



Appeal Decision

Site visit made on 6 September 2021

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2021

Appeal Ref: APP/M1595/W/21/3273652

Former Ford Motor Company, Arisdale Avenue, South Ockendon RM15 5JT

- 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 Owain Williams (c/o St Modwen Homes) against the decision of Thurrock Borough Council.
 - The application Ref 20/00827/FUL, dated 25 June 2020, was refused by notice dated 16 April 2021.
 - The development proposed is described as '*The erection of 94 units, comprising 88 No. 1 and 2 bed apartments, 4 No. 3 bed dwellings and 2 No. 2 bed dwellings along with associated infrastructure, works and landscaping. (Partial re-plan of phase 4 of approval 18/00308/REM Dated 12th June 2018)*'.
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Decision

1. The appeal is allowed, and planning permission is granted for development described as '*The erection of 92 units, comprising 86 No. 1 and 2 bed apartments, 2 No. 3 bed dwellings and 4 No. 2 bed dwellings along with associated infrastructure, works and landscaping. (Partial revisions to phase 4 of approval 18/00308/REM Dated 12th June 2018)*' at Former Ford Motor Company, Arisdale Avenue, South Ockendon RM15 5JT in accordance with the terms of the application, Ref 20/00827/FUL, dated 25 June 2020, subject to the conditions set out in the attached Schedule.

Procedural Matters

2. The appeal was initially allocated to be determined by a Public Inquiry. However, once appointed I indicated to the parties that I would keep the procedure under review aware that a further meeting of the Council's Planning Committee was to take place on the same day as the Case Management Conference call ('the CMC'). Subsequently, the Council confirmed that a decision had been made at that meeting to not defend the appeal and that no witnesses would be called, or evidence presented.
3. I wrote to the parties on 19 August 2021 informing them that the lack of complex disputes, substantial local interest and the nature of the issues meant it was no longer necessary or an efficient use of the appeal process to hold an Inquiry as scheduled. I suggested retaining the scheduled fourth day, which would have allowed for interested parties to speak, the short presentation of evidence to be given if necessary and any discussions on conditions and obligations.
4. However, a few days before the Inquiry was scheduled to open the Council informed me that they had failed to carry out the correct notification for the

event. This necessitated a delay so that notification could be carried out with an opportunity given for any further representations to be made, either orally or in writing. One further representation was received but it did not contain a request to be heard orally.

5. Accordingly, I considered no further presentation of evidence, discussion on obligations or conditions was necessary. I have therefore decided this appeal on the basis of the written evidence and representations before me, being satisfied no party would be prejudiced and that this is the most appropriate procedure having regard to the guidance¹.
6. The parties were also provided with an opportunity to comment on the revised National Planning Policy Framework ('the Framework') that came into force on 20 July 2021. I have had regard to these comments in my determination of this appeal.
7. The description in the banner heading above has been taken from the application form. However, the description was amended to take account of a reduction in the number of units. It is clear the Council agreed to this amendment and determined the proposal on that basis. So have I, and I have therefore used the amended description in the formal decision above.

Main issues

8. The main issues in this appeal are:
 - Whether the proposal would provide an acceptable quality of development, with particular regard to density and character, housing mix and type and the living conditions of existing and future occupiers in terms of access to sufficient size and quality of open space.
 - Whether the proposed car parking provision would be acceptable.
 - Whether the proposed affordable housing provision would be acceptable.
 - If harm and conflict with the development plan is identified whether this would be outweighed by other material considerations.

Reasons

Quality - Density and Character

9. The appeal site comprises Previously Developed Land ('PDL') that is surrounded on 3 sides by recently completed residential development including 4 storey apartment blocks and 2-3 storey houses. It is part of the larger Bennett's Fields housing development on the site of the former Aveley Ford Factory site which closed in 2004, a scheme originally granted permission for up to 650 dwellings.
10. The outline planning permission has been delivered in phases under reserved matters, with all phases of development now delivered or under construction. The proposal before me represents a partial revision to Phase 4 with the replacement of 35 houses with 86 apartments and 6 houses. This would be a net increase of 57 and a reduction by 29 houses from that previously approved under the reserved matters approval² in June 2018. The

¹ Procedural Guide: Planning Appeals – England March 2021.

