



Appeal Decision

Site visit made on 28 September 2022

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2022

Appeal Ref: APP/C3620/W/22/3292182

Headley Court, Defence Services, Headley Road, Headley KT18 6JW

- 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 approval to details required by a condition of a planning permission.
 - The appeal is made by Angle Property Headley (Ltd) and Millgate Homes against Mole Valley District Council.
 - The application Ref MO/2021/0871, dated 6 May 2021, sought approval of details pursuant to condition Nos 1, 3, 4, 6, 9, 10, 13, 16, 17 and 19 of outline planning permission Ref MO/2020/0185 granted on 1 December 2020.
 - The development proposed is described as 'reserved matters application in respect of layout, scale, external appearance of buildings, car parking and landscaping and discharge of planning conditions 3 (Materials and Surfaces), 4 (Boundary Treatments), 6 (Travel Plan), 9 (CEMP), 10 (LEMP), 13 (Site Investigations), 16 (SUDS), 17 (Soil Survey) and 19 (Tree Planting) pursuant to outline planning permission MO/2020/0185 for the demolition of existing buildings and redevelopment to comprise up to 70 residential units (Use Class C3), landscaping, car parking, access routes and other associated works.'
 - The details for which approval is sought are: appearance, landscaping, layout and scale and include those pursuant to conditions 3, 4, 6, 9, 10, 13, 16, 17 and 19 of outline planning permission Ref MO/2020/0185.
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'reserved matters application in respect of layout, scale, external appearance of buildings, car parking and landscaping and discharge of planning conditions 3 (Materials and Surfaces), 4 (Boundary Treatments), 6 (Travel Plan), 9 (CEMP), 10 (LEMP), 13 (Site Investigations), 16 (SUDS), 17 (Soil Survey) and 19 (Tree Planting) pursuant to outline planning permission MO/2020/0185 for the demolition of existing buildings and redevelopment to comprise up to 70 residential units (Use Class C3), landscaping, car parking, access routes and other associated works at Headley Court, Defence Services, Headley Road, Headley KT18 6JW in accordance with the terms of the application, Ref MO/2021/0871, dated 6 May 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. I have taken the description of development from the appeal form since it most accurately describes the development to which the appeal relates. The appeal scheme seeks the approval of matters that were reserved following the granting of outline planning permission in December 2020, Council Ref MO/2020/0185. The submission also requested the discharge of a number of other conditions imposed on MO/2020/0185. The Council have confirmed that

they do not object to the details that have been submitted in these regards and I have no reason to disagree. I have proceeded on the basis that they are therefore acceptable and uncontested by the main parties.

3. The Council did not issue a decision. Their evidence suggests that, had they done so, they would have refused planning permission. They cite that the proposed development would be harmful in terms of its layout, scale, height and appearance (including materials), and would result in a development which has an urbanising effect that would be unsympathetic and fail to harmonise with the rural character of the area. It has also been brought to my attention that the appeal site is in the Green Belt. I have identified the main issues accordingly below.

Main Issues

- Whether the appeal scheme would be inappropriate development in the Green Belt;
- The effect of the appeal scheme on the character and appearance of the area; and
- If the appeal scheme would be inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Inappropriate Development

4. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The National Planning Policy Framework 2021 (the Framework) sets out, amongst other things, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC).
5. The construction of new buildings should be regarded as inappropriate development in the Green Belt. The Framework however identifies a number of exceptions as part of a closed list. They include limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. An assessment of the proposed development on the openness of the Green Belt is intrinsically part of the question of whether or not it would be inappropriate.
6. There seems little disagreement between the main parties that the appeal site is, for some of its part at least, previously developed land. There remains however debate, with particular regard to the Framework's mention of temporary buildings being excluded, on whether the proposed development, as the construction of new buildings in this case, would have a greater impact on the openness of the Green Belt than the existing development.

