
Appeal Decision

Site visit made on 15 September 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/Z2260/W/20/3244440

Land formerly used as Club Union Convalescent Home & Land East of Convent Road, Reading Street, Broadstairs CT10 3AZ

- 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 A Horn against the decision of Thanet District Council.
 - The application Ref F/TH/19/0813, dated 22 May 2019, was refused by notice dated 22 November 2019.
 - The development proposed is erection of 24no. dwellings with associated vehicular access from Reading Street and Convent Road, pedestrian access from Astor Road, parking and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of 24no. dwellings with associated vehicular access from Reading Street and Convent Road, pedestrian access from Astor Road, parking and landscaping at Land formerly used as Club Union Convalescent Home & Land East of Convent Road, Reading Street, Broadstairs CT10 3AZ in accordance with the terms of the application, Ref F/TH/19/0813, dated 22 May 2019, subject to the conditions set out in the attached Schedule.

Application for costs

2. An application for costs was made by Mr A Horn against Thanet District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Council adopted the Thanet District Council Local Plan (the LP) on 9 July 2020 and I give full weight to the relevant policies. This replaces the Thanet District Local Plan Adopted June 2006, which has been superseded and has therefore had no bearing on my decision.
4. A Unilateral Undertaking (UU) has been submitted by the appellant which would make financial contributions towards social infrastructure; the Thanet Coast and Sandwich Bay Special Protection Area Strategic Access Management and Monitoring Plan; and secure the provision of the affordable housing on site. The Council has confirmed that this would be acceptable. I have taken the provisions of the UU into account in this decision.

Main Issues

5. The main issues are the effect of the proposed development on:

- the character and appearance of the area, including the setting of the Reading Street Conservation Area (the CA), and the setting of the nearby Grade II Listed Buildings at Nos 43 – 49 Reading Street; and,
- the Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site, and the Sandwich Bay and Hacklinge Marches Site of Special Scientific Interest.

Reasons

6. The appeal site consists of an area of land which is allocated for housing in Policy HO1 of the LP with an estimated capacity of 24no dwellings. It includes the plots of 16, 28 and 30 Convent Road and was previously occupied by Club Union Convalescent Home prior to its demolition. The eastern, southern and western boundaries of the site adjoin residential properties in Convent Road, Reading Street and Astor Road; and North Foreland Golf Course is to the north. The site is served by 2 existing accesses from Convent Road and Reading Street respectively, which would be modified as part of the proposal. There are a number of mature trees within the site that are protected by a Tree Preservation Order¹.
7. The northern edge of the Reading Street Conservation Area (the CA) runs along the southern boundary of the appeal site, however the site is not within the CA itself. The main features of the CA include the narrow main street and small side roads that contain a number of brick and flint faced listed buildings and boundary walls. The buildings are generally 2 storeys in height, and common features include pitched tiled roofs; brick and flint external walls; quoins; timber detailing; decorative chimneys; and landscaped gardens. Some buildings have 'Dutch hip' style roofs.
8. The proposal follows 2 recent planning applications for residential development at the site, which were both dismissed at appeal². The Inspector for the most recent appeal decision of 11 April 2019 (ref: 3218754) noted that a variety of building types have been used across the entire site, which takes inspiration from the local vernacular on Reading Street. In particular, the Inspector stated that the proposed use of more traditional characteristics and materials such as Dutch gables, flat roof dormers, brick and flint elevations, quoin details, chimneys, porch canopies and projecting bay windows would help ensure that the development successfully integrates with the surrounding area. The Inspector found that the proposal would overcome a number of concerns raised by the Inspector in the earlier appeal decision of 22 August 2017 (ref: 3173824) in terms of the density, landscaping, and car parking / garages.
9. The layout, scale and architectural approach of the current proposal is broadly similar to the 2019 appeal scheme. I note the Council's concerns with regard to the use of flint blocks on the external walls, however I find that this would be sympathetic to the materials used in the surrounding area. A condition to require details and samples of external materials to be submitted to and approved by the Council could be imposed to ensure that an appropriate specification of flint blocks would be used. Furthermore, I do not share the Council's concerns about Plot 10 with respect to the scale of the dwelling, the proposed external materials or the porthole window. The scale, bulk and

