site manager/foreman and a representative from the local planning authority to discuss details of working procedures and to agree the position of the approved tree protection measures to be installed prior to the commencement of works on site. Reporting will include the following information:

- Tree protection fencing integrity and location;
- Compliance with the construction exclusion zone (CEZ) - i.e. no materials / spoil/equipment etc.;
- Monitor any works within the CEZ such as services installation;
- Ground protection measures;
- Damage to retained trees; and
- Irrigation system to the CEZ of T7 beneath building.

Reason: To ensure that the protection of retained trees and in the interests of amenity.

14. No dwelling shall be occupied until that part of the site roads which provides access to it has been constructed to binder course surfacing level or paved in accordance with the approved plans.

Reason: To ensure satisfactory access.

15. Before the development is first occupied a boundary wall management scheme, that includes a schedule of works (including repointing where necessary and repairs to any damaged sections), proposed methodology, programme of implementation and details of the body/bodies responsible for its implementation and long term maintenance, shall be submitted to and approved in writing by the local planning authority. The scheme shall be adhered to in perpetuity.

Reason: To ensure that boundary walls are properly maintained in perpetuity.

16. No relevant works shall commence until details and materials of gateposts, pillars and copings at site entrances have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and materials.

Reason: It is in the interests of visual amenity.

17. The public open space hereby permitted shall be laid out and made available prior to occupation of the first dwelling. The public open space shall be kept open for public use between dawn and dusk from all access points.

Reason: To ensure that the open space is accessible by the public.

18. No relevant works shall commence until details of the design of the bat shelters shown on drawing RBA_086_(2-LA005) Rev P01 have been submitted to

and approved in writing by the local planning authority. The bat shelters shall be completed in accordance with the approved details prior to the first occupation of any dwelling hereby permitted.

Reason: To ensure that the bat shelters are provided.

19. No relevant works shall commence until details of the design of the beehives and apiary shown on drawing RBA_086_(2-LA005) Rev P01, including any secure enclosure, have been submitted to and approved in writing by the local planning authority. The beehives and apiary shall be completed in accordance with the approved details prior to the first occupation of any dwelling hereby permitted.

Reason: To ensure that the beehives and apiary are provided.

20. No relevant works shall commence until detailed drawings of the shelter to be repaired (identified as ARS1 in the Archaeological Report produced by Archaeological Research Services Ltd dated August 2018) and the proposed replacement shelter (identified as ARS8 in the Archaeological Report produced by Archaeological Research Services Ltd dated August 2018), including elevations and sections and a schedule of features to be repaired or reinstated along with a repair methodology, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved detailed drawings before the development is occupied.

Reason: It is in the interests of visual amenity.

21. No relevant works shall commence until details of external lighting on the site have been submitted to and approved in writing by the local planning authority. The external lighting scheme shall be designed to protect ecology and avoid excessive light spill onto woodland trees and hedgerows. Development shall be carried out in accordance with the approved details and retained thereafter.

REASON: It is in the interests of ecology.

22. No development shall commence until a method statement showing the extent of rhododendron and a scheme for its eradication from the site has been submitted to and approved in writing by the local planning authority. The method statement shall include a plan showing the extent of the species, the methods of eradication to be used, a timetable for implementation, and details of ongoing monitoring. Development shall be carried out in accordance with approved method statement.

Reason: To ensure that rhododendron is removed from the site.

23. Each new household shall be provided with a household leaflet advising of public open spaces away from European or protected sites.

Reason: To ease recreational pressures on important ecological sites in the area.

24. No development shall commence until a written scheme of investigation for archaeological work has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented.

Reason: To ensure that any archaeological features are recorded.

25. No relevant works shall commence until details of the design and materials to be used in the warden accommodation and store have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details

Reason: To ensure that the warden accommodation has a satisfactory appearance.

