



Appeal Decision

Site visit made on 21 July 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2020

Appeal Ref: APP/V0510/W/20/3249240

Part of paddock associated with Dullingham Park Stud, accessed via private drive off Elm Close (driveway owned by 1b Elm Close)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Tompkins against the decision of East Cambridgeshire District Council.
 - The application Ref 19/01553/FUL, dated 30 October 2019, was refused by notice dated 13 February 2020.
 - The development proposed is the erection of a 2 storey family dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2 storey family dwelling at part of paddock associated with Dullingham Park Stud, accessed via private drive off Elm Close (driveway owned by 1b Elm Close) in accordance with the terms of the application, Ref 19/01553/FUL, dated 30 October 2019, subject to the attached schedule of conditions.

Procedural Matters

2. The Officer Report referred to the location of the appeal site outside the development envelope of Dullingham and acknowledged that the proposal was not for any of the exceptions listed in Policy GROWTH 2 of the East Cambridgeshire Local Plan (April 2015) (the LP). However, the Council did not list this as a reason for refusal on the Decision Notice. The Council has introduced this as an additional concern during the appeal process, which they have justified by a change of circumstances since permission was refused, in respect of their housing supply position. Moreover, the Council has cited the aforementioned conflicts with Policy GROWTH 2. As the appellant has had an opportunity to consider the relevance of this matter to the appeal proposal, I have dealt with this as a substantive matter, as set out in the main issues below.
3. During the course of determining the appeal, my attention was drawn to a linked appeal decision¹ for two sites in Witchford (the Witchford appeals). This in turn referred to an appeal at Fordham². I therefore invited the main parties to provide comment in relation to any implications that the Witchford appeals would have for this appeal, particularly in relation to housing land supply.

¹ Appeal References: APP/V0510/W/18/3213834 & APP/V0510/W/19/3227487.

² Appeal Reference: APP/V0510/W/19/3227639.

Main Issues

4. The main issues are: -

- whether the proposal is consistent with development plan policies relating to housing in rural areas;
- whether the proposal would preserve a Grade II registered park and garden, Dullingham House Park and Garden, and any features of special historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Dullingham Conservation Area; and
- the effect of the proposed development on protected trees.

Reasons

Rural housing

5. The appeal site concerns an area of land that is roughly triangular in shape and situated between the curtilages of houses to the east and west, in Elm Close and at The Old Arboretum. For the purposes of planning policy, the site is situated within the countryside, as defined by Policy GROWTH 2 of the LP, which suggests that the majority of development will be focused on the market towns of Ely, Soham and Littleport, but more limited development will take place in villages.
6. In the countryside, outside defined development envelopes, development is strictly controlled to protect the countryside and the setting of towns and villages. Development is therefore restricted to particular types of development, including affordable housing through exception schemes or community-based development, dwellings for essential rural workers and the extension and replacement of dwellings in the countryside.
7. The appeal scheme is not for any of the types of development listed under the policy. I therefore conclude that the proposed development would conflict with the locational strategy outlined in Policy GROWTH 2 of the LP, as it would encompass housing outside a defined development envelope.

Dullingham House Park and Garden and Dullingham Conservation Area

8. Together with the shared unmade private drive from Elm Close, the site provides access to and opens out seamlessly into a large area of paddocks situated within the Dullingham House Park and Garden, which is designated as a Grade II registered park and garden. The site is also situated within the Dullingham Conservation Area (CA).
9. The Park and Gardens cover a significant area to the north and south of Station Road and extend as far north as the junction of Eagle Lane and the B1061. The listing suggests that renowned landscape architect Humphry Repton is credited with the design of the formal garden area within the Park and Gardens, much of which follows his Red Book of 1802. The main parts of the gardens are situated to the north and northeast of Dullingham House and are composed of three walled enclosures. The park has been separated from the House and Garden and was developed in the late 1980s as a race-horse stud. The park is divided into two by Station Road, with the southern park partly fenced into

horse paddocks but largely retained as gently rising pastureland, scattered with mature trees.