² Outline permission LPA ref: N09/50035/TTGOUT and Reserved Matters: 18/00308/REM.

proposal would therefore take the overall quantum of development on the site to 677 dwellings³, a modest 27 dwellings above that originally approved at the outline stage.

11. The density of the appeal scheme would be 70 dwellings per hectare ('dph'), the previously approved scheme 44 dph and both are within the 30 to 70 dph range set out in Policy CSTP1. Whilst such quantitative measures provide a useful starting point, a design led approach also requires a number of other considerations and judgments to be made. Important considerations are how the density manifests itself on the site and whether it is appropriate to the local context with regard to the principles of good design. As such, the use of a quantitative density figure is only one measure of acceptability.
12. This proposal may be for more units than some previously envisaged for the site, but I observed at my visit a range of densities across the development, including 71 dph in Phase 2. The proposal before me would provide a greater range of densities across the wider site and within the policy range, which is a more efficient use of land and in proximity to facilities, services and more sustainable modes of transport. Such an approach would be consistent with the Council's own Housing Delivery Test Action Plan.
13. Character can be defined as the sum of all the qualities which distinguish an area or put simply how a place feels. Appearance is more concerned with outward visual qualities and in this case the council confirmed at the CMC that they had no objections to the appearance of the development. Having visited the site and subject to appropriate materials, which can be secured by condition I agree.
14. The appeal site is physically contained by recently constructed housing and Arisdale Avenue to the west and the railway line to the immediate east that runs between Upminster and Grays. Beyond that line lies a residential area formed by uniform short terraces of 2 storey prefabricated dwellings. The appeal site is therefore part of a materially different context and the blocks would be similar to the existing 4-5 storey buildings on the northern boundary of the development on Windstar Drive.
15. Variations in density and building forms, mass and heights assists in avoiding the delivery of identikit homogenous residential schemes. Here, I observed such variations in the scale and design of built form, combined with the intimate the layout and pattern of the streets and incidental open spaces, to combine and create a real sense of place in what is a significant new residential neighbourhood.
16. The proposed blocks have been designed with appropriate variations in height and scale and their juxtaposition allows for a landscaped setting. This would limit the visual and perceived effects of these larger apartment blocks and the adjacent railway line. Following an established but not required design code, the proposal would integrate itself into the development, with no unacceptable influence on the intended and emerging character of Bennetts Field. Overall, this is a good example where an opportunity to deliver additional units by an increase in density has been identified and successfully designed so as to integrate into the character of an existing housing development, with no adverse visual effects.

³ Paragraph 3.6 of the Statement of Common Ground.

Quality - Housing Mix and Type

17. The appeal proposals would provide 92 dwellings, comprising 27 x 1-bedroom apartments, 59 x 2-bedroom apartments, 4 x 2-bedroom houses, and 2 x 3-bedroom houses. This would equate to 53.5% apartments and 46.5% houses overall for Phases 1- 5 inclusive. Of the 92 dwellings, 11 are proposed to be affordable units. Whilst this proposal would not meet the requirements of condition 7 of the outline planning permission in terms of a mix, this is a standalone application to be considered on its own merits and compliance with that condition is not determinative.
18. The Council's objection is on the grounds that they considered a need for more local housing needs and family housing for this site, instead of apartments. Nonetheless, the outline planning permission was approved in 2011 and since then a more up to date Strategic Housing Market Assessment for South Essex has been undertaken and updated ('the SHMA'). The dwelling mix of mainly apartments now proposed would more appropriately reflect the Borough's housing needs for 3 bed houses and 1-2-bedroom apartments set out in that SHMA.
19. There are no objections raised by the Council's Housing Officer and the appellant's uncontested evidence suggests that on the ground, there is a waiting list of 58 people who have an interest in a property. Of this number, 77.6% are seeking apartments, 13.8% 2 bed houses and 8.6% 3 bed houses. Overall, there is nothing to suggest the proposal would prevent an appropriate mix of housing for the needs of this particular Borough.

