



Appeal Decision

Site visit made on 22 June 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2021

Appeal Ref: APP/R0660/W/21/3268648

"Rydal", 8 Moss Road, Alderley Edge SK9 7HZ

- 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 and Mrs Hirst against the decision of Cheshire East Council.
 - The application Ref 20/4003M, dated 11 September 2020, was refused by notice dated 3 December 2020.
 - The development proposed is the demolition of the existing dwelling and its replacement with a detached dwelling and detached infill dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing dwelling and its replacement with a detached dwelling and detached infill dwelling at "Rydal", 8 Moss Road, Alderley Edge SK9 7HZ in accordance with the terms of the application, Ref 20/4003M, dated 11 September 2020, subject to the conditions in the attached Schedule 1.

Procedural Matters

2. Alderley Edge Neighbourhood Plan ("the AENP") was "made" and became part of the development plan following a referendum in May 2021, and its policies can be given full weight in determining this appeal. Both main parties referred to the emerging policies, as they then were, in their appeal submissions; I am therefore satisfied both that there is no requirement for me to seek further comments in respect of the AENP, and that no party's interests have been prejudiced by my taking this approach. Although the Council's decision notice did not refer to policies of the AENP, I have referred to them at relevant points in my reasoning below.
3. The appellant submitted as further evidence, after the normal deadline for submitting comments had passed, an appeal decision relating to a site elsewhere within Cheshire East ("the Prestbury appeal")¹. This evidence is relevant to the proposal before me, and as the decision was issued on 13 July 2021 it could not have been submitted earlier in the appeal process. The Council has been given an opportunity to comment on the Prestbury appeal decision, and although it chose not to do so I am satisfied that no party has been prejudiced by my accepting this late evidence.
4. The Government published a revised National Planning Policy Framework ("the Framework") on 20 July 2021, replacing the version published in February

¹ Ref: APP/R0660/W/20/3259305

2019. The parts of the Framework referred to in the Council's reasons for refusal, and therefore most relevant to this appeal, have not been significantly amended. As a result I consider that there is no requirement for me to seek further submissions on the revised Framework, and again I am satisfied that no party's interests have been prejudiced by my taking this approach. Where I have referred in my decision to specific paragraphs of the Framework, the numbering used is that of the July 2021 version.

Main Issues

5. The appeal site is within the Green Belt. Accordingly, I consider that the main issues are:
- Whether or not the proposal would be inappropriate development within the Green Belt having regard to the National Planning Policy Framework ("the Framework") and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposed extension on the character and appearance of the area; and
 - If the proposal would be inappropriate development, whether or not the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

6. "Rydal" is a large detached dwelling set in a generous plot on the south side of Moss Road on the eastern side of Alderley Edge, half a mile or so from the village centre. The appeal site lies entirely within the Green Belt.
7. The proposed development is the demolition of the existing dwelling and the division of the site into two plots, followed by the construction of two new two-storey detached dwellings. The first new dwelling ("the replacement dwelling") would be approximately, though not exactly, on the same footprint as the existing dwelling towards the eastern side of the appeal site. The second dwelling ("the additional dwelling") would be situated towards the western edge of the appeal site, in the space between the replacement dwelling and the boundary with the neighbouring property at No 6 Moss Road.

Whether or not inappropriate development in the Green Belt

8. Paragraph 137 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and their permanence. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
9. Paragraph 149 of the Framework states that, other than for listed exceptions, the construction of new buildings in the Green Belt should be regarded as inappropriate. The list of exceptions includes at Paragraph 149(d) "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces", and at 149(e) "limited infilling in villages".

