
Appeal Decisions

Site Visits made on 13 April 2021 and 17 August 2021

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2021

Appeal A Ref: APP/A4520/W/20/3264422

Sir William Fox Hotel, 5 Westoe Village, South Shields NE33 3DZ

- 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 Lee Brown against South Tyneside Council.
 - The application Ref:ST/0234/20/FUL, is dated 24 April 2020.
 - The development proposed is described as: Change of use from hotel to 7 no. apartments. Proposed extension to rear elevation and external alterations including the removal of existing render to the rear elevation, replacement of existing uPVC windows to hardwood timber windows, associated landscaping, car parking, and installation of cycle stands and refuse storage to the rear.
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Appeal B Ref: APP/A4520/Y/20/3264425

Sir William Fox Hotel, 5 Westoe Village, South Shields NE33 3DZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Lee Brown against South Tyneside Council.
 - The application Ref:ST/0287/20/LBC is dated 24 April 2020.
 - The works proposed are described as: Change of use from hotel to 7 no. apartments. Proposed extension to rear elevation and external alterations including the removal of existing render to the rear elevation, replacement of existing uPVC windows to hardwood timber windows, associated landscaping, car parking, and installation of cycle stands and refuse storage to the rear.
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Decisions

Appeal A

1. The appeal is allowed, and planning permission is granted for the change of use from hotel to 7 no. apartments, proposed extension to rear elevation and external alterations including the removal of existing render to the rear elevation, replacement of existing uPVC windows to hardwood timber windows, associated landscaping, car parking, and installation of cycle stands and refuse storage to the rear at Sir William Fox Hotel, 5 Westoe Village, South Shields NE33 3DZ in accordance with the terms of the application, Ref:ST/0234/20/FUL, dated 24 April 2020, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed, and listed building consent is granted for the change of use from hotel to 7 no. apartments, proposed extension to rear elevation and external alterations including the removal of existing render to the rear elevation, replacement of existing uPVC windows to hardwood timber windows,

associated landscaping, car parking, and installation of cycle stands and refuse storage to the rear at Sir William Fox Hotel, 5 Westoe Village, South Shields NE33 3DZ in accordance with the terms of the application Ref:ST/0287/20/LBC, dated 24 April 2020, and the plans submitted with it, subject to the conditions in the attached schedule.

Applications for Costs

3. Applications for an award of costs in respect of both appeals were made by Mr Lee Brown against South Tyneside Council. These applications are the subject of separate decisions.

Preliminary Matters

4. Although the appeals have been made against the failure of the Council to determine the applications within the statutory time period, the Council's Statement of Case sets out that, had it been in a position to make a decision on the applications, it would have refused planning permission and listed building consent on grounds relating to the adverse effect of the proposed works on the listed building and on the character and appearance of the Westoe Conservation Area. It is also evident from the Council's submissions that the appeal site is within a zone of influence of several European protected sites.
5. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). None of the revisions to the Framework are of direct relevance to the principal disputed matters in this appeal. I have determined the appeal with reference to the revised Framework.
6. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

7. The main issues in this appeal are:
 - Whether the proposal would preserve a Grade II listed building, 5 Westoe Village [List Entry No:1232328], and any of the features of special architectural or historic interest that it possesses, and the extent to which it would preserve the setting of nearby listed buildings and preserve or enhance the character or appearance of the Westoe Conservation Area; and
 - The effect of the proposed development on the integrity and relevant features of the Durham Coast Special Area of Conservation, the Northumbria Coast Special Protection Area, and the Northumbria Coast Ramsar Site.

Reasons

The effect on heritage assets

8. The building was listed in 1983 and dates from the late eighteenth century. It is a brick building under a slate roof comprising two storeys with attic accommodation served by small dormer windows to the front elevation. The building also has a partial basement. To the rear is a three storey projecting wing and a smaller modern single storey rear extension. The three storey rear wing has been rendered, with the render scored to imitate stonework. It has a pitched, slate, roof. The rear of the building faces an enclosed area, accessed

by a narrow lane from the A1018 (Dean Road), that serves as a car park for the current hotel use.

