



Appeal Decision

Hearing held on 11 January 2023

Site visit made on 11 January 2023

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st February 2023

Appeal Ref: APP/K3415/W/22/3305895

**Land north east of Deanslade Farm, Claypit Lane, Lichfield WS14 0AG
Easting (x) 411083 Northing (y) 307829**

- 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 G Jones - SM Homes against the decision of Lichfield District Council.
 - The application Ref 20/00262/FUL, dated 17 February 2020, was refused by notice dated 13 June 2022.
 - The development proposed is erection of 6 dwellings and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 6 dwellings and associated works at 'Land north east of Deanslade Farm, Lichfield WS14 0AG' in accordance with the terms of the application, Ref 20/00262/FUL, dated 17 February 2020, subject to the conditions listed in the attached schedule.

Applications for costs

2. An application for costs was made by Mr G Jones of S M Homes against Lichfield District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The proposed development has been screened in accordance with the Environmental Impact Assessment (EIA) Regulations 2017. It has been concluded that the development would not be of a scale and nature likely to result in a significant environmental impact and EIA is therefore not required.
4. At the hearing the Local Planning Authority (LPA) confirmed that the emerging Lichfield District Local Plan 2040 is yet to be examined and that there is currently a 12 month pause within the process as the evidence base has been questioned. With no date for examination currently set and given I am unaware of any outstanding objections or requirements for modifications, I agree with the LPA that only very limited weight can be attached to the policies of the emerging local plan in the consideration of this appeal.
5. The list of plans provided by the appellant include drawing reference 'CP.PL.14a'. The main parties confirmed at the hearing that there is no difference between this drawing and the drawing referenced by the LPA 'CP.PL.14'. Therefore, I am satisfied that no party would be prejudiced by me including the reference provided by the appellant within the list of approved plans.

6. Prior to the hearing, the LPA conceded that a developer contribution towards secondary school provision could not be justified. I have taken this into account in defining the fourth main issue.

Main Issues

7. The main issues are:

- (i) the effect of the proposal on the Cannock Chase Special Area of Conservation (SAC);
- (ii) whether the proposal would provide an appropriate housing mix having regard to the development plan and national policy;
- (ii) the effect of the proposal on the character and appearance of the area, including whether the setting of the Grade II Listed Buildings at Sandfields Lodge and Sandfields House would be preserved; and
- (iii) whether or not a contribution towards primary school places would be justified.

Reasons

Cannock Chase SAC

8. The appeal site is located within the Zone of Influence (ZoI) for the Cannock Chase SAC which is a European designated site. The Conservation of Species and Habitats Regulations 2017 (the Habitats Regulations) require the Competent Authority to consider whether or not the proposal could adversely affect the integrity of the protected site, either alone or in combination with other plans and projects within the framework of an Appropriate Assessment (AA). This responsibility falls to me in the context of this appeal.
9. From the information before me, the designation of the SAC reflects the presence of two qualifying habitats these being European Dry Heaths and North Atlantic Wet Heaths with *Erica tetralix*. The conservation objectives identified for the SAC are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features, by maintain or restoring:
- The extent and distribution of qualifying natural habitats;
 - The structure and function (including typical species) of qualifying natural habitats; and,
 - The supporting processes on which the qualifying natural habitats rely.
10. A Habitat Regulation Assessment Screening Matrix and Appropriate Assessment Statement has been provided by the LPA. In accordance with advice from Natural England (NE), The Cannock Chase SAC Partnerships evidence base indicates that any development within the ZoI is likely to increase recreational disturbance and is likely to have a significant adverse effect on the integrity of the SAC and the reasons for its designation.
11. The LPA's Appropriate Assessment finds that as the development would result in a net increase of residential dwellings within the ZoI, there would be an adverse in combination effect on the SAC as a result of an increase in recreational disturbance. However, the LPA found that these effects can be

satisfactorily mitigated through the series of mitigation and avoidance measures set out in its Strategic Access Management and Monitoring Measures (SAMMM) agreed with Natural England (NE). NE concurs with this finding and I have no reason to reach a different conclusion on this matter.

12. The LPA's committee report confirms that as the development falls within the ZoI a financial contribution towards SAMMS would be required at a rate of £290.58 per dwelling. The committee report also confirms that as the proposal is for standard market housing it will be liable for Community Infrastructure Levy (CIL) payments and that the mitigation payment would be captured through CIL receipts on commencement of development. The LPA confirmed at the hearing that this remains the case and this was not disputed by any party. Therefore, I do not need a planning obligation in this instance to secure the mitigation.
13. I therefore conclude, measures are in place to ensure that the in combination effects of the proposal on the integrity of the SAC can be suitably mitigated. In that regard the development complies with the requirements of the Habitats Regulations and Policy NR7 (Cannock Chase Special Area of Conservation) of the LPS.