10. The development plan consists of the saved policies of the 2004 Macclesfield Local Plan ("the MLP"), the 2017 Cheshire East Local Plan ("the CELP"), and the AENP. Policy PG3 of the CELP sets out the Council's approach to development in the Green Belt and is highly consistent with the requirements of the Framework; accordingly I give it full weight in the overall planning balance.
11. The adoption of the MLP pre-dates the introduction of the Framework in March 2012 by many years. Having regard to advice in Paragraph 219 of the Framework it does not follow that its policies should automatically be considered out-of-date. However, among other things Saved Policy GC1 allows for limited infilling in only a small number of named settlements, not including Alderley Edge. In this respect Saved Policy GC1 is more restrictive than the Framework, and consequently I give it limited weight in my decision.
12. Policy AE1 of the AENP sets out the development strategy for Alderley Edge. It seeks to direct development to appropriate locations where high levels of integration, sustainability, connectivity and design quality can be achieved. It does not specifically address the Green Belt, but indicates that (subject to other considerations) residential development within the settlement boundary will be supported. I shall return to the relevance of the settlement boundary in a moment, but consider that AE1 is positively worded and does not seek to introduce restrictions on development within the Green Belt which would be at odds with the approach set out in the Framework. Accordingly, I give it full weight in my decision.

The replacement dwelling

13. There is no guidance in either the CELP or the Framework as to the interpretation of "not materially larger" for a replacement building in the Green Belt, although I note that the Council has not sought to argue that the replacement dwelling would be materially larger than the existing dwelling on the site. The proposed replacement dwelling would have a smaller footprint than the existing dwelling (by around 13.7% by the Council's calculation), but a larger internal floor area (around 7%, according to the appellants) and volume (around 12.8%, again by the Council's calculation). Its height would be the same as the existing dwelling, at around 7.5m.
14. Having regard to all the evidence before me, including my observations on site and the dimensions provided by both main parties, I am of the view that the increase in both floor area and volume are relatively modest, and consider that the replacement dwelling would not be materially larger than the one it would replace.

The additional dwelling

15. There is also no definition in the Framework of "limited infilling in villages", although the CELP describes "infill development" as "the development of a relatively small gap between existing buildings", and the MLP defines "infilling" as "the infilling of a small gap in an otherwise built-up frontage (a small gap is one which could be filled by one or two houses)". I have also been directed towards caselaw established in *Wood*², which considered the interpretation of Paragraph 149(e)³ of the Framework.

² *Wood v SSCLG and Gravesham BC* [2015] EWCA Civ 195

³ Paragraph 89 as it then was.

16. The appeal site is part of a ribbon of development extending out of Alderley Edge into the countryside to the east along Moss Road. It is not a matter of dispute between the main parties that the appeal site is outside the CELP settlement boundary of Alderley Edge; the boundary is around 54m west of the site, and incorporates the buildings on both sides of Heyes Lane and Duke Street but, with the exception of Nos 1 and 2 excludes the dwellings on Moss Road.
17. Moss Road has detached houses which are predominantly set in generous plots, while the dwellings on Heyes Lane and Duke Street are mostly semi-detached or in short terraces, and generally more densely-packed. There is also no footway on Moss Road, with grass verges separating properties from the carriageway, so there are undoubtedly some differences in character between Moss Road and the area immediately to its west. However, there are continuous developed frontages on both sides of Moss Road, extend to what was for me some 3 or 4 minutes' walk beyond the appeal site. Here, after an "S" bend in Moss Road, beyond the dwelling known as "Moss Hall Cottage" countryside opens up on the north side of the road and the character of Moss Road changes somewhat, although built development continues on the south side to the junction with Hough Lane some way further east. I also saw on my site visit that the appeal site, No 6 to its west, and Nos 10 and 12 to its east, appear to be on plots with wider street frontages than most of their neighbours, so for the most part Moss Road has a built-up feel.
18. Based on my observations on my site visit, the prevailing character of Moss Road between Duke Street and "Moss Hall Cottage" is one which I would associate far more with an affluent and spacious suburban part of Alderley Edge, rather than the surrounding rural area. The village centre a short distance away is also readily and easily accessible from the appeal site, including for those travelling on foot or by bicycle. I therefore consider that for the purposes of determining this appeal, notwithstanding that it lies outside the Alderley Edge settlement boundary as defined in the CELP, the appeal site should be treated as being within the village.
19. By the Council's calculation, the gap between the proposed replacement dwelling and No 6 would be around 33m. In the context of Moss Road this is a space which would typically be occupied by a single dwelling, and I also therefore consider that the proposed additional dwelling would fill a relatively small gap.
20. In coming to this view I have had regard to the *Wood* judgment, the essential points of which (though I paraphrase) is that whether a site falls within a "village" and whether a proposal constitutes "limited infilling" are matters which cannot be determined solely by reference to boundaries or policies in the development plan but are questions of planning judgement for the decision maker. That reflects the approach which I have taken in determining this appeal, as set out in the preceding paragraphs.