Quality - Open Space

20. The provision of open space across the wider former Ford Motor Factory site was considered and established through the outline permission. At my visit I observed areas of open space integrated into the layout throughout the whole Bennetts Field development and a series of incidental green and open spaces with a suitably diverse array of play equipment and landscaping.
21. The Council do not allege conflict with Policies CSTP20 or PMD5 that deal with open space provision and it is undisputed that the open space here would represent a 10% increase above that anticipated. This would also be proportionate to the overall increase in the number of units this proposal would provide.
22. Residents of the apartments would have direct and easy access to the areas of space on Falcon and Park Way which appeared to be well used by a range of existing residents. Further, the Design and Access Statement sets out what I consider to be a sound design approach to the layout of this part of the site, incorporating a pocket park with natural play instead of an access road and in proximity to a Local Area of Play. Separating the 3 blocks of apartments and extending between Blocks 5 and 6, subject to conditions to secure high-quality planting it would be an attractive and useable open space for occupiers of the apartments.
23. Expansive areas of open space lie opposite in the form of the 86-hectare Little Belhus Country Park developed on the site of a former gravel pit and landfill site, dating back to the 1940s. There is also the Bonnygate Wood Recreation Ground a short walk to the south. In association with the open space on the

appeal site, these areas would provide suitable and accessible open space for the occupiers of the dwellings, should they wish to use them, in addition to their own gardens, at ground level and balconies.

Conclusion on acceptability

24. In the absence of adverse character and appearance effects, and of an appropriate design, density, housing mix and creating acceptable living conditions in terms of access to open space, the proposal would be an acceptable quality of development. It would accord with Policies CSTP1, CSTP20, PMD2 and PMD5 of The Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD ('the CS').
25. Amongst other things and when taken as a whole, these require a promotion of a mix of dwelling types, size, density and tenure to reflect the Borough's housing need and that residential development is design led, optimising the use of land in a manner that is compatible with its surroundings, and resisting excessive density that would lead to a poor quality of life. Further, that adequate provision of a range of accessible, high quality open space is provided and maintained to meet the needs of the local community. There would be no conflict with the associated design, density and character objectives of the Framework.

Parking

26. Whilst the Layout and Standards Supplementary Planning Document referred to in Policy PMD8 has not been adopted, this has apparently been used for a number of years and accepted in appeals and it therefore provides a useful starting point. Providing 120 parking spaces for 92 dwellings the provision would comply with the Council's minimum parking standard of 115 spaces in addition to the range contained within the Design Code of the outline permission.
27. Each apartment would be provided with a space, the houses 2 spaces and a sensible approach taken in the provision and arrangement of 22 spaces for visitors. Whilst I note comments made by members about the level of accessibility, nonetheless, I observed the site lies in a location close to public transport links with South Ockendon rail station a short walk to the north and with regular bus services available along Arisdale Avenue. It is also close to adequate services and facilities to serve the scale of this development being within 1 kilometre of South Ockendon Town Centre.
28. Planning conditions are recommended for electric vehicle charging provision, a Travel Plan and a Parking Management Strategy and from my observations, albeit during the morning on a weekday but at a time when more people are working from home, spaces were available. I also give some weight to the March report to the Council's relevant committee which stated the Council's officers were not aware of any ongoing parking issues on the development. Any modest increase in potential on-street parking as a result of the proposal from visitors or occupiers, including those occupiers of the apartments who may own a second vehicle, would not cause harm to highway safety.
29. For these reasons, the car parking provision and arrangements would be acceptable and would accord with Policy PMD8 of the CS which, require compliance with parking standards and the use of suitable physical design to

reduce the risk of on street parking, encouraging more sustainable modes for cycles, powered two wheelers, disabled car users and electric vehicles. There would be no conflict with the associated promotion of sustainable transport objectives of the Framework.