Housing Mix

14. The National Planning Policy Framework (the Framework) seeks mixed and balanced communities. Paragraph 62 of the Framework requires that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
15. The site sits within the South Lichfield - Deans Slade Farm Strategic Development Allocation (SDA) which is allocated in the LPS for 450 dwellings. Given that Core Policy 6 (Housing Delivery) of the LPS seeks to deliver at least 10,030 homes in the District, the allocated number of dwellings is a minimum figure. Indeed, planning permission has previously been granted within the SDA for 475 dwellings and associated infrastructure¹ as well as for a further 7 detached dwellings on land to the south west of the appeal site².
16. The 'Deans Slade South of Lichfield SDA Concept Statement at Appendix H of the LPS (the Concept Statement) confirms that a range of housing will be delivered in accordance with Policies H1 and H2. Policy H2 relates to the provision of affordable housing. The proposal does not trigger any affordable housing requirement in this instance and this is not a matter in dispute.
17. Policy H1 (A Balanced Housing Market) of the Lichfield District Local Plan Strategy (2015) (LPS) sets out that to deliver a balanced housing market, new residential developments will include an integrated mix of dwelling types, sizes and tenures based on the latest assessment of local housing need. The policy indicates that there is an imbalance of dwelling types within the District and that the delivery of smaller properties including two bed apartments and two and three bed houses will be promoted.
18. Policy H1 does not set out a prescriptive housing mix for new residential developments. However, the supporting text refers to a 2012 Strategic Housing Market Assessment (SHMA) update which includes an indicative forward

¹ LPA Ref 17/01191/OUFMEI

² LPA Ref 18/01498/FUL

requirement for home sizes to 2028 and estimates a requirement for a dwelling mix of 5% one-bedroomed units, 42% two-bedroomed units, 41% three-bedroomed units and 12% four-bedroomed and above units.

19. If the proposal is considered in isolation, I accept that there would be some technical conflict with the requirements in Policy H1 as the development only includes five-bedroomed dwellings and not an integrated mix. However, I find that the position of the site within the SDA is pertinent to my considerations in this particular instance. From what I have seen and heard, the LPA similarly factored this into its considerations when it granted planning permission on the neighbouring site to the south west for a scheme of five-bedroomed dwellings.
20. The evidence before me indicates that the previously permitted housing mix within the SDA does not rigidly follow the percentages in the supporting text to Policy H1. However, there is a significant emphasis on two and three-bedroomed dwellings which account for 40% and 39% of the housing mix respectively across the wider SDA. This accords with the objectives of the LPS to promote the delivery of these dwelling types.
21. When the appeal proposal is factored in, two and three-bedroomed dwellings would still account for a total of 78% of the overall housing mix across the SDA. There would be a very marginal increase in the number of four-bedroomed plus dwellings across the SDA rising from 18% to 19% of the overall housing mix. However, a range of housing would still be provided across the wider SDA and this would still be heavily weighted towards two and three-bedroomed dwellings in line with the overall objectives of Policy H1.
22. In addition, my attention has been drawn to the Housing and Economic Development Need Assessment - Update (November 2020) (HEDNA). This still suggests there should be a focus on two and three-bedroomed dwellings but also suggests a revised estimated requirement of 5-15% for four-bedroomed plus dwellings. This slightly higher percentage of larger homes within the estimated housing mix requirements for the District further persuades me that when the wider SDA is factored in, the proposal would generally accord with the estimated requirements for the District.
23. I conclude, due to the absence of an integrated mix the proposal would result in some technical conflict with the requirements of Policy H1. However, this would not be materially harmful in the context of the housing mix across the wider SDA which is in line with the overall objectives of the policy and which positively contributes to the delivery of a balanced housing market across the wider District.

Character and appearance

24. The appeal site is a grassed parcel of land which sits close to the existing built form within the SDA. The LPA confirmed at the hearing that the substantive parts of the SDA are nearing completion and I saw for myself that this has undoubtedly changed the character and appearance of one side of Claypit Lane to a more urban character. The neighbouring site to the south west is committed for residential development and the dwellings and buildings formerly associated with Deans Slade Farm sit to the rear. Consequently, the site sits between existing and committed development to three sides. The triangular field opposite the site forms part of a more rural landscape extending away from the site to the opposite side of Claypit Lane. Together, these aspects of

the appeal site's immediate surroundings give the area urban fringe characteristics.

