



Appeal Decision

Site visit made on 4 January 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2023

Appeal Ref: APP/L3625/W/22/3298763

Land at Laburnum and 50 Haroldslea Drive, Horley RH6 9DU

- 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 James Vince of Earlswood Homes against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/02724/F, dated 15 October 2021, was refused by notice dated 12 April 2022.
 - The development proposed is described as the demolition of existing buildings and the erection of 41 homes, including affordable housing, with access from Haroldslea Drive, and associated parking and open space.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and the erection of 40 homes, including affordable housing, with access from Haroldslea Drive, and associated parking and open space, at Land at Laburnum and 50 Haroldslea Drive, Horley RH6 9DU in accordance with the terms of the application, Ref 21/02724/F, dated 15 October 2021, subject to the attached schedule of conditions.

Procedural Matters

2. During the application process the proposed number of homes was reduced from 41 to 40. Although the description of development within the banner heading reflects that originally applied for, I have taken this into account in my decision.
3. The Council have clarified that its reference to The Local Distinctiveness Design Guide 2020 in the decision notice pertains to the Reigate and Banstead Borough Council Local Character and Distinctiveness Design Guide Supplementary Planning Document 2021 (SPD). The appellant has referenced the SPD in their submission, so will not be prejudiced by my consideration of it.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area, and whether the proposed development would provide sufficient affordable housing.

Reasons

Character and appearance

5. The appeal site includes 2 existing properties, Laburnum, and 50 Haroldslea Drive, both with substantial gardens, and the associated field. The appeal site

is located within the defined urban area of Horley, accessible from Haroldslea Drive. It is largely behind the residential properties, 52-56 Haroldslea Drive and Little Cranleigh. This means there is little visual connectivity between the appeal site and properties along Haroldslea Drive in terms of character and appearance.

6. On 2 sides the appeal site is semi-enclosed by tree lined public rights of way (PROW) which divide it from the fields beyond. These create a definable and defendable boundary between the urban area of Horley and the rural fringe. It is noted that to the south of the appeal site an existing commercial site has been allocated as a Sustainable Urban Extension (SUE) by Policy SEH4 of the Reigate and Banstead Development Management Plan 2019 (LP). It is expected that the SUE will provide approximately 75 homes and approximately 1 traveller pitch. Although the Council have confirmed there is no current application for development of the SUE, it is relevant in terms of considering the character and appearance of the wider area as it would extend the suburban nature of this part of Horley.
7. Haroldslea Drive and the area around it is largely residential. The area has been developed over time and so the design and detailing of the housing stock varies accordingly. In the main properties are detached and semi-detached, two-storey and traditional in style, with some short terraces appearing on newer developments, namely Thomas Waters Way. The properties are generally road facing with any off-road parking provided either to the front or side of each property. Where properties have front gardens, they are modest with low level hedged or fenced boundaries and, in many cases, have been replaced or reduced to provide off-road parking.
8. Rear gardens vary in size with the more recently built properties having more modest gardens compared to those of the older, established and often larger properties. The change in garden size reflects the density of development which varies throughout the wider area. However, the overarching character of the area is one of residential suburbia, notwithstanding the fields beyond the PROWs which provide the rural fringe.
9. The proposal would provide 28 dwellings in a mix of semi-detached, detached, and short terrace formats. A further 12 dwellings would be provided in 3 blocks of 4 apartments. These blocks would visually appear similar in form, bulk, and size to the proposed short, traditionally styled terraces as the cadence of the windows and door placements would be similar. The proposed palette of materials would also largely reflect that of the surrounding area and the use of dark cladding, although not so common locally, would provide relief and interest to the proposal. Accordingly, I find the design of the properties would not be out of character with the appearance of the wider area.
10. The properties would be positioned around a central spine road and area of open space, except those that would be located at the far end of the site which would face outwards overlooking a secondary area of open space, a PROW, and the fields beyond. This would provide a similar experience to the existing site, which is quite enclosed close to the Haroldslea Drive, with fencing along the PROW, but then gradually opens out providing wider views into and across it as you travel towards the fields beyond.
11. The proposal would seek to improve the experience for users of the PROW linked to Haroldslea Drive by replacing the existing site boundary fencing with

a landscape strip and drawing back the proposed rear garden fences. This would widen the vista along the PROW and soften the relationship between it and the appeal site. Along with the set back and outward facing nature of the properties proposed at the end of the appeal site, this would strengthen the defining nature both PROWs have in determining the transition from built area to rural fringe.

