



Appeal Decision

Hearing held on 30 November 2021

Site visit made on 30 November 2021

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/M2270/W/21/3275913

Hams Travel, London Road, Flimwell, Wadhurst, Kent TN5 7PL

- 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 Paul Ham against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/00679/FULL, dated 11 March 2019, was refused by notice dated 17 February 2020.
 - The development proposed is described as 'Extension of coach yard, extension of existing coach workshop, provision of new staff room with offices and the provision of one 4-bed dwelling for managing owner'.
 - This decision supersedes that issued on 21 October 2020. That decision on the appeal was quashed by order of the High Court.
-

Decision

1. The appeal is allowed, and planning permission is granted for the extension of the coach yard, the extension of the existing coach workshop, provision of a new staff room with offices and the provision of one 4-bed dwelling for a manager of Hams Travel, London Road, Flimwell, Wadhurst, Kent TN5 7PL in accordance with the terms of the application, Ref 19/00679/FULL, dated 11 March 2019, subject to the condition in the attached schedule.

Preliminary Matters

2. Additional evidence and a revised block plan were submitted during the hearing. The block plan proposed a minor revision to the siting of the dwelling, and the late evidence was relevant, reasonably brief, and capable of being addressed by the parties present. As a result, no one was prejudiced when I accepted the evidence and revised block plan.
3. I have taken the description of development from the appeal form and decision notice as this more accurately describes the proposal.
4. A revised version of the National Planning Policy Framework (the 'Framework') has been published since the Council issued its decision. The Council and appellant addressed this in their submissions and at the hearing.

Main Issues

5. The Council have not raised objections in respect of the proposal for the extension of the coach yard, the extension of the existing coach workshop, alterations to the access or the provision of a new staff room with office. After

reviewing the evidence before me, including the Planning Officer's report, I see no reason to disagree. Thus, the main issues in this appeal are:

- Whether the proposed dwelling would be in a suitable location, with particular reference to the spatial strategy in the development plan and the accessibility of services and facilities; and
- The effect of the proposed dwelling on the character and appearance of the area, including whether the proposal would conserve and enhance the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

Spatial strategy in the development plan

6. The Tunbridge Wells Borough Local Plan 2006 (LP) has established 'Limits to Built Development' (LBD) around several settlements in order to restrict the encroachment of built form into the countryside and ensure sustainable development patterns. The proposed dwelling would be outside the defined LBD. Policy LBD1 of the LP only permits development outside of the defined limits where it would be in accordance with another policy in the development plan. This is an approach echoed in Core Policy 14 of the Core Strategy (CS). In this regard, Policy H9 of the LP states that proposals for key worker's dwellings will not be permitted outside an LBD unless it is essential for a full-time worker of the business to reside on site.
7. The appellant is the owner and manager of Hams Travel, which is a bus and coach service provider spread over two sites at Flimwell and Benenden. Part of the business model is to offer a short notice/emergency call out service 24-hours a day. The most frequent call outs relate to situations when a rail service has been suspended. There is no substantive evidence before me that the growth in home working as a result of the pandemic has resulted in a significant reduction in rail services and a corresponding decrease in call outs. Thus, I have no reason to doubt the appellant's proposition that the call out service is a significant part of the business.
8. Hams Travel provides its call out service to several organisations. The most significant of which is Go-Ahead London, which is an intermediary that provides replacement bus services to rail operators. Go-Ahead London has confirmed that it endeavours to get buses to a station within 45 minutes of them being needed and procures the services of Hams Travel to achieve this. I have not been provided with a copy of any written contract confirming this arrangement or outlining performance targets. Nevertheless, the appellant's submissions suggest that the agreement is long standing and would constitute a contract. It is therefore imperative that Hams Travel maintains a reputation for being responsive to call outs at short notice.
9. Upon receiving a call out¹, Hams Travel aims to dispatch the first bus from site within 45 minutes and quicker if possible. This requires the Manager to rapidly assess the call out and source and contact a bus driver, which can be a complex task due to regulations relating to driver rest periods. I share the Council's view that these tasks could be undertaken remotely from the bus yard. Moreover, the dwelling would do little to improve security at the site as it would offer no passive surveillance and alarms and CCTV cameras could be