25. The Grade II listed buildings at Sandfields Lodge and Sandfields House are C18 buildings with early C19 additions. Their significance derives from their distinctive architecture including elements of a Georgian Gothic style and the historic use of Sandfields Lodge as a private lunatic asylum from c1818 – 1856. From what I have seen and heard, I understand that asylums were historically sited away from populated areas which reflected the attitudes of earlier generations to mental illness. Therefore, in the past the listed buildings have been experienced within a more remote rural setting. However, over time the edge of the urban area has moved closer to the listed buildings both in terms of development to the north of Falkland Road and the more recent development of the SDA. This has undoubtedly altered the setting of the listed buildings, largely eroding any sense of isolation.
26. On my site visit I was able to see that from surrounding roads and footpaths, the fields and roadside vegetation to either side of Fossey Lane retain a distinctly rural setting to the immediate surrounds of the listed buildings. There is intervisibility between the appeal site and the listed buildings. Even so, the listed buildings are set well back into their plots which in turn have substantial mature planting towards their front boundaries. The appeal site is also slightly offset from the front aspect of the listed buildings. Together with the distances involved and the distinct boundaries of the intervening field, these factors mean that the appeal site is already appreciated as having a closer relationship with the urban area than the rural aspects of the more immediate surrounds of the listed buildings.

I acknowledge that the appeal site and the neighbouring site to the south west currently form a sizeable gap in the developed frontage on Claypit Lane. I heard the LPA's concerns that the neighbouring site relied upon a heritage assessment for the wider SDA. Whether or not that is the case, it is not within my remit to review the decision on the neighbouring site and there is nothing to suggest that the planning permission on it will not be implemented. This will result in a subsequent further closing in of development next to the appeal site which will substantively diminish any meaningful contribution that this section of the Claypit Lane frontage makes in terms of a rural setting or sense of isolation for the listed buildings.

27. The design and scale of the dwellings, their plot ratios and their alignment set well back from the boundary with Claypit Lane would be similar to the committed dwellings to the south west and would sit comfortably within the street frontage. A development including smaller dwellings in the mix would have the potential to increase densities which would be at odds with the Concept Statement for the SDA which envisages lower than average densities around the edges of the built areas. This adds to my findings under the first main issue that the housing types proposed are appropriate in this instance.
28. Furthermore, the materials including red brick facades and blue slate roofs would suitably respond to the built vernacular and could be secured through condition. Planting would be incorporated towards the site frontage. In these respects, the proposal would effectively assimilate into its edge of settlement surroundings.

29. In addition, the substantial mature planting to the frontages of the listed buildings and the hedgerow to the field opposite filter views between the listed buildings and the appeal site. At the hearing, I heard from an interested party who suggested there had been some hedgerow removed in close proximity to Sandfields Lodge. In that regard, the LPA confirmed that further planting within the intervening field has been secured as part of the wider development on the SDA. This will further aid the visual transition between the rural area and the edge of the urban area.
30. Taking all the above factors into account, the proposals would positively respond to the character and appearance of the area. The development would not reduce the ability to appreciate the listed buildings in their immediate rural setting nor materially alter the way the listed buildings would be experienced in the wider landscape. This is particularly so having regard to the established situation resulting from the already built and committed development within the SDA. For these reasons, I find that the setting of the listed buildings would be preserved.
31. At the hearing the LPA suggested that the effect of the development on the setting of the listed buildings would be at the lower end of less than substantial harm. For the reasons set out, I disagree. However, even if I were to reach a similar conclusion to the LPA and noting its positive housing land supply position, the provision of six dwellings would still boost the supply of homes in a sustainable location within a site allocated for residential development thereby securing the site's optimum viable use. Together with the social and economic benefits through the construction of the site and subsequent use of services and facilities in the area by occupants of the development, I find that the public benefits derived from the development would outweigh harm at the lower end of less than substantial.
32. I conclude, the proposal would have an acceptable effect on the character and appearance of the area and would preserve the setting of the Grade II Listed Buildings at Sandfields Lodge and Sandfields House. In those regards, the development would comply with the sustainable development, design, character and conservation requirements of Core Policy 1 (The Spatial Strategy), Core Policy 3 (Delivering Sustainable Development), Core Policy 14 (Our Built & Historic Environment) and Policy BE1 (High Quality Development) of the LPS and Policy BE2 (Heritage Assets) of the Lichfield District Local Plan Allocations (2019) and the Framework. For the same reasons, the proposals would accord with the guidance in the LPA's Historic Environment Supplementary Planning Document (2015) and Sustainable Design SPD (2015).