SCHEDULE OF CONDITIONS FOR LISTED BUILDING CONSENT 19L/0026

1. The works hereby consented shall begin not later than three years from the date of this decision.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby consented shall be carried in accordance with the following drawings and documents:

Drawing numbers

RBA_086	(2-) A001	Existing location plan	P01
RBA_086	(2-) A002	Existing site plan	P01
RBA_086	(2-) A003	Proposed location plan	P02
RBA_086	(2-) A004	Proposed site plan	P02
RBA_086	(2-) A005	Proposed block plan	P02
RBA_086	(2-) A006	Compliance diagram	P02
RBA_086	(2-) A007	Existing site sections	P01
RBA_086	(2-) A008	Proposed site sections	P01
RBA_086	(2-) A009	Proposed LBC site plan	P01
RBA_086	(2-) A101	House type 1 - plans	P01
RBA_086	(2-) A102	House type 1 - elevations	P01
RBA_086	(2-) A103	House type 2 - plans	P01
RBA_086	(2-) A104	House type 2 - elevations	P01
RBA_086	(2-) A105	House type 3 - plans	P01
RBA_086	(2-) A106	House type 3 - elevations	P01
RBA_086	(2-) A107	House type 4 - plans	P01
RBA_086	(2-) A108	House type 4 - elevations	P01
RBA_086	(2-) A109	House type 5 - plans	P01
RBA_086	(2-) A110	House type 5 - elevations	P01
RBA_086	(2-) A111	Shelter Type 1	P01
RBA_086	(2-) A112	Shelter Type 2	P01
RBA_086	(2-) A113	Warden's Accommodation	P01
RBA_086	(2-) A114	Warden's Store	P01
RBA_086	(2-) A115	Proposed Plot Areas	P01
RBA_086	(2-) A116	House Type 2a - Plans	P01
RBA_086	(2-) A117	House Type 2a - Elevations	P01
RBA_086	(2-) A201	Boundary Treatment Types	P02
RBA_086	(2-) A202	Boundary Treatment Key Plan	P02
RBA_086	(2-) A501	Proposed CGI 01	P01
RBA_086	(2-) A502	Proposed CGI 02	P01
RBA_086	(2-) A503	Proposed CGI 03	P01
RBA_086	(2-) A504	Proposed CGI 04	P01

101 Rev A – Tree Survey: Sheet 1 of 2

102 Rev A – Tree Survey: Sheet 2 of 2

103 Rev J – Tree Constraints Sheet 1 of 2

104 Rev H – Tree Constraints Sheet 2 of 2

105 Rev N – Landscape Layout

106 Rev C – Construction Details

201 Rev C – Planting Plan

202 Rev C – Planting Plan

QDS/350/795/TOP Rev A – Topographical Survey Sheet 1 of 3
QDS/350/795/TOP Rev A – Topographical Survey Sheet 2 of 3
QDS/350/795/TOP Rev A – Topographical Survey Sheet 3 of 3

Documents

Archaeological Desk Based Assessment
Design & Access Statement
Planning Statement
Letter from Roman Summer Associates Ltd dated 10th July 2019
Landscape & Visual Impact Appraisal
Arboricultural Impact Assessment & Method Statement
Breeding Bird Survey Report
Butterfly Survey & Assessment
Phase 2 Ground Vegetation Survey
Bat Survey Report
Transport Statement
Landscape Design Statement
Bat Transect and Automated Survey Report, v2
Ecological Assessment Report

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before the development is first occupied a Boundary Wall Management scheme, to include a schedule of works (including repointing where necessary and repairs to any damaged sections), proposed methodology, programme of implementation and details of the body/bodies responsible for its implementation and long term maintenance, shall be submitted to and approved in writing by the local planning authority. The approved works shall be completed in accordance with the approved scheme.

Reason: To ensure that the boundary walls are appropriately maintained in perpetuity.

4. Before the relevant works are commenced details and samples of the materials of new gateposts, pillars and copings at site entrances shall be submitted to and approved in writing by the local planning authority. The works shall be completed in accordance with the approved details and samples before the development is first occupied.

REASON: In the interests of visual amenity.

5. No relevant works shall commence until detailed drawings of the shelter to be repaired (identified as ARS1 in the Archaeological Report produced by Archaeological Research Services Ltd dated August 2018) and the proposed replacement shelter (identified as ARS8 in the Archaeological Report produced by Archaeological Research Services Ltd dated August 2018), including elevations and sections and a schedule of features to be repaired or reinstated along with a repair methodology, have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved detailed drawings before the development is first occupied.

Reason: In the interests of visual amenity.