¹ TPO 10 (2000)

² Appeal references: 3173824 and 3218754

external materials of the dwelling would provide an acceptable appearance, and it would provide an appropriate transition to the lower single storey dwelling at Plot 9. Furthermore, the porthole window is a very minor feature in context of the overall scheme and, in any case, there is a similar nearby example at Old Convent Farmhouse. As such, the proposal would provide an acceptable standard of design and it would integrate satisfactorily with the surrounding area.

10. The previous Inspectors commented that whilst there may be some views of the development from public vantage points within the CA, particularly at the access points into the site and between the gaps in the properties on Reading Street, the setting of the CA would not be seriously harmed. I agree with these findings, particularly as the current appeal scheme includes comparatively more openness adjacent to the access from Reading Street.
11. In comparison to the 2019 appeal scheme, the proposal has been amended in an attempt to overcome the concerns raised by the Inspector in relation to the effect of the proposal on the setting of the attractive row of Grade II listed 17th Century terraced cottages at Nos 43-49 Reading Street (Convent Cottages), which are positioned adjacent to the southern boundary of the appeal site.
12. The heritage significance of these buildings primarily relates to their architectural interest, built of squared flints, tiled roofs with Flemish curved gable end and three tall brick-built chimney stacks. The cottages have a symmetrical façade with 2 paired doorcases and tile clad sloping weather hoods. Each property has 3 light-casement windows at ground floor level and the first floor has a dormer window cutting through the eaves line. The symmetry and unified features mean that it is appreciated as a single building set back from the road, with a communal open area to the front and side of the building. The listing description states that the row of cottages contributes greatly to the character of the village.
13. The previous Inspectors noted that these listed buildings have very small private rear gardens and the appeal site is on higher ground. The open landscape area to the rear of Convent Cottages forms an important part of their setting.
14. The Inspector for the 2019 appeal scheme noted that whilst the new dwellings would be further away from the listed buildings than the 2017 proposal, there would be an additional detached dwelling on the part of the site closest to Convent Cottages, resulting in a greater number of detached dwellings positioned closer together. The Inspector stated that the position of the new dwellings on plots 9, 10, 11 and 14 would stand very prominently within the otherwise open setting of the listed buildings, and the bulk and height of the proposed dwellings would be over scaled in comparison to the smaller Convent Cottages. The Inspector found that whilst the distance from Convent Cottages would be greater than the 2017 appeal scheme, the new development would still dominate and overcrowd them.
15. The current proposal has sought to address these concerns by removing the detached dwelling and garage shown as Plot 9 on the previous scheme; moving the dwellings on Plot 10 (now Plot 9) and Plot 11 (now Plot 10) further to the north; and moving the dwelling on plot 14 (now plot 13) further to the west. The scale of the dwellings on Plots 9 and 13 have also been significantly reduced to provide modest single storey buildings. These alterations would

provide a large open area adjacent to the southern boundary, which, along with the reduction in scale of the nearest proposed dwellings on Plots 9 and 13, would considerably reduce the prominence of the proposal in relation to the listed buildings and provide sufficient 'breathing space'. I appreciate the Council's concerns with respect to the 2 storey height of Plot 10, however this unit would maintain a considerable separation to Convent Cottages and so it would not appear unduly prominent. For these reasons, I find that the proposed development would preserve the open setting of the Grade II listed buildings at Convent Cottages.