7. The appeal site is split into two distinct parts and located either side of The Drive. The northern section hosts a number of large buildings, a garage block, covered external 'yard' areas and car parks as well as hardstanding between them for pedestrian and vehicular circulation. There are also fences, barriers, lampstands and signage that add to the built up feel of the site and its historic function as a rehabilitation centre operated by the Ministry of Defence (MoD). There is a large area of land laid to grass which forms most of the northern section's northeastern quarter. The proposals seek to leave this largely devoid of development, save for seven new dwellings, a short access road and curtilages associated therewith. The southern section, save for contextually small areas laid to grass at the corners, is almost completely covered by built form of a substantial scale and height, circulation spaces between them and car parking areas.
8. The southern section includes a large central building known as Mallard House. The permission granted therefore included a condition making the use of the building personal. Be that as it may, the evidence suggests that the same planning permission (Council ref MO/2010/0211) did not include a condition requiring its removal. It is therefore legitimate, for Green Belt purposes, not to consider Mallard House a temporary building to be excluded from the definition of previously developed land. Also on the southern section, there is a building identified as having the benefit of a temporary planning permission. This is a long two storey structure located to the southernmost area of the southern section. I understand from the evidence that this may be the subject of enforcement action from the Council. That aside, I would consider the building here to be temporary and therefore excluded from the definition of previously developed land for Green Belt purposes.
9. With the above in mind, two areas of the appeal site would host the construction of new buildings which would not be on previously developed land (land occupied by buildings) for Green Belt purposes. As a result, they would have a greater impact on the openness of the Green Belt than the existing development. Thus, for these two areas at least, the appeal scheme would be inappropriate development in the Green Belt. This would conflict with the Framework in this regard, being harmful by definition.
10. The Council cite, in regard to Green Belt matters, Policies ENV22 and ENV23 of the Local Plan¹. I have found below that, in terms of design, layout and location the appeal scheme would be acceptable and thus, in regard to the relevant main issue, comply with these policies.
11. I have found above that there would be harm to the Green Belt's openness and thus the appeal scheme would be inappropriate development. This would be in the spatial sense since there would be buildings where there were previously none. These buildings would be visible and therefore there would cause a reduction in the visual aspect of the Green Belt's openness. In general terms, ENV22 is more relevant to the second main issue, and I have considered the appeal scheme accordingly in that context. ENV23 specifically refers to an effect on the Green Belt due to, amongst other things, the siting of development. I would be inclined to say there would therefore be some conflict with this policy in regard solely to how the appeal scheme would reduce the

¹ Mole Valley Local Plan 2000

Green Belt's openness and thus have an impact on it, openness being an essential characteristic of Green Belts according to the Framework.

Character and Appearance

12. The appeal site as a whole comprises, in part, developed land. The majority of the buildings are of a utilitarian design and in some cases in a poor state of repair, suffering from examples of vandalism. They are associated with the historic MoD use. Areas around the buildings include hard surfacing for circulation and areas given over to car parking. Operations at the site seem to have ceased some time ago and areas have started to be affected by overgrowth. There is a functional character to it, rather than anything that necessarily exudes any particular architectural merit. Its setting is overtly verdant, with a large swathe of open and undeveloped grassland to the northern section and dense tree planting to some boundaries.
13. I do not agree with the opinion that the appeal scheme is something of a standard housing estate. For the total area of land, the number of dwellings proposed is quite low, befitting of how it relates positively to the wider, and less developed, rural areas to the south and west. The organic shape of the streets, the much lower height of buildings and generous curtilages would exude and reinforce the parkland feel to the appeal site. The vast majority of the grassed area to the northern section would remain as such as would the established tree cover. The sweeping nature of the internal roads and general arrangement of buildings (as well as the building to space ratio) would also be reflective of the built development around Cunliffe Close and Dale View to the west. It would therefore, contrary to the Council's opinion, continue a loose knit pattern to local development. Whilst the proposed development does not seek to group buildings on one side of the road, to do so in the case of the appeal scheme would feel forced and a deliberate attempt to copy an existing situation which has its own clear identity. The use of narrower streets in the case of the appeal scheme would sit appropriately with the wooded setting of the wider site, giving the impression of being sat in amongst its natural characteristics rather than being imposed on top of them.
14. I appreciate the Council's reference to the parameters plan as part of the outline planning permission, but the detail set out thereon is indicative of a manner in which the appeal site could be developed. In the broad sense, this reserved matters scheme follows its general principles.
15. In terms of open vistas, and the large area of grassland that will be predominately left as it is aside, the appeal scheme would be dispensing of high density and tightly clustered buildings of limited architectural value in favour of much lower rise and lower density development. At the very least, this would not make the existing situation any worse in appearance terms and at the best improve the feel of the wider site and how some generous gardens and other areas of open space can relate positively to the verdant feel of the area more generally.
16. In some cases, and when analysing the individual elements of the appeal scheme's design, I would agree that some house types would garner something of an urban feel to them. As would how tight they might be to the appeal site's boundaries. However, this is where the whole is greater than the sum of its parts. Taken together, the appeal scheme would be of a layout and mix that

would be acceptable for its natural setting and, for the reasons I have explained, not result in harm to the character and appearance of the area.