Whether or not a contribution towards primary school places would be justified

33. Core Policy 4 (Delivering our Infrastructure) and Policy IP1 (Supporting & Providing our Infrastructure) of the LPS set out that new development must be supported by the necessary infrastructure at the appropriate stage required to create and support sustainable communities. These policies confirm that the specific infrastructure requirements are set out in the Infrastructure Delivery Plan (IDP) and the Concept Statements relating to the SDAs.
34. The Deans Slade SDA Concept Statement confirms a one form entry primary school will need to be delivered. The Lichfield District Council IDP (June 2021) confirms that funding for the school will be provided through S106 and Staffordshire County Council.

35. At the hearing the LPA confirmed that a one form entry, 210 place primary school is currently being built at the SDA and the evidence before me indicates that it is due to open in September 2023. Therefore, the required infrastructure set out in the IDP and the Concept Statement is already in the process of being delivered.
36. Notwithstanding the above, the Staffordshire Education Infrastructure Contributions Policy (Updated July 2022) (SEICP) confirms that Staffordshire County Council (the local education authority) will consider any residential development where 10 or more dwellings will be provided and that developments of fewer than 10 dwellings will be considered where their co-location with other sites requires examination of the cumulative impact.
37. The local education authority suggests that the development would generate a requirement for 2 primary school places and this has been calculated in line with the formula in the SEICP. At the hearing, I was advised by the LPA that there is a significant deficit of around £4 million in the build costs of the new school and that the rising build costs was the reason that the financial contribution requests had risen during the planning application process. The LPA also verbally confirmed that other primary schools in the area are full and suggested that the planning permission for the 475 dwelling development at the SDA is expected to generate 150 primary school children and that is what has been paid for meaning that there is a shortfall in the funding of 60 places.
38. However, no detailed assessment of primary school places in the catchment area, including forecasts of projected take up of places at the new primary school, has been provided. The LPA confirmed at the hearing that data on whether the new school would be oversubscribed isn't available yet. Therefore, even when the co-location of the appeal site alongside other development in the SDA is considered, there is no objective evidence before me to suggest that there is a shortfall in capacity within existing schools or the soon to be provided primary school meaning that the 2 primary school places generated by the development could not be accommodated.
39. In addition, I accept that build costs can increase over time. However, no detailed evidence has been provided in terms of a breakdown of the funding strategy for provision of the new school, including details of the money previously secured against the actual build costs in this instance, to demonstrate the extent of any deficit.
40. The appellant has provided a Unilateral Undertaking which includes two potential scenarios in respect of the requests made by the local education authority for contributions towards primary school provision. However, given my observations, I cannot be certain that either a contribution of £57,573.28 (2 x £28,786.64) or £69,631.10 (2 x £34,815.5) would be necessary, directly related to the development and fairly and reasonably related in scale and kind.
41. Overall, it has not been demonstrated that a contribution towards the provision of primary education would be justified in this instance. Therefore, a requirement for the appellant to make such a contribution would not meet the relevant tests at Paragraph 57 of the Framework and Regulation 122 of the CIL Regulations.

Other Matters

42. At the hearing, the LPA pointed out that the appeal site would have a single access point with no linkages to the wider SDA. However, as I have found on the second main issue, from a visual perspective the development would be appreciated as sitting amongst the other dwellings within the SDA. The appeal site is in any case unequivocally located within the SDA.
43. My attention has been drawn to Map H.2 within the Concept Statement which indicates that the site sits within an area that was envisaged as accessible open space/proposed countryside park. However, this is a 'Concept Diagram' and, from what I have seen and heard, the development plan does not specifically designate the land for such purposes nor was this secured as part of the previous planning permissions in the SDA. The LPA has also already granted planning permission for dwellings within this area. At the hearing, the LPA confirmed that a country park and sports pitches are to be provided to the south of the SDA. Therefore, as any previous aspirations to provide open space on the land does not alter my findings under the main issues.
44. There is no objective evidence before me to suggest that there was an intentional division of the appeal site with the neighbouring site to the south west. In any case, I must consider the proposal before me which for the reasons already set out would have an acceptable effect on the housing mix and the character and appearance of the area particularly when the already permitted development across the wider SDA is taken into consideration.
45. Whether or not sites of a similar size elsewhere in the District have provided a mix of housing types, I find the site-specific circumstances of the proposal within the SDA and at the fringe of the settlement are pivotal to my findings under the main issues in this instance.
46. At the hearing concerns were raised that the proposal would result in a significant number of vehicles using a private drive onto Claypit Lane. However, the LPA did not refuse planning permission on highway safety grounds or in respect of any impacts on traffic flow. Furthermore, no objections were raised by the highway authority and there is no objective evidence before me to suggest I should conclude differently on this issue.
47. There was also a suggestion that the proposal had the potential to result in an overlooking impacts. However, I am satisfied that spacing between the dwellings, as well as in relation to existing and committed dwellings, will provide acceptable levels of privacy for occupiers of the development and neighbouring residential properties.

