
Appeal Decision

Site visit made on 11 July 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2022

Appeal Ref: APP/J1535/W/21/3289822

Chapelfield, Sewardstone, Sewardstone Road, Waltham Abbey E4 7RE

- 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 Lansdown against the decision of Epping Forest District Council.
 - The application Ref EPF/2686/20, dated 18 November 2020, was refused by notice dated 13 December 2021.
 - The development proposed is demolition of residential dwelling, garden centre and associated outbuildings and erection of 80-bed care home (Use Class C2) (GIA: 4,076 sq m) and associated parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of residential dwelling, garden centre and associated outbuildings and erection of 80-bed care home (Use Class C2) (GIA: 4,076 sq m) and associated parking and landscaping at Chapelfield, Sewardstone, Sewardstone Road, Waltham Abbey E4 7RE in accordance with the terms of the application, Ref EPF/2686/20, dated 18 November 2020, subject to the conditions set out in the schedule at the end of this decision.

Applications for costs

2. An application for costs was made by Lansdown against Epping Forest District Council which is the subject of a separate decision.

Preliminary Matters

3. The decision notice refers to policies DM2, DM4, DM22, SP2 and SP6 of the Epping Forest District Local Plan Submission Version 2017 (LPSV). The LPSV has not yet been adopted by the Council as part of their development plan. However, the LPSV has been through the examination process and has reached a very advanced stage. I am not aware of any unresolved objections to these policies so far as they relate to this appeal. Therefore, I have attached significant weight to these emerging policies.
4. The appellant submitted amended floor plans¹ with their final comments. However, these were initially submitted to the Council in March 2021 during the Council's consideration of the planning application, but do not feature in the lists of plans upon which the Council made their decision. Having regard to the Wheatcroft principles², I consider that no prejudice would occur to anyone by me accepting these plans at the appeal stage as they relate to the internal

¹ Drawing numbers 103 Rev B, 104 Rev B and 105 Rev B

² Wheatcroft (Bernard) Ltd v Secretary of State for the Environment (1982) JLP 37

layout of the development and do not change anything fundamental. I have therefore assessed the scheme on that basis.

5. The appellant submitted late evidence during the appeal which relates to a recent appeal decision for a 64 bed care home on land east of Turners Hill Road, Fellbridge. The Council were given the opportunity to comment on this and I have had regard to it and the parties comments when making my decision.

Main Issues

6. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt having regard to the development plan and the National Planning Policy Framework (the Framework);
- whether or not the site lies in a suitable location for the development, having regard to access to services, facilities and sustainable transport options; and
- if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

7. The appeal site relates to a large plot of land accessed from the eastern side of Sewardstone Road. It contains a detached dwelling to the front and a number of large glasshouses and outbuildings set in the centre and rear part of the site. There are large areas of hardstanding to the southern side of the buildings which are partly used for car parking and outside storage. The site is bound by open countryside to the north, east and south-east with residential properties on the opposite side of Sewardstone Road to the west and to the south. The site is within the Green Belt.
8. The Framework explains that the construction of new buildings should be regarded as inappropriate development in the Green Belt, subject to certain exceptions. Of relevance to this case are the exceptions listed in Framework paragraph 149.
9. Saved Policy GB2A of the Epping Forest District Local Plan Alterations (2006) (LP Alterations) does not contain as an extensive list of exceptions as that contained under Framework paragraph 149, nor does it refer to very special circumstances. Saved Policy CP2 of the LP Alterations seeks, amongst other things, to enhance and manage Green Belt land by appropriate use. It does not reflect Framework paragraph 147, which states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Saved LP Alterations Policies CP2 and GB2A therefore carry limited weight owing to their inconsistency with the Framework. Policies SP6 and DM4 of the LPSV are also relevant. Policy DM4 includes an exception to inappropriate development that is similar to the one at paragraph