Affordable housing

30. The application was supported by a viability assessment which the Council independently reviewed, agreeing with its conclusions that in order for the scheme to remain viable, it could deliver a maximum of 6% affordable housing or 6 dwellings, comprising 2 intermediate/shared ownership and 4 affordable rented dwellings.
31. In addition to these 6, secured in the legal agreement the appellant has also put forward a proposal to use '*reasonable endeavours*' to secure a further 5 affordable homes, to be provided to a Registered Housing Provider using the Homes England Grant Scheme. In the event that such funding is not available in the future, then the appellant will commit to instead selling them to local residents as discounted open market housing of 80% of market value.
32. The legal agreement also contains a viability review mechanism so that a review is provided to the Council, and there subsequent assessment paid for, if the development has not reached slab level for 2 of the blocks within 2 years of any grant if planning permission.
33. A total of 11 affordable housing units are therefore now proposed, equating to an 11% affordable housing contribution. This provision is also in addition to that secured in the Phase 4 and 5 reserved matters scheme of 10% whereas if the appellant were to build out the extant scheme, no further affordable housing would be provided.
34. Policy CSTP2 of the CS seeks the provision of 35% but parts 2 and 3 recognise that on brownfield sites, lower provision can be agreed via an open book approach. Having done so, the uncontested evidence of the appellant is that the viability position remains unchanged since that appraisal. I have no reasons to disagree, and the proposal would provide an acceptable affordable housing provision in accordance with the provisions of Policy CSTP2 of the CS.

Other Matters

35. The S106 legal agreement dated 23 August 2021 contains obligations for financial contributions towards education, healthcare improvements in the local area and an annual Travel Plan monitoring fee. These are in addition to obligations securing the affordable housing and a viability review mechanism. The Council does not have a CIL charging schedule in place and these matters are not controversial and the need for the obligations not in dispute.
36. On the evidence before me the obligations would accord with the provisions of Regulation 122 of the CIL Regulations 2010 and the tests for planning obligations set out in the Framework and I have taken them into account.
37. In reaching this view I have also had regard to the representations made by interested persons relating to education and childcare provision, health services, proximity of services and facilities, highway safety and open space provision. In addition, concerns regarding effects on living conditions of neighbouring occupiers in terms of light, privacy and noise.

38. As set out above I found a series of accessible open spaces and adequate opportunities for recreation. Services and facilities appeared a reasonable and short walk and the relevant consultees requirements in relation to contributions to mitigate impacts on education and healthcare are secured. There is also nothing to suggest highway safety would be affected from any modest increase in additional vehicles.
39. I acknowledge concerns regarding overshadowing and privacy but given the relationship and orientation of the blocks to properties on Park Way, there would be no material overshadowing of adjoining residential properties, as confirmed by the appellant's sun path analysis. A perception and small degree of overlooking of No.1 Park Way could occur from the upper western stories of Block 05 but from the plan I have been provided⁴ views would not be direct, and that part of the block is 2 rising to 3 storeys with no windows in its southern elevation. Consequently, there would not be a material impact on the living conditions of the occupiers of that property in terms of loss of privacy through overlooking.
40. However, there is potential for greater direct overlooking and perception of being overlooked for occupiers of plots opposite the street facing elevation of Block 04 from its upper storeys. There is an opportunity for additional planting in the southern part of the Local Area of Play to mitigate this, details of which could be secured by the suggested soft landscaping condition without affecting its functionality.
41. A noise assessment was carried out by the appellant and its uncontested findings are that the area would be a low noise risk for both day and night time noise and there is nothing to suggest apartments are noisier than houses. Further, no objections were raised on noise grounds by the Council's Environmental Health Officer. Thus none of these other considerations, on their own or in combination, alter my view to allow the appeal.
42. I have also considered whether there are any implications of the judgment in *R (Hillside Parks Ltd) v Snowdonia 2020 EWCA Civ 1440* for this appeal. On the evidence before me and on the basis that the outline planning permission has now lapsed and the proposal before me represents the final 'sub-phase' of the scheme, that judgment also does not alter my view.