Conditions

48. The main parties have provided an agreed list of conditions. I have attached the standard timescale for implementation and an approved drawings condition in the interests of certainty. I have also attached the suggested conditions in the interests of safeguarding existing trees, ensuring suitable drainage is incorporated and to secure a landscape and planting scheme that appropriately responds to the character and appearance of the area. I have attached a condition requiring any new planting which dies or is lost to be replaced to supplement this objective.

49. I have included the suggested Construction Vehicle Management Plan condition in order to minimise the impacts of the construction period on the immediate area. The conditions for suitable visibility splays to be provided to serve the existing private access drive, for parking and turning areas to serve the respective dwellings before they are first occupied, for a new footway to be provided on the south west side of Claypit Lane and for garages to be retained for the use of parking and storage only are also attached in the interests of accessibility.
50. The suggested condition for a scheme of biodiversity enhancement and Habitat Management Plan (HMP) accords with the requirements in the Framework for opportunities to improve biodiversity in and around developments to be integrated into the design of developments. Separate conditions requiring the provision of details of external lighting and luminance levels, as well for the recommendations and methods of working detailed in the appellant's Ecological Impact Assessment to be followed, are also reasonable to supplement the HMP. A materials condition is attached to ensure the finished development appropriately responds to the local vernacular.
51. I have attached the condition in respect of the days and times that construction can take place in order to protect the living conditions of neighbouring occupiers.
52. There is the potential that development carried out under permitted development rights could have a harmful effect on the character and appearance of the area and/or neighbouring living conditions in this instance. Therefore, I have attached the suggested condition removing permitted development rights.
53. The main parties agreed at the hearing that Electric Vehicle Charging Points (EVCP) are now a requirement of the Building Regulations. Therefore, a condition requiring EVCP is not necessary.

Conclusion

54. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise.
55. As the proposal does not include an integrated housing mix, I have found that the proposal would result in some technical conflict with Policy H1 of the LPS.
56. However, 6 five-bedroomed dwellings would make a positive contribution to housing delivery in the District within an area allocated for housing. The proposal would not materially alter the previously secured housing mix across the wider allocation which already positively responds to the objectives of the LPS to address a housing imbalance across the District.
57. I have also found that the proposal would have an acceptable effect on the character and appearance of the area and that the setting of nearby listed buildings would be preserved. Provisions are in place to mitigate the impacts of the development on the Cannock Chase SAC.
58. Therefore, any harm arising from the technical conflict with Policy H1 is substantively diminished in this particular instance and the other material

considerations indicate that the proposal would accord with the wider sustainable objectives of the development plan and the Framework.

59. For these reasons the appeal is allowed.

M Russell

INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

Christopher Timothy	Director - CT Planning
Odette Chalaby	Barrister – No 5 Chambers

FOR THE LOCAL PLANNING AUTHORITY:

Kerry Challoner	Principal Planning Officer
Sarah Atherton	Senior Planning Officer
Edward Higgins	Principal Conservation and Design Officer

Cllr Paul Ray

Cllr Jeyan Anketel

Cllr David Salter

Cllr Tom Marshall

INTERESTED PARTIES:

Vikki Brown	Local resident
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DOCUMENT SUBMITTED AT THE HEARING

Aerial image of the SDA under construction also showing surrounding context.