- 149 g) of the Framework which is the basis on which I have assessed the proposal.
10. The evidence indicates that the established use of the site is as a garden centre and it therefore comprises previously developed land. The appellant's calculations suggest that the proposed development would represent a considerable reduction in both footprint and volume compared to the existing buildings on the site. The Council does not dispute this and I have no evidence before me that would lead me to reach a different conclusion. However, consideration of openness is also influenced by other factors such as the relationship in terms of scale, massing, height and form.
 11. Whilst the existing buildings on the site have a significant overall footprint, the glasshouses are low lying, lightweight structures which significantly reduces their impact on the openness of the land and allows an appreciation of countryside views, particularly those to the east. Although the detached dwelling at the site frontage and the large storage building to the south-east of the dwelling also have a significant presence, the proposed building would be a significantly larger two storey structure and would have a more solid, bulky appearance. It would include a steep pitched roof which would rise to a height of around 9 metres with two wings around 60 metres in length either side of a central section about 21m wide.
 12. The design of the development has had regard to the local vernacular and seeks to give the impression of individual buildings with staggered building lines, intersecting rooflines and gable ends which break up the main roof. I recognise that the proposal would share some characteristics with neighbouring built form, including feature gable ends and sympathetic materials.
 13. Trees on the site's boundaries provide a good level of screening and a comprehensive landscaping scheme is proposed. However, despite being set back into the site the proposal would still have a significant presence due to its scale and massing and would be more prominent than the existing buildings, particularly when viewed from Sewardstone Road.
 14. The proposal would increase the amount of green open space within the site and reduce the extent of hardstanding. There are various items associated with the garden centre which are currently stored outside, including containers and pallets. These also have some effect on the openness of the Green Belt. The removal of this paraphernalia would improve Green Belt openness to some extent and tidy up the site.
 15. Notwithstanding these factors, the findings of the appellant's Landscape and Visual Impact Assessment, and its reduced footprint and volume of development compared to the existing buildings, I consider that the proposal would reduce the openness of the Green Belt in both visual and spatial terms. It would have a greater impact on the openness of the Green Belt than the existing development.
 16. For the above reasons, I conclude that the proposed development would constitute inappropriate development in the Green Belt. Such development is, by definition, harmful and is contrary to saved Policies CP2 and GB2A of the LP Alterations, albeit the weight attributable to these policies is limited. The proposal would also conflict with Policies SP6 and DM4 of the LPSV, and the

Framework, which seek, amongst other things, to protect the Green Belt. I attach this harm substantial weight.

Suitable location

17. Policy SP2 of the LPSV sets out the spatial development strategy for the District, including a hierarchy of suitable locations for new homes. Point v) of the Policy does not restrict development of previously developed land within the Green Belt.
18. The appeal site lies outside of an existing settlement. There are a limited number of facilities within relative close proximity of the site, including a shop within the petrol station on the western side of Sewardstone Road, two public houses, a restaurant and hotel. There is a bus stop about 500m to the south of the site and in reasonable walking distance, which provides a frequent service to Chingford Mount and Walthamstow town centre, where there are a greater range of services and facilities. Sewardstone Road includes footpaths with streetlighting which provide pedestrian connections to the bus stops located along the road.
19. The submitted Travel Plan outlines a range of measures to promote sustainable transport options, including the provision of a dropped kerb crossing point on Sewardstone Road and a minibus service which would be operated from the site for the use of both staff and residents. It would run predominantly at shift handover times and would provide a shuttle service between the site and Chingford Railway Station. The proposal would also provide 20 cycle parking spaces and dedicated changing facilities, showers and lockers such that cycling would be a realistic option for staff and visitors to the site. Taking these factors into account, I consider that staff and visitors would not be wholly reliant on the use of a private car to travel to and from the site.
20. Given the nature of the accommodation proposed and the provision of on-site facilities, there would not be a high level of car ownership by future residents who would be less likely to need to travel off-site. The provision of on-site facilities, including a shop and café, would reduce the need for visitors and staff to travel off-site.
21. Although the Council says the proposed level of car parking provision on the site suggests that the development would be reliant on car journeys for much of its access by staff and visitors, the proposal would still be likely to result in lower levels of trips to and from the site than the existing use, including from visitors and HGVs. The number of spaces proposed would be below the maximum standard set by the Highway Authority.
22. The development of 40 dwellings at the former Haulage Yard, Hawes Lane, Waltham Abbey is a fundamentally different type of use to that proposed at the appeal site with different patterns of trips. Moreover, as I understand it the closest bus service is further away and less frequent than the one nearest to the appeal site. The Council refers to a recent appeal decision at Sewardstone Hall, however, no substantive details of that case have been provided and I cannot be sure that it represents a direct parallel to the appeal proposal. Based on the evidence before me, I can only conclude that the appeal decisions referred to by the Council in respect of this main issue are not directly comparable to the appeal proposal.