12. Turning to the detail of the proposed layout and whether it would be appropriate. Most of the proposed buildings would be separated from each other by uncovered off road parking which would provide a reasonable amount of space between them. Where garages are proposed these would be set back and single storey so would not overly crowd the space created between properties. It is noted the properties around the central open space would be positioned more closely together. However, as a central location within the development, and that they would face directly onto the main open space, means the properties would create a focal point. Therefore, the more compact layout would be mitigated by the feeling of spaciousness provided by the proposed central open space.
13. The proposal would include a series of smaller communal open areas throughout the site, and many of the properties would have small front gardens. Nonetheless, it is appreciated in some cases this is limited to a landscaping strip. The front gardens may be smaller than those provided along Haroldslea Drive, but there are examples of similar frontage treatments in the wider area, and that proposed is broadly proportionate to the modest footprint of each new property. Furthermore, as it is not indicated that the front gardens would be enclosed, they would form part of the overall verdant quality of the proposed development and support the landscape character that the communal open areas and improvement of the site's boundary planting and trees would foster.
14. The proposed rear gardens would also be appropriate in size when related to the properties they would serve and would be similar to other rear gardens in the wider area, albeit not the extensive gardens enjoyed by some of the properties along Haroldslea Drive.
15. The proposal would provide more off-road parking than the minimum standard required by the development plan. It is noted that interested parties conflict as to whether this would constitute an over or under supply for the area and the likely number of cars new occupants may have. Nonetheless, I am satisfied the number proposed would assist in reducing any potential impact the proposal could have on existing issues relating to on street parking and could be incorporated into the site without detriment to the overall proposed layout or design.
16. Off-road parking would be provided in a mix of tandem parking to the side, or linear parking to the front of properties, and in 3 parking courts. The proposed tandem and frontage parking are forms apparent throughout the local area and would allow convenient use for future occupants. Although parking courts are not prevalent within the area, they have been incorporated in such a way as to minimise their impact on the layout. The 2 which would provide most of the residential parking are set away from the spine road and central open space behind the houses they would serve. The third parking court would be more visible but is mainly visitor parking, therefore its visibility assists with legibility

of the site for non-residents, and its appearance could be suitably softened by appropriate landscaping as it is surrounded by areas of communal open space. The proposed parking would therefore be appropriate to the development, satisfactorily positioned and of a type and form which would maintain the appearance of the wider area.

17. It is appreciated the proposed spine road would be, although technically compliant, reasonably narrow. Nevertheless, I am satisfied the parking provision would be adequate to minimise on road parking thus ensuring the free flow of vehicles along the spine road. This is due to the proposed oversupply of parking, and the visibility of visitor parking when entering the site along with the scattering of other visitor spaces throughout the site. Notwithstanding this, should the spine road be adopted by the Local Highways Authority or maintained within private ownership, there are mechanisms that can be engaged once the road is completed to prevent on road parking should it become a problem.
18. To conclude I find the proposed development would take account of the transitional position of the site at the edge of the urban area and provide a form of development that would be in keeping with the wider character of that area. It would provide an adequate and proportionate mix of communal open space, private gardens, and off-road parking to ensure a well-proportioned, reasonably spaced residential development which would sit comfortably within the site and would retain the general appearance of the area. It would comply with LP Policy DES1 and the guidance within the SPD insofar as they seek to ensure high quality design which positively contributes to its surroundings.
19. Interested parties have referred to LP Policy DES2, however as this applies specifically to residential garden land development and the appeal site is a mix of different land uses, I do not find it determinative in my decision.

Affordable housing

20. It is proposed that 12 of the 40 dwellings would be affordable homes, this would represent a 30% provision. The proposed tenure mix, and dwelling sizes are to the satisfaction of the Council in terms of the needs of the borough and their value would be set accordingly.
21. A section 106 agreement, signed by the main parties and all relevant landowners, has been submitted to secure the proposed affordable housing. I am satisfied the agreement is sound and would, therefore, secure sufficient on-site affordable housing provision in compliance with LP Policy DES6, which clarifies how the Council seeks to deliver affordable homes in the borough.