9. The Appellant's Design and Access Statement suggests that the rear wing is the earliest part of the building, originally comprising three terraced dwellings, and that the element of the building fronting Westoe Village is a later, nineteenth century, addition to this. However, this was inconsistent with my own observations. Where areas of render have been removed from the rear wing, these reveal that the section where the wing joins the fronting building is constructed of the same red brick. Moreover, the projecting brick string courses of the fronting building continue onto the rear wing and are visible beneath the render.
10. This strongly suggests that the northern section of the rear wing was built contemporaneously with, and as part of, the fronting building. On the central section of the rear wing an area of stonework has been exposed beneath the render at ground floor level. However, I observed that at roof level, where the building steps down, the exposed section of gable is also constructed in red brick. The rear wing has clearly been much altered over time and subsequently rendered over, which makes this part of the building more difficult to interpret.
11. This notwithstanding, the appeal building has evidential value as a home built for a wealthy occupier in the later eighteenth century and provides evidence of the architectural tastes and building styles of that time, together with the construction techniques employed. It has aesthetic value, both in its own right and as part of a group of similar houses built on the street plan of an earlier medieval village that evolved from a farming community into an enclave of wealthy industrialists during the course of the seventeenth century.
12. The appeal building is also of historical interest due to it being the birthplace of William Fox, who went on to become Prime Minister of New Zealand in the later nineteenth century.
13. Consequently, I find that the special interest of the listed building, in so far as it relates to these appeals, to be primarily associated with its evidential, aesthetic, and historic interest as set out above.
14. The Westoe Conservation Area is based around a historic village core, potentially with its origins in the medieval period, which during the seventeenth and eighteenth century became a popular residential location for the wealthy industrialists of South Shields. As time passed, the village was subsumed into the expanding town of South Shields. From the evidence provided, the significance of the conservation area, in so far as it relates to these appeals, is derived from the historic street layout and the impressive assemblage of fine, large, townhouses. Within the historic core, the built form is characterised by large, detached, dwellings set within large plots. It has historic significance in that it retains the street layout of the medieval village but is also illustrative of the wealth that industrialisation brought to the area and the architectural styles and building techniques of the time. It additionally has aesthetic value arising from the form of the street and the rich and varied architecture of the buildings.
15. Several neighbouring and nearby buildings are also listed, and the appeal building is part of the interlinked settings of these listed buildings. This combined setting, together with the conservation area, provides the historical context for the group of buildings.

16. The proposed works are largely within the appeal building to reconfigure the internal arrangement from its present use as a hotel to 7 flats. Externally, it is proposed to partially demolish and reconfigure an existing single story rear extension and add a further small, flat roofed, single story extension to this; remove the render from elevation of the rear wing that faces the current car park; replace the windows and doors in the rear wing; and rationalise the current arrangement of soil vent pipes on the rear wing. It is also proposed to insert a small rooflight into the east facing roof slope of the rear wing and to enlarge an existing lightwell to the front of the main building. Additional works adjacent to the building are proposed to resurface the existing car parking area and to create an external refuse bin store.
17. The Council's Conservation Officer states that the interior of the building has been extensively altered and much of historic floorplan has been lost. This is borne out in part by the details shown on the existing floorplans, which show the current configuration of the building as a hotel. When I visited the site, I was able to inspect the interior of the building and it was apparent that the historic floor plan has been very much eroded by earlier alterations to the building. There are few historic features remaining internally apart from the main staircase in the front part of the building, which is to be retained. The rear wing in particular has been heavily altered.
18. The Council has raised concerns in respect of the excavation of the partial basement, to increase the floor to ceiling height, and the subdivision of rooms with regard to the structural stability of the building. Concern has also been raised in respect of the removal of the external render and the installation of services.
19. It is proposed to lower the existing floor level in the basement by approximately 41cm in order to provide a suitable floor to ceiling height in this area for a habitable room. The proposed excavations would not increase the floor area beyond the current extent of the partial basement area.
20. The proposed drawings show the existing internal walls to be entirely removed are partition walls. From the submitted drawings and site inspection, these are most likely modern insertions carried out as part of the conversion to a hotel and undertaken prior to the building being listed. There is no substantiated evidence before me that would indicate that either the proposed excavation works, or the removal of modern, internal, partition walls would affect the structural integrity of the building.
21. The drawings also show that the remaining historic walls within the fronting building would be largely retained, although a number of new openings would be formed in these. Breaking through these remaining historic walls would result in a loss of historic building fabric and a further erosion of the legibility of the historic floorplan.
22. I have noted the points made by interested persons regarding the horizontal subdivision of the rear wing, nonetheless, this appears to have been the internal configuration of the building at the time of its listing in 1983. I have also had regard to the point raised in respect of the number of new units that would be created by the proposal. Subdivision has implications for the historic floor plan of buildings, although in the case of the appeal building it is common ground that much of the historic floor plan of the building has been lost as a result of earlier works. Within the rear wing of the building, it was evident from the site

