

Appeal Decision

Hearing held on 26 February 2020, 24 & 25 February 2021

Site visit made on 25 February 2021

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2021

Appeal Ref: APP/A5270/W/19/3229923

Dokal Industrial Estate, Hartington Road, Southall UB2 5AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr G Dokal, Dokal Industrial Estate, against the Council of the London Borough of Ealing.
 - The application Ref 178794FUL, is dated 12 December 2017.
 - The development proposed is the demolition of existing structures on the site and construction of a sustainable residential development comprising a total of 36no. two, three and four person flats together with associated parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing structures on the site and construction of a sustainable residential development comprising a total of 36no. two, three and four person flats together with associated parking and landscaping at Dokal Industrial Estate, Hartington Road, Southall UB2 5AD, in accordance with the terms of the application, Ref 178794FUL, dated 12 December 2017 and the plans submitted with it, subject to the conditions at the end of this decision.

Preliminary Matters

2. During the appeal, the Mayor of London published the London Plan 2021 (LP). I attach full weight to its policies. Both parties were given the opportunity to comment on any implications for the appeal.
3. Each party made an application for costs against the other. These applications are the subject of separate decisions.

Background and Main Issues

4. The Council would not contest the loss of industrial units in a scheme which would provide affordable housing, and it raised no objection to the proposed development, save for the amount of affordable housing it included. Aside from the matter of affordable housing, I have no reason to disagree with its conclusions.
 5. When the appeal against non-determination was made, the appellant proposed no affordable housing, whereas the Council calculated that the development should contribute 10 of the flats, or 28% of them, as affordable housing. During the first adjournment, the parties agreed the gross development values of the development. At the start of the resumed Hearing, the appellant submitted
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viability assessments to support his position that in order to make the scheme viable, the maximum affordable housing the development could provide on-site was 6 flats, or 16.6%, whereas the Council considered that the proposal could provide 17 of the flats, or 47% of them, as affordable housing.

6. During the resumed Hearing, the methodology to calculate the existing use value was agreed. The Hearing continued under written representations to conclude agreements on the tenure splits, form of planning obligations, and conditions, and closed in writing. The main issue, therefore, is whether the proposal would make appropriate provision for affordable housing.

Reasons

7. LP policy H5 requires the residential redevelopment of industrial sites to provide 50% affordable housing, subject to its viability. In its spatial vision for the borough, policy 1.2(a) of Ealing's Development Strategy 2026 DPD 2012 indicates that half of the housing to be developed to 2026 will be affordable. Policy 3A of its Development Management DPD 2013 (DM) says that in developments of 10 or more units, 50% affordable housing will be sought. It allows the negotiation of this provision by viability assessment based on a residual approach with a benchmark land value.
8. The background text to LP policy H4 describes how cash in-lieu contributions should only be used where there is detailed evidence to demonstrate that on-site affordable housing delivery is not practical, off-site options have been explored, and where a cash in-lieu contribution will not harm the delivery of mixed and inclusive communities. Both parties agree that there is no practical reason why on-site affordable housing could not be provided.
9. Both parties have submitted development appraisals and supporting evidence to support their opposing positions on existing use value in which the principal differences between them lie in the gross valuation and the estimate of the costs of refurbishing the existing industrial building.

Gross valuation

10. In their gross valuations of the industrial units, the difference between the parties of estimated average rental value is only around £1/ft², with the appellant adopting a rate of £11.34/ft², and the Council £10.11/ft². This equates to an overall difference in the gross valuations of £781,293. Both parties draw wide reference to rental evidence in the area to support their valuations. It is difficult to draw precise parallels between the examples because unit sizes, conditions and locations differ to varying degrees from the appeal site. However, notwithstanding the passing rents on-site, I find the appellant's estimates of rental values to be realistic, even conservative, against the comparisons of both parties and the circumstances of these units. The average rent of £11.34/ft² is a fair estimate.
11. Notwithstanding this, I am not convinced that energy performance improvements for two of the units in isolation justify higher net yields of 7.5% as included by the Council, which would take the net yields across all units to 6.5%, a figure accepted by the appellant during the Hearing.
12. Both parties worked through the adjusted arithmetic during the Hearing on the basis of a rent of £11.34/ft², a net yield of 6.5%, a 6-months rent-free period and a void period of 6 months, to reach a gross valuation of £3,395,750.