10. The northern park incorporates the stabling associated with the stud and is fenced into paddocks. The paddocks north of the appeal site constitute one significant portion of the park and are enclosed by perimeter plantations to the north, east and west. The listing suggests that these were put in place when the park was extended north of Station Road after 1810 and subsequently thickened by further planting in the late 20th Century. Whilst the paddocks are demarcated by post and rail fencing, they remain largely open.
11. Despite the recent building of The Old Arboretum, the grant of permission for a site of five dwellings situated at the frontage of Brinkley Road³ and the separation of the Park from Dullingham House and its formal gardens, the significance of the Park and Garden today is derived from its special historic interest, as an early 19th Century designed landscape. In particular, the formality of the House and its gardens and the mature landscaped enclosed paddocks within the park to the north, east and west and the open undulating landscape to the south, partly as envisaged by Humphry Repton.
12. In so far as is relevant to the appeal, the site creates a wedge-shaped gap between The Old Arboretum and the houses situated in Elm Close and is enclosed to its east and west boundaries by mature planting within the grounds of those houses. The site is to the periphery, but forms part of one of the large open areas of paddocks situated within the north Park, so contributes to the understanding and significance of the wider Park and Garden.
13. The CA extends east and south along Stetchworth Road and Brinkley Road and to a greater extent to the west in Station Road. It contains a number of notable listed buildings, including those situated to the west around Dullingham House. It also encompasses numerous areas of open and undeveloped land between houses and other buildings, principally those situated within the Park and Gardens, but also incorporates the historic centre of the village, where the village green, public house and guildhall were situated.
14. The significance of the CA is principally derived from the contribution made by the Park and Garden, which makes a considerable positive contribution to the character and appearance of the CA. Moreover, whilst the parkland to the north is for the most part screened by mature trees and lower level planting, it retains its openness and, in this sense, it is clearly distinct from built development. However, the variety of the architectural form of the buildings, together with the backdrop provided by their landscaped grounds and the prominence of front boundary wall enclosures, bring great variety to the street scene and the transition from built development to the open paddocks and fields beyond. These features also contribute to the character and appearance of the CA, and thereby its significance.
15. The appeal site is situated behind the housing within Station Road and between the residential curtilages of The Old Arboretum and the houses in Elm Close, both of which are enclosed by mature planting. Given the distance of the larger triangular shaped portion of site along the private drive from Elm Close, there is limited visibility of the site from the public and private domains. The site

³ Planning Reference: 18/01672/FUL, granted 14 November 2019.

currently therefore makes a limited contribution to the character and appearance of the CA.

16. The proposal is for a large two-storey house arranged on an L-shape plan, with a symmetrical façade, a forward-projecting garage wing to the east and an orangery to the west. It would be of a similar scale, architectural form and materials palette to the existing dwellings situated within Elm Close, which are predominantly large, detached houses. I also note that the proposed house would incorporate sustainable construction techniques and energy saving solutions.
17. From a spatial perspective, the site is situated within the designated heritage assets. However, the curtilages of The Old Arboretum and the properties in Elm Close separate the site visually and functionally from the expansive open area of paddocks within the north of the Park. While the proposal would project beyond the rear boundaries of the houses to the east, which also share a boundary with the paddocks, mature perimeter planting of the paddocks is arranged on a northwest-southeast axis immediately to the west of the site. The proposal would therefore be set against this backdrop of planting, which would be enhanced with native species to provide a private setting for the house. Although the northern boundary would be more open, it would have similarities with the more open boundary of 3 Elm Close. The proposed development would therefore preserve the openness of the north Park and share characteristics with the existing development east and west, which make a positive contribution to the transition from the residential area of the village to the open paddocks adjoining in the Park and Garden. Furthermore, given the limited visibility of the site, there would also not be harm to the character and appearance of the CA.
18. In granting permission for the site at Brinkley Road, I note that the Council failed to have regard to the location of the site within the parkland to the south of Station Road and the CA. However, the Council has since accepted that the approval of the application was an error. In any event, I have assessed the appeal scheme on its own individual merits and its discreet location it is not comparable with the site at Brinkley Road, which has a direct frontage within the more open south of the Park. The development of that site will therefore be more visually prominent than the appeal proposal within the wider Park and Garden and the CA.
19. I understand that Historic England⁴ provided a consultation response in respect of a number of proposed sites for stud worker's dwellings at Dullingham Park⁵ and the appeal site was identified as the most suitable location. At that time, the consultation response was clear in that this should be on the basis that the need for the dwellings and their benefit to the local economy would override the desirability of preserving the character of the historic park and its setting. I note that a significant amount of time has passed since that response and, in any event, I have had regard to the circumstances that currently prevail in respect of the appeal scheme. Furthermore, I note that the Council did not receive any comments from the Garden Trust or Historic England, but I have had regard to Historic England's 'The Setting of Heritage Assets'⁶, as far as it is relevant to the appeal scheme.