¹ Which can be at any time of the day or night and may be multiple times in a 24-hour period

- accessed remotely. The Manager would not be expected to confront any intruders and other residents nearby could raise the alarm in the event of fire.
10. However, some tasks relating to a call out require a presence at the coach yard at Flimwell, which is where the buses used for the call outs are kept. These tasks are undertaken by the Manager. Mr P Ham has been the Manager since the retirement of Mr D Ham and has operated the call out service single handed for the last few years. Mr Lawrence is another Transport Manager employed by the business, but he lives 16 miles from the site and is not involved in call outs. The same applies to the sleeping partners, who are only rarely involved to cover Mr Ham's holidays and sickness and would also need to travel to site.
 11. The first on site task relates to sourcing the correct bus(es) for the route involved. To achieve this, it is often necessary for buses to be shunted around. This task could be undertaken by a bus driver(s) when they arrive on site, but that would require them to have a detailed knowledge of all the routes and the corresponding buses. It could also require staff, with differing levels of experience, to self-manage in a time sensitive environment. Completing this task would also slow down their response to the call out. As a result, this task is undertaken by the Manager as part of managing the call out. Moreover, the Manager needs to keep Go-Ahead London up to date with the progress of the call out. The whole process is more efficiently managed and overseen by an on-site Manager, especially when multiple buses or coaches are involved.
 12. It is also company policy for buses to be checked for any defects prior to leaving the site. The Manager will do the checks or supervise them being done. This seems to exceed basic industry standards², which is for buses to be checked at least once in a 24-hour period via a driver walkaround, and any defects reported to a Transport Manager. However, there are benefits to the Manager completing this task or being on hand whilst they are being done. In particular, the Manager of Hams Travel can rectify defects whereas a driver would not, because maintenance is outside their role. Some defects can be simply resolved by the Transport Manager, thereby minimising any delay. This all aids the efficiency with which buses are dispatched during a call out.
 13. The Manager is also well placed to undertake/supervise the checks as they are likely to be an experienced bus mechanic/operative ultimately responsible for vehicle safety as the O-Licence holder. The business could employ staff to undertake the checks, but this would be expensive due to the night-time shift work required. It would also be unnecessary because completing/overseeing the checks are already part of the Manager's role. The appellant points to another appeal decision³ where the Inspector concluded that it would be unreasonable to expect core aspects of the business model to be altered when this would add additional costs to the operation.
 14. Buses could be readied and checked in advance in preparation for any call out. But this would not fit the business model, which requires a check prior to departure to maximise safety and thus minimise the risk of reputational damage from an accident or breaking down. Ham Travel's reputation for safety and reliability is a core and essential aspect of the business model reliant on time sensitive pre departure checks by an experienced Manager.