Refurbishment costs

13. The appellant's refurbishment costs estimate of £200,000, around £10/ft² or £108/m², is based on an inspection and on experience in dealing with similar projects. However there are no schedules of rates, comparable examples or other justification drawn on to justify that rate, which I can examine. Without detailed evidence to support that rate, the weight I am able to give it in the estimate for refurbishment is limited.
14. On the other hand, the Council's estimate of £1,252,700, around £60/ft² or £650/m², includes provisional sums totalling £90,000 for asbestos surveying and removal, external works, and engineering advice which, from what I saw in my inspection of the units, appeared reasonable. The remainder of its estimate is based on the findings of the appellant's 2017 building survey¹ and the latest, published rates from the Building Cost Information Service.
15. I acknowledge that the appellant's rate is a blended figure of the lower quartile £312/m² and median £896/m² rates. However, the index rates are drawn from a sample of only 5 projects varying between £268/m² and £5,057/m²; a diverse range from which to draw averages. Moreover, there is no detail as to what those sample rates included, and no means of comparing their specifications against the conditions of the appeal buildings.
16. I appreciate that without a costed schedule of works there will always be some uncertainty in the precision of the rate. However, from my inspection on-site and my reading of the building survey, I can see no reason why the rate should not be towards the lower end of the range identified, rather than towards the median value. On the basis of the evidence submitted, from what I saw of the condition of the building in my visit, and from my own experience, I can see no reason why the index lower quartile rate of £312/m² is not a realistic rate in the circumstances. On this basis, it was calculated by both parties that the refurbishment costs would amount to £690,600.

Affordable housing and viability

17. Both parties have agreed the arithmetic of a re-run appraisal based on an estimated gross valuation of £3,395,750, and estimated refurbishment costs of £690,600. Allowing for undisputed rates of marketing, agency, stamp duty etc. gives a benchmark land value of around £2,465,000.
18. On this basis both parties agreed that taking into account planning obligations and CIL contributions and a residual land value of £2,559,975, the proposed development would be viable with 8No. dwellings on site as affordable rent and 5No. flats on-site as shared ownership, with a small surplus provided as a commuted sum. LP policy H6 seeks at least 30% of affordable housing to be affordable rent or social rent, and another 30% as London living rent or London shared ownership. The split of affordable housing proposed would meet the requirements of LP policy H6, and the spread across the mix would be well balanced between 1-bedroom and 2-bedroom flats.
19. On the basis of 8No. affordable rent units and 5No. shared ownership units, which together are 36% of the flats, and with regard to the viability assessment and calculations submitted during the Hearing, the proposed development would

¹ Appendix 3 – Building Survey Report (September 2017) in the Employment Floorspace Assessment, Jones Lang Lasalle, November 2017

make appropriate provision for affordable housing. There would be no conflict with LP policies H4, H5 and H6 and DM policy 3A.

Other Matters

Living conditions of surrounding occupiers

20. There would be some overlooking from the first and second floor flats of the proposed building towards the rear elevations and back gardens of some of the surrounding houses and flats. However, the openings and balconies facing the housing in Dudley Road would be set obliquely which would lessen any opportunity to overlook there. The second-floor flats facing the flats in Sangam Close and to the houses in Queen's Road would be set back substantially from the edge of the floor below, also reducing the opportunity to look down into the closest gardens and houses.
21. The number of openings and balconies close to the houses in Hartington Road would be limited. Details of a privacy screen to the closest balcony at second floor could be conditioned to secure the privacy of surrounding occupiers. I appreciate that the degree of overlooking towards surrounding neighbours will change from the present condition where there is next to no overlooking from this site. However, the degree of overlooking here, in the built-up area where there is a degree of commonly accepted mutual overlooking between neighbours, would not be harmful to the privacy of the occupiers of the surrounding houses and flats.
22. Similarly, the outlook from the surrounding houses and flats would change. However, while the roof of the proposed building would be 8.4m high, the north-light roof over the existing building already reaches almost 8m high. Moreover, the proposed building would be set back further from Sangam Close than the present building. While part of the footprint of the proposed building would be closer to Hartington Road, most of its footprint would be set substantially further away than the footprint of the present building. In these circumstances, I can find no harm to the outlook of surrounding occupiers.
23. There is no evidence of any harmful reduction in the access to sunlight in the gardens and openings of surrounding housing from the siting of the proposed building compared to the siting of the present building. Given the orientation of surrounding buildings and the height and siting of the proposed building, I can identify no harm to the access of surrounding occupiers to sunlight and daylight.
24. Much of the parking areas which are presently adjacent to the boundary walls of the site would be removed. The proposed development would generate around 24 fewer vehicle trips per day than the present use, and the majority of these would be likely to be by car, carrying people, compared to the present use which I saw can involve large lorries, vans and drop-sided vehicles, off-loading and loading goods. The risk of disturbance to surrounding occupiers from vehicle parking and manoeuvring would be less in the proposed development than in the present use of the site.
25. Given the location of the development, the configuration and siting of the proposed building, as well as the effect from the size and use of the present building, I can find no harm from the proposed development to the living conditions of surrounding occupiers.