16. I therefore conclude that the proposed development would maintain the character and appearance of the area and preserve the setting of the CA and the nearby listed buildings. The proposal would therefore accord with Policies QD2, HE03, SP26, SP35 and SP36 of the LP, which, amongst other things, require new development to be of a high quality and inclusive design; conserve and enhance Thanet's landscape character and local distinctiveness; and protect the historic environment. It would also comply with the emerging Broadstairs & St. Peter's Neighbourhood Development Plan 2018-2031, which, along with other things, seeks to ensure that all new housing developments strongly reflect the characteristics of the area in which they are located. The proposal would meet the objectives of the National Planning Policy Framework (the Framework) for the creation of high quality buildings and places, and to conserve and enhance the historic environment.

Thanet Coast and Sandwich Bay Special Protection Area

17. The appeal site lies within the Zone of Influence of the Thanet Coast and Sandwich Bay Special Protection Area (SPA) and Ramsar site, and the Sandwich Bay and Hacklinge Marshes Site of Special Scientific Interest (SSSI). The SPA is a European Designated Site of nature conservation importance. It is used by large numbers of migratory birds and supports populations of over-wintering birds of European importance, particularly Turnstones and European Golden Plover.
18. The proposed development would not be directly connected with or necessary for the management of the SPA. In combination with other plans and projects across the area, the proposal could have a significant effect on the SPA as a result of the cumulative increase in population nearby. In these circumstances, the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) require that an Appropriate Assessment is carried out.
19. With regard to the above, the SPA supports populations of internationally important bird species, which are susceptible to disturbance. The proposed dwellings would contribute to an increased population in combination with other plans, projects and developments in the area. Given the proximity of the development to the SPA, it is likely that this increase in population will lead to an increase in visitor and recreational pressure within the SPA. Taking into account the susceptibility and vulnerability of the important conservation features of the SPA to such use, it cannot be concluded that the development, in combination with other projects, would not adversely affect the integrity of the SPA.
20. The Council has produced the Strategic Access Management and Monitoring Plan (SAMM) (2016), which provides measures to avoid or mitigate the adverse effects of increased recreational pressures on the SPA from new residential

development. This includes a tariff scheme in relation to the size and form of proposed residential development.

21. Further to Regulation 63(3) of the Habitats Regulations, I have consulted Natural England as part of this assessment and had regard to their views in relation to the matter. Natural England is satisfied that a contribution towards the mitigation measures set out in the SAMM is sufficient to avoid an adverse impact on the integrity of the SPA.
22. The appellant has completed a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to provide a contribution of £11,546 in accordance with the SAMM. The contribution would be necessary to make the development acceptable in planning terms; directly relate to the development; and is fairly and reasonably related in scale and kind to the development. Furthermore, with the planning obligation in place, I consider that the effects of this proposal on the SPA would be sufficiently mitigated so that no harm to its integrity would result.
23. I conclude that the proposed development would not have a harmful effect on the Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site, and the Sandwich Bay and Hacklinge Marches Site of Special Scientific Interest SSSI. It would therefore accord with Policies SP28 and SP29 of the LP, which requires the protection of international and European designated sites, and proposals for new residential development to comply with the SAMM in order to mitigate against the in-combination effects of new residential development through the pathway of recreational pressure on the Thanet Coast SPA and Ramsar site.

Other Matters

24. I have had regard to the representations from local residents, The Broadstairs Society, and Broadstairs and St. Peters Town Council, which, in addition to the above main issues, raise various concerns.
25. The vehicular access onto Reading Street would be relocated and widened, which would result in the loss of the adjacent grassed space that includes 2 benches; planting boxes; a post box and a dog waste bin. This matter was considered extensively in the officer's report where it was noted that the area was not designated as a Local Green Space in the LP as it did not meet the criteria set out in the Framework. Furthermore, I note that the examiner's report³ of the Broadstairs & St. Peter's Neighbourhood Plan concludes that modifications are needed to meet the Basic Conditions as required by statute, which includes the omission of the originally proposed Local Green Space at Reading Street. The proposed vehicular access onto Reading Street is required to service the site, which is allocated for housing in the LP, and it is designed to provide sufficient visibility splays, passing space and pedestrian footpath. For these reasons, the proposed vehicular access and the loss of the open grassed area is acceptable.
26. Furthermore, the appellant proposes to re-locate the street furniture referred to above onto the open space within the appeal site, which could be secured by planning condition. In respect of the ownership of the existing grassed space, the officer's report notes that the appellant has served notice in the local