Conditions

43. I have considered the suggested conditions against the tests in the Framework and the advice in the Planning Practice Guidance. I have made amendments as necessary to comply with those documents and in the interests of clarity, precision, simplicity and to avoid repetition. The appellant has confirmed in writing acceptance to the wording of the pre-commencement conditions.
44. A condition is required to ensure compliance with the approved plans for the avoidance of doubt as this provides certainty (2). A condition that materials should match phases 4 and 5 is required in the interests of the character and appearance (3). A condition relating to matching boundary treatments is also necessary for the same reason (4).
45. Secured by Design compliance is required to protect public safety and prevent crime (5). Notwithstanding the details submitted further details for soft and

⁴ Appellant's Planning PoE Appendix AR7.

hard landscaping are required in the interests of character and appearance, along with details of the management and maintenance of open spaces (6 and 7). I have amended condition 6 to give a longer period of 10 years for replacement trees, a more suitable timescale given the likely length of time it takes for the necessary type of trees to establish in such residential environments.

46. Construction and completion of estate roads prior to its occupation is required, along with a parking management strategy, all in the interests ensuring the parking provision is acceptable in the interest of highway safety (8, 9 and 10). Conditions requiring details of a scheme of electric charging points, a Travel Plan and provision of cycle parking are required in the interests of promoting more sustainable modes of transport (11, 12 and 13). However, to give the Travel Plan some force I have amended the suggested condition to be more detailed and specific, particularly with regard to its aims and monitoring, given the financial contribution contained in the legal agreement.
47. To prevent surface water flooding, a condition is necessary to require the approval and implementation of a Sustainable Urban Drainage System (14), along with a maintenance plan and yearly logs (15 and 16). The close proximity of the railway line and other noise emanating uses requires noise mitigation measures to be carried out in accordance with the noise report accompanying the proposal (17). To ensure any future risks from contamination are minimised and addressed, conditions are required for a contamination report, including dealing with any unforeseen contamination (18 and 19). Details of Piling are also required for the same reason (20).
48. A condition requiring details of energy efficiency measures and water resource efficiency are necessary in the interests of sustainability (21 and 22). Details of refuse/recycling storage are required in the interests of the character and appearance of the area and living conditions of neighbouring residential occupiers (23). An external lighting scheme to be agreed is necessary in the interests of character and appearance (24) along with all electrical and telephone services are to be run underground (26). In order to ensure appropriate infrastructure a condition is required for superfast broadband (25).
49. A Construction Environmental Management Plan (27) is necessary to protect to be agreed in the interests of highway safety and living conditions although I have amended it to avoid repetition with other conditions and removed some details I consider unnecessary. Condition 27 is a true condition precedent and even if 14, 15 and 21 were also considered to be so, I am satisfied that they are fundamental to the development to ensure that it does not occur until such matters are resolved, in the interests of highway safety, flood risk, sustainability and living conditions of neighbouring occupiers.

Planning balance and conclusion

50. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case I have found accordance with the policies before me and the proposal should be regarded as being in accordance with the development plan, when read as a whole.

51. The Council has confirmed a 1.75-year supply of deliverable housing land⁵, substantially below the 5-year requirement in the Framework. The Housing Delivery Test results published on 19 January 2020 also show the Borough had fallen further behind with its delivery of housing, with only 59% of the required amount being delivered.
52. The proposal would assist in addressing this considerable shortfall and be consistent with the Government's objective to significantly boost the supply of homes, including much needed additional affordable units, on PDL and with some associated economic and other social benefits. These considerations overall give substantial support to accepting the proposed development.
53. Drawing these conclusions together, there are no material considerations that indicate a decision should be taken other than in accordance with the development plan. I therefore conclude that the appeal should be allowed, and planning permission should be granted subject to the conditions set out in the attached Schedule.

Richard Aston

INSPECTOR

⁵ Email from C. Purvis of Thurrock Borough Council dated 15 September 2021.

