
Appeal Decision

Site visit made on 21 January 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2020

Appeal Ref: APP/R3650/W/19/3233913

**Land between Mayfield and Switchback Lane, Rowledge, Farnham
GU10 4BB**

- 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 Miscombe Developments Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2018/0669, dated 13 March 2018, was refused by notice dated 25 January 2019.
 - The development proposed is erection of 9 dwellings and associated works, all served from the existing access.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 9 dwellings and associated works, all served from the existing access at land between Mayfield and Switchback Lane, Rowledge, Farnham GU10 4BB in accordance with the terms of the application, Ref WA/2018/0669, dated 13 March 2018, and the plans submitted with it, subject to the conditions in the attached schedule.

Procedural Matters

2. The description of the development on the planning application form related to the scheme that was originally submitted to the council. The mix of housing was amended through the application process, so the scheme that was refused did not match the original description. I have therefore used the description from the appeal form.
3. The Council referred to the National Planning Policy Framework 2018 in its reasons for refusal. The Government's planning policies for England are now contained in the National Planning Policy Framework 2019 (the Framework). Both parties have had the opportunity to consider the change in national advice since the council made its decision.

Main Issues

4. The council refused the application for four reasons. However, subsequently, the appellant and the council have completed an agreement under Section 106 of the Town & Country Planning Act 1990, which secures the provision of two affordable dwellings as part of the development, together with a financial contribution to off-site affordable housing. The council has confirmed that the obligation overcomes the third reason for refusal on the decision notice.

5. The council adopted a Community Infrastructure Levy (CIL) charging schedule on 31 October 2018, which came into effect on 1 March 2019, after the application was refused. The council has confirmed that the adoption of the CIL charging schedule has overcome the fourth reason for refusal on the decision notice.
6. Therefore, the main issues are:
 - a) Whether the density, layout and means of access to the development are suitable, having regard to development plan policy; and,
 - b) Whether the development would provide a satisfactory mix of housing to meet the housing needs of the area.

Reasons

Development Plan Policy

7. The appeal site is a rough grass field, approximately 1.4 Hectares in area, towards the southwestern edge of Farnham. The western part of the site borders the rear gardens of houses in Mayfield. To the north, beyond an intervening area of woodland, is a low-density area of detached housing served by a network of private roads. The eastern boundary of the site is formed by Switchback Lane, a public bridleway, with woodland beyond. Land to the south is largely undeveloped woodland. The site is surrounded by mature trees and hedgerows, so is visually quite self-contained. The only houses that are readily visible from the site are Mayfield House, to the north east, and 20 and 22 Mayfield to the west. Access to the field is obtained via a track that extends off a turning head in Mayfield and runs between Nos 20 and 22.
8. The site is part of a larger area of land that is allocated for residential development by Policy FNP14 of the Farnham Neighbourhood Plan (2017) (the Neighbourhood Plan). Subject to meeting the general development requirements of Policy FNP14, therefore, the principle of residential development on the site is not in dispute. The other part of the allocation is a narrow field that extends from the south east corner of the appeal site to a frontage with Pear Tree Lane to the south. In combination, the two pieces of land, are covered by allocation Policy FNP14 g) of the Neighbourhood Plan, which sets specific development guidance for the site. The allocation is described as having a gross area of 2.3 Hectares, an approximate density of 5 dwellings per Hectare and an approximate capacity of 10 dwellings.
9. The proposed development comprises two pairs of semi-detached houses and five detached houses, served by a private road off Mayfield, using the existing access point. Footpath links would be provided through the site to the remainder of the allocation, and to Switchback Lane to the east. Seven of the houses would be sited to the north of the proposed access road and would overlook an open amenity space on the southern part of the site. Nine dwellings on the site represents a density of 6.4 dwellings per Hectare.
10. Policy FNP14 of the Neighbourhood Plan sets some general development requirements that apply to all the allocations. One requirement is that the privacy, daylight and sunlight of adjoining occupiers should be safeguarded. Plots 1 and 9 would border the rear gardens of 20 and 22 Mayfield. However, the proposed houses on these plots would be well away from the boundary, would not contain any first-floor windows, and are screened by mature

planting. The proposed dwellings would not therefore result in a loss of privacy or light for the occupants of these houses.