26. I appreciate that industrial uses can make benign neighbours. However, the condition of the present buildings, the market conditions for occupancy of such a small, isolated, industrial site, and the insecurities of its prospects for the future, are factors to be weighed in considering the environmental conditions of the surrounding neighbours. When these are weighed against the certainty and permanence of a residential redevelopment that causes no adverse impact to the amenity of neighbours, the living conditions of surrounding occupiers would, overall, be improved by the development.
27. There would therefore be no conflict from the proposed development with LP policy D6 and DM policy 7B which protect the amenity of adjacent uses including in terms of visual impact and privacy, and which require development to retain sufficient daylight and sunlight to surrounding housing that is appropriate for its context, whilst minimising overshadowing.

Planning obligations

28. A unilateral undertaking (UU) has been provided by the appellant, to which the Council has raised no objection. It includes various obligations in respect of affordable housing, along with financial contributions to education, health, a road safety zone, infrastructure for cycling, tree planting, CO2 reduction, travel plan and renewable energy monitoring, as well as an undertaking to alert occupiers to a lack of entitlement to parking permits and the designation of a car club parking bay.
29. For the reasons above, it is necessary to secure the affordable housing units and their tenure splits. The undertaking secures the agreed provision, early and late stage review triggers, together with a commuted sum to affordable housing from the surplus in the calculation deriving the number and types of units against viability. The early stage review secured by the planning obligation is triggered if an agreed level of progress towards construction is not reached. If the review shows a surplus above an agreed benchmark return, a scheme is to be submitted for the provision of additional affordable housing. The late stage review is triggered by the disposal of 75% of the open-market units. There is no conflict with LP policy H4 which seeks on-site provision of affordable housing.
30. The Council has identified site specific needs and costs impacts arising from the development, beyond background growth, in school places in local primary and secondary schools, and in health care provided by the surrounding medical centres. These follow its published child yield methodology, and its modelling² of likely health impacts, demonstrating the measures necessary to make the development acceptable in planning terms and its accordance with LP policies SD1 and D2 which seek additional infrastructure in the London Plan's identified opportunity areas.
31. Six personal injury accidents have been reported on Featherstone Road near the application site, including one fatal accident. Given the additional number of residents and trips to and from the development which may cross this road, a contribution to a comprehensive road safety scheme which may incorporate speed tables and a crossing in the area is justified. Similarly, to reduce the accident risks to cyclists and to promote cycling as an alternative to the car, and to meet the objectives of LP policy T5 which seeks the provision of cycle routes and T9 which seeks transport infrastructure contributions, a contribution to cycling infrastructure is necessary.

² NHS London Healthy Urban Development Unit (HUDU) Model

32. The shortfall of CO2 generated by the development against the annual on-site target needs to be off-set by the Council, and the CO2 reduction measures implemented by the development need to be monitored to meet the requirements of LP policy SI2 which seeks net zero-carbon development and cash in-lieu to the borough's carbon offset fund where this cannot be fully achieved on-site.
33. To mitigate the lower parking provision on-site and parking pressure in surrounding streets, measures to secure a car club bay, to restrict future occupiers from applying for parking permits, and to ensure that opportunities to travel by sustainable mode are maximised by monitoring of the development against its travel plan, are justified and in accordance with LP policy T6.1 which allows car club bays outside the Central Activities Zone, and LP policy T9.
34. Finally, the street trees in the area appear to have suffered damage or removal. Given the likelihood of the residents using these streets to access local shops and facilities and connections, a contribution for around 17 trees to be planted within 500m of the site is justified under LP policy G1 which seeks to incorporate elements of green infrastructure and LP policy T9 where it seeks to make streets pleasant environments for walking and socialising.
35. I consider the obligations to be necessary to make the development acceptable in planning terms; directly related to it; and fairly and reasonably related in scale and kind to it. In arriving at this view, I am mindful that no evidence has been supplied which queries either the necessity or the viability of these obligations or the undertaking as a whole. Accordingly, I consider that these obligations meet the relevant statutory³ and national policy⁴ tests and are therefore material considerations in my assessment of the appeal.