visit that the historic layout and functions of this part of the building are no longer discernible.

23. Through the loss of historic fabric and the further erosion of the remaining historic floorplan in the fronting building, the proposed works would be harmful to the significance and historic interest of the building. However, this is offset to a degree by the works within the rear wing reducing the current level of compartmentalisation within this part of the building.
24. The replacement of the current, mismatched, uPVC windows in the elevation of the rear wing with timber framed sash windows and the rationalisation of the current arrangement of soil vent pipes would represent a visual improvement to the building and the surrounding conservation area. Similarly, the removal of the render from the elevation of the rear wing facing the car park, would result in the removal of a poorly detailed feature and potentially better reveal the phasing and history of the building. I accept that the removal of render can result in damage to the underlying materials, and I have noted the Council's point that architectural features of the building beneath should be preserved. When I visited the site, I saw that render has been removed from two trial areas on the ground floor and that this had been achieved without apparent damage to the historic walling materials. In this context, I am satisfied that, subject to an agreed method statement for the removal of the remainder of the render on this elevation, this work could be carried out by a specialist contractor without harming the special interest of the building. This method statement could be secured by way of a condition.
25. The provision of utilities to the proposed new flats may have some implications for the building and there is no information in respect of this. Nevertheless, there is no indication that these works would be anything other than minor and this could also be addressed through a condition.
26. The Council have not raised any concerns in respect of the proposed rear ground floor extension. The proposed works involve the partial demolition and rebuilding on a slightly different footprint of an existing extension that provides a rear entrance to the hotel from the car park. In addition, a new, small, flat roofed extension is proposed to be added to this with the combined extensions providing kitchen and bathroom facilities for one of the flats. Whilst this would alter the appearance of the rear of the building, the resulting extension would not be significantly different from the present rear extension and would be clearly discernible as a later addition to the historic building. It would not affect the legibility or the understanding of the principal building, nor would it be a prominent feature in the conservation area because it would be located within a semi-private space to the rear of the building. As such, it would have a neutral effect on the listed building and the conservation area.
27. As part of the works, it is proposed to enlarge an existing lightwell at the front of the building. This would result in a small increase in its overall size and would result in the loss of some of the historic paved area to the building frontage that is enclosed by the current boundary wall. The work would, however, only result in a very minor change to the building frontage. It is also proposed to install a new timber, sliding sash window within the lightwell, secondary glazing to the windows of the main frontage building and a small rooflight to the east facing slope of the roof of the rear wing. Taken together

these works would have no significant effect on any architectural or historic features of the building and their effect would be neutral overall.