² As set out in Appendix E of the Council's Statement of Case

³ APP/E2530/W/16/3146011

15. Thus, for the reasons set out above it is essential for a full-time Manager to reside at or near the coach yard. The previous Inspector came to a different view on this matter. Their findings are capable of being material despite the decision being quashed and incapable of having legal effect. However, I was able to explore and test the evidence through a hearing, especially the viability evidence, and this has resulted in me arriving at a different finding.
16. The optimal solution would be for the Manager to live on site as this would best facilitate the quick dispatch of buses. This was the case previously when Mr D Ham lived next to the yard. However, Mr D Ham has retired and no longer takes an active role in the business. It would be unreasonable to expect him to vacate his property when there is no condition or planning obligation that requires occupation by an employee of the business.
17. Constructing a dwelling within the coach yard is an option, but this would prevent the comprehensive redevelopment of the yard, which would increase the site's capacity, improve the facilities and allow the entire fleet of buses to be stored in one location. For reasons I go into, it is likely this redevelopment would occur, and the Benenden yard closed, if a suitable Manager's dwelling can be delivered. Accordingly, there would not be room for a house of the size proposed alongside the yard redevelopment. The size of the proposed house would be commensurate with its function as a Manager's dwelling, bearing in mind that the Manager may have a family (as is the case now).
18. It may be possible to accommodate a much smaller dwelling at the yard, but this is unlikely to be attractive to a Manager and would likely have a low standard of amenity given the activity on site. Such a dwelling could be occupied by a more junior member of staff, who could also hold a CPC Licence and thus undertake the safety checks. However, this would result in the business recruiting a member of staff to complete the tasks already undertaken or overseen by the existing Manager. This would be a significant additional cost given that it would involve night-time shift work and 24-hour coverage. Accordingly, it would not be practical to provide a dwelling on site or recruit additional staff to live at the coach yard. It is therefore necessary to look beyond the yard, including the Manager's current home.
19. Mr Ham lives about 4 miles away in Hawkhurst. In most instances he can get to site in time to dispatch coaches within the 45-minute target and has been doing so for several years. This suggests that it is not essential to build a new dwelling closer to the bus yard. However, four miles is a long way to travel when being called out at night or multiple times in a 24-hour period and for most nights in the year. To safeguard the Manager's welfare and health, it is necessary for them to live as close to the yard as possible. On balance, Hawkhurst is too far away to adequately balance work and wellbeing.
20. Instead, a five-minute walk would be a reasonable maximum travel time, principally because it removes the need for the Manager to drive at night when they may be tired. Although the proposed dwelling would be located on the eastern side of the A21, it is possible to cross safely as demonstrated by the location of the staff car park, which apparently functions safely. As such, the proposed dwelling would, at most, be a 2-3-minute walk from the bus yard.
21. The Council have provided a sample list of properties that have been on the market in and around Flimwell (and therefore within a five-minute walk). Some of these were larger properties that would be suitable for a Manager. Thus, I

share the Council's view that the dwellings listed in its sample would allow the Manager to live near to the site and attend the yard very quickly. However, Mr Ham wishes to finance the construction of the dwelling through the business. This is understandable as he wants to keep his home and business as separate entities. Doing this means his home is not at risk. The new dwelling would be tied to the business and thus available for future Managers.

22. The evidence before me, including the view of Mr Ham's accountant, indicates that the business could afford a dwelling costing around £250,000⁴. The Council confirmed during the hearing that it is highly unlikely that a property equivalent to that proposed would become available for this sum. Accordingly, it would not have been viable for the business to have purchased any of the homes on the Council's list. It is possible that the business could purchase a smaller home that cost less than £250,000, but this is unlikely to be attractive to the type of experienced Manager the business needs.
23. In conclusion, to properly manage the 24-hour callout service there is an essential need for the Manager of Hams Travel to live at or near the yard in Flimwell. This essential need cannot be addressed within the yard or by existing accommodation in the near vicinity. The only remaining option is to construct a new dwelling near to the site and the proposal would satisfy this. However, Policy H9 only permits dwellings outside the LBD when it is essential to live on site. Thus, the proposal would be at odds with Policy H9(1). For this reason, it would also be at odds with Policy LBD1 and thus the spatial strategy in the LP.

The accessibility of services and facilities

24. The proposed dwelling would be located on the periphery of Flimwell, which is a small settlement with a handful of facilities and an infrequent bus service. As a result, future occupants of the dwelling would need to travel further afield to settlements such as Wadhurst, Etchingham or Tunbridge Wells. The distance or busy nature of the intervening roads means walking, rail travel and cycling is unlikely to be a realistic alternative to travel by private car. As a result, the future occupants would be largely car dependent for access to most everyday services and facilities, especially retail and leisure.
25. The number of trips would add up over the life of the development with the associated carbon emissions. As a result, the proposal would harmfully undermine the aims in the Framework to move to a low carbon future, including radical reductions in greenhouse gas emissions. Moreover, living remote from services and facilities would frustrate the ability to fully capture the health benefits from sustainable transport.
26. However, the rationale behind the proposed dwelling is to enable the Manager of Hams Travel as an essential rural worker to live within close walking distance of their place of work. As a result, commuting by car would be unnecessary. Moreover, housing in rural areas will, by its nature, often be further away from a range of services and facilities than sites in urban areas. The number of journeys generated by one new dwelling would also be relatively modest. For these reasons the level of harm would be limited.
27. In conclusion, the proposal would not result in a sustainable pattern of development when considered in environmental terms and would therefore be

⁴ I was advised at the hearing that an estimate from a builder has indicated the proposed dwelling could be delivered in budget. I have no reason to disagree.

at odds with saved Policy LBD1 of the LP and Core Policies 4, 5, 6 and 14 of the CS which say, amongst other things, that non-motorised modes of transport between the rural settlements and within rural areas will be encouraged.