23. For the above reasons, I conclude that the site would be a suitable location for the development proposed, with particular regard to access to services, facilities and sustainable transport options. The development would comply with saved Policies CP1, CP3, CP6 and CP9 of the LP Alterations, which seek to deliver development sustainably by concentrating it in urban areas and ensuring it is accessible by and provides for sustainable means of transport to avoid commuting dependent upon the private car. The proposal would also comply with Policy SP2 of the LPSV, which identifies a spatial strategy that includes providing homes on previously developed land in the Green Belt. It would also accord with the policies of the Framework that relate to rural housing and seek to focus development towards locations that limit the need to travel and promote sustainable forms of transport.

Other considerations

Need

24. The Strategic Housing Market Assessment (2015) (SHMA) assesses the housing need for the proposed plan period from 2011 to 2033. The SHMA indicates an increase in need for care home bedspaces of 535 over the plan period which equates to around 24 bedspaces per year. Based on the total number of new care home bedspaces that have been created since the start of 2011 and care home closures, the appellant indicates that at the time of the submission of the appeal there was an undersupply of 160 care home bedspaces within the District; and that the required number of bedspaces rises to 427 up until the end of 2033.
25. However, a more recent report by the Housing Learning and Improvement Network (Housing LIN) in 2021 indicates that there is no evidence of an historic undersupply and that there is more likely to be a current oversupply. That report does, however, identify a need for around 40 residential care beds and 170 nursing care beds by 2033. The Housing LIN's definition of a nursing care home is 'similar to a residential care home, but additionally providing care from qualified nurses. There will always be 1 or more qualified nurses on duty to provide nursing care. These are sometimes called 'care homes with nursing'. The Care Quality Commission (CQC) states that in addition (to a residential care home), "qualified nursing care is provided, to ensure that the full needs of the person using the service are met".
26. The Housing LIN report goes on to say that a significant proportion of unmet need is likely to be for dementia related needs capacity because dementia amongst the older population and the 75+ household population is projected to increase by 2033 and there is a relative undersupply of nursing care beds in the District compared to the comparator authorities listed in the Housing LIN report.
27. The operator of the proposed care home specialises in providing intensive nursing care for high dependency palliative and dementia care patients and currently operates a care home elsewhere that provides such care. The proposed accommodation includes en-suite bedrooms, communal sitting rooms and dining areas and other facilities for residents. The appellant says that 60 of the bedrooms are intended for dementia residents. That is a high proportion of the total number of bedrooms within the building. The evidence indicates that the proposal would provide intensive nursing care for high dependency palliative and dementia care patients which would fall within the Housing LIN's

definition of a nursing care home. It would also fall within the definition provided in the Planning Practice Guidance (the Guidance) which says that residential care homes and nursing homes have individual rooms within a residential building and provide a high level of care meeting all activities of daily living, which can also include dementia care homes. Thus without any evidence before me to the contrary, I can see no reason why the proposal would not lend itself to specialist dementia care.