11. The house on Plot 5 would be at a considerably lower level than Mayfield House, and it would be positioned well away from the site boundary. Adequate privacy for the occupants of the existing and proposed houses could be achieved through normal domestic scale fencing or landscaping. Other dwellings surrounding the site are distant and screened by the mature boundary trees and hedges. The proposed development would therefore meet the requirement to safeguard the amenity of adjoining occupiers regarding privacy and light.
12. Policy FNP14 recognises that allocated sites may come forward for development in phases, but the general requirements of the Policy are that development of part of a site should not prejudice the eventual development of the whole allocation. The remainder of the allocation has a frontage with Pear Tree Lane to the south, and it could therefore be developed independently of the appeal site. The appeal proposal would not, therefore, prevent the quantum of development envisaged for the application being delivered. A footpath is proposed to provide pedestrian permeability between the two parts of the site. The appeal proposal would not, therefore, prejudice eventual development of the whole allocation. Consequently, the development would comply with the general requirements of Policy FNP14.

Layout

13. The proposal accords with much of the specific development guidance set out for the allocation in Policy FNP14 g). The layout of the development, comprising individually designed houses, with large gardens, arranged loosely along a curved private road overlooking an open amenity area, would respect the woodland setting. Although the houses would differ in appearance from those in Mayfield, the guidance specifically requires a mix of designs. The layout would be in keeping with the pattern and scale of development on the Mayfield estate. The mature trees on and around the site would be retained, and the houses would not exceed two storeys. Infrastructure contributions would be secured through the council's CIL charging schedule. In all of these respects, the development would comply with the allocation development guidance.
14. However, the proposal departs from the development guidance on the issues of density and means of access.

Density

15. The Policy identifies an approximate density of 5 dwellings per Hectare, and an approximate capacity of 10. However, the guidance also says that the northern part of the site should be very low density, suggesting that, perhaps, it should be lower than the 5 dwellings per Hectare for the overall site. It is important to recognise, however, that the density and capacity of the allocation are expressed as approximate in the Policy. It would not be possible to treat both figures as being prescriptive, as development of the 2.3 Hectare site at 5 dwellings per Hectare would result in a development that exceeds the 10-dwelling capacity. It is therefore important to understand the rationale behind the approximate density, to assess whether the proposed development, at 6.4 dwellings per Hectare, would be harmful.