Findings in respect of inappropriate development in the Green Belt

21. I note the Council's comment, and others to the same effect by interested parties, that "for the development to be considered as limited infilling, it needs to be built within a gap" but "currently there is no such gap, as it is occupied by an existing building". However, I have found that the replacement dwelling would fall within the exception described in Paragraph 149(d) of the

Framework. The additional dwelling would, in filling the small gap between the replacement dwelling and the neighbouring dwelling No 6, represent limited infilling in a village, and would therefore fall within the exception described in Paragraph 149(e). There is no substantive evidence to persuade me that a scheme which to my mind would clearly be “not inappropriate” if carried out in two discrete steps should become “inappropriate” when proposed, as here, as a single development.

22. I have also had regard to the decision in the Prestbury appeal to which my attention was drawn. The proposed development in that case was the demolition of an existing dwelling, and the construction of replacement dwelling and one infill dwelling on the site. While I do not know all the details of that other case, there are on the face of it significant similarities in terms of whether the proposals represent inappropriate development in the Green Belt. My conclusions in that respect here are consistent with those of my colleague in the Prestbury appeal.
23. I conclude that the proposed development falls within the exceptions set out in Paragraphs 149(d) and 149(e) of the Framework. It also complies with Policy PG3 of the CELP in this regard. The proposal for a replacement dwelling complies with Saved Policy GC1 of the MLP, although the proposed additional dwelling conflicts with that policy. However, for the reasons I have already set out I afford limited weight to conflict with GC1, and very substantial weight to compliance with national policy as set out in the Green Belt. I therefore conclude that the proposal would not be inappropriate development in the Green Belt.
24. Although it does not directly address the protection of the Green Belt, Policy AE1 of the AENP sets out the development strategy for the village. AE1 is supportive of residential development within the settlement boundary of Alderley Edge, and the proposed development lies outside the settlement boundary. However, I have found that the appeal site is an appropriate location for the proposed development, which would be well-integrated with the rest of the village. To the extent that AE1 addresses the location of development, I therefore find no conflict with that policy.

Openness of the Green Belt, very special circumstances

25. As I have found that the proposed development would not be inappropriate development in the Green Belt in the terms set out in Paragraph 149 of the Framework, it is not necessary for me to assess its effects on the openness of the Green Belt, or whether there are very special circumstances which might otherwise justify the proposal.

Character and appearance

26. Although I have found that the proposed development would be “not inappropriate” in Green Belt terms, it still remains to be appraised against other requirements of the development plan.
27. The existing dwelling “Rydal” is a large detached two storey dwelling which, based on its appearance, I estimate to date from the mid- to late-20th century. It has evidently been expanded and altered over the years, and is generously sized, although otherwise modest and unremarkable in appearance. It occupies about two thirds of the width of its plot, and sits towards the eastern side of

the site close to No 10. The side garden on the western part of the site towards No 6 is occupied by an outdoor swimming pool, which is secluded from the street by a brick wall as well as mature trees and other planting in the front garden. At the rear, the spacious garden extends south towards open fields behind the property.