Schedule of Conditions

- 1) The development hereby approved shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 5406.99 (1:1250 Location Plan), 17-078-19-01a (Topographical Detail & Highway Level Survey), CPL.PL.10a (Detached Garage Plans), CPL.PL.11 Rev D (Site Layout), CPL.PL.12 Rev A (Plot 6 Floorplans), CPL.PL.13 Rev A (Plot 6 Elevations), CP.PL.14a (Plots 2 3 4 & 5 Floor Plans), CP.PL.15a (Plots 2 3 4 & 5 Elevations), CPL.PL.16 (Plot 1 Elevations), CPL.PL.17 (Plot 1 Floor Plans), CPL.PL.19 Rev A (Proposed Dwellings), CPL.PL.20 (Composite Street Scene) and Eco-location Ecological Impact Assessment dated 24 January 2020.

- 3) Before the development hereby approved is commenced, including any demolition and / or site clearance works, or any equipment, machinery or materials is brought onto site, full details of protective fencing and/or other protective measures to safeguard existing trees and/or hedgerows on the site, shall be submitted to and approved in writing by the Local Planning Authority. The agreed (tree / hedge) protection measures shall thereafter be provided in accordance with the approved details and retained for the duration of construction (including any demolition and / or site clearance works). No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment, machinery and surplus materials have been removed from the site.
- 4) Before the development hereby approved is commenced, drainage plans for the disposal of foul and surface water flows shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and thereafter retained for the life of the development.
- 5) Before the development hereby approved is commenced, a detailed landscape and planting scheme (incorporating any existing trees and hedges to be retained) shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape and planting scheme shall thereafter be implemented within eight months of the development first being brought into use.
- 6) Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species.
- 7) Before the development hereby approved is commenced, including any site clearance works, a Construction Vehicle Management Plan (CVMP) that includes details of the site compound, types of vehicles, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, and storage of plant and materials used in constructing the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and maintained throughout the construction period.
- 8) Before the development hereby approved is commenced, revised access details shall be submitted to and agreed in writing by the Local Planning Authority, showing visibility splays of 2.4m x 120m in both directions from the centre of the private drive access onto Claypit Lane. The development shall thereafter be carried out in accordance with the approved plans.
- 9) Before the development hereby approved is commenced, a scheme of biodiversity enhancement and Habitat Management Plan (HMP) shall be submitted to and agreed in writing by the Local Planning Authority. The biodiversity enhancement measures shall be provided prior to the first occupation of the dwellings hereby approved and retained/managed in accordance with the HMP for the lifetime of the development.

- 10) Notwithstanding any description/details of external materials in the application documents, no development shall take place, above slab level of the hereby approved development, until details of all external facing materials, including colour, size and texture, and boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed using the approved details and thereafter retained as such for the life of the development.
- 11) The dwellings hereby approved shall not be occupied until the access, parking and turning areas to serve the respective dwellings/s have been provided in accordance with the approved plans, including the details required pursuant to condition 8, above.
- 12) Prior to the installation of any external lighting, full details of the lighting including its design, appearance and luminance levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved lighting details and thereafter retained as such for the life of the development.
- 13) The development hereby approved shall be carried out in strict accordance with the recommendations and methods of working detailed under Section 5 in the hereby approved ecological survey (Eco-location Ecological Impact Assessment dated 24 January 2020). The measures, including the provision of bird and bat boxes, shall be implemented prior to first occupation of any of the dwellings hereby approved and shall be thereafter retained for the life of the development.
- 14) During the period of construction of any part of the development, no works, including deliveries, shall take place outside the following times: 07:30am – 19:00pm hours Monday to Friday and 08:00am – 13:00pm hours on Saturdays and at no time on Sundays, Bank and Public holidays (other than emergency works).
- 15) Prior to any above ground construction works commencing at the proposed development, details of the new footway on the south west side of Claypit Lane shall be submitted to, and approved in writing by the Local Planning Authority. The footway shall be constructed in accordance with the approved details and provided, in full, prior to first occupation of the fourth dwelling, and shall thereafter be and retained as such for the life of the development. This footway shall be a minimum width of two metres.
- 16) The garages (integrated and detached) indicated on the approved plans shall be retained for the parking of motor vehicles and cycles and associated domestic storage for the respective dwelling it serves only. At no time shall these be converted to living accommodation without the prior express permission on application to the Local Planning Authority.
- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) other than the details expressly authorised by this permission the dwellings hereby approved shall not be enlarged or extended and neither shall any windows, dormers or other openings be created in the dwellings, nor shall any buildings, gates, fences, walls or other means of enclosure be erected within the curtilage of the

approved dwellings without the prior written permission, on application, to the Local Planning Authority.