16. The supporting text on page 47 of the Neighbourhood Plan states that the potential density of development proposed in the plan responds to the density of the surrounding development. In this regard, the council does not contest the appellant's evidence that the Mayfield estate has an overall density of 11 dwellings per Hectare, reducing to 7 dwellings per Hectare on the eastern part, which borders the appeal site. The proposed density of 6.4 dwellings per Hectare on the appeal site would therefore be an appropriate response to the immediately adjacent development.
17. The council contends that, rather than Mayfield, the development should respond to the density of development to the north, which it suggests is approximately 5 dwellings per Hectare. This is contested by the appellant, who suggests that there are 43 units over 6.39 Hectares, giving a density of 6.7 dwellings per Hectare. I have not been provided with detailed evidence to substantiate either figure. What is clear, however, is that the development surrounding the site is at a low density, which has resulted in the Neighbourhood Plan specifying a low density for the allocation to maintain the character of the area. The 6.4 dwellings per Hectare proposed would be at a density that reflects the character of the surrounding development, and I therefore find that it accords with the rationale behind the approximate density identified in the policy.
18. In coming to this conclusion, I have considered the visually self-contained nature of the site, which means it would not be seen alongside either the Mayfield estate, or the development to the north. Consequently, any minor changes in density between the appeal site and the other areas would not be easily discernible, so would not have a significant impact on their character. Therefore, whether the proposed density is a little higher, or a little lower, than the approximate 5 dwellings per Hectare, is not crucial to the ultimate impact of the development on the character of the surrounding area.
19. I have also had regard to the fact that the Neighbourhood Plan was made prior to the publication of the Framework, which introduced a new Section 11, relating to the effective use of land. Paragraph 117 advises that policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 122 says that planning policies and decisions should support development that makes efficient use of land, taking into account, amongst other things, the desirability of maintaining an area's prevailing character. I have found that the proposed density of 6.4 dwellings per Hectare would preserve the character of the area. It would therefore be contrary to the Framework's advice, to suppress the density of housing below this level, particularly as the Neighbourhood Plan density is expressed in approximate terms.
20. For the above reasons, I conclude that the development proposed is at a low density that reflects that of the surrounding development. Whilst it would be slightly higher than the approximate density identified by Policy FNP14, there would be no consequent harm to the character of the area, so it accords with the rationale behind the policy. I therefore conclude that the density proposed is in broad accordance with the aims of Policy FNP14 of the Neighbourhood Plan. It also accords with more recent government advice, which encourages the efficient use of land for housing, where the character of an area is preserved.

Access

21. The development guidance in Policy FNP14 g) says that a safe and suitable access should be provided off Pear Tree Lane. It also suggests that the northern part of the site could be accessed off Shrubbs Lane. Rather than either of these options, the proposed development would be accessed off Mayfield, via an improvement of the existing track that extends off a turning head and runs between Nos 20 and 22. The Neighbourhood Plan is silent on why this access point was not identified as a possible means of serving the allocation.
22. Mayfield is accessed via Meadow Way, which has a wide junction with The Long Road, giving good visibility over footpaths and grass verges to either side. Meadow Way and Mayfield are lightly trafficked residential roads with footways. The roads are wide enough for cars to park, whilst still allowing access for large vehicles to pass. The application was accompanied by a Transport Statement that concludes the proposal would not prejudice road safety or the free flow of traffic on the neighbouring highway. The Highway Authority did not object to the application, and it is not contested by the council that the proposed means of access would be technically acceptable.
23. The appeal site is in separate ownership to the remainder of the allocation, so it cannot be developed, independently, via Pear Tree Lane. The alternative access, via Shrubbs Lane, would involve the upgrading of an unmade bridleway, which is currently closed to vehicular traffic. The upgrading works would necessitate the removal of trees and vegetation and the consequent loss of rural character to this part of the bridleway. This would be at odds with the development guidance in Policy FNP14 g) of the Neighbourhood Plan, which seeks to respect the woodland setting of the site, and to retain mature trees on the boundary.
24. Furthermore, the junction of Shrubbs Lane with Boundstone Road, to the north, is substandard in terms of emerging visibility. The council has suggested that a very low-density development could be served via this route, but even a single dwelling would require the bridleway to be upgraded, and trees removed, to allow access to the site. Therefore, although Policy FNP14 g) of the Neighbourhood Plan suggests that the appeal site could be served by Shrubbs Lane, this would be at considerable expense to the character of the area, and it would result in an increase in highway danger.
25. Therefore, in the absence of an access off Mayfield, the efficient use of the appeal site for housing would be delayed, pending the delivery of an access from Pear Tree Lane, across the remainder of the allocation. The delay in delivering the allocation would be justified if the Pear Tree Lane access was demonstrably preferable to that off Mayfield. However, Pear Tree Lane is an unmade single-track road, which is rutted and poorly drained. In terms of highway safety and convenience, it does not provide a preferable alternative to the access proposed off Mayfield.
26. The proposed access off Mayfield would, therefore, be acceptable in highway terms. Although it is not the point of access identified in the development guidance contained in Policy FNP14 g), it could be provided without any harm to the character and appearance of the area. Policy FNP14 g) does not prohibit the use of an alternative access, and it does not identify any reason why the Pear Tree Lane access should be favoured. The access proposed would enable

the early delivery of the northern part of the allocation, including two affordable houses. The government's objective to significantly boost the supply of housing is set out in Section 5 of the Framework. Against this background, and in the absence of any harm to highway safety, or to the character and appearance of the area, the benefit of early delivery of housing and affordable housing carries significant weight.