⁴ In the form of English Heritage, prior to its reorganisation.

⁵ Planning References: 01/00848/OUT and 01/00850/OUT.

⁶ Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017).

20. For the reasons given, I conclude that the proposed development would preserve the character and appearance of the CA and would not have a harmful effect on the openness of the Park and Garden. This would satisfy the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not conflict with Policies ENV 2, ENV 11 and ENV 15 of the LP which, amongst other things, seek to ensure that proposals that affect the significance of a Historic Park or Garden will not be permitted where they would have a detrimental impact on its character, amenity or setting; and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of conservation areas. The proposal would also not conflict with paragraphs 192 and 193 of the Framework, which state that the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation should be taken into account in determining applications; and when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Protected trees

21. The proposed development would utilise an existing driveway, which also serves The Old Arboretum. Therefore, in accordance with the highway safety requirements, it would need to be widened to five metres for the first ten metres, to enable vehicles to pass. The effected area would be positioned within the Root Protection Area (RPA) of two small-leaved limes, a silver birch and a hawthorn. The trees are protected by virtue of their location within the CA.
22. The lime and silver birch trees situated at the entrance of the driveway are highly visible from within Elm Close and, due to their attractive appearance and prominence, they make a significant contribution to the visual amenity of the area, which includes the CA and the Dullingham House Park and Gardens.
23. In light of the potential for damage resulting from the widening of the shared driveway, the proposal includes precautions to reduce the risk of loss or damage to roots associated with the driveway. In particular, specialist no-dig surfacing would be installed within the RPAs of the three trees. Although the application drawings do not include sections of the proposed surfacing, I note that the land within the entrance to the driveway is fairly flat and the proposal would consist of 100mm deep Cellweb TRP (or an equivalent system). This would be installed over the existing driveway surface and the transition down to the existing surfacing would avoid excavation within the RPA of the trees.
24. The hawthorn would be removed as part of the access works, but it is a poorer quality specimen in terms of its structure and is in poor health. A dead birch tree would also be removed, which is situated further along the driveway. Meanwhile, at the rear of the proposed garage, 2.4% of the RPA of a cherry would be affected by a proposed pathway, but I note that these trees are tolerant to rooting area disturbance or loss. As such, the harm to the overall health and condition of the tree would be limited.
25. Further precautions would be taken to reduce the risk of damage to roots from the proposed development through tree protection barriers erected during the course of construction and utilities and services added through existing

connections in the driveway. The proposal would also include planting of new trees as part of the landscaping scheme for the site.