³ Dated 8 July 2020

newspaper and the relevant ownership certificate has been completed. The appellant has therefore fulfilled their obligations in respect of planning requirements. The granting of planning permission would not override any property rights that may exist.

27. The Inspector for the 2017 appeal scheme acknowledged that many local people expressed concern about the additional traffic movements that would be generated by the proposed development and its effect on Reading Street. The road is only 3.6 metres wide in places and parked vehicles further restrict its width, making traffic manoeuvres more difficult. The Inspector noted that there was evidence that boundary walls have been damaged by vehicles and walking along the street is not a particularly attractive or comfortable experience.
28. However, the Inspector stated that the proposed accesses onto Reading Street and Convent Road would meet the highway authority's visibility standards and the amount of additional traffic generated by the development would be modest. The current proposal comprises 6 fewer dwellings than the 2017 appeal scheme and so it would generate a modest amount of traffic. Given that the proposed vehicular accesses would provide sufficient visibility, it would not have an unacceptable impact on the local highway network. Moreover, the Council is satisfied that the provision for parking is sufficient for the number of dwellings proposed and thereby would not result in additional parking on Reading Street or Convent Road. I see no reason to take a different view.
29. The officer's report provides a detailed consideration of the effect of the proposed development on the living conditions of the occupiers of neighbouring properties, and the Council raises no objection in this respect. I appreciate that the land level of the appeal site is higher than Convent Cottages. Nevertheless, given the separation distances and relationship of the proposed dwellings to neighbouring properties, the proposal would not cause a significant loss of light, outlook or privacy. Furthermore, the proposal would be compatible with the residential nature of the area and so it would not cause a significant increase in noise and disturbance. The Council's suggested planning condition for the erection of an acoustic fence along the boundary with No 34 Convent Road would mitigate noise from additional vehicular movements on the access road.
30. Some concerns have been expressed by interested parties about the proposed pedestrian footpath linking to Astor Road, however this ensures that the development would be well integrated and connected with the surrounding area and it is therefore acceptable. There is no substantive evidence before me that the proposal would cause an increase in crime. The public areas would be well overlooked by the proposed dwellings which would ensure that there would be sufficient natural surveillance. Comments from Kent Police in relation to defensible space and boundary treatments could be addressed through the submission of a landscaping scheme, which could be secured by a planning condition.
31. The proposal includes the removal of trees protected by a Tree Preservation Order. However, the officer's report concludes that this would be acceptable subject to conditions for replacement planting and protection measures for the retained trees. I agree.