28. Therefore, even were I to conclude that there is not an overall undersupply of Class C2 care home bedspaces, the evidence suggests that there is an identifiable need for a significant number of nursing care beds by 2033, particularly in relation to dementia needs capacity. The proposal would make a significant contribution towards meeting that need. There is no substantive evidence before me to demonstrate that there is a suppressed demand for a move to care homes or that the future need identified for care home bedspaces may turn out to be less.
29. The Council says that the LPSV identifies a minimum supply over the whole emerging plan period of 12,258 which is some 858 homes above the minimum required. Be that as it may, the supply of housing land should not be treated as a maximum and the Framework maintains the Government's objective of significantly boosting the supply of homes.
30. Moreover, there is no detailed evidence before me to show that the need for nursing care beds would be met through the site allocations in the LPSV. I consider it unlikely that other accommodation options that enable independent living would provide a realistic alternative for such needs as the type of accommodation proposed is aimed towards those in need of more intensive care who are likely to lack the capabilities to live independently. Furthermore, I have not been made aware of any other current proposals that would meet the need for this type of accommodation in the District.
31. Whilst around half of the care homes in Waltham Abbey Parish are said to be rated by the CQC as 'Requires Improvement', there is no evidence before me to suggest that those facilities have not since improved or will not do so in the near future. Moreover, the CQC rating does not automatically mean that those care homes will close or that the beds within them should be discounted from the overall supply. I therefore give little weight to this argument.
32. Nevertheless, the provision of a significant quantity of high quality, specialist nursing care accommodation and the contribution that it would make towards meeting the projected future need for nursing care beds in the District weighs heavily in favour of the proposal. The contribution that the proposal would make to alleviating pressure on the NHS and local services by providing dedicated on-site nursing care is a further significant benefit of the scheme. Whilst I agree with the Council that these benefits would similarly accrue from such development located outside the Green Belt, these are nevertheless clear benefits of the scheme to which I attribute significant weight in this case.

Biodiversity

33. The proposal would result in an increase of 343% in the amount of open green space, substantial new landscaping, as well as a reduction in the extent of hardstanding by around 42%. This would be very likely to result in substantial biodiversity benefits across the site arising from the creation of new habitats.

The proposal would reduce private car trips to and from the site over the existing use, with some likely improvement in air quality which would benefit the SAC. I afford these matters moderate weight in favour of the development.

Removal of open storage

34. The proposal would involve the redevelopment of a previously developed site which I am advised will soon be closed and become vacant. If implemented, the proposal would result in a significant improvement to the character and appearance of the area by removing the existing unsightly buildings and large areas of open storage which give the site a cluttered appearance. I give this matter moderate weight in the proposal's favour.

Employment

35. The development would offer social and economic benefits in creating employment opportunities both during the construction phase and subsequent operation of the site as a care home. Given the scale of the development, I give this matter moderate weight in favour of the proposal.

Other matters

36. The appeal site is located within the 3km Zone of Influence (ZoI) of the Epping Forest Special Area for Conservation (SAC). The area was designated due to the presence of three qualifying habitats and one species, namely Atlantic beech forest, European dry heaths, Northern Atlantic wet heaths and the Stag beetle. The conservation objectives are to achieve the favourable conservation status of these qualifying features by maintaining or restoring the extent, distribution, structure and function of the qualifying habitats, the population and distribution of the qualifying species and the supporting processes on which it relies.
37. The SAC and its qualifying features are at risk from increases in nitrogen oxide, ammonia and nitrogen deposition, largely emitted by vehicular traffic. Proposals for development are likely to generate such traffic and are therefore, either alone or in combination with other schemes, likely to have a significant effect on the quality features of interest of the SAC. In addition, an increase in residents would generate additional recreational pressure upon the SAC that could affect its integrity.
38. Following the submission of additional information from the appellant, including details relating to trip generation and air quality, the Council has confirmed that it is not contesting the third reason for refusal concerning the effect of the proposal on the integrity of the SAC. I consider that the proposal would be expected to result in a reduction in vehicle movements through the SAC and that any residual air quality issues could be addressed by conditions relating to electric vehicle charging points, staff travel plan and restriction of permitted development rights for increasing hard surfacing for vehicle parking.
39. The proposal would comply with saved Policies CP1 and CP6 of the LP Alterations, and saved Policy NC1 of the Epping Forest District Local Plan (1998), which seek to minimise impacts upon the environment, provide compensatory measures to off-set such impacts, and accommodate development and economic growth in a sustainable manner. It would also comply with Policies DM2 and DM22 of the LPSV which require development to conserve and enhance the biodiversity of the SAC including having regard to

impacts upon air quality, which should be adequately mitigated. It would also accord with the Habitat Regulations because there would not be an adverse effect on the integrity of the SAC, and with the Framework in avoiding harm to biodiversity.