26. Having regard to the evidence before me, the protection measures for the trees would appear to be practicable and well-related to the scale and nature of the proposed development. However, it would be reasonable to agree the final details of the proposed no-dig surfacing by a suitably worded planning condition, this should also encompass further detail of the other protective measures referred to above.
27. In light of the above, I conclude that the proposed development would not have a harmful effect on the protected trees, particularly in respect of their long term health and vitality and the visual amenity of the area, which includes the CA and Dullingham House Park and Gardens. Hence the proposal would accord with Policies ENV2, ENV11 and ENV15 of the LP which, amongst other things, seek to retain existing important landscape and other attractive features.

Other Matters

28. I understand that third parties may have previously used the access, which may not be owned by the appellant, and there may be restrictions in place in respect of the use of the land. However, planning permission would not override any legal rights of access or restrictions in place in respect of the use of the land. Furthermore, although the proposal would close access to the paddocks from Elm Close, it would still be available from the remainder of the stud from the north.
29. Given the layout of the proposal and the intervening distances achieved, there would not be harm caused to the living conditions of the occupants of neighbouring houses, particularly in terms of privacy and overshadowing. I note that the Council arrived at a similar conclusion. Furthermore, any effects from the construction period would be short-term and could be mitigated by careful management of working hours.
30. The site is at low risk of flooding (Zone 1) and the suitability of connections or other provision for surface and foul drainage disposal can be controlled by a suitably worded planning condition.
31. The Parish Council has referred to the location of the appeal site within the Dullingham House Park and Garden, which contributes to the setting of Dullingham House, a Grade II listed building. I have therefore had regard to the statutory duty referred to in section 66(1) of the Act. However, given the proximity and physical relationship of the proposal with this designated asset, its setting will be preserved and the proposal will not detract from it.

Planning Balance

32. The Framework states that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration.
33. In the first main issue I found that the proposal would conflict with the locational strategy outlined in Policy GROWTH 2 of the LP. A settlement envelope policy such as this, in isolation of other considerations, would not be wholly aligned with the more flexible and balanced approach implicit in the

objectives outlined in the Framework. Furthermore, the policy does not include all of the policy exceptions to isolated homes in the countryside referred to within the Framework, particularly in circumstances where the design is of exceptional quality or relates to the subdivision of an existing dwelling.

34. However, the policy text for Policy GROWTH 2 suggests the overall aim of the locational strategy is to focus development within or on the edge of towns and villages, and to minimise unnecessary development of open fields and countryside areas of the district, thereby helping to promote easier access to jobs and services. Moreover, the policy suggests that the exceptions to development outside defined envelopes may be permitted, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied. This approach is therefore consistent with the aim of the Framework to direct housing to locations where it is supported by local facilities and services through an established pattern of distribution; and contributing to and enhancing the natural and local environment by recognising the intrinsic character and beauty of the countryside. In light of this the underlying objectives of the policy are generally consistent with the revised Framework.
35. Nevertheless, as identified in the second main issue, the proposal would preserve the character and appearance of the Dullingham Conservation Area, which encompasses significant areas of land within the village and the countryside surrounding it. As such, the proposal would not conflict with the aim of the defined development envelope to strictly control development to protect the countryside and the setting of the village. I therefore afford the conflict of the proposal with Policy GROWTH 2 of the LP modest weight.
36. As identified in the other main issues, the proposed development would comply with development plan policies in respect of the Park and Garden, conservation area and protected trees. I have therefore afforded neutral weight to the compliance of the proposal with the relevant policies of the development plan, as referred to in the second and third main issues.
37. The proposal would therefore conflict with the development plan as a whole taking into account the policies that both oppose and support the proposed development.
38. A period of five years has passed since the adoption of the LP, which was examined when the 2012 version of the Framework was in place. In such circumstances, the revised Framework suggests that the housing requirement used in assessing a Council's five-year supply of deliverable housing land will be based on the standard method for determining local housing needs for the local planning authority area. Accordingly, the Council issued a new Five Year Housing Land Supply Report⁷ (FYHLSR), which has regard to the latest Housing Delivery Test results⁸, so includes a 20 percent buffer. The FYHLSR identifies that the Council can demonstrate 6.61 years supply of deliverable housing land within East Cambridgeshire.
39. In the Witchford appeals the Council argued that it could demonstrate 3.94 years supply of housing land but the Inspector ultimately relied on the Fordham appeal, where the position was only calculated to be 2.1 years.