Conditions and Planning Obligations

32. The Council has suggested 36 conditions which I have considered against the Framework and the advice in Planning Practice Guidance and amended where necessary. I am satisfied that all the conditions set out in the attached Schedule are necessary, relevant and reasonable to make the approved development acceptable. I have received confirmation from the appellant that they are agreeable to the pre-commencement conditions.
33. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
34. Conditions 3, 4 and 5 are necessary to ensure that the development would provide a high quality appearance and maintain the character and appearance of the area. Condition 3 is a pre-commencement condition in the interests of proper planning and to avoid any potentially abortive works.
35. Conditions 6, 7, and 8 are necessary to ensure that the proposal would not contribute to, or be adversely affected by, water pollution caused by ground contamination.
36. Conditions 9, 10 and 11 are necessary to ensure that the proposal would be served by satisfactory arrangements for the disposal of surface water so that it would not increase the risk of on/off site flooding. Conditions 9 and 10 are pre-commencement conditions in the interests of proper planning and to avoid any potentially abortive works.
37. Condition 12 is necessary to ensure that any features of archaeological interest are properly examined and preserved. This is a pre-commencement condition because the carrying out of works without the prior implementation of an archaeological field evaluation and any necessary safeguarding measures could harm heritage assets.
38. Condition 13 is necessary to protect the stability of adjoining land or buildings. This is a pre-commencement condition to ensure that all works would meet this requirement.
39. Conditions 14, 15 and 16 are necessary in the interests of biodiversity and the protection of wildlife, including protected species. Condition 15 is a pre-commencement condition because the carrying out of works without a prior agreed method statement could cause harm to species.
40. Condition 17 is necessary to reduce the use of fossil fuels and carbon emissions. This is a pre-commencement condition in the interests of proper planning and to avoid any potentially abortive works.
41. Condition 18 is necessary in the interests of highway safety and to protect the living conditions of the occupiers of neighbouring properties during the period of construction works. This is a pre-commencement condition because the carrying out of construction works without a prior agreed Construction Management Plan could cause short-term harm to highway safety and the living conditions of neighbouring properties.

42. Conditions 19 – 25 are necessary in the interests of highway and pedestrian safety. Condition 25 is a pre-commencement condition because it relates to land outside the appellant's control.
43. Conditions 26 – 29 are necessary to protect the visual amenities of the area and to integrate the development with the environment.
44. Conditions 30, 31 and 32 are necessary to protect the living conditions of the occupiers of neighbouring properties and the future occupiers of the proposed development.
45. Condition 33 is necessary in order to meet the needs of older people and those with disabilities.
46. Condition 34 is necessary to secure the provision of doorstep playspace.
47. The Council suggested a condition to remove permitted development rights under Schedule 2 Part 1 Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the dwellings on plots 15, 16 and 17. Paragraph 53 of the National Planning Policy Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so.
48. Given the proximity of the rear elevations of Nos 27 and 29 Reading Street to the southern boundary, there is justification for the removal of permitted development rights for the installation of additional upper floor rear windows, and the erection of rear dormer windows and 2 storey rear extensions on the dwellings on plots 15, 16 and 17. This is to enable the Council to consider the effect of such proposals on the privacy of the occupiers of the neighbouring properties. There is not clear justification for the removal of other permitted development rights.
49. The Council suggested a condition requiring details of an affordable housing scheme to include details of the tenure of the affordable housing. However, the Unilateral Undertaking contains a legally binding obligation for an affordable housing scheme. Therefore, a condition effectively requiring the same is not necessary.
50. The proposal is also subject to the signed Unilateral Undertaking (UU) dated 9 April 2020 for 30% affordable housing, including a requirement for the submission and approval of an affordable housing scheme; and financial contributions towards: the Phase 2 build costs of the new St. Georges Primary School; secondary school provision at Ursuline College; additional book stock at Broadstairs Library; additional equipment and resources for the Broadstairs Education Centre; additional equipment and resources for the youth service; extra social care accommodation; play equipment at St. Peters Recreation Ground; the mitigation measures set out in the Thanet Coast and Sandwich Bay SAMM; and, the reconfiguration of space within Northdown Surgery.
51. The obligations accord with the development plan and are required to mitigate the impact of the proposed development. As such they are necessary to make the development acceptable in planning terms. They are also directly related to the development and fairly and reasonably related in scale and kind to it. Accordingly, the UU meets the tests set out in paragraph 56 of the Framework and in Regulation 122 of the CIL Regulations 2010 (as amended).

Conclusion

52. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be allowed and planning permission be granted subject to the conditions contained in the attached Schedule.