27. Therefore, on the first main issue, given the very particular circumstances as set out above, I conclude that the layout and density of the development would be in broad accordance with Policy FNP14 of the Neighbourhood Plan. Whilst the proposed means of access does not accord with the suggested approach in the Policy, there would be no harm to highway safety, or to the character and appearance of the area as a result of the access proposed. The early delivery of housing, and affordable housing, therefore, outweighs any breach of the development guidance contained in Policy FNP14 g) in this regard.

Housing mix

28. Policy AHN3 of the Waverley Borough Local Plan, Part 1: Strategic Policies and Sites (2018) (the Local Plan), requires proposals for housing to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting evidence in the West Surrey Housing Market Assessment (the SHMA). The supporting text includes Table 9.1, which summarises the mix of housing recommended across the whole housing market area. Paragraph 9.41 of the text clarifies that the policy for a mix of homes should be able to react to changing circumstances and ensure that it contributes to the mix of both the wider area, as well as the development site itself.
29. Table 9.1 of the Local Plan indicates that the need for different sized homes is: 20% 1-bed, 30% 2-bed, 35% 3-bed and 15% 4+bed. The appeal proposal comprises 3 two-bed houses, 4 three-bed houses and two 5-bed houses, which translates to 0% 1-bed, 33% 2-bed, 44% 3-bed and 22% 4+bed. The proposed mix results in a higher proportion of 3 and 4+bed units than indicated in Table 1 (66% as opposed to 50%), and a correspondingly lower proportion of 1 and 2-bed units (33% as opposed to 50%). However, the proposed percentage provision of 2, 3 and 4+ bed dwellings is very similar to the Table 9.1 figures, differing by less than 10% in each case. The most significant variance is the lack of any 1-bed units.
30. As set out under the previous issue, Policy FNP14 g) of the Neighbourhood Plan indicates that the site should be developed at a low density, commensurate with that of surrounding development. The provision of 1-bed units within the development would not be readily compatible with this aim. The resultant smaller plot sizes, and consequently larger number of dwellings overall, would increase the density further beyond the level envisaged by the allocation policy. It is to cater for site-specific circumstances such as this, that paragraph 9.41 of the Local Plan says that the policy for a mix of homes should not prescribe the size of homes. There would likely be other sites, in other locations, where higher density would preserve the character of the surrounding area, so would provide a higher proportion of 1-bed dwellings. In this way, the required mix could be provided across the market area, rather than on each individual site.
31. The Neighbourhood Plan recognises the need for smaller homes in Farnham, to meet demand from newly forming households and younger families, as well as

older downsizing households. Policy FNP15 therefore supports the incorporation of an element of 1 or 2-bedroomed dwellings on larger sites. However, this support is subject to other policies in the plan, including Policy FNP 14 g), which advocates a low-density development on this site. Nevertheless, the proposal does include the provision of three 2-bedroomed dwellings, which is a significant proportion. The policy does not require both 1 and 2-bedroomed dwellings, and it does not set a minimum level of provision. The supporting text indicates that the precise number of small units will be negotiated on each scheme. Bearing in mind the contextual constraints of the site, the provision of three 2-bedroomed units accords with Policy FNP15.