⁷ East Cambridgeshire District Council Five Year Housing Land Supply Report 1 April 2019 to 31 March 2024.

⁸ Published in February 2020.

However, the Fordham appeal decision has since been quashed, specifically in relation to how the Inspector calculated the housing land supply. I am not therefore able to give any weight to the quashed decision or the Witchford appeals in respect of this matter.

40. I note that paragraph 74 of the Framework states that a five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State. There is no evidence before me to suggest that the supply of housing stated in the FYHLSR has been calculated using this method. However, other than pointing to the fragility of the situation presented by the Fordham and Witchford appeals, I have not been provided with any evidence by the appellants setting out an alternative calculation for the five-year housing land supply in the district.
41. I am also mindful that the presence of a five-year supply does not represent a ceiling on the delivery of housing, as the Framework supports the Government's objective to significantly boost the supply of homes. On this basis, I did not reengage with the main parties following receipt of their comments. Clearly, should I determine that the Council cannot demonstrate a 5-year housing land supply, paragraph 11 of the Framework would be engaged.
42. I note the contribution that would be made to the supply of housing by the appeal proposal, particularly as it could be carried out relatively quickly. Moreover, the appeal scheme would deliver one additional dwelling, which would be designed for modern living and contribute to the overall housing mix in the District. The contribution to the supply of housing would therefore be minor in its extent, so this benefit would only be afforded limited weight.
43. Future residents would not be restricted to travelling by private motorised transport to access the services and facilities available in Dullingham, which would be conveniently accessed by walking from the site. There are also bus stops nearby that offer services to Cambridge, Newmarket and Stetchworth and the Railway Station, accessed by a footpath to the northwest of the village, offers services along the Ipswich to Ely line. However, given the scale of the proposed development, these benefits would be afforded limited weight.
44. Some economic benefits would arise from, for example, employment and procurement of materials during the construction period and future occupiers would also contribute to the local economy through labour supply and expenditure, each of which would amount to benefits of moderate weight.
45. I also recognise that the proposal could be said to make more efficient use of the site, as the land is surplus to requirements. However, the Framework is clear that making efficient use of land should include taking into account the desirability of maintaining an area's prevailing character. In this instance, the proposed development would preserve the character and appearance of the CA and the openness of the Park and Garden. I also appreciate that the proposal would provide new planting of trees within the site, but this would not be unique to the development proposed and could be carried out without it. Thus, these would equate to neutral benefits, so would neither weigh in favour or against the appeal.

46. Even if I were to conclude there is a shortfall in the five-year housing land supply on the scale suggested in the Fordham and Witchford appeals, I have found that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Material considerations therefore indicate that the proposal should be determined other than in accordance with the development plan.