Other Matters

22. Interested parties have identified the proposal as within the Green Belt. This is not supported by the development plan which identifies the site as being within the urban area of Horley. This allocation would have been considered during the examination of the LP prior to its adoption in 2019 and there is nothing before me to state that the LP is out of date. Consequently, in this case I am satisfied the allocation and thereby the principle of developing the appeal site for a residential use is sound.
23. Within the wider area of the appeal site, it is recognised there are a number of listed buildings. However due to the intervening features, and lack of a

physical, visual, or historic relationship between the buildings and the site, I am satisfied that the proposal would be beyond their setting and would not harm it. Nevertheless, due to the limited knowledge of the site's history a condition would secure relevant archaeological exploration prior to any development commencing. Interested parties have also said the site is within or close to a conservation area but there is no evidence that this is the case.

24. The Council has not raised objections, amongst other things, regarding the quality of accommodation for future residents, the living conditions of existing residents during construction and post completion, noise and air pollution, ecology, trees, the loss of existing properties, and sustainable construction methods. Although it is appreciated some interested parties have concerns relating to these matters, on review of the evidence before me and the conditions proposed, I am satisfied the proposal would not cause, or can adequately mitigate against, any harm in relation to these issues.
25. The possibility that trees have been removed from the site prior to submission of the planning application is noted. As is the assertion that other sites would be better suited for the proposal or specific plots should be removed from the proposed layout. However, I am limited to considering the scheme which is before me when determining this appeal and these elements do not form part of that.
26. The existing issues with non-resident parking along Haroldslea Drive and surface water drainage are noted. Accordingly, it is important new development does not further exacerbate these issues. From the technical evidence before me, the conclusions drawn by the Local Lead Flood Authority and Highway Authority, and the conditions proposed by the Council, I find the proposal would be able to provide appropriate mitigation for these issues.
27. Concerns have been raised relating to inadequate local services and utility capacity. There are, however, no technical assessments before me to support such concerns and the proposal will attract a Community Infrastructure Levy, which the Council confirm would contribute to a wide range of local services such as schools, roads, public transport, and community facilities.
28. The potential that additional dwellings would increase anti-social behaviour in the area has not been evidenced, nor that there is less housing required due to changes in the job offer at the nearby airport.
29. I also recognise the positive benefits that new housing can bring to the local area including economic growth, jobs, regeneration, and the provision of housing types and tenures that are lacking, in this case affordable and small family homes.
30. Whether the developer would have appropriate insurance, the impact on property values and any potential covenants, are issues independent of the planning process and beyond the parameters of this appeal. Electrical socket heights are also controlled by other regulatory bodies.
31. Interested parties have raised concerns relating to how representations at the Council's planning committee are made, whether individual officers undertook site visits, and the professional relationship between the main parties. In this case these concerns should be raised directly with the Council. In terms of the appeal, they do not alter the planning merits of the case. I also note the

concerns relating to the pre-application consultation undertaken by the appellant, nevertheless, there has been adequate consultation of effected parties during the planning application and appeal process to mitigate any potential impact of perceived less than suitable pre-application consultation.

32. I also note some inconsistencies throughout the various submission documents. These, however, are minor and do not harm the understanding of what is proposed or the important elements of the individual documents.

Conditions

33. The Council and its technical consultants have suggested a series of conditions agreed by the appellant, which I have considered against the National Planning Policy Framework (the Framework) and Planning Practice Guidance. As a result, I have amended them for consistency and clarity, and combined those where requirements have been duplicated.
34. Condition 1 provides a standard time limit and condition 2 requires accordance with the approved plans, both of which provide certainty. Condition 3 is necessary to ensure the scheme complies with paragraph 13 of LP Policy NHE9, to ensure any archaeological remains that may be present on site are not damaged by the proposed development, as the size of the appeal site exceeds 0.4ha.
35. I have imposed conditions 4 and 18 in the interests of ensuring that the site is developed in a way in which it will be safe for its intended end use and to ensure that the proposal will not adversely affect the surrounding area, with specific regard to flooding in conditions 8 and 17. Condition 18 is specifically required to ensure compliance with part 6 of LP Policy DES1.
36. Conditions 5, 6 and 7 are necessary to ensure that the development does not adversely affect nearby habitats and biodiversity in the area as well as protect the reptiles on the site, as identified by the appellant's ecological assessments.
37. I have imposed conditions 9, 10, 11, 22 and 23 in the interest of highway safety and the provision of a suitable access for site. Along with this, conditions 20, 24 and 25 have been imposed to also promote alternative forms of transport.
38. In the interest of the character and appearance of the development and the surrounding area, I have imposed conditions 12, 13 and 16. Condition 15 is equally imposed for this interest but also to ensure the living conditions of neighbouring and future occupiers are protected along with conditions 14, 19, 21, 27 and 28. With condition 27 necessary for compliance with LP Policy DES7 and condition 28 necessary for compliance with LP Policy INF3. In relation to condition 15, I have required the provision of an additional plan, this is because the landscape masterplan submitted does not reflect the proposed scheme but an earlier iteration. This is also the case for condition 21 whereby only partial details relating to refuse and recyclable storage and collection is available on the submitted plans.
39. Condition 26 is necessary to support efficient use of resources and reduce carbon emissions.
40. Conditions 3 to 13 are required to be pre-commencement as it is fundamental to have these details agreed prior to any works commencing on the appeal site.