32. In conclusion, the proposed development would provide a mix of house sizes and tenures. The proportion of smaller units is below the recommended mix for the housing market area, as a whole, but this is justified by the need to provide a low-density development to preserve the character of the area. Bearing in mind this constraint, and the particular circumstances as set out above, the development would provide a satisfactory mix of housing to meet the housing needs of the area, in broad accordance with Policy AHN3 of the Local Plan and Policy FNP15 of the Neighbourhood Plan.

Other Matters

33. I have considered the numerous letters of representation received from interested parties. Many of these relate to the suitability of Mayfield as a means of access to the development. However, it has been accepted by the council and the Highway Authority that the proposed means of access would not result in any harm to highway safety or capacity.
34. The proposal would result in additional traffic in Meadow Way and Mayfield, but the residential character of the area, and the 20-mph speed limit, means that traffic moves through the area cautiously. The additional traffic arising from the proposal would be likely to move through the estate in a similar fashion. As Mayfield already serves over 60 houses, the additional traffic from the development would not significantly alter the residential character and amenity of the area.
35. There would be a particular impact on 20 and 22 Mayfield, as the access road would run between those two properties. Robust boundary treatment would be necessary to either side of the access road to preserve the living conditions of the occupants of these two houses. This could be secured through a condition requiring details of hard and soft landscaping. The more general concerns relating to construction traffic using the estate roads can be mitigated through a suitable Construction Transport Management Plan.
36. I have also considered the concerns that have been raised regarding the impact of the development on wildlife and flooding. The application was supported by an ecological report that sets out recommendations for mitigating any impact, which can be secured through a planning condition. The Lead Local Flood Authority was satisfied with the Drainage Strategy which accompanied the application, and a condition can be imposed to ensure that a suitably detailed scheme is approved and implemented.
37. More general concerns have been submitted relating to the loss of scenery, lack of infrastructure, previous refusals, and the precedent that could be set for further development. However, as the site is allocated for housing development

in the Neighbourhood Plan, the principle of development of the site has already been found to be acceptable.

Conditions

38. In accordance with the legislation, I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans, as this provides certainty. The council has submitted a schedule of suggested conditions to cover other matters, and the appellant has had the opportunity to comment on them. I have considered the suggested conditions against the advice in the Planning Practice Guidance. Where I have agreed that the conditions are necessary, I have altered some of them, in the interests of clarity and precision, to better reflect the guidance.
39. As explained above, a Construction Transport Management Plan is necessary to safeguard the living conditions of occupants of Meadow Way and Mayfield during the construction phase. A condition requiring full details of a surface water drainage scheme is also needed, to ensure that the development is safe from flooding, and does not increase the risk of flooding elsewhere. Further investigation is required in order to properly assess the nature and extent of any archaeology that may be present, so a condition to secure a Written Scheme of Investigation is reasonable.
40. The retention of the mature trees surrounding the site is crucial to the preservation of the wooded character of the development. The council has suggested a suite of conditions to ensure the trees are retained, and not damaged through the construction process. I have combined these for the sake of conciseness. A hard and soft landscaping scheme is also necessary to ensure that the development assimilates into its setting. I have specified within this condition that robust boundary treatments are to be provided either side of the improved access, to protect the living conditions of the occupants of 20 and 22 Mayfield.
41. Submission of details of the external materials is necessary, to ensure that the development is in keeping with the character of the area. In the interests of sustainability, conditions ensuring the dwellings are water efficient, and the provision of electric vehicle charging points are reasonable and necessary to comply with development plan policy.
42. To avoid harm to wildlife, and to provide some biodiversity gains, a condition is necessary to ensure that the development is carried out in accordance with all the recommended actions in the submitted Ecological Report. As these recommendations provide details of how reptile translocation would be carried out, and when vegetation should be cut back, I see no need for separate conditions to cover these matters.
43. It is not necessary to impose a condition requiring obscure glazing of the two small bathroom windows in the side elevations of Plots 3 and 4, as they would be well away from the plot boundaries, so would not result in significant overlooking. It is also not reasonable to remove permitted development rights for additional first floor windows in Plots 1, 5 and 9 because, for these to be installed as permitted development, they would have to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015. This legislation includes limitations that would protect the privacy of the occupants of the adjacent dwellings.