28. The surrounding area is characterised by dwellings extending along Moss Road on both sides, although beyond the fact that nearly all are detached two-storey houses there is little in the way of a unifying theme – houses are of a variety of ages, architectural styles, roof types, and materials. There is some variation in plot sizes, and while plot widths are not uniform most are within a similar range. The appeal site and its neighbours at Nos 6, 10 and 12 have wider street frontages than is typical along most of Moss Road. Buildings are, more or less, set to a clear line on both sides of the road, albeit with some variations. Front gardens tend to be smaller than those at the rear, and many are largely given over to car parking space, although they are generally well-screened from the street by mature hedges and other planting, and this gives the street a verdant feel and contributes to its pleasant and affluent character.
29. The subdivision of the appeal site would create two plots which would be of a comparable width to most of those on Moss Road, including those on the north side of the road facing the site. The loss of the swimming pool and part of the garden area would inevitably reduce the amount of open space within the appeal site. However, this area is currently largely screened from Moss Road and public views through the site are restricted, so it makes a very limited contribution any rural and open character which may be perceived on this part of Moss Road (and which in any event, as I have explained above, does not really begin to become apparent until passing “Moss Hall Cottage” some way east of the appeal site).
30. The separation between the two proposed dwellings, and between them and their neighbours on either side, would not lead to the appeal site becoming unattractively cramped or appearing overdeveloped. I consider therefore that the proposed layout would not be at odds with the character and density of development on Moss Road.
31. The two proposed dwellings would be broadly similar in their overall design, with twin gables on the front elevation either side of a central front door, a single tall chimney stack on one flank, and a flat roofed rear projection with large glazed doors opening onto the rear garden. There would be some differences between the two; they would be of different brick, the replacement dwelling would have a gable roof, while that of the additional dwelling would be hipped, and there would be other variations in details such as the windows. However, given the diversity of styles and sizes of housing on Moss Road, both proposed dwellings would fit comfortably into the parameters of size, scale, design and detailing of other nearby, and neither would be unattractively bulky or intrusive.
32. I note the Council’s concern about the proposed use of buff brick for the additional dwelling, as this is not a typical material in the area, although this is a matter which I consider can be satisfactorily addressed by an appropriate condition in respect of materials. The protected trees on the site make a valuable contribution to the area’s verdant character, and appropriate

conditions can be used to ensure that they are safeguarded during construction.

33. The additional dwelling would have a loft room on the second floor, which would be served by a dormer on the rear roof slope. The dormer would occupy a substantial width of the roof slope, but it would be set below the roof ridge and well back from the rear eaves. From neighbouring rear gardens it would either be screened by, or seen set against, the adjoining rear gable; in longer views from open land at the rear (including the public footpath a short distance to the south of the appeal site) it would be seen against the main roof. While it would be a reasonably large feature, it would not in my view be dominant or overbearing.
34. Some interested parties suggested that the proposal should be treated as a rear garden development, rather than a side infill. There are some merits to that argument, given that the swimming pool area is visually, spatially and functionally connected to the rest of the rear garden on the site. However, even if I had taken that approach, for the reasons I have set out above I consider that the development would be well integrated into the built form of the surrounding area, there would be no harmful loss of mature planting or openness, and as a result there would be no unacceptable impact on the character of the local area. In this case therefore, focussing on the perceived distinction between a side garden and a rear garden would not have altered my overall decision.
35. Taking all of these points together, I consider that the effects of the proposed development on the character and appearance of the surrounding area. I therefore conclude that the proposal complies with Policies SD2 and SE1 of the CELP, which among other things seek to ensure that development is well designed and in keeping with an area's character and identity, including in such matters as scale, materials, relationship to neighbouring properties and the street scene.
36. I also consider that the proposed development complies with Policies AE2 and AE4 of the AENP, which require residential development proposals to respond to their context in scale, character, plot density, height and massing, and which seeks to protect [rear] gardens from development which would have an unacceptable impact on the character of the local area.

Other matters

37. A significant number of interested parties submitted comments on this appeal. Many of these related to matters such as infill development, the nature of the Green Belt, the effect of the proposal on the character and appearance of the area, and protected trees which I have addressed in the main issues above. Other matters such as surface water run-off can be addressed through appropriate conditions.
38. The Council was satisfied that the proposed development would not be harmful to neighbours' living conditions subject to a condition being imposed which would require obscure glazing to be used on the side elevation of the additional dwelling closest to No 6. Based on my observations on site, I agree.
39. I note comments that neither proposed dwelling would have a garage. I am not aware of any specific requirement for homes to have garages, and each would