40. Objections have been raised by interested parties regarding a range of other matters, including impacts on wildlife, highway safety and that a precedent would be set. However, there is no substantive evidence before me to suggest that the proposal would result in significant harm in respect of these matters. The very specific circumstances of this site and the other considerations mean that no precedent would be set by approval of the development. However, the absence of harm in respect of these matters is neutral and they are not benefits of the scheme.

Conditions

41. I have had regard to the conditions suggested by the Council in their statement. In imposing conditions, I have had regard to the relevant tests in the Framework, the Guidance and of statute. In that context I have modified the wording of some of the conditions proposed by the Council without altering their fundamental aims.
42. I have imposed a condition specifying the relevant plans as this provides certainty.
43. A condition relating to contaminated land and remediation is necessary in order to identify and minimise any risks associated with contamination from past uses. This needs to be a 'pre-commencement' condition due to the risks inherent in developing the site. In the interests of the environmental quality of the site and its surroundings, I have attached a condition related to the installation of oil and chemical storage at the site.
44. I attached a condition relating to a written scheme of investigation and a mitigation strategy in the interests of archaeological recording.
45. Details of foul and surface water disposal, and submission of a revised flood risk assessment including a management and maintenance plan, are required by pre-commencement conditions to secure the satisfactory drainage of the site and to mitigate flood risk.
46. To protect the living conditions of neighbouring residents, a pre-commencement condition is necessary to agree the details of a demolition and construction management plan, including measures to control dust and emissions during the demolition/construction phase of the development. For the same reason, a condition controlling the hours of demolition/construction is necessary.
47. In the interests of highway safety, I have included a condition to require wheel washing facilities during the demolition/construction period.
48. In the interests of the amenity and character of the area, a condition has been included to ensure that excavated materials are removed from the site. In order to preserve the character and appearance of the area, conditions are required in relation to samples or details of materials, hard and landscaping and boundary treatments.

49. In order to minimise emissions, enhance local air quality and encourage sustainable travel, I have attached conditions requiring provision of electric vehicle charging points, details of cycle storage, submission of a staff travel plan and removal of permitted development for additional hard surfacing for vehicle parking. A condition requiring details of boilers is required to protect air quality. In order to protect and enhance biodiversity, I have imposed a condition requiring a scheme to improve the ecological value of the site. I have imposed a condition requiring details of all external lighting to mitigate the potential effects of external lighting on bats. In the interests of safeguarding trees, it is necessary to impose a condition relating to tree protection measures.
50. A condition is necessary to secure the precise use and occupancy of the development in order to protect the integrity of the SAC.

Planning Balance and Conclusion

51. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
52. I have found that the appeal site would be a suitable location for the development proposed, with particular regard to access to services, facilities and sustainable transport options. For the reasons explained, the proposal would be inappropriate development in the Green Belt, to which I attribute substantial weight. However, for the reasons identified above I find that the other considerations in this case would result in significant benefits which would clearly outweigh the harm that I have identified. Looking at the case as a whole, I consider that very special circumstances exist which justify the development.
53. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be allowed subject to conditions.

M Ollerenshaw

INSPECTOR

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: 100 Rev A, 101 Rev B, 102 Rev B, 103 Rev B, 104 Rev B, 105 Rev B, 106 Rev A, 110 Rev A, 111 Rev A, 112 Rev A, 113, 114, 115 Rev A, 120 Rev B, 121 Rev B, TCTC-17944-PL-02 Rev A, TCTC-17944-PL-03 Rev A, TS19-016Q/1 and TS19-016Q/2.