SCHEDULE

CONDITIONS

1. The development hereby permitted shall be begun within 3 years of the date of this permission.
2. The proposed development shall be built in accordance with the following approved plans unless the prior written approval has been obtained from the local planning authority:

Location Plan R9052-STN-18-ZZ-DR-A-0900-P50
Site Layout Plan R9052-STN-18-00-DR-A-0902-P60
Site Unit Mix Plan R9052-STN-18-00-DR-A-0903-P58
Site Roof Plan R9052-STN-18-ZZ-DR-A-0904-P57
Site Storey Heights Plan R9052-STN-18-ZZ-DR-A-0905-P57
Site Parking Strategy Plan R9052-STN-18-ZZ-DR-A-0906-P62
Site Tenure Strategy Plan R9052-STN-18-ZZ-DR-A-0907-P61
Site Refuse Strategy Plan R9052-STN-18-ZZ-DR-A-0908-P57
Site Boundary Treatment Plan R9052-STN-18-ZZ-DR-A-0909-P57
Site Garden Size Plan R9052-STN-18-ZZ-DR-A-0910-P57
Site Sustainability Plan R9052-STN-18-ZZ-DR-A-0911-P57
Site External Materials Plan R9052-STN-18-ZZ-DR-A-0912-P57
Site Masterplan R9052-STN-18-ZZ-DR-A-0913-P57
Street Elevations R9052-STN-20-ZZ-EL-A-0920-P57

Apartment Block 04 – Floor Plans Level 00 R9052-STN-20-ZZ-DR-A-1040-P49
Apartment Block 04 – Floor Levels 01-03 R9052-STN-20-ZZ-DR-A-1041-P49
Apartment Block 04 – Roof Plan R9052-STN-20-R0-DR-A-1042-P49
Apartment Block 05 – Floor Plans Level 00 R9052-STN-20-ZZ-DR-A-1050-P57
Apartment Block 05 – Floor Plans Level 01 R9052-STN-20-01-DR-A-1051-P57
Apartment Block 05 – Floor Plans Level 02 R9052-STN-20-01-DR-A-1052-P57
Apartment Block 05 – Floor Plans Level 03 R9052-STN-20-01-DR-A-1053-P57
Apartment Block 05 – Roof Plan R9052-STN-20-R0-DR-A-1054-P57
Apartment Block 06 – Floor Plans Level 00 R9052-STN-20-ZZ-DR-A-1060-P57
Apartment Block 06 – Floor Levels 01-03 R9052-STN-20-ZZ-DR-A-1061-P57
Apartment Block 06 – Roof Plan R9052-STN-20-R0-DR-A-1062-P57
Apartment Block 04 - Elevations R9052-STN-20-EL-DR-A-2140-P56
Apartment Block 05 - Elevations R9052-STN-20-EL-DR-A-2150-P57
Apartment Block 06 - Elevations R9052-STN-20-EL-DR-A-2160-P57
Apartment Block 04 – Bin Store Design Intent R9052-STN-20-XX-DR-A-4006-P50
Apartment Block 06 – Bin Store Design Intent R9052-STN-20-XX-DR-A-4007-P57
House Type A - Elevations R9052-STN-20-EL-DR-A-2000-P49
House Type B(V1) - Elevations R9052-STN-20-EL-DR-A-2001-P49
House Type A – Floor Plans R9052-STN-20-ZZ-DR-A-1000-P49
House Type B(V1) – Floor Plans R9052-STN-20-ZZ-DR-A-1001-P49

Detailed Planting Proposals (Drawing 1 of 6) 2044 02 E
Detailed Planting Proposals (Drawing 2 of 6) 2044 03 D
Detailed Planting Proposals (Drawing 3 of 6) 2044 04 C

Detailed Planting Proposals (Drawing 4 of 6) 2044 05 D
Detailed Planting Proposals (Drawing 5 of 6) 2044 06 C
2044 07 G (Drawing 6 of 6)
LAP Proposals 2044 08 C
General Arrangement Plan 2044 09
POS Sketch Masterplan 2044 B
Street Lighting Plan 2376-D-01-K

Phase 4 & 5 Flood Routing Plan R9052-CUR-18-XX-DR-C-7215-P04
Phase 4 & 5 Overland Flows R9052-CUR-20-00-DR-C-7216-P01
Phase 4 & 5 Section 38 Agreement Land Dedication Plan R9052-CUR-18-XX-DR-C-9208-P14
Phase 4 & 5 Proposed Drainage Layout Plan R9052-CUR-18-XX-DR-C-7002-C11
Levels Proposed FFL and Elevation Plan Curtins Plan R9052-CUR-20-00-DR-C-2001-P03
Highways External Hardstanding Layout Plan R9052-CUR-20-00-DR-C-2002-P04
Drainage General Drainage Strategy R9052-CUR-20-00-DR-C-2003-P05
Proposed FFL and Elevation Plan Curtins (Cross Section) R9052-CUR-20-00-DR-C-2004-P01.