Character, appearance and AONB

28. The appeal site is a small part of a wider meadow that is viewed in the context and setting of a large ancient woodland and is part of a continuous belt of open and attractive countryside on the edge of Flimwell. The combination of fields, hedges and woodland is a characteristic and valued feature of the Kilndown Wooded Farmland Landscape Character Area. This is also an important feature of the High Weald AONB, as set out in the AONB Management Plan.
29. The appeal site is currently dominated by a large stable block, poly tunnel and other paraphernalia of a low architectural quality. The site therefore has a developed character with the buildings appearing as a built encroachment into the meadow. That said, the buildings are low in profile and finished in recessive materials such as dark timber. They are the type of structures that can be commonplace in the countryside. Nevertheless, the appeal site in its current state is a minor detractor in the landscape when viewed from the public right of way to the west, predominately in the vicinity of VP6⁵.
30. The proposed dwelling would be taller and larger than the existing buildings on site. It would therefore be more prominent, especially in the winter months when the western boundary hedge has dropped its leaves. In this respect, the sense of encroachment into the countryside would be more visually pronounced and the transition from settlement to countryside less marked. Moreover, the residential character of the dwelling, and the paraphernalia and activity that would flow from its use, would adversely affect landscape character by diminishing the rural feel of the site, diluting the transition from village to countryside and from encroaching into the setting of valued landscape features. The proposal could also displace rather than replace some of the paraphernalia currently on site. The proposal would therefore fail to conserve or enhance the AONB.
31. However, when standing in VP6 it is possible to see the houses at Flimwell Close, the car park at Hams Travel and Mick Gould's large yard. There is also the noise from the A21 and other suburbanising features such as fencing and the residential style gates at the entrance to the site. As a result, there is the sense of being on the edge of the settlement. The new dwelling would be seen from the public right of way in the context of these other built features, albeit at a distance and behind a softening hedge. Moreover, the dwelling would not be encroaching onto land currently devoid of built development. It would also be reasonably low in profile and attractive due to pleasant detailing and proportions. A simple form and the use of quality natural materials would assist in settling the building into its context, as would a robust landscaping scheme.
32. For the reasons given above, the magnitude of harm would not be at a significant level. However, I do not share the view set out in the LVIA that there would be a negligible/minimal impact on landscape character.
33. Nor would the proposal as a whole improve the visual amenity of the AONB. This is because the benefits from rationalising the yard would be balanced by

⁵ Viewpoint 6 in the appellant's Landscape and Visual Impact assessment

the harm that would occur from expanding it into the grassland to its rear, which is elevated and adjoins rolling countryside. Thus, the works at the coach yard would have a neutral rather than net beneficial effect. As such, the proposed dwelling would result in the scheme overall having a moderate adverse effect on the landscape. It follows that the character and beauty of the AONB would not be preserved.

34. Accordingly, the proposal would be at odds with saved Policies LBD1, EN1 and EN25 of the LP and Core Policies 4, 5 and 14 of the CS, as supported by the Tunbridge Wells Borough Landscape Character Assessment Supplementary Planning Document 2017. These policies seek to secure development that conserve the AONB and maintains the countryside's character and quality.