44. The visibility splays at the junction of Meadow Road and The Long Road are achieved within the highway boundary, so there is no need for a condition regarding their provision. It is necessary, however, in the interest of highway safety to impose a condition to ensure that car-parking and turning facilities are provided for each dwelling prior to occupation.

Conclusion

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

Nick Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3758/001 Rev A; 3758/101 Rev C; 3758/102 Rev A; 3758/103 Rev A; 3758/104 Rev A; 3758/105 Rev C; 3758/106 Rev B; 3758/107 Rev B; 3758/108; 3758/110 Rev A; 3758/112; 3593/10.1 Rev C.
- 3) No development shall commence until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority, including details of:
 - a) parking for vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials; and,
 - d) timings of deliveries.

Development shall proceed in accordance with the approved Construction Transport Management Plan for the duration of the construction of the development.

- 4) No development shall commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, the Framework, and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) the results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels;
 - b) evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum

Greenfield discharge rate of 4.9 l/s (as per the SuDS pro-forma or otherwise as agreed by the local planning authority);

- c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);
- d) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
- e) details of drainage management responsibilities and maintenance regimes for the drainage system;
- f) a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected. It should also be demonstrated that finished floor levels are appropriately set to ensure properties are not at risk if the drainage system failed.

Development shall proceed in accordance with the approved details and, prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the local planning authority. The report must demonstrate that the drainage system has been constructed in accordance with the approved scheme (or detail any minor variations), provide the details of any management company, and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

- 5) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has first been submitted to, and approved in writing by, the local planning authority. No development shall take place other than in accordance with the approved Written Scheme of Investigation.
- 6) No development shall commence until a detailed, scaled Tree Protection Plan (TPP) and related Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. These shall include:
 - a) details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Area of trees shown to scale on the TPP, including installation of service routings and site access;
 - b) cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zones around retained trees;
 - c) details of any services to be provided or repaired including drains and soakaways, on or to the site;

- d) spaces to accommodate parking of vehicles of site personnel, operatives and visitors; loading and unloading of plant and materials; storage of plant and materials including demolition arisings; and cement mixing; and,
- e) a scheme of supervision for the arboricultural protection measures, including details of a pre-commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and personnel responsible for the implementation of the approved development; timings, frequency and methods of site visiting; and an agreed reporting process to the local planning authority.

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

- 7) Prior to building works proceeding above ground level on any building hereby permitted, details or samples of the materials to be used in the construction of the external surfaces of that building shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details or samples.
- 8) Prior to building works proceeding above ground level on any building hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The hard landscape details shall include:
 - i) means of enclosure and any retaining structures;
 - ii) boundary treatments;
 - iii) hard surfacing materials;
 - iv) robust boundary treatment for the access road between 20 and 22 Mayfield; and,
 - v) an implementation programme.

Details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is occupied, or in accordance with the agreed implementation programme. Any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 9) No dwelling shall be occupied until details have been submitted to, and approved in writing by, the local planning authority to confirm that water saving and efficiency measures have been incorporated in the dwelling to ensure that a maximum of 110 litres of water is consumed per person per day.
- 10) No dwelling shall be occupied until Electric Vehicle Charging Points have been provided in accordance with a scheme that has first been submitted to and approved in writing by the local planning authority.

- 11) No dwelling shall be occupied until its car-parking and turning space has been provided, in accordance with drawing no. 3758/101 Rev C. That space shall thereafter be kept available at all times for the parking and turning of vehicles.
- 12) Development shall proceed in accordance with all of the recommended actions in Section 5: "Recommendations and precautionary mitigation measures" of the Biodiversity survey assessment Report (Plus Appendices) by Lowans Ecology and Associates dated 21st June 2017 (updated March 2018).