- have off-street parking for up to three cars in line with the Council's guidelines. Any future proposals for the development of garages in front of the principal (street) elevations would require planning permission, and would be assessed accordingly at the time. Although one interested party suggested that the proposal would lead to severe road congestion, no substantive evidence of this was provided, and it seems to me unlikely to result from permitting a single additional dwelling. Overall I accept the Council's view that there would be no significant impacts on traffic flow or highway safety arising from the scheme.
40. In respect of the wider landscape, the appeal site lies within the Alderley Edge and West Macclesfield Wooded Estates Local Landscape Designation Area ("LLDA"). This is described in the 2018 Cheshire East Local Landscape Designation Review as a broadly undulating landscape, with focal points of wooded backdrops and locally varied topography with occasional steeper valley slopes. The area closest to the appeal site is characterised by gently rising fields, which contrast with the steep and wooded escarpment of Alderley Edge itself to the south. In longer views towards and past the appeal site, the proposed development would be read as a small part of an established "finger" of dwellings extending into the surrounding countryside. I note, and accept, the comments of the Council's Landscape Officer that the proposal would not have an adverse impact on the character, appearance and setting of the wider designated landscape.
41. My attention has been drawn to other planning applications in respect of Nos 1, 6 and 7 Moss Road for proposals described as "infill" development, or similar, and the possibility that permitting this proposal would set a precedent for those and other similar developments. I have determined this appeal on its own merits, and while I do not know the full details of those other schemes it will be for the decision maker in those cases to take the same approach.
42. Finally, the appellant raised in their statement a number of concerns about the Council's decision-making in respect of the planning application. Concerns with the detailed committee proceedings are not a matter for my deliberations but would need to be taken up with the Council. They are not directly related to the planning merits of the proposal, and have had no bearing on my determination of the appeal.

Conditions

43. I have considered the conditions suggested by the Council having regard to the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have also taken into account comments made by the appellants. Where necessary I have altered the ordering and proposed wording in the interests of clarity and effectiveness.
44. In addition to the standard time limit condition (1), in the interests of certainty it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans (2).
45. Although the planning application was accompanied by an Arboricultural Impact Assessment and an Arboricultural Method Statement, further details are required to ensure the protection of trees during construction and beyond (3, 4 and 5). Details of drainage, including measures to protect trees, are also necessary to ensure compliance with Policy SE13 of the CELP (6) – I have incorporated comments from the Lead Local Flood Authority into the wording

suggested by the Council, so have effectively amalgamated two suggested conditions into a single one. These are all necessarily pre-commencement conditions, for which the appellants have provided written agreement in accordance with Section 100ZA of the Town and Country Planning Act 1990.

46. Conditions in respect of site and structure levels (7), materials (9), landscaping (10 and 11), boundary treatments (12), and proposed garden sheds (13) are necessary to protect the character and appearance of the site and surrounding area. Conditions in respect of the possible effects on nesting birds of removing vegetation or carrying out building works (8), and requiring features to be provided to support bats (14) are necessary in order to safeguard biodiversity in line with local and national planning policy. A condition in respect of electric vehicle charging points and infrastructure is required to encourage and support the uptake of plug-in vehicles in line with Paragraph 112(e) of the Framework (15). A condition requiring obscure glazing to be used on the western side elevation of the additional dwelling is necessary to protect the privacy of occupiers of the adjoining No 6 Moss Road (16).
47. Paragraph 54 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so, and the PPG advises that conditions restricting the future use of permitted development rights or changes of use “may not pass the test of reasonableness or necessity”⁴. In this case, I consider that it is necessary to remove certain permitted development rights including those in respect of extensions, roof alterations, and outbuildings, in order to protect the spacious character and appearance of the area, and in order to control the effect of the development on the character and quality of the surrounding Alderley Edge and West Macclesfield Wooded Estates LLDA. As such, a condition restricting the permitted development rights of the dwellings (17) would be in accordance with the Framework and the PPG.

Conclusion

48. The proposed development would not be inappropriate development in the Green Belt, and no other harm has been identified which would justify refusing planning permission. The appeal is therefore allowed.