3. The materials to be used on the external surfaces of the development hereby approved, as referred to on the approved 'Site External Materials Plan', shall match those used on the external surfaces of the Phase 4 and Phase 5 planning permission from references 09/50035/TTGOUT, 18/00308/REM and 18/00309/CONDC, unless otherwise agreed in writing by the local planning authority.
4. All boundary treatments, as referred to on the approved 'Site Boundary Treatment Plan', shall match those boundary treatments used in Phase 4 and Phase 5 of local planning authority ref: 09/50035/TTGOUT, 18/00308/REM and 18/00309/CONDC, unless otherwise agreed in writing by the local planning authority.
5. No development above ground level shall commence until details have been submitted to and approved and in writing by the local planning authority that demonstrate how the principles and practices of the Secured by Design 2019 have been incorporated into the development. Development shall be carried out in full accordance with the approved details and retained and maintained as such thereafter.
6. Notwithstanding the landscaping plans at condition 2 no development above ground level shall take place until further details of both hard and soft landscaping works on the appeal site have been submitted to and approved in writing by the local planning authority.

The soft landscaping works shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities. This shall include suitable trees to be planted to mitigate loss of privacy from the west facing upper storeys of Block 04.

2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. Any trees or plants, which within a period of 10 years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the local planning authority, unless the local planning authority gives written consent to any variation.

The hard landscaping works shall include:

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the occupation of the development and maintained as approved thereafter.

- 7. Prior to the first occupation of the development details of the future arrangements for the management and maintenance of the open space and landscaping of the site shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented at all times thereafter.
- 8. Prior to the first occupation of the development the carriageways and footways as shown on the approved plans between the dwelling and highway shall be constructed up to and including base course surfacing. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be constructed to an adoptable highway standard with final surfacing within 12 months from the occupation of such dwelling.
- 9. Prior to the first occupation of the development the vehicle parking areas shown on the approved 'Site Parking Strategy Plan', including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking area(s) shall be maintained and retained in this form at all times thereafter and shall not be used for any purpose other than the parking of vehicles.
- 10. Prior to the first occupation of the development a Parking Management Strategy specifying the restrictions on car parking to include but not limited to a visitor parking permit scheme, clarification on parking offences and details of its administration and enforcement shall be submitted to and approved in writing

by the local planning authority. The Parking Management Strategy shall be implemented and thereafter retained for the duration of the residential use.

11. Prior to the first occupation of the development details of electric charging points for parking spaces shall be submitted to and approved by the local planning authority. The electric charging points shall be installed as approved prior to occupation of the development and shall be maintained and retained as such thereafter.
12. Prior to the first occupation of the development the cycle parking provision as shown on the approved 'Site Parking Strategy Plan', shall be provided and maintained and retained as such thereafter.
13. Prior to the first occupation of the development hereby permitted, the applicant shall submit for the written approval of the local planning authority a Travel Plan, written in accordance with the aims and objectives of the National Planning Policy Framework which shall:
 - (i) Raise awareness and promote sustainable transport modes for accessing the site;
 - (ii) Reduce the numbers of trips generated by private motor vehicles;
 - (iii) Improve air quality through the reduction of carbon emissions and other pollutants; and
 - (iv) Promote healthier and more active lifestyles to residents.

The development hereby permitted shall not be occupied until the approved Travel Plan has been implemented. Within 6 calendar months of the first use or occupation of the development hereby permitted, a baseline travel survey shall be carried out and the results submitted to the local planning authority in an updated version of the Travel Plan. Thereafter on an annual basis for a period of 5 years a monitoring travel survey shall be carried out and submitted to the local planning authority in a monitoring report. The survey shall confirm whether or not the objectives of the Travel Plan have been achieved and shall contain, where necessary, recommendations for amendments or improvements to the Travel Plan.