Conditions

36. I have considered the conditions suggested by the Council against the advice in the Planning Practice Guidance (PPG), and adjusted their wording and timing to reduce the burden of unnecessary submissions and processing of further applications where sufficient information has already been provided or is covered by other conditions. In addition to the statutory time condition (1), a condition listing the approved drawings (2) is needed to ensure clarity on what has been permitted.
37. The Phase 2 Contamination Risk Assessment recommended that a building asbestos survey and management strategy be undertaken before demolition to prevent any contamination, if present. It suggested a cover system over made ground below landscaped areas and recommended that further testing and sampling be undertaken after demolition. I have therefore applied precautionary contamination conditions (3)(5) to secure these further investigations, safe removal and any remediation (4)(6), and their verification (11)(12) to protect the health of surrounding and future occupiers, which, to be effective, need to bite before demolition, before development commences, and before occupation, respectively. A condition for a construction management plan (7) is necessary to protect the amenity of surrounding occupiers and to safeguard highway safety, which needs to bite before demolition and site stripping.

³ Regulation 122(2) of the Community Infrastructure Levy Regulations 2010

⁴ Paragraph 56 of the Framework

38. The quality of materials and their arrangement is critical to the appearance of the building. I have therefore applied a condition for samples of materials of external surfaces (8), for the details of high-level privacy screening (9), and for the low and zero-carbon equipment (10). Because of the place of these works in the construction programme the conditions controlling them should be resolved before work on the superstructure begins. Conditions to be resolved prior to occupation to secure the landscaping works (13); how the CO2 reductions are achieved (14) as well as the technical details of their outputs etc. (15); the parking area including electric vehicle charging points (16); the details of cycle storage (17); and waste storage (18); are necessary to safeguard the appearance of the surrounding area and to meet the environmental objectives of the development plan.
39. Because of external noise and the plant room location in the building, performance conditions requiring minimum standards of sound insulation (19) and (20) are required to maintain occupiers' living conditions. To meet the accessibility objectives of the development plan, conditions to make the flats adaptable to occupiers through their lifetimes (21), as well as a proportion of them accessible to occupiers in wheelchairs (22), are necessary. Finally, to verify the implementation of the energy efficiency measures detailed in the Energy Strategy, a condition (23) requiring the submission of energy worksheets and certificates is necessary. As this includes as-built information, it would be unreasonable to require this before occupation, but it should be resolved as soon as possible after occupation.

Conclusion

40. I have found no harm from the proposed development. It would bring significant benefits from 36 additional homes, 13 of which would be affordable. There would be no conflict with the policies of the development plan. In accordance with the Framework, the development proposals should be approved without delay. For the reasons given above, and having considered all matters raised, the appeal is allowed.

Patrick Whelan

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Christopher Whitehouse Director, Next Phase Development

FOR THE LOCAL PLANNING AUTHORITY:

Harini Boteju	Senior Planning Officer, London Borough of Ealing
Jeffrey Solomon	Principal Surveyor, DVS Valuation Office Agency
Anindita Maitra	Senior Surveyor, DVS Valuation Office Agency

INTERESTED PERSONS:

Amit Biswas	Representing local residents
Nsia Sealey-Griffiths	Local resident
Amrit Blackburn	Local resident

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:

3052-20-10 rev P1	Existing Elevations and Sections
3052-10-12 rev P1	Existing Site Plan
3052-10-13 rev P1	Location and Block Plan
3052-10-14 rev P1	Proposed Site Plan
3052-10-15 rev P1	Proposed Ground Floor Plan
3052-10-16 rev P1	Proposed First Floor Plan
3052-10-17 rev P1	Proposed First Floor Plan SKETCH
3052-10-18 rev P1	Proposed Roof Plan SKETCH
3052-10-19 rev P1	Proposed Entrance Gatehouse Proposed Floor Plans
3052-20-11 rev P1	Proposed Elevations
3052-20-12 rev P1	Proposed Elevations
3052-20-13 rev P1	Proposed Entrance Gatehouse Proposed Elevations
3052-20-14 rev P1	Proposed Site Sections
3052-20-15 rev P1	Bin and Bike Store Proposed Plan and Elevations
3052-20-16 rev P1	Proposed Detail Elevations

PRE-COMMENCEMENT

- 3) **Building asbestos investigation:**

Before the demolition of any building, an asbestos survey and asbestos management strategy shall be submitted to and approved in writing by the local planning authority. The survey and strategy must be undertaken by a competent person and shall assess any asbestos contamination in the buildings.
- 4) **Building asbestos management:**

Before the demolition of any building, the measures set out in the asbestos management strategy, including where required, the removal and disposal of any building asbestos, shall be carried out in accordance with its terms.
- 5) **Contaminated land investigation:**

Before the commencement of the development (other than demolition and site clearance), a further ground investigation assessment shall be undertaken and shall be submitted to and approved in writing by the local planning authority. The further ground investigation assessment shall include the following:

 - a) notwithstanding the Ground Investigation Report (ref. GWPR2224/GIR/November 2017) submitted in support of the application, a site investigation shall test the previously inaccessible ground, and the conceptual model in the Ground Investigation Report shall be amended to include this. The investigation must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

6) Contaminated land remediation:

Before the commencement of the development (other than demolition and site clearance) a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation works.

7) Construction management plan:

Before the commencement of the development, including any demolition and site stripping, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the following:

- a) construction and demolition working hours;
- b) secure, off-street loading and drop-off facilities;
- c) anticipated route, number, frequency, and size of construction vehicles entering/exiting the site per day;
- d) delivery times (staggered to avoid morning and afternoon school-run peak periods);
- e) route, location, and signage of site access;
- f) noise and vibration mitigation measures and monitoring arrangements
- g) site security and temporary lighting;
- h) wheel washing provisions;
- i) vehicle manoeuvring and turning
- j) storage of building materials, plant and construction debris and contractors' welfare facilities and offices;
- k) procedures for on-site contractors to deal with complaints from members of the public;
- l) measures to consult cyclists, disabled people, and the local schools with regard to delivery times and necessary diversions;
- m) all pedestrian and cyclist diversions;
- n) confirmation of use of TfL's Freight Operator Recognition Scheme (FORS) or similar.
- o) the condition of the highway prior to-construction.
- p) parking restrictions which may need to be implemented during construction.
- q) An Air Quality and Dust Management Plan (AQDMP) that includes an Air Quality (Dust) Risk Assessment produced in accordance with 'The Control of Dust & Emissions during Construction and Demolition SPG', GLA, 2014.
- r) Details of all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM shall meet as minimum the Stage IIIB

emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. Before the commencement of any construction work, all properties surrounding the site shall be notified in writing of the nature and duration of the works to be undertaken, and the name and address of a responsible person to whom enquiries / complaints should be directed. The development shall be carried out strictly in accordance with the details of the approved construction management plan.

PRE-SUPERSTRUCTURE

8) **Materials samples:**

Before the commencement of the superstructure of the development, and notwithstanding the materials shown on the approved plans, samples of the materials to be used for all external surfaces of the development shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.

9) **Balcony privacy screen:**

Before the commencement of the superstructure of the development, details of the balcony privacy screen to the second floor flat closest to the houses in Hartington Road shall have been submitted to and approved in writing by the local planning authority. The privacy screen shall be installed before the occupation of the flat which it serves. The screen shall thereafter be retained.

10) **Low and zero-carbon equipment:**

Before the commencement of the superstructure of the development, details of the specifications, design and layout of the proposed low and zero-carbon energy equipment shall be submitted to and approved in writing by the local planning authority.

PRE-OCCUPATION

11) **Building asbestos management verification:**

Before the occupation of the development and following completion of the measures identified in the asbestos management strategy, a verification report, prepared in accordance with current Environment Agency / industry guidance and best practice, that demonstrates the effectiveness of the asbestos management carried out, shall have been submitted to and approved in writing by the local planning authority.