C Osgathorp

INSPECTOR

Schedule of conditions

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-

101 P7; 102 P4; 103 P5; 104 P4; 105 P4; 106 P4; 107 P2; 108 P3; 120 P3; 121 P4; 122 P3; 123 P2; 124 P1; 125 P3; 126 P2; 127 P2; 128 P3 (plot 14 only); 129 P2; 130 P2; 131 P1; 132 P1; 133 P1; 134 P1; 14-019-010 Rev F; and 14-019-014 Rev H.
3. Prior to the commencement of the development hereby approved details and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved samples.
4. All new window and door openings shall be set in a reveal not less than 100mm.
5. The rooflights hereby approved shall be 'conservation style' rooflights, set flush with the roof plane.
6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
7. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
8. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
9. No development shall take place until details of the means of foul and surface water disposal, including details of the implementation, management and maintenance of any proposed Sustainable Urban Drainage Systems, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with such details as are agreed and thereafter maintained.
10. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment undertaken by Herrington Consulting Ltd, Dated June 2109, and shall demonstrate that the surface water generated by this development (for all rainfall durations

and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

11. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.
12. No development shall take place until (i) the implementation of archaeological field evaluation works in accordance with a specification and written timetable which has first been submitted to and approved in writing by the Local Planning Authority; and, (ii) following on from the evaluation, the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.
13. No development shall take place until suitably qualified and experienced person has carried out a full investigation and assessment to determine the stability of the land and determine whether the development of the site can be carried out without causing instability of adjoining land or structures, and a written report of the findings/assessment including any recommendations has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in full accordance with any such recommendations set out within the aforementioned report, that have been approved in writing by the Local Planning Authority.
14. If the demolition of Building 1 (as labelled in Updating Bat Emergence and Dawn Re-entry Surveys prepared by LaDellWood and dated August 2019) hereby approved does not commence within 2 years from the date of the

reported bat surveys (August 2019), further bat surveys shall be commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of bats and their roosts, and
- ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new ecological measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the demolition of Building 1. Works shall then be carried out in accordance with the amended and approved ecological measures and timetable.

15. No development shall take place (including any ground works, site or vegetation clearance), until a method statement for the protection of reptiles during construction works, including vegetation clearance and removal of refuse piles, has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Working method, including timings, necessary to achieve stated objectives;
- c) Extent and location of proposed works shown on appropriate scale plans;
- d) Persons responsible for implementing works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works.

The works shall be carried out in accordance with the approved details.

16. Prior to the first occupation of the development hereby permitted, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The lighting strategy shall:

- a) Identify those areas/features on site that are particularly sensitive;
- b) Show how and where external lighting will be installed in accordance with 'Guidance Note 8 Bats and Artificial Lighting' (Bat Conservation Trust and Institute of Lighting Professionals).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

17. Prior to the commencement of development hereby permitted, a plan showing the location of Electric Vehicle Charging points at a ratio of 1 charging point per dwelling with dedicated parking, and 1 charging point per 10 spaces for unallocated parking, shall be submitted to and approved

in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

18. Prior to the commencement of development hereby permitted, a Construction Management Plan to include the following:

- i) Routing of HGV's to and from site
- ii) Access points for construction-related vehicles
- iii) Parking and turning facilities for HGV's and site personnel vehicles
- iv) Wheel washing facilities
- v) Temporary traffic management
- vi) Hours of construction working
- vii) Dust control measures
- viii) Measures to control noise affecting nearby residents
- ix) Pollution incident control and site contact details in case of complaints
- x) Wheel cleaning/chassis cleaning facilities

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

19. Prior to the first occupation of any dwelling within the development hereby approved, the provision and maintenance of the visibility splays shown on drawings numbers 14-019-014 Rev H and 14-019-010 Rev F, with no obstructions over 1 metre above carriageway level within the driver splays and 0.6 metres above footway level within the pedestrian splays, shall be provided and thereafter maintained.
20. Prior to the first occupation of any dwelling within the development hereby approved to which they relate, the provision and permanent retention of the vehicle parking spaces and turning facilities shall be provided as shown on the submitted plans.
21. Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the vehicular access from Reading Street and associated highway alterations, including closure of the existing access and provision of parking restrictions, as shown on drawing number 14-019-014 Rev H (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.
22. Prior to first occupation of any dwelling served by the vehicular access from Reading Street, the pedestrian dropped kerbs and tactile paving in Reading Street as shown on drawing number 14-019-014 Rev H (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.
23. Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the Convent Road access and associated highway alterations

as shown on drawing number 14-019-010 Rev F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.