14. No development, with the exception of demolition, shall commence until a detailed surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include detailed engineering drawings of each component and feature of the drainage scheme. The detailed surface water drainage scheme shall be implemented as approved prior to occupation of the development and shall be maintained and retained as such thereafter.
15. No development, with the exception of demolition, shall commence until a Maintenance Plan including the maintenance activities/frequencies and responsibilities has been submitted to and agreed in writing by the local

planning authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements and administration shall be provided. The development shall be implemented in accordance with the Maintenance Plan and shall be maintained and retained as such thereafter.

16. In accordance with condition 15 the applicant or any successor in title must maintain yearly logs of maintenance which shall be carried out in accordance with any Maintenance Plan. These shall be made available for inspection upon the written request of the local planning authority.
17. Prior to the first occupation of the development the noise mitigation measures as identified in the Report on Existing Noise Climate Revision 5 dated 5 November 2020 and any updated version shall be implemented in full and maintained and retained as such thereafter.
18. Following the completion of measures identified in the Remediation Strategy and Verification Plan for discharging condition 20 of 09/50035/TTGOUT an updated validation report that demonstrates the effectiveness of the remediation strategy carried out to this application site shall be submitted to and approved in writing of the local planning authority.
19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and be submitted for approval in writing of the local planning authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with Condition 18.
20. Piling or any other foundation designs using penetrative methods shall not be used unless a report has been submitted to, and agreed in writing by, the local planning authority demonstrating that no resultant unacceptable risk to groundwater would occur. If any risk to groundwater does occur then a mitigation strategy shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
21. No development above slab level shall commence until details of measures to demonstrate that the development will achieve the generation of at least 20% of its energy needs through the use of decentralised, renewable or low carbon technologies has been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the approved form unless otherwise agreed in writing by the local planning authority.
22. Notwithstanding the 'Site Sustainability Plan' details shall be submitted to and agreed in writing by the local planning authority for the harvesting of rainwater

and water resource efficiency within the site. The details as approved shall be implemented prior to the first occupation of the development and maintained and retained as such thereafter.

23. Notwithstanding the 'Site Refuse Strategy Plan' details shall be submitted to and agreed in writing by the local planning authority of the design, specification and provision of refuse and recycling storage facilities. Development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained and maintained as such thereafter.
24. Prior to the first occupation of the development details of any external lighting, with the exception of lighting within residential plots, shall be submitted to and agreed in writing by the local planning authority. The details shall include details of the spread and intensity of light together with the size, scale and design of any light fittings and supports. Development shall be carried out in accordance with the approved details and maintained and retained as such thereafter.
25. The dwellings within the development shall be provided with the means of connecting to superfast broadband and upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, shall be in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless otherwise agreed in writing by the local planning authority.
26. All electrical and telephone services to the development shall be run underground.
27. No development shall commence until a Construction Environmental Management Plan ('CEMP') has been submitted to and approved in writing by the local planning authority. The CEMP should address the following:
- Routing of construction traffic and delivery vehicles including means of access into the site.
 - Details of any proposed road closures or traffic management measures needed during construction.
 - Details of measures to prevent mud etc, in vehicle tyres/wheels, from migrating onto the highway and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
 - Details of appropriate signing for pedestrians during construction works
 - The erection and maintenance of security hoarding / scaffolding if required.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A highway condition survey of roads to be used by construction traffic in the vicinity of the appeal site (pre-condition survey).
 - Details of times for construction traffic and delivery vehicles.
 - Method for the control of noise with reference to BS5228 together with a monitoring regime;
 - Dust and air quality mitigation and monitoring;
 - Water management including waste water and surface water discharge;

- Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals;
- A Site Waste Management Plan;
- Ecology and environmental protection and mitigation;
- Details of security lighting layout and design.

Development shall take place in accordance with the approved CEMP.

----- End of conditions -----