Conditions 10 and 11 relate to land outside of the appeal site. However, these are negatively worded conditions, as established in case law (*Grampian Regional Council v Aberdeen CC* [1983] P&CR 633), and refer to land within the control of the Local Highway Authority who has indicated the acceptability of the works proposed. The appellant has agreed to both the pre-commencement and 'Grampian' conditions, and their comments related to wording have been considered.

41. I have taken into consideration the Council's suggested condition that permitted development rights for the installation of solid fuel or biomass stoves should be withdrawn. I note that the Council's Environmental Health officer considered the appeal site to have no issues from an air quality perspective, and there is no evidence before me that the installation of stoves would make a significant contribution to air pollution. Notwithstanding this, I am not persuaded that the installation of a stove constitutes development, and as such permitted development rights do not apply. Therefore, the suggested condition would not be reasonable.

Conclusion

42. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2992-A-1000-PR-C; 2992-C-1005-PL-B; 2992-C-1010-PL-B; 2992-C-3000-PL-A; 2992-C-3001-PL-A; 2992-C-3005-PL-A; 2992-C-3006-PL-A; 2992-C-3010-PL-B; 2992-C-3011-PL-B; 2992-C-3012-PL-B; 2992-C-3013-PL-A; 2992-C-3015-PL-A; 2992-C-3016-PL-A; 2992-C-3020-PL-A; 2992-C-3025-PL-A; 2992-C-3030-PL-A; 2992-C-3065-PL-A; and 2992-C-3070-PL-A.
- 3) No development shall take place until a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the local planning authority. The WSI shall include an assessment of significance and research questions and:
 - a programme and methodology of site investigation and recording;
 - a programme for post investigation assessment;
 - provision to be made for analysis of the site investigation and recording;
 - provision to be made for publication and dissemination of the analysis and records of the site investigation;

- provision to be made for archive deposition of the analysis and records of the site investigation; and
- the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place until all archaeological works set out in the WSI have been undertaken.

- 4) No development shall take place until an assessment of the risks posed by any asbestos contamination within the buildings to be demolished, has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contamination practitioner, in accordance with HSG264 and shall provide, but is not limited to:
- identification of potential sources of asbestos contamination;
 - a scheme of mitigation or removal where appropriate; and
 - details of how the mitigation or removal shall be independently verified.

This assessment shall be adhered to throughout all stages of the development and fully implemented prior to first occupation.

- 5) No development shall take place, until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide for, but is not limited to:
- a map showing the location of all ecological features that the development may impact;
 - a risk assessment of construction activities which may be potentially damaging to the identified ecological features;
 - practical mitigation measures to avoid and reduce impacts during construction;
 - details of the location and timing of works to avoid harm to biodiversity features;
 - details of the responsible persons and lines of communication;
 - details of protective fences, exclusion barriers and warning signs to be erected and used; and
 - details of the reporting process to provide evidence that the CEMP requirements have been adhered to and actioned.

The approved CEMP shall be adhered to throughout all stages of the development.