17. Thus, the proposed development would comply with Policies CS13 and CS14 of the Core Strategy² and saved Policies ENV22, ENV23 and ENV24 of the Local Plan. Amongst other things, these policies seek to ensure that new development respects and, where appropriate, enhances the character and distinctiveness of the landscape; respects and enhances the character of the area through resisting poor quality design; incorporates landscaping with particular attention to trees; is appropriate in terms of scale and form and does not result in a cramped appearance.

Other Considerations

18. Whilst, on paper at least, it would appear that some of the housing subject of the appeal scheme would occur on land that does not, for Green Belt purposes, have development on it to be considered previously developed land, the placement of buildings is not the only matter that would have had a reducing effect on the openness of the Green Belt. The operation of the wider site historically, the movement of vehicles, people, materials and infrastructure would all be associated with the curtilages of the buildings which would have existed beyond the physical extent of their footprints. Whilst undoubtedly within the confines of the Green Belt, the appeal site, and the land around it, has a long established use and operation.
19. Moving on, the areas of the appeal site currently devoid of built development account for a contextually small part of the site as a whole (putting aside the large portion of open space on the northern section). Any inappropriate development thereon would be, in terms of numbers and size of buildings, equally contextually small and be part of a development (taken as a whole) which would enhance the visual qualities of the area in terms of buildings and spaces.
20. The appeal site, in its entirety, is allocated for housing in the current Local Plan. The evidence suggests this will be carried forward to the emerging replacement therefore. It is thus sufficiently clear that, for some considerable time, development on the site (as a whole and subject to some constraints) was envisaged to take place. Subsequent to this, an outline planning permission was granted for a development of up to 70 units. Again, a planning permission which established, in principle, for the development of the whole site. The scheme that is before me now is for precisely that number to be accommodated on what is, for the majority, land that had buildings or movement space around them, on. Putting aside therefore what parts of the site that were not previously developed (in terms of having permanent buildings on them) there is an extant planning permission for a potential maximum of 70 dwellings.
21. I have found above that, as a comparison exercise in terms of buildings occupying space left by buildings, the appeal scheme would have a greater impact on the openness of the Green Belt than the existing development. That being so, and as I have alluded to above, the existing development is substantial in its scale, concentrated but high density in its layout. As opposed to a more scattered development of much smaller buildings, of lower overall

² The Mole Valley Local Development Framework Core Strategy 2009

height and with large spaces between and behind them. The 'feel' of the openness of the Green Belt would therefore still be experienced. To a substantial degree.

22. In addition, the Council were aware that the appeal site was in the Green Belt at the time they made a decision to permit up to the same number of dwellings proposed here at outline stage. They therefore tacitly accepted that there would be an effect on the Green Belt, but an effect they considered acceptable.

Other Matters

23. As well as the house itself, a number of grade II listed buildings are located within the grounds of Headley Court Manor House, to the east of Headley Road. The appeal site is a separate entity to the Manor House's curtilage, but the proposed development thereon would undoubtedly have an effect on its setting given its proximity. The curtilage of the Manor House is however contained and well hidden from most public vantage points along Headley Road and thus, to some degree, the two elements of the appeal site.
24. The appeal scheme would secure the removal of what are large scale buildings of limited value either in themselves or in how they contribute to the significance of the Manor's setting and replace them with a well designed and sensitively laid out contemporary residential estate. The somewhat parkland feel of which would be a vast improvement on the existing situation in built form terms. I am inclined to agree with the Council's officers that, in any event, development to the north of The Drive would be situated to the west of the open space and thus be more of a recessive feature that would not have a negative impact on the wider setting of Headley Court.
25. As also set out by the Council's officers, the situation of the Manor is to take advantage of views both to the north and to the south. The northerly aspect takes in a strong north-south axis which is enclosed to the west by buildings, dense hedging, residual areas of parking and beyond this, Headley Road and its treed boundaries. Views to the south, over landscaped gardens are contained by further vegetation and a tall evergreen hedge above an attractive brick and flint boundary wall. In terms of designed views therefore, the experience of the Manor's architectural significance would not be directly impinged upon by the distinct siting of the proposed development.
26. I note that there remains concern over the proximity of some of the new dwellings to the stable court entrance, but the location of buildings here would not be dissimilar to where those associated with the former use of the appeal site are. The new buildings would be much smaller, lower rise and spaced out. Taking all of the above into account, I am satisfied that the proposed development would not adversely affect the setting of the Manor House or its associated buildings. Listed building consent would not be required since the appeal scheme does not affect the fabric of any listed buildings.
27. Some responses to the scheme from third parties suggests that 70 dwellings was supposed to be a maximum number and that the final amount should be less since the result would be a cramped development. I have explained above my views on the effect of the proposals on the character and appearance of the area and it is perhaps important to reiterate that whilst the extant outline planning permission did specify an upper limit on the quantum of development,

a detailed scheme that follows for precisely that number would comply with the parameters of the outline.