12) **Contaminated land verification:**

Before the occupation of the development and following completion of the measures identified in the approved remediation scheme, a verification report, prepared in accordance with current Environment Agency / industry guidance and best practice, that demonstrates the effectiveness of the remediation carried out, shall have been submitted to and approved in writing by the local planning authority.

13) Landscaping:

Before the occupation of the development, and notwithstanding any information already submitted, full details of hard and soft landscaping works, including the creation of a 'home zone', and boundary treatments shall have been submitted to the local planning authority and approved in writing. These details shall include detailed specifications of the proposed planting.

The approved works shall be carried out before the occupation of any part of the development or in accordance with the programme agreed by the local planning authority. Any trees or other plants, which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

14) CO2 reduction measures:

Before the occupation of the development, details of the measures incorporated in the development to achieve an overall reduction in regulated CO2 emissions of at least 35.96% (equal to 16.91 tonnes of CO2 per year) beyond Building Regulations Part L 2013 shall have been submitted to the local planning authority and approved in writing. The CO2 savings shall be achieved through the Lean, Clean, Green Energy Hierarchy as detailed in the approved Energy Statement prepared by Build Energy Ltd in August 2017 and submitted in December 2019 including:

- a) Lean passive design measures to achieve an annual reduction of at least 0.48% equating to at least 0.15 tonnes in regulated carbon dioxide (CO2) emissions over BR Part L 2013;
- b) Green renewable energy equipment including the incorporation of two photovoltaic arrays with a combined total capacity of at least 35.36 kWp to achieve an annual reduction of at least 53.74%, equating to 16.76 tonnes, in regulated carbon dioxide (CO2) emissions over the Be Lean/Clean stage of the Energy Hierarchy.

15) CO2 reduction equipment:

Before the occupation of the development, details of the installed low/zero carbon equipment shall have been submitted to the local planning authority and approved in writing. The details shall include:

- a) the exact CHP and/or Heat Pump thermal (and CHP electrical) kilowatt output, heat output pipe diameter(s), monthly energy demand profile;
- b) the exact number of PV arrays, the kWp capacity of each array, the orientation, pitch and mounting of the panels, and the make and model of the panels;
- c) The name and contact details of the installation contractor(s), and if different, the commissioning electrical contractor;
- d) copies of the MCS certificates and all relevant commissioning documentation.

The development shall be implemented only in accordance with the approved details

16) Vehicle parking arrangements:

Before the occupation of the development, the vehicle parking arrangements shown on the approved plans shall be marked out on the site, and shall include at least two disabled parking bays, at least four active vehicle charging points, with passive charging to all remaining spaces. These spaces shall be kept continuously available and shall not be used for any other purpose.

17) Cycle parking:

Before the occupation of the development, sheltered and secure cycle parking for 59 cycles as indicated on the approved plans shall be provided. These spaces shall be kept continuously available for cycle parking.

18) Refuse and recycling storage:

Before the occupation of the development, the refuse and recycling storage indicated on the approved plans shall be provided. It shall be retained thereafter.

PERFORMANCE

19) Sound insulation building envelope:

The sound insulation of the building envelope shall achieve internal room and external amenity noise standards in accordance with BS8233:2014.

20) Sound insulation plant room:

The building structures separating the plant room from the dwellings shall achieve an enhanced sound insulation value at least +10dB above the maximum Building Regulations value.

21) Accessible units:

Ninety percent of the approved residential dwellings shall meet Approved Document M (Volume 1: Dwellings), Part M4(2)(Accessible and adaptable dwellings) of Building Regulations 2015.

22) Wheelchair units:

Ten percent of the approved residential dwellings shall meet Approved Document M (Volume 1: Dwellings), Part M4(3) (Wheelchair user dwellings) of Building Regulations 2015.

POST-OCCUPATION

23) Energy performance:

Within three months of the occupation of the development the Energy Performance Certificates and detailed Standards Assessment Procedure worksheets showing clearly the target emission rate and dwelling emission rate from the 'as built stage' following completion of the development, shall be submitted to the local planning authority and approved in writing in order to confirm compliance with the energy efficiency measures detailed in the approved Energy Strategy.

END OF CONDITIONS