- 6) No development shall take place, until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall be based on the proposed impact avoidance, mitigation and enhancement measures specified in the Preliminary Roost Assessment and Preliminary Ecological Appraisal Report dated March 2021, Phase 2 Survey Report dated 2021 and the letter dated 15 December 2021 from Darwin Ecology and provide for, and shall include but is not limited to:

- a description and evaluation of landscape and ecological features to be managed;
- an assessment of ecological trends and constraints on site that might influence management;
- the aims and objectives of the LEMP;
- appropriate management options for achieving the aims and objectives;
- management actions and strategies to be implemented and to include a monitoring strategy to set out ongoing monitoring, sensitive lighting strategy and remedial measures;
- measures to enhance habitats for protected species and species of conservation and any other bio-diversity enhancement measures;
- a work schedule to include an annual work plan capable of being rolled forward over a five-year period;
- the details of the body or organisation responsible for implementation of the plan; and
- details of how the long-term implementation of the plan will be secured by the applicant with the management body responsible for its delivery.

The LEMP shall be adhered to throughout all stages of the development and fully implemented prior to first occupation. The implemented enhancement measures shall thereafter be retained and maintained.

- 7) No development shall take place until a Reptile Mitigation Strategy (RMS) has been submitted to and approved in writing by the local planning authority. The RMS shall be adhered to throughout all stages of the development.

No dwelling shall be occupied until confirmation, by a suitably qualified ecologist, that the RMS has been undertaken and completed, has been submitted to and approved in writing by the local planning authority.

- 8) No development shall take place until details of surface water drainage works shall have been submitted to and approved in writing by the local planning authority. The submitted details shall provide, but are not limited to:
- the results of an assessment of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version);
 - 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. Associated discharge rates and storage volumes shall be provided in accordance with the drainage summary note dated 06/04/2022;
 - 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;

- 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;
- 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; and
- a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the scheme throughout its lifetime, and if necessary, its adoption by a public authority or statutory undertaker.

No dwelling shall be occupied until the surface water drainage works have been implemented in accordance with the approved details and a verification report, carried out by a qualified drainage engineer must be submitted to and approved by the local planning authority. The drainage system shall thereafter be retained and maintained in accordance with the agreed details.

- 9) No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall provide for, but is not limited to:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- programme of measures for traffic management, vehicle routing and on-site turning for vehicles;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, behind any access road visibility zones, where appropriate;
- wheel washing facilities;
- before and after construction condition surveys of the highway and a scheme of remediation, if necessary;
- mitigation measures to control the emission of water, waste, noise and vibration, dust, dirt, and odours during construction;
- measures to protect privacy and the amenity of surrounding residential uses; including provision of appropriate boundary protection;
- means of communication and liaison with neighbouring residents and businesses;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- delivery, demolition, and construction working hours.

The approved CMS shall be adhered to throughout all stages of the development.

- 10) No development shall take place until the access to Haroldslea Drive and the associated visibility splays have been implemented in accordance with a scheme of construction that has first been submitted to and approved in writing by the local planning authority. The scheme of construction shall include a surface water drainage method, notwithstanding the details approved by condition 8.

The visibility splays shall thereafter be permanently kept clear of any obstruction over 0.6 metres high above ground level.

- 11) No development shall take place until a scheme of works for the public rights of way improvements, as shown in Appendix G 'Proposed Highway/Public Rights of Way Package' of the Transport Statement (Final issue) dated 3 December 2021, has been submitted to and approved in writing by the local planning authority.

No dwelling shall than be occupied until the public rights of way improvements have been undertaken.

- 12) No development shall take place until full details of the finished levels, above ordnance datum, of the floors and roofs of all the proposed buildings, and the finished ground levels, above ordnance datum, across the site in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

- 13) No development shall take place until all tree protection measures have been undertaken in strict accordance with the approved details contained in the Arboricultural Method Statement and the Tree Protection Plan ref. TPP 01. The protection of the retained trees and all arboricultural matters shall then be carried out in accordance with this Method Statement and Plan.

- 14) No construction above slab level shall take place until a scheme of mitigation, including active mechanical ventilation, for the protection of the occupiers of the development hereby approved from aircraft noise has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before each dwelling is occupied, and thereafter retained and maintained.

- 15) No construction above slab level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

- a landscape masterplan to include any tree removal or retention;
- a planting plan;
- written specifications to include any cultivation and other operations associated with tree, shrub, and hedge or grass establishment;
- a schedule of plants - noting species, plant sizes and proposed numbers/densities and an implementation and management programme;
- a plan showing the position, design, materials, and types of boundary treatments to be erected including details of the acoustic fencing to protect existing dwellings on Haroldslea Drive;

- hard surfacing materials;
- details of any external, street and flood lighting including location, height, direction, angle and cowling of lights, and the strength of illumination, accompanied by a light coverage diagram;
- an implementation programme, to include the phasing of work where relevant; and
- a scheme of management and maintenance.