28. I note that the proposed development includes a 15 metre stand off from the boundaries of the appeal site where it abuts the edge of designated ancient woodland. I note suggestions that the buffer should be larger. It seems sufficiently clear however, and as agreed by the Surrey Wildlife Trust according to the Council, that the minimum of 15 metres should be sufficient so as not to affect the integrity of the woodland areas. Suggestions that activity associated with the site and the proximity of publicly accessible open space and gardens would lead to fly tipping, vandalism and dumping of garden waste appears to be unsubstantiated.
29. As per the suggested conditions, development at the site shall be carried out in accordance with the appellant's ecology surveys and recommendations and, notwithstanding comments to the contrary, the evidence from both main parties does not identify the appeal site as falling with an Area of Outstanding Natural Beauty. The appellant appears, evidently, to be aware of their obligations under protected species legislation and requirements for the appropriate licenses. No street lighting is proposed.
30. Whilst some comments submitted have focussed on the matter of highway safety, suitability of access points and traffic generation, it remains that the appeal site benefits from outline planning permission, for which access was a fixed and therefore approved matter. There is a programme of works secured through the outline scheme which seek to make improvements to the road infrastructure immediately around the appeal site, as well as positive changes to footways, bridleways and cycleways. I am also satisfied that the parking areas and garages would be sufficient to accommodate the storage of bicycles.
31. I appreciate the point made regarding the proximity of the appeal site and thus future occupiers of the proposed development to local amenities but, to reiterate, the principle of the development of the site has been established by not only an extant planning permission but also the fact it is allocated for housing in the adopted development plan. In addition, the appeal scheme would be subject to the payment of funds towards the Council's adopted Community Infrastructure Levy. The public open space provided would be accessible for the wider estate of housing and the lack of dedicated parking would unlikely be a major problem due to it being attractive mainly for residents of the estate itself. Users would therefore, more than likely, be on foot.
32. Some concern has been expressed about the apparent piecemeal nature of the development of the wider MoD site. That said, the planning process is in some respects reactive to specific developments coming forwards which is the preserve of developers or applicants to do. It is then, for a decision maker, to assess whether a given proposal would give rise to harm and balance it accordingly with other considerations. This has been done in the case of the appeal scheme before me. I understand feelings some local residents may have towards whether the granting of planning permission would, in this case, have any precedent value. Each development proposal is however, with regard to the above, assessed on its own merits and with regard to its context and situation.

33. I have given some thought to controlling the hours of operation for construction and other works on site, but this has been secured by the extant outline planning permission. I am also satisfied, in terms of the traffic generation of the proposed development which was assessed and found to be acceptable at the outline stage, would represent a net reduction over the existing lawful use and thus beneficial for other users of local roads such as those with horses.
34. In terms of the living conditions of occupiers of the proposed development, the dwellings appear to have been arranged in such a way to provide mutual surveillance without compromising privacy of individual rooms or gardens. The spacing would be generous in some cases, less so in others, but such an arrangement is not uncommon for modern housing estates. There is nothing compelling before me to suggest that the proposed development would provide unacceptable living conditions for its occupiers.

Conditions

35. I have had regard to the conditions set out in the Council's officer report to committee which followed their recommendation to grant planning permission. I have changed the wording of some of these in the interests of clarity and enforceability.
36. I have imposed conditions pertaining to the timescale for the commencement of works in line with the status of this planning permission as that for the approval of reserved matters. I have also set out the approved plans for certainty. In the interests of the proper functioning of the proposed development, I have required the agreement, approval and verification of a sustainable drainage scheme. Given investigation work that this will inevitably involve, such details would need to be agreed prior to any development taking place. I have also set out a requirement for demonstration of the required reduction in carbon emissions.
37. I note the comments of both the Council and third parties in regard to the importance of materials. To that end I have required details of external materials to be agreed, as well as specifics on joinery to ensure a suitable end result. Having regard also to the setting of Headley Court. It would be sufficient to require the agreement of these matters prior to any works above ground.
38. For functioning and highway safety purposes, I have set out that all parking spaces should be available for use, and retained as such thereafter, prior to the first occupation of the first dwelling permitted. For similar parking related reasons, I have set out that all garages should only be used for the purposes of vehicle parking. I have not imposed a condition regarding fast charging sockets. I am not aware of any development plan derivation for such, and I am not convinced that planning permission would be withheld without them.
39. To protect the living conditions of neighbouring occupiers, it is reasonable to restrict the insertion of new windows into the roofs or gable ends of garages. I have not however removed other rights under permitted development. The Council do not refer to Class E of Schedule 2, Part 1 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended) and as such evidently deem permitted outbuildings within curtilages to be acceptable, referring only to extensions and alterations. I am aware the appeal site is in

the Green Belt and as such these restrictions tend to be commonplace, but it is sufficiently clear to me that such rights would ordinarily exist for dwellings in the Green Belt. The new ones permitted here should therefore, reasonably, be no different. In essence, I see no compelling justification to restrict rights under permitted development. The appeal site is in any case relatively well contained in Green Belt terms and thus the exercise of future rights (restricted though they'd be in any event by dwelling sizes and the extent of curtilages) should not, overall, undermine the strategic aims of national Green Belt policy.