28. The present car park area is poorly surfaced and the proposed works to resurface this and the introduction of some areas of soft landscaping would represent an improvement to the visual appearance of this area directly adjacent to the listed building and of this part of the conservation area. It is also proposed to provide a new bin store which would be located adjacent to an arched, recessed, feature in gable wall of 13 Dean Road and would obscure this. The nature and purpose of this feature is unclear, but it is of a similar age to the principal building. From the details provided, this feature would not be lost as a result of the proposed works and its obscuration would not reduce the ability to understand or appreciate the listed building.
29. Taking the proposal as a whole, the proposed works would result some small scale harm to the significance and historic interest of the building due to the loss of historic fabric and further erosion of legibility of the historic floor plan resulting from creating new openings in the surviving historic internal walls. However, this must be seen in the context that the evidence indicates that the interior layout of the building was substantially altered prior to it being listed. Consequently, this harm would be less than substantial but, nonetheless, of considerable importance and weight.
30. In these circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
31. The proposed works would result in a small scale visual improvement to the rear of the appeal building arising from the removal of unsympathetic render from the rear wing, which would additionally better reveal the phasing of the building and aid in a better understanding of its significance. The replacement of inappropriate uPVC windows and the rationalising of the rainwater goods on the rear wing together with improvements to the external areas associated with the building would also represent an improvement to the listed building. The improvement of a listed building in this manner is a public benefit. The proposals would also maintain the building in a viable use. Taken together, these positive aspects of the work amount to public benefits that would compensate for, and overcome, the small amount of harm that would result from the internal alterations. Overall, the proposed works would have a neutral effect on the significance and historic interest of the listed building.
32. The Council's Westoe Conservation Area Management Plan Supplementary Planning Document (SPD10) sets out several criteria that will be applied to proposed developments within the historic village core. These include, among other things, seeking to maintain the predominant residential use as family dwellings; ensuring that any internal alterations to historic buildings preserves their architectural integrity and historic interest; and resisting sub-division within building plots that would damage the special character and historic settlement pattern of the area.
33. Whilst I observed that there are buildings within this part of the conservation area that have been converted to flats, there is no substantive evidence before me that demonstrates that the predominant use would no longer be family houses if the appeals were to be allowed. As set out above, the interior of the appeal building has previously been substantially altered and much of the

historic layout and features of interest have been lost. Those features that do remain, such as the staircase, are to be retained as part of the proposals. Whilst a small amount of additional historic fabric would be lost, this is offset by the improvements to the external appearance of the building and the outside areas that would result from the works. Although the proposal involves the sub-division of the building, the plot on which it stands would be unaffected and would retain its historic boundaries. Consequently, I do not find any conflict with the requirements of SPD10.

34. There is no compelling evidence before me that the appeal proposal would lead to an oversupply of flats in the area. The proposal would not result in substantive or fundamental changes to the exterior of the building to facilitate this change of use and the current hotel use will have resulted in greater numbers of pedestrian and vehicle movements than would be associated with a single dwelling house. Although the appeal building is within the setting of several nearby listed buildings and within a conservation area, the proposed external works are minor in nature and would, overall, result in a small scale visual improvement to the surrounding area. Therefore, the appeal proposals would not cause harm to the character and appearance of the conservation area or the setting of the nearby listed buildings.
35. Given the above, I conclude that the proposed works would preserve the special architectural and historic interest of the Grade II listed building, the setting of the nearby listed buildings and the character and appearance of the Westoe Conservation Area. This would satisfy the requirements of the Act, paragraph 197 of the Framework and the development plan policies, in so far as relevant, and, in particular, Policy DM6 of the South Tyneside Development Management Policies 2011 (the DMP) which seeks to ensure that heritage assets and their settings are preserved or enhanced. Nor would it conflict with Policies EA1 or ST1 of the South Tyneside Core Strategy 2009 (the Core Strategy) which expect new development to maintain local character and distinctiveness and maximise the use of previously developed land and buildings, or DMP Policy DM1 which seeks to ensure that developments are acceptable in relation to any impact on residential amenity.