Conditions

47. In addition to the standard time limit for the appeal, in the interests of clarity I have specified the approved plans. Furthermore, in the interests of preserving the special historic interest of the Dullingham House Park and Gardens, a condition is necessary for the external materials of construction.
48. I have amended the planning condition proposed by the Council in respect of an Arboricultural Method Statement to omit references to the justification for tree removal or other works to trees, as this is referred to in the appellant's Arboricultural Impact Assessment. Details of the protection of trees and the design solutions for works in the root protection areas of trees are therefore required, prior to the commencement of development.
49. Conditions would be necessary to control the hours of construction work, in the interests of the living conditions of neighbouring occupiers, and to provide ecological enhancement of the site, as referred to in the appellant's Heritage Design & Access Statement.
50. I have also merged the proposed conditions for hard and soft landscaping and boundary treatments, for simplicity, and omitted references to the materials for the proposed access and other retained trees, as these are either dealt with in the abovementioned condition or relate to trees situated on neighbouring land. Further details of surface and foul drainage, and the ecological enhancements referred to in the appellants' Heritage Design & Access Statement, are required to reduce the risk of flooding and protect water quality, and to preserve the special historic interest of the Dullingham House Park and Garden and the ecological value of the site and its surroundings. The access, parking and turning areas should also be provided, as shown on the application drawings, for highway safety purposes. All these conditions would require approval prior to the occupation of the dwelling.
51. Due to the limited visibility of the site from within the CA, a condition entirely removing permitted development rights for extensions and outbuildings etc. would not be reasonable or necessary, but those situated to the rear of the proposed house should be considered by future application through the Council. This would be relevant to planning and to the development permitted, given that such changes would be sensitive in the context of their relationship with the open paddocks within the Dullingham House Park and Garden at the rear.
52. I have not included the planning conditions recommended by the Council with respect to unexpected contamination and the restriction to the installation of gates or other enclosures across the vehicular access, as they would be unnecessary. Moreover, neither the application nor appeal have been supported by any evidence that there would be a risk to future occupiers of the site from land contamination. Similarly, Elm Close only serves a small number of houses and the speed that vehicles would be likely to be travelling would be

low, so vehicles waiting to enter the driveway would neither be an inconvenience or safety hazard to the drivers of other vehicles.

Conclusion

53. The proposed development would be contrary to the development plan but there are other considerations which outweigh this finding. Accordingly, for the reasons given above, I conclude that the appeal should be allowed.

Paul Thompson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:2500), 25106ea-02, (PL)01, (PL)02 Rev P1, (PL)03 Rev P1 and (PL)10 Rev P1.
- 3) No development shall take place until a detailed Arboricultural Method Statement (AMS), compliant with BS 5837:2012 Trees, in relation to the design and construction of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include details of the method and location of tree protection measures, the phasing of protection methods where construction activities are essential within root protection areas and the design solutions for the proposed access works and any other works proposed within the root protection areas of any trees within or adjoining the site (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, storage etc.). All works shall be carried out in accordance with the agreed AMS.
- 4) No above ground construction shall take place on site until details of the external materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 5) Further to the requirements of condition No 3, the dwelling hereby permitted shall not be occupied until, the access, parking and turning areas shown on drawing number (PL)02 Rev P1 have been fully laid out and made available for use. The access shall be constructed so that it drains within the site and not onto the public highway. Thereafter the access, parking and turning areas shall be retained in that condition.
- 6) The dwelling hereby permitted shall not be occupied until surface and foul water drainage works have been implemented in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 7) The dwelling hereby permitted shall not be occupied until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and shall be based on the details

shown on drawing number (PL)02 Rev P1 and Section 5.3 of the Heritage Design & Access Statement (dated October 2019). These details shall include:

- a full schedule of all trees and planting (including number, species and size upon planting);
- boundary treatment;
- hard surfacing materials;
- an implementation programme; and
- a scheme of management and/or maintenance.

The hard and soft landscape works shall be carried out in accordance with the approved details and 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.

- 8) The dwelling hereby permitted shall not be occupied until a scheme of biodiversity improvements, has been submitted to and approved in writing with the Local Planning Authority. The biodiversity improvements shall include those details referred to in Section 5.3 of the Heritage Design & Access Statement (dated October 2019) and shall be implemented prior to the first occupation of the dwelling hereby approved and thereafter maintained in perpetuity.
- 9) Construction work and deliveries in connection with the development hereby permitted, with the exception of internal fit-out, shall be limited to the following hours: 07:30-18:00 each day Monday to Friday, 07:30-13:00 on Saturdays and at no time on Sundays, Public or Bank Holidays.
- 10) Notwithstanding the provisions of Schedule 2, Part 2, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions beyond the rear wall of the dwelling hereby permitted or buildings etc. on the land to the rear wall of the dwelling, as shown on drawing number (PL)02 Rev P1.

END OF SCHEDULE