Before development commences

- 3) No development or preliminary groundworks shall commence until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of investigation and programme.
- 4) No development shall commence (with the exception of demolition works where this is for the reason of making areas of the site available for site investigation) until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 21 days of the report being completed and approved in writing by the Local Planning Authority.
- 5) No development shall commence, including any works of demolition or site clearance, until a Demolition and Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Statement shall include details of measures to control the emission of dust and pollutants during demolition and construction works; wheel washing facilities; and hours of demolition and construction. The approved Demolition and Construction Management Statement shall be adhered to throughout the demolition/construction period for the development.

- 6) Tree protection shall be implemented prior to the commencement of development activities (including demolition), and the methodology for development (including supervision) shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement reports and Tree protection shall be installed as shown on Tracy Clarke Tree Consultancy drawing number TCTC-17944-PL-03 Rev A dated January 2020 unless the Local Planning Authority gives its prior written approval to any alterations.
- 7) No preliminary ground works shall commence until a revised flood risk assessment and management and maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependent upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.
- 8) No development shall commence until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the development hereby approved.

Before work above ground

- 9) Prior to any above ground works, samples or details of materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved by the Local Planning Authority in writing. The development shall be undertaken in accordance with the approved samples or details.
- 10) Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The works shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layout; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of 5 years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11) Prior to any above ground works, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of the development and maintained as such for the life of the development.

- 12) Prior to any above ground works, a scheme of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter. No additional external lighting shall thereafter be installed without prior consent from the Local Planning Authority.
- 13) Prior to any above ground works, details and the location of the parking spaces equipped with active Electric Vehicle Charging Points (EVCP) to a minimum of 10% of the parking spaces shall have been submitted to and approved in writing by the Local Planning Authority. The installation of EVCP shall be completed in accordance with the approved details and made operational prior to first occupation of the development. The details shall include:

- i) Location of active and passive charging infrastructure;
- ii) Specification of charging equipment; and
- iii) Operation/management strategy.

A management plan for the charging points should address:

- a) Which parking bays will have active and/or passive charging provision, including disabled parking bays;
 - b) How charging point usage will be charged amongst users;
 - c) The process and the triggers for identifying when additional passive charging points will become activated; and
 - d) Electricity supply availability. The electricity supply should be already confirmed by the Network Provider so that the supply does not need to be upgraded at a later date.
- 14) Prior to any above ground works, details of cycle storage and changing facilities for cyclists shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to the first occupation of the development and shall be retained for the life of the development.

Before occupation or other stage conditions

- 15) Prior to the first occupation of the development hereby approved, a scheme to enhance the ecological value of the site shall be submitted to and agreed in writing by the Local Planning Authority. The ecological value shall be quantified using the Biodiversity Impact Assessment Calculator where appropriate. The scheme shall be implemented in full prior to the occupation of the development hereby approved.
- 16) Prior to the first occupation of the development hereby approved, a Staff Travel Plan incorporating measures to highlight non-car travel patterns available and reduce reliance on single occupancy car trips shall be submitted to and approved in writing by the Local Planning Authority. The Staff Travel Plan shall

thereafter be updated annually and shall be available for inspection on request by the Local Planning Authority.

- 17) Prior to the first occupation of the development hereby approved, details of the boilers shall be submitted to and approved in writing by the Local Planning Authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%). The boilers shall be installed and retained for the lifetime of the development in accordance with the approved details unless the prior written approval of the Local Planning Authority is given.
- 18) Any oil or chemical storage tanks shall be surrounded by an impervious oil/watertight bund. The volume of the bund should be at least 10% greater than the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system to the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
- 19) If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 20) All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other order revoking, further amending or re-enacting that order) no hard surfacing for vehicle parking, other than that approved by this permission, shall take place without prior consent from the Local Planning Authority.
- 22) The development hereby approved shall be used as a care home for the provision of nursing and/or personal care for elderly people (including those with dementia) only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

END OF SCHEDULE