The approved landscaping works shall be implemented prior to the first occupation or within the first planting season following completion of the development in accordance with the approved implementation programme.

The completed scheme shall be managed and maintained in accordance with the approved scheme of management and maintenance, and any trees shrubs or plants planted or retained in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees and shrubs of the same size and species.

- 16) No construction above slab level shall take place until details of all external surfaces of the dwellings, carports, garages, cycle, and bin stores have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved details.
- 17) No dwelling shall be occupied until the implementation of an Evacuation and Flood Management Plan that has first been submitted to and approved in writing by the local planning authority. The Plan shall thereafter be retained in operation.
- 18) No dwelling shall be occupied until the implementation of a Secured By Design scheme that shall first have been submitted to and approved in writing by the local planning authority.
- 19) No dwelling shall be occupied until a Local Area of Play (LAP) has been constructed in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The LAP shall thereafter be retained and maintained.

The details shall include equipment to be installed, boundary treatments and an ongoing maintenance plan.

- 20) No dwelling shall be occupied until:
 - the Travel Information Pack (TIP) as set out in the Travel Plan Statement (Final issue) dated 3 December 2021, including an update and maintenance schedule (UMS) for the TIP, has been submitted to, and approved in writing by the local planning authority; and
 - the Plan Measures, including the provision of the TIP, as set out in the Travel Plan Statement (Final issue) dated 3 December 2021 have been implemented.

The TIP shall be updated and maintained therefore in accordance with the approved UMS and provided to all occupiers.

- 21) No dwelling shall be occupied until refuse and recyclable storage and collection facilities have been installed, and a waste management scheme implemented, in accordance with details that shall first have been submitted

to and approved in writing by the local planning authority. Those facilities shall thereafter be maintained and retained.

- 22) No dwelling shall be occupied until the pedestrian accesses to Footpath 381 and the proposed footways within the development hereby permitted have been constructed in accordance with the approved plans and the details approved by condition 15. The accesses and footways shall thereafter be retained.
- 23) No dwelling shall be occupied until space has been laid out in accordance with the approved plans and the details approved by conditions 15 and 16 for the parking of vehicles and for vehicles to turn so that they may enter and leave the site in a forward gear. That space shall thereafter be retained for the parking and turning of vehicles.
- 24) No dwellings shall be occupied until space has been laid out in accordance with the approved plans and the details approved by condition 16 for the parking of cycles. That space shall thereafter be retained and maintained for the parking of cycles.
- 25) No dwelling shall be occupied until Electric Vehicle Charging Points have been installed for each dwelling in accordance with details that shall first have been submitted to and approved in writing by the local planning authority and shall be maintained for the charging of electric vehicles thereafter.
- 26) No dwelling shall be occupied until the measures within the Renewable Energy Reporting (Issue V1) dated 08 October 2021 to ensure a minimum water efficiency standard of 110/litres/person/day and a minimum 19% improvement in the Dwelling Emission Rate over the Target Emission Rate as defined in Part L1A of the Building Regulations (2013), have been achieved for that dwelling.

The installation of any Photovoltaic Solar Panels and Air Source Heat Pumps, shall not occur until details including the make, model, siting, and positioning of the Panels/ Pumps have first been submitted to and approved in writing by the local planning authority and the Panels/Pumps shall be installed and fully operational prior to first occupation of the dwelling(s) they serve.

- 27) The dwellings on plots 5, 6, 7, 8, 37, 38, 39 and 40 shall not be occupied unless constructed in compliance with the Building Regulations 2010 (as amended) standard M4(2) 'accessible and adaptable' and the dwellings on plots 29 and 30 shall not be occupied unless constructed in compliance with the Building Regulations 2010 (as amended) standard M4(3) "wheelchair adaptable". These dwellings shall thereafter be maintained to these standards.
- 28) No dwelling shall be occupied until infrastructure to facilitate connection to high-speed broadband has been installed to that dwelling. This as a minimum should include a broadband connection accessed directly from the nearest exchange or cabinet, and cabling and associated installations which would enable easy access for future repair, replacement or upgrading.

End of Schedule