The effect on European Protected sites

36. The proposal would result in new residential development within the 6km zone of influence of the Durham Coast Special Area of Conservation (SAC) and the Northumbria Coast Special Protection Area (SPA) and Ramsar Site. Consequently, consideration must be given under the Habitats Regulations to the potential indirect effects on these sites as a result of additional recreational pressure from new residents.
37. When read together, Core Strategy Policy EA3 and Policy DM7 of the DMP expect new development to protect the integrity of designated sites and to protect biodiversity and geodiversity sites from the cumulative effects of development.
38. The boundaries of the Durham Coast SAC and the Northumbria Coast SPA/Ramsar site overlap at this point. The Durham Coast SAC protects the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. The habitat types supported are highly sensitive to impacts that change the conditions of the site, including nutrient enrichment and direct habitat damage. The SPA/Ramsar Site was designated as the coastal area regularly supports

internationally important numbers of purple sandpiper and turnstone. Seabirds are vulnerable to disturbance from human activity and recreational use of the coastline, and their range is not restricted to within the boundaries of the designated areas.

39. As part of the preparation of South Tyneside Council's new local plan, a Habitats Regulations Assessment (HRA) was carried out which identified a potential increased risk to these sites because of increased use of the coastal area by occupiers of new housing development close to the coast. Following this, a mitigation strategy was established through the South Tyneside Interim Supplementary Planning Document 23: Mitigation Strategy for European Sites (Recreational Pressure from Residential Development) 2018 (SPD23).
40. I have been provided with a copy of the advice issued by Natural England in respect of SPD23. The standing advice sets out that Natural England do not consider it necessary to be consulted individually on each Appropriate Assessment where the agreed strategic solution set out in the SPD is applied.
41. I have also been provided with a copy of an Appropriate Assessment that was carried out by the Council for the proposal, as required by the Habitats Regulations. The Guidance on Habitats Regulations Assessments: Protecting a European Site, issued by the Department for Environment, Food, and Rural Affairs sets out that, in certain circumstances, decision makers can use an HRA carried out by another competent authority. These are: if the decision maker is satisfied that since that HRA was carried out there has been no new information in respect of the designated sites; that the assessment carried out by the Council is relevant, thorough, and correct; that the conclusions are rigorous and robust; and that there is no new case law that changes the way an assessment should be carried out or interpreted. I am satisfied that this is the case in respect of this proposal and have, therefore, used the evidence and conclusions from the Appropriate Assessment carried out by the Council.
42. Taken in isolation, due to its small scale, the appeal proposal would be unlikely to cause any significant effects on the protected sites. However, in combination with other residential development within the zone of influence, it would result in increased levels of recreational disturbance in the Durham Coast SAC and the Northumbria Coast SPA and Ramsar Site.
43. Disturbance reduces foraging time for birds and increases energy expenditure because the birds have to spend more time engaging in vigilance and escape activities. Reduced food intake combined with increased energy expenditure decreases fitness, which in turn increases mortality at the wintering grounds or during migration, or results in birds arriving at their breeding grounds in poorer condition.
44. Disturbance effects on the Durham Coast SAC could lead to the trampling of vegetation. Trampling leads to physical damage to plants, reducing their ability to flower, and also soil compaction and nutrient loss, which can affect the area's ability to support species richness. Nutrient enrichment caused by dog fouling can also affect the natural fauna of the area by changing the mineral content of soils with a naturally low nutrient content and can promote the introduction of invasive species.

45. While no mitigation measures are included as part of the application proposal itself, adverse effects would be avoided due to mitigation secured through South Tyneside Council's Mitigation Strategy for European Sites.
46. The Mitigation Strategy document sets out the Council's strategic approach to mitigating effects due to recreational pressure arising from residential development within 6 km of the protected sites. The SPD does not seek contributions toward implementing the mitigation strategy from small scale developments, such as the appeal proposal, but rather seeks contributions on a tariff basis from larger scale residential developments at a level which is designed to also provide sufficient mitigation to address effects associated with minor residential development proposals.
47. The Appropriate Assessment carried out by the Council concluded that the proposal, in-combination with other plans and projects, will not have an adverse effect on the integrity of the Durham Coast SAC and the Northumbria Coast SPA and Ramsar Site. There is no evidence or information that would cause me to reach a different finding and I, likewise, conclude that the proposal would have no adverse effects. The proposal would, therefore, not conflict with Core Strategy Policy EA3 or DMP Policy DM7.

