



Appeal Decision

Site visit made on 15 February 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2023

Appeal Ref: APP/K3605/W/22/3290668

Britannia House, Pool Road, West Molesey KT8 2AB

- 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 Paragon Asra Housing Ltd against the decision of Elmbridge Borough Council.
 - The application Ref 2021/1192, dated 29 March 2021, was refused by notice dated 21 October 2021.
 - The development proposed is described as the demolition of industrial buildings and redevelopment to provide 97 affordable residential units in three blocks of duplex apartments and flats and two pairs of semi-detached houses.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of industrial buildings and redevelopment to provide 97 affordable residential units in 3 blocks of duplex apartments and flats, and 2 pairs of semi-detached houses at Britannia House, Pool Road, West Molesey KT8 2AB in accordance with the terms of the application, Ref 2021/1192, dated 29 March 2021, subject to the attached schedule of conditions.

Applications for costs

2. An application for costs was made by Paragon Asra Housing Ltd against Elmbridge Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. The appellant has confirmed the postcode for the appeal site on the application form was incorrect and I have updated the above heading and decision accordingly.
4. The proposed development includes 3 blocks of flats, I have referred to them as Blocks A, B and C as defined on PAH05-MAA-XX-DR-A-01101 Revision P06, for ease of identification.

Background and Main Issues

5. In October 2020 planning permission was approved for 75 affordable housing units on the appeal site, reference 2019/3272. The scheme before me differs from that which was approved by replacing 5 pairs of semi-detached dwellings with a three-storey block of apartments (Block C), increasing the height of Block B by 1 storey, and altering the provision of outdoor space.

6. The appellant has submitted a unilateral undertaking (UU) to secure the provision of affordable housing. The Council have confirmed that the UU would overcome its objections on this matter and have withdrawn the associated reason for refusal. With no other objections relating to this, I am content this matter has been resolved.
7. The main issues are, therefore, the effect of the proposed development on the character and appearance of the area; whether the proposal would provide appropriate living conditions for future occupiers with specific regard to external space; and whether the location of that proposed would be acceptable within Flood Zone 3.

Reasons

Character and appearance

8. The appeal site is located within an industrial estate and comprises an area of land housing a series of large, vacant multi-storied office buildings and warehouses, all in a poor state of repair. There are similar sized industrial units on 3 sides and the fourth side of the appeal site borders several residential properties which face onto Monks Avenue. The wider area of West Molesey, beyond the industrial estate, is predominantly residential, and the Council's Design and Character Supplementary Planning Document (SPD) considers it to have a strong urban character.
9. It is proposed that 3 apartment blocks and 4 two-storey semi-detached dwellings would be positioned around a central square which would include an area of communal outdoor space, with play equipment, and some parking. Another larger area of communal outdoor space would be provided along the boundary with the Monks Avenue properties next to the semi-detached dwellings. Further parking, cycle and bin storage would be positioned around the edges of the site. Proposed Block B would be at the rear of the site and would be the tallest building at 5 storeys. Blocks A and C, towards the sides of the site, would be 4 storeys, but Block C would also have a two-storey section facing the larger communal open space and Monks Avenue beyond.
10. The appeal site as part of the industrial estate, has a more urban character to Monks Avenue. This is due to the scale, mass, and height of the existing buildings and those immediately adjacent to the site. The proposed graduation of building size, mass, and height across the proposal from semi-detached dwellinghouses through to 4, then 5 storey blocks would reflect the unique position of the appeal site. The replacement of the previously approved two-storey dwellings with proposed Block C would also be more in keeping with the immediate scale of the appeal site's surroundings. The proposal would emulate the transition in scale from suburban to urban, domestic to industrial, whilst the form and size of the proposed buildings would ensure the site would have its own identity and not be dominated by the substantial buildings surrounding it.
11. The proposed Block B would be taller than the industrial buildings immediately to the rear of its proposed location so would be more visible than the other elements of the proposal. However, its height would be similar to that of the existing office building, which when observed from a distance does not dominate the otherwise urban and industrial landscape.

12. The more human scale of Block B would also not be at odds to the existing character of the area, as the existing office building is also of a human scale with more windows and finer detailing than the surrounding bulky industrial buildings. Consequently, I am satisfied the scale, form and mass of Block B would have a similar visual relationship with the surrounding industrial buildings as the existing office building.
13. I therefore find the scale and mass of the proposal would successfully navigate the transition between 2 differently characterised areas, whilst maintaining its own sense of place, thus preserving the unique characteristics of the appeal site and its surroundings.
14. Policy CS17 of the Core Strategy 2011 (CS), requires new development to contribute to an overall housing density target of 40 dwellings per hectare. It refers to the SPD which states that the housing pattern of West Molesey is medium to high density reflecting its urban character. However, these policies do not seek to limit the density of housing, but instead promote the best use of urban land in context of the surrounding areas characteristics. Therefore, the increase in number of dwellings from approval 2019/3272 would maximise the efficient use of the site, and the effect this would have on the area's housing density would not be detrimental to its overall character.
15. In conclusion the proposal would not have a detrimental effect on the character and appearance of the area. It would comply with CS Policy CS17, Policy DM2 of the Development Management Plan 2015 (DM), the National Planning Policy Framework (the Framework), and the guidance in the SPD, insofar as they all require new development to be based on an understanding of the local character.