M Cryan

Inspector

⁴ Paragraph: 017 Reference ID: 21a-017-20190723

Schedule 1: 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 approved plans listed in the attached Schedule 2: Schedule of Approved Plans.
- 3)
 - (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
 - (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
 - (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
 - (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- 4) Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Method Statement for the retained trees referred to as T1, T2 and T5 shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Method Statement.
- 5) Prior to the commencement of development or other operations being undertaken on site in connection with the development (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Construction Specification/Method Statement for installation of engineer designed foundations shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in

- complete accordance with the approved Construction Specification/ Method Statement.
- 6) Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed service and foul and surface water drainage layout shall be submitted to and approved in writing by the Local Planning Authority (notwithstanding any additional approvals which may be required under any other Legislation). This will include details of existing surface water run-off rates, measures to ensure that these are not exceeded following the development, as well as details of a management and maintenance plan, and the management of overland flow routes. Such layout shall provide for the long-term retention of the protected trees on the site. No development or other operations shall take place except in complete accordance with the approved service/drainage layout.
 - 7) Prior to commencement of development, (apart from demolition) details of finished levels including full details of all retaining structures to be utilised (site sections and topographical survey) and spot heights adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in full accordance with the details approved.
 - 8) No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.
 - 9) No development involving the use of any facing or roofing materials shall take place until details or samples of the materials to be used in the construction of external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless any variation is agreed with the Local Planning Authority.
 - 10) Prior to first occupation of the dwellings hereby approved, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.
 - 11) The landscaping plan shall be implemented in full accordance with the approved scheme within the first planting season following first

occupation of the dwellings hereby approved, or in accordance with a programme first agreed in writing with the Local Planning Authority. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

- 12) Prior to first occupation of the dwellings hereby approved, details of all boundary treatments shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of the dwellings hereby approved, the boundary treatments shall be installed in accordance with the approved details.
- 13) Prior to first occupation of the dwellings hereby approved details of the garden sheds shown on the block plan shall be submitted to and approved in writing by the Local Planning Authority.
- 14) Prior to the first occupation of any consented unit features are to be provided on site in accordance with the recommendations detailed in paragraph 4.2.2 of the submitted Bat Survey Report dated the 4th September 2020. The approved features shall be permanently installed prior to the first occupation of the development hereby permitted and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
- 15) Prior to first occupation of the properties, the developer shall provide Electric Vehicle Infrastructure to the following specification:
 - A single Mode 3 compliant Electric Vehicle Charging Point per property with off road parking. The charging point shall be independently wired to a 30A spur to enable minimum 7kW Fast charging or the best available given the electrical infrastructure.
 - Should the infrastructure not be available, written confirmation of such from the electrical supplier shall be submitted to this office prior to discharge.
 - Where there is insufficient infrastructure, Mode 2 compliant charging may be deemed acceptable subject to the previous being submitted.The infrastructure shall be maintained and operational in perpetuity.
- 16) The proposed first floor windows in the western elevation of the proposed infill plot shall be:
 - Obscure-glazed (minimum Level 3 obscurity level on the Pilkington Scale or equivalent) and
 - Of a design not capable of being opened below a height of 1.7m above finished floor level and shall remain so glazed and non-openable.
- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Classes A, AA, B and E of the Order shall be carried out.

--End of Schedule of Conditions--

Schedule 2: Schedule of Approved Plans

- 19116 (PL) 001 (Location Plan) received by the Local Planning Authority on 14 September 2020
- 19116 (PL) 003 E (Proposed Block Plan) received by the Local Planning Authority on 19 November 2020
- 19116 (PL) 007 (Proposed Location Plan) received by the Local Planning Authority on 16 November 2020
- 19116 (PL) 100 D (Proposed Floor Plans – Replacement Dwelling) received by the Local Planning Authority on 21 October 2020
- 19116 (PL) 101 B (Proposed Floor Plans – Infill Dwelling) received by the Local Planning Authority on 20 November 2020
- 19116 (PL) 200 B (Proposed Elevations – Replacement Dwelling) received by the Local Planning Authority on 21 October 2020
- 19116 (PL) 201 C (Proposed Elevations – Infill Dwelling) received by the Local Planning Authority on 20 November 2020
- 19116 (PL) 300 B (Site Sections 1) received by the Local Planning Authority on 16 November 2020
- 19116 (PL) 301 A (Site Sections 2) received by the Local Planning Authority on 16 November 2020

--End of Schedule of Approved Plans --