Other Matters

48. The floor areas of some of the proposed flats are marginally below the minimum gross floor areas set out in the Technical Housing Standards – Nationally Described Space Standard (the Standard). I have not been referred to any policies in the Development Plan which set out any space standards that the Council apply to new housing. Nor have I been advised that the Council has adopted the Standard for use in determining planning applications such as that which forms the subject of Appeal A.
49. This notwithstanding, the floor area shortfall in Units 3 and 6 is very slight and consideration must be given to the constraints arising from the conversion of a historic building. Based on the evidence submitted, including the drawings that were submitted with the planning application, and from my internal inspection of the building, there is nothing that would indicate that these units would not provide suitable, practical, and useable living accommodation for the future occupiers.
50. I have also had regard to the points that have been raised in representations from nearby residents in connection with the original applications. Some of these have been addressed above and others have been resolved through amendments to the scheme whilst it was being considered by the Council.
51. I have noted the concerns in respect of parking. However, the proposal would provide off-street parking at a level which meets the Council's parking standards. The nature of the future occupiers and the potential tenure of the proposed dwellings are not matters that I can take into account. Whilst residents have expressed a preference for the building to be returned to a single dwelling house, that proposal is not before me and I must determine the appeals based on the scheme that was considered by the Council.
52. I have also noted the concerns raised in respect of precedent. No specific examples of other buildings that may potentially be converted have been provided and a generalised concern of a precedent being set is not, of itself, a

reason to withhold permission or consent. Each application for planning permission or listed building consent must, in any event, be considered on its own merits.

53. None of the points raised, either individually or collectively, would lead me to a different overall conclusion.

Conditions

I have had regard to the lists of conditions which have been suggested by the Council.

Appeal A

54. In order to provide certainty regarding what has been granted planning permission, I have included a condition specifying the approved drawings.
55. To ensure that proper provision is made for the parking of cars and cycles in connection with the proposed flats, and in the interests of highway safety, it is necessary to impose conditions requiring the arrangements for car parking and cycle parking shown on the submitted drawings to be provided prior to the first occupation of the new dwellings.
56. Similarly, in the interests of the appearance of the area and to ensure that suitable provision is made for the storage of refuse bins at the site, it is necessary to impose a condition requiring the arrangements for bin storage shown on the submitted drawings to be provided prior to the first occupation of the new dwellings.
57. Whilst there is no substantive evidence that there have been potentially contaminating uses of the site or surrounding area, as the proposal is for a residential development, and applying the precautionary principle, it is necessary to include a condition requiring any unexpected land contamination encountered during the implementation of the development to be appropriately dealt with.

Appeal B

59. In the interests of the appearance of the listed building it is necessary to include a condition that requires details of the proposed materials to be used in the works to be submitted for approval. To ensure that the historic building fabric is not damaged and is suitably repaired, it is necessary to impose a condition requiring that a method statement for the removal of the existing render and any consequential works is submitted for approval.
60. Only limited information has been provided in respect of the proposed replacement windows, or repairs to existing windows in the building. In the interests of the appearance of the building and to ensure that the historic and architectural interest of the building is preserved, it is necessary to require that details of the proposed new windows and the repair or painting of existing windows be submitted. I have amended the Council's suggested wording slightly to include details of the position of the replacement windows within the reveals and the scale at which the drawings should be provided.
61. The proposed conversion to flats would also require various works for fire protection, installation of services, provision of utilities, external lighting, and tanking of the partial basement. The proposal contains very little information in

respect of these. To ensure that the proposed works preserve the architectural and historic interest of the building it is necessary to impose conditions requiring that these details be submitted for approval.