Planning Balance

35. As established above, the appeal scheme proposes a dwelling outside the bus yard and therefore it would not adhere to Policy H9(1). That said, Policy H9 is very old and predates the Framework. Paragraph 80 of the Framework states that isolated dwellings should be avoided unless it is essential for a rural worker to live permanently at or near their place of work. By allowing dwellings near to the place of work, the Framework is wider in scope than Policy H9.
36. That said, I share the view of the Council that the proposed dwelling would not be isolated due to the proximity of Flimwell and therefore Paragraph 80 is not engaged in my assessment. Nevertheless, it would be rational to apply the same 'near to' approach when the dwelling would be outside the LBD but not isolated. As a result, the conflict with Policy H9(1) is not determinative. In fact, it is a point in favour of the proposal that the essential need of a rural worker to live near their place of work would be satisfied.
37. This is because doing so would support a rural business and thus the rural economy, which is an aim of the Framework. This is especially pertinent in this case because Hams Travel is a large local employer. Providing a Manager's dwelling near to the site means the call out service can continue to be efficiently operated and this will safeguard the business. As things stand, Mr Ham cannot sustain managing the site from Hawkhurst and the business cannot survive without the call out service. Therefore, he would have to face a difficult decision if this appeal were unsuccessful. It is conceivable that the business would close, with the implications this could have for the local economy and the provision of local jobs.
38. As things stand, Mr Ham is unable to grow the business further because the growth would place more pressure on him, which he cannot sustain from his current home. Thus, providing the proposed Manager's dwelling would facilitate greater investment in the business. In particular, the redevelopment of the yard. There is no requirement to bring forward the redevelopment concurrently with the provision of the proposed dwelling and there would be no compulsion to close the Benenden site either. However, the indications are that this would be likely. This is because the business plan is to invest in the Flimwell yard and close the Benenden site in order to consolidate the operation at Flimwell, which is better located for the A21. This would reduce fuel costs and improve efficiencies. The provision of a Manager's dwelling could unlock this investment. Moreover, the redevelopment of the yard would improve highway safety, as confirmed by National Highways.

39. In addition, the proposal would provide a dwelling at a point in time when the Council are unable to demonstrate a five-year housing land supply. In these circumstances, recycling previously developed land on the edge of a settlement would be beneficial. That said, the shortfall is modest, and the Council are in the process of addressing it through a new local plan. As such, the contribution to housing land supply would be a limited benefit.
40. Overall, I find that the adverse impacts of the proposal, which include a conflict with the spatial strategy, limited harm from car dependency and moderate harm to the AONB, would be outweighed by the cumulative benefits of the scheme. This is the case even when affording great weight to conserving and enhancing the AONB. This is a material consideration that justifies a decision otherwise than in accordance with the development plan.

Conditions

41. In addition to a standard commencement condition, I have considered the other conditions suggested by the Council and appellant having regard to the tests set out in the Framework.
42. In the interests of certainty, it is necessary to impose a condition specifying the approved drawings. To safeguard the character and appearance of the area it is necessary to impose conditions requiring details of external materials and lighting and hard and soft landscaping, with the protection of the latter. For the same reason it is necessary to remove permitted development rights for alterations to the dwelling or for the erection of outbuildings.
43. To protect living conditions, it is necessary to investigate and remediate land contamination, for refuse storage to be provided and for acoustic mitigation to be secured. For the same reason, and in the interests of highway safety, it is necessary to secure a construction management plan. To protect people and property it is necessary to secure a scheme of surface water drainage.
44. The proposed dwelling has been justified because it is essential for the Manager of Hams Travel. As a result, it is necessary to restrict occupation to the manager, widow, widower or surviving civil partner of such a person, and to any resident dependent. A resident dependent in this context includes a spouse or partner and children.
45. In the interests of highway safety, it is necessary to secure the highway access enhancements. This would also result in a benefit of the proposal being delivered. It is also necessary to prevent surface water entering the highway.
46. The bat surveys submitted with the application are now out of date. However, they indicate that bats are present in the stable building and therefore mitigation would be required. The bat report includes a scheme of mitigation. The Council and appellant agreed at the hearing that it is unlikely this situation has changed. Circular 06/2005 permits the securing of biodiversity surveys by condition in exceptional circumstances. In this case, the appeal has been subject to a legal challenge and the agent has been unwell. On balance, I am satisfied that it would be acceptable, and necessary, to survey for, and mitigate, the presence of bats through a planning condition.
47. Some of the conditions require resolution prior to the commencement of development since the works they relate to are so fundamental to the

development permitted that it would have been otherwise necessary to refuse the whole permission.

Conclusion

48. The proposed development would be contrary to the development plan but in this instance, there are other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has succeeded.