24. Prior to first occupation of any dwelling served by the vehicular access from Convent Road, the pedestrian dropped kerbs and tactile paving in Convent Road as shown on drawing number 14-019-010 Rev F (unless otherwise agreed with the Local Planning Authority and Highways Authority) shall be completed and operational.
25. No development shall take place until details of improvements to the Reading Street/Elmwood Avenue junction to improve street geometry and visibility have been submitted to and approved in writing by the Local Planning Authority. This shall form part of a S.278 highway agreement between the applicant/developer and the highway authority. The agreed works shall be completed and operational prior to the first occupation of any dwelling in the approved development served by the vehicular access from Reading Street.
26. Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works, to include:
 - species, size and location of new trees, shrubs, hedges and grassed areas to be planted, which shall include at least 25no. replacement trees,
 - the treatment proposed for all hard surfaced areas beyond the limits of the highway, which shall be permeable, and include a bound surface for the first 5 metres of each access from the edge of the highway,
 - details of the proposed open space as identified on plan numbered 134 P1, which shall include the re-located bench, dog waste bin, post box, and other associated paraphernalia as currently provided,
 - walls, fences, other means of enclosure proposed,
 - ecological enhancements as recommended within sections 4.3, 4.9, and 4.10 of the Updating Ecological Appraisal (Issue 1 by Labell Wood) dated June 2019,
 - details of the boundary treatment to be provided along the southern boundary of the site, adjacent to the Grade II Listed buildingsshall be submitted to, and approved in writing by, the Local Planning Authority.
27. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. 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 a similar size and species, unless the Local Planning Authority gives any written consent to any variation.
28. A landscape management plan (including long term design objectives), management responsibilities and maintenance schedules for all landscape

areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its approved use. The landscape management plan shall be carried out as approved.

29. Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

- Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area. Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point. There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

30. Prior to the first occupation of the development hereby permitted, details of an acoustic fence, including height, design and location, to be erected along the side boundary of No. 34 Convent Road, shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fence shall be erected prior to the first occupation of the development accessed from Convent Road, and shall thereafter be maintained.

31. Prior to the first occupation of units 3, 4, 5, 6, 7, 11 and 12, an obscure glazed privacy screen (level 4) of no less than 1.8m in height shall be erected along both sides of the first floor rear balcony. The privacy screens shall thereafter be maintained.

32. Prior to the first occupation of unit 15, the first floor rear windows serving an ensuite bathroom and bedroom 1 as shown on plan numbered 133 P1 shall be fitted with obscure glazing to Pilkington Level 4 or equivalent and thereafter be maintained.

33. The development as approved shall provide at least 10% of all units to be built in compliance with building regulation part M4(2); and 5% of the affordable units to be built as wheelchair accessible homes (compliance with building regulations part M4(3)), with details of the location of the units to be submitted to and approved in writing by the Local Planning Authority.

34. Prior to the first occupation of the self-contained flats, the doorstep playspace associated with each flat shall be provided. The doorstep

playspace to be provided for plot 21 at ground floor level shall be immediately to the rear of the property, and not as annotated on the approved site plan.

35. Notwithstanding the provisions 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), no additional upper floor windows, other than those expressly authorised by this permission, shall be inserted in the south-western facing rear elevation of the dwellings on Plots 15, 16 and 17.
36. Notwithstanding the provisions 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), no rear dormer window or 2 storey rear extension shall be erected on the south-western facing rear elevation of the dwellings on Plots 15, 16 and 17.