Conclusion

62. For the above reasons, I conclude that both appeals should be allowed.

John Dowsett

INSPECTOR

Schedules of conditions

Appeal Reference APP/A4520/W/20/3264422

- 1) The development to which this permission relates must be commenced 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:
 - Drawing No. RES736-BHA-00-ZZ-DR-A-2001 revision P01.05
 - Drawing No. RES736-BHA-00-ZZ-DR-A-1501 revision P01.07
 - Drawing No. RES736-BHA-00-ZZ-DR-A- 1601 revision P01.08
 - Drawing No. RES736-BHA-00-ZZ-DR-A-3003 revision P01.02
 - Drawing No. RES736-BHA-00-ZZ-DR-A-1702 revision 02
 - Drawing No. RES736-BHA-00-ZZ-DR-A-2002 revision P01.07
- 3) Prior to the first occupation of the residential development hereby approved, the external on-site car parking layout shall be marked out and completed in full accordance with Drawing No. Res736-BHA-00-ZZ-DR-A-2001 Revision P01.05. This car parking layout shall be retained thereafter for its designated purpose.
- 4) Prior to the first occupation of the residential development hereby approved, the cycle stands, as shown on Drawing No. Res736-BHA-00-ZZ-DR-A-2001 Revision P01.05 shall be installed on site. The cycle parking shall be retained thereafter.
- 5) Prior to the first occupation of the residential development hereby approved, the refuse storage area, as detailed on Drawing no. Res736-BHA-00-ZZ-DR-A-2001 Revision P01.05, shall be completed on site and thereafter retained for its designated purpose.
- 6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be immediately reported in writing to the Local Planning Authority and works on the affected part of the site shall cease. Sufficient detail should be provided identifying how the unexpected contamination will be dealt with. The development shall thereafter be carried out in accordance with the approved details.

Appeal Reference APP/A4520/Y/20/3264425

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this decision.
- 2) Notwithstanding the details hereby approved, prior to the commencement of works, samples and details for all external materials including those relating to the rear extension, refuse storage area (as detailed on Drawing No. Res736-BHA-00-ZZ-DR-A-2001 Revision P01.05), conservation style roof light, rainwater goods and soil vent pipes, external doors (to include full scale joinery details) and details for the new internal doors and a schedule of internal electrical / servicing works shall be submitted to, and approved in writing by, the local planning authority. Thereafter, all works shall be carried out in accordance with the approved details.

- 3) Prior to the commencement of works, a detailed methodology for the removal of render, including making provision for re-rendering in a lime-based mortar (and a methodology for its application) shall be submitted to, and approved in writing by, the Local Planning Authority. The methodology shall also include details for any masonry repair required following the removal of existing external fittings (e.g. soil vent pipes and aerials). Thereafter, all works shall be carried out in accordance with the approved details.
- 4) Notwithstanding the details hereby approved, prior to the commencement of works, samples, details and methodology for fire separation and protection shall be submitted to, and approved in writing by, the local planning authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 5) Notwithstanding the details hereby approved, prior to the commencement of works, detailed plans and specifications of any mechanical ventilation fittings, flues or extraction pipes shall be submitted to, and approved in writing by, the local planning authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 6) Notwithstanding the details hereby approved, prior to the commencement of works, details shall be submitted to, and approved in writing by, the local planning authority of the provision of utilities including electricity, gas, water, and telephone to the proposed flats. These details shall include the design and position of any external meter cabinets, junction boxes and connections to the gas and water mains supply. Thereafter, the works shall be carried out in accordance with the approved details.
- 7) Prior to the commencement of any works to the basement level, a technical specification and details for the tanking system shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 8) Prior to installation, full details, including joinery details at a scale of 1:10, for the new window frames (including where appropriate secondary glazing units) and their position within the window reveals, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 9) Prior to any repair or painting of any existing windows, a schedule of works shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 10) Prior to any installation, details for the location, and a technical specification for a communal television aerial and /or satellite dish (for use by all occupiers of the apartment within the building) shall be submitted, to and approved in writing by, the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.
- 11) Prior to any installation of external lighting, details, including locations, methodology for any fixings and technical specifications, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, all works shall be carried out in accordance with the approved details.