40. I have required, in the interests of the proper functioning of the proposed development, for the waste facilities that have been approved to be made available for use prior to its first occupation. In addition, I have imposed conditions pertaining to the timing of the landscaping details (in the interests of the final appearance of the proposed development) and for works to be carried out in accordance with the recommendations of ecology work, in the interests of biodiversity and protected species.

Conclusion

41. As I have explained, inappropriate development is harmful to the Green Belt and should not be approved except in VSC. Substantial weight should be attributed to any harm to the Green Belt. There is no explicit definition of what constitutes VSC for the purposes of justifying inappropriate development in the Green Belt. It is however the sum total of other considerations that might 'clearly outweigh' it. Appreciating that any harm to the Green Belt should be worthy of substantial weight, weight in the balance is a matter for the decision maker in each case. There would be some conflict with the development plan.
42. It is an unavoidable fact that the appeal site, in its entirety, is both allocated in the adopted development plan and benefits from extant outline planning permission for the number of units sought here. The detail of that extant planning permission that is before me in the appeal would not give rise to harm to the character and appearance of the area. In fact, it has the potential to improve it. If any harm to the Green Belt should be afforded substantial weight, I would attach more than that to the other considerations I have set out above. Such that they would, taken together, amount to the VSC necessary to justify the proposed development and also outweigh the conflict with the development plan. The appeal should therefore be allowed. Subject to the conditions set out in the attached schedule.

John Morrison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than two years from the date of this decision
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: reference CB_33_222_001; 002; 003; 004; 005; 006; 007; 008; 009; 010; 012; 910; MILG 23148 11 Sheets 1, 2, 3, 4, 5, 6, 7, 8; MILG23148 Sheets 1, 2, 3, 4, 5, 6, 7, 8; CB 33 222 2.1 001, 002, 003; CB 33 222 3.2 001, 002; CB 33 222 3.25 001; CB 33 222 4.4 001, 002; CB 33 222 GAR 001, 002; CB 33 222 3.1 001, 3.3 001, 3.4 001, 4.1 001, 4.2 001, 4.3 001, 5.1 001, 2BA 001, 3BA, 001, 4BA 001; MILG23148 03 and CB 33 222 004
- 3) The development hereby permitted shall not take place until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated storage volumes shall be provided using a infiltration based strategy.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Development shall be carried out in accordance with the approved details.

- 4) Prior to the first occupation of the first dwelling hereby permitted, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the local planning authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations),

provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

- 5) Prior to any above ground works taking place, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low carbon energy sources shall be submitted and approved by the local planning authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the first dwelling hereby permitted.
- 6) Prior to any above ground works taking place, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7) Prior to any above ground works taking place, details of all external joinery shall be submitted to and approved in writing by the local planning authority including materials, method of opening and large scale drawings showing sections through mullions, transoms and glazing bars. Windows and door openings should have a reveal to be agreed. Development shall be carried out in accordance with the approved details.
- 8) All parking spaces shown on the plans hereby approved shall be made available for use prior to the first occupation of the first dwelling hereby permitted and thereafter retained solely for that purpose.
- 9) All garaging hereby permitted shall be used for the storage of private motor vehicles and incidental domestic storage only.
- 10) No windows, dormer windows or roof lights shall be inserted within the roof or gables of the garages hereby permitted.
- 11) The refuse and recycling storage facilities shown on the plans hereby approved shall be made available for use prior to the first occupation of the first dwelling hereby permitted and retained solely for that purpose thereafter.
- 12) The landscaping scheme hereby approved shall be carried out in the first planting season after commencement of the development, or at another suitable time to be agreed in writing by the local planning authority, and shall be maintained for a period of 5 years. Maintenance of the landscaping scheme shall include the replacement of any trees and shrubs that die.
- 13) Development shall be carried out in accordance with the recommendations set out within the applicant's ecological documents, Landscape and Ecological Management Plan and Reserved Matters Ecology statement submitted in support of the application.