Graham Chamberlain
INSPECTOR

APPEARANCES

FOR THE APPELLANT

Paul Ham
Eva Ham
Susanna Sanlon
Philip Russel-Vick
Kate Jardine
Sam Stonehouse
David Crombie

Appellant
for the Appellant
Evolution Planning
enplan
Thomson Snell and Passmore
Evolution Planning
JAD Associates Ltd

FOR THE LOCAL PLANNING AUTHORITY

James Moysey
Chris Park

Tunbridge Wells Borough Council
Tunbridge Wells Borough Council

DOCUMENTS SUBMITTED AT OR AFTER THE HEARING

1. Signed version of the Statement of Common Ground
2. Vehicle Operator Licence for Donald William Ham and Partners submitted by the Council
3. Email rebuttal relating to the above dated 26 November and including a Public Service Vehicle Operator's Licence that requires Mr D Ham to resign as Transport Manager
4. Statement from Mr Lawrence
5. Drawing 23448A_11
6. Revised list of suggested planning conditions agreed by the Council and appellant

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 23448A_11_Rev Aa_ - Proposed Block Plan
 - 23448A_200_Rev D_ - Proposed Workshop Site Plan
 - 23448A_250_Rev A_ - Proposed Workshop Ground Floor Plan
 - 23448A_252_ - Proposed Workshop Roof Plan
 - 23448A_253_Rev A_ - Proposed Workshop Elevations
 - 23448A_254_Rev A_ - Proposed Workshop Elevations
 - 23448A_260_Rev A_ - Proposed Site Sections DD EE FF
 - 180390-006B - Proposed Site Access
 - 180390-007 - Proposed Parking Layout
 - 23448A_200_E - Proposed Site Plan
 - 23448A_110 C Proposed Floor Plans & Elevations
 - 23448A/103 - Proposed Site Section AA
 - 23448A/104 - Proposed Site Sections BB and CC
 - 23448A/105A - Proposed Site Layout Plan
 - 23448A_210 C Proposed Staff Building/Office Proposed Floor Plans
 - 23448A_211 C Proposed Staff Building/Office Proposed Elevations
- 3) No development above slab level shall commence until details of the materials (including source/manufacturer, and samples of surfacing materials, bricks, tiles and cladding materials to be used externally) to be used in the construction of the external surfaces of the buildings 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.
- 4) The occupation of the dwelling shall be limited to a Manager of the coach yard presently known as Hams Travel or a widow, widower or surviving civil partner of such a person, and to any resident dependent.
- 5) Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A-F; of Part 1 of Schedule 2 of that Order (or any

Order revoking and re-enacting that Order), without the prior written planning permission of the Local Planning Authority.

- 6) The development of the coachyard site hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
 - 4) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;
- Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.
- 7) Before the hereby approved Manager's dwelling is occupied, details for the storage and screening of refuse 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.
- 8) Prior to the first occupation of the development hereby permitted, details of the external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority. External lighting shall be installed in accordance with the approved details, and no further external lighting shall be submitted at any subsequent time
- 9) Prior to the commencement of development, details of surface water drainage works shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 10) No surface water shall be permitted to run off from the coach yard development hereby permitted on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network, nor any connections be made to the Strategic Road Network drainage system.
- 11) Prior to any site clearance or development commencing for the Manager's dwelling, an updated dawn & dusk bat survey must be completed and submitted to the LPA in order to assess whether there has been any change in the presence of bats at the site. A scheme for the enhancement of biodiversity at the residential site, which seeks to provide an overall net gain for biodiversity, shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account of any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally. It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity.
- 12) No above ground development shall take place until a landscape scheme, to include hard and soft landscaping and boundary treatment, designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on and immediately adjacent to, the site, including highway trees and land and shall indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and a 5 year management plan. The landscape scheme shall specifically address the need to provide additional tree planting across the site. The approved scheme shall be implemented in accordance with the programme of implementation
- 13) The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long-term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.
- 14) No part of the coach yard site development hereby permitted shall commence until the highway improvements to the A21 junction with the site access have been constructed and opened to traffic in accordance with Ardent Drawing No. 180390-006 Revision B (Proposed Site Access).
- 15) No part of the development hereby permitted shall commence until a Construction Management Plan has been submitted to and agreed in writing by

the local Planning authority. Construction of the development shall then be carried out in accordance with the agreed Construction Management Plan.

- 16) Prior to the commencement of any above ground works details of the proposed acoustic fencing shall be submitted to and approved in writing by the LPA. The hereby approved shall thereafter be carried out in strict accordance with the approved acoustic fencing details.

End of Schedule