Living conditions

16. The proposal would provide every dwelling with a private garden or balcony. Balcony sizes would be commensurate to the size of the residential unit they serve, and the private gardens for the semi-detached dwellings would be 11m long, thus complying with the guidance set out in the SPD. Therefore, the proposed private outdoor space would be adequate.
17. Although there is a proposed uplift in the number of dwellings from approval 2019/3272, the same proportional increase has not been reflected in the provision of communal outdoor space. However, there is nothing before me to state the provision of communal outdoor space within 2019/3272 represented a minimal amount, and there are no minimum or specific requirements within the development plan. LP Policies DM2 and DM10 refer only to appropriate levels of provision. There is not, therefore, anything before me which requires that an increase in dwellings on the site would also require an equally proportionate increase in communal outdoor space.
18. The proposal would provide additional communal outdoor space to that approved in 2019/3272, and it would be accessible and usable in form, size, and location. In terms of the section towards the Monks Avenue boundary, it would also have a more open aspect than that previously approved due its increased distance from the surrounding industrial buildings.
19. Therefore, taking into account the functional and accessible nature of the proposed communal outdoor space along with the private outdoor space, I find

that the proposed external space would be appropriate to ensure the living conditions of future occupiers would not be harmed. The proposal would, therefore, comply with DM Policies DM2 and DM10, insofar as they seek new development to provide suitable living conditions for future residents, and with Policy CS14 as it would provide open space for public use where there is currently none, which would strengthen the borough's green infrastructure.

Flood Risk

20. The main parties agree the use of the site for residential purposes would be acceptable in terms of the Sequential Test, as set out in the Framework, and it can be demonstrated that the proposal would be safe for its lifetime without increasing flood risk elsewhere. This is supported by the appellant's Flood Risk Assessment and Management Plan, and the Environment Agency do not object, subject to a suitable access and egress plan, which could be conditioned. On this basis, there is nothing before me which would lead me to a different conclusion.
21. The Council do not, however, consider that the proposal would provide wider sustainable benefits for the community to outweigh the flood risk, as required by paragraph 164a) of the Framework. This is because it considered that the proposal would harm the character and appearance of the area, and the living conditions of future occupants in relation to outdoor space.
22. However, on review of the evidence before me, and as set out in my first and second main issues, I have not found harm in relation to either of these matters. This along with the Council's lack of 5-year housing land supply (5YHLS) and the proposed 100% affordable homes provision, would provide substantial wider sustainable benefits for the community that would outweigh the flood risk. I note this conclusion aligns with the Council's previous position on this matter in regard to 2019/3272.
23. The proposal would therefore pass the Exception Test in compliance with the Framework and the location of the proposed development within Flood Zone 3 would, in this specific case, be acceptable. Accordingly, the proposal would comply with CS policy CS26 and the Framework, as well as the guidance set out in the Flood Risk Supplementary Planning Document, and the relevant Planning Practice Guidance (PPG), insofar as they seek to make best use of land and protect from flood risk.

Other Matters

24. The appeal site is designated employment land, and the proposal would not comply with CS policy CS23 which seeks to protect such land. However, there is nothing before me to indicate that there is any future possibility of the site being brought forward for employment use, and the Council do not object to its loss.
25. The appellant has submitted a UU to secure the proposed affordable housing. The 100% provision is not in contention, and I am satisfied that the UU is sound and would secure the affordable housing appropriately.
26. The site is within the zone of influence for the South West London Waterbodies Special Protected Area, a wetland of international importance, and a Ramsar site at the Knight and Bessborough Reservoirs Site of Special Scientific Interest (collectively referred to as the European Sites). The appellant's Preliminary

Ecological Appraisal (PEA) states these water supply reservoirs and former gravel pits are important as feeding and roosting sites for wintering birds, specifically the gadwall *Anas strepera* and shoveler *Anas clypeata*, which occur in such numbers as to be of European importance.

27. Nevertheless, public use of these waterbodies is heavily regulated with the majority off limits. They are also located in a very urban setting with multiple residential and commercial developments on all sides within the zone of influence. As required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (Habitat Regulations), the Council submitted an appropriate assessment to Natural England (NE) during the application process. NE agreed with the Council that the proposal would have no likely significant effect on the European Sites. This position is supported by the PEA and with no evidence to the contrary I agree with this finding.
28. Concerns have been raised relating to existing on-road parking issues and the inadequacy of the local services. Although it is important new development does not further exacerbate these issues. There are no technical assessments before me to support these concerns. The proposal would provide on-site parking compliant with the development plan by providing a minimum of 1 space per dwelling and not exceeding the maximum parking standards. The Council is also satisfied that the New Homes Bonus and ongoing Community Infrastructure Levy payments will support local services if required, and there is nothing before me to conclude otherwise.
29. I also note concerns raised relating to the extant permission and conditions attached to it. I am however required to deal with the proposal before me on its own merits and these concerns do not affect this.

Conditions

30. The Council and its technical consultants have suggested a series of conditions agreed by the appellant, which I have considered against the Framework and PPG. As a result, I have amended them for consistency and clarity, and combined those where requirements have been duplicated or are overly prescriptive, to ensure they are relevant and reasonable.
31. Condition 1 provides a standard time limit and condition 2 requires accordance with the approved plans, both of which provide certainty. I have imposed conditions 3, 9, 20, 21 and 22 in the interest of highway safety and to promote alternative forms of transport.
32. Conditions 4, 5, 7, 8, 11, 13, 14 and 15 have been imposed to ensure that the site is developed in a way which will be safe for its intended end use and to ensure that the proposal will not adversely affect the surrounding area and habitats, with specific regard to construction and potential contamination. For the same purposes but regarding flooding, I have imposed conditions 6, 12 and 23.
33. In the interest of the character and appearance of the development and the surrounding area, including the protection of trees, I have imposed conditions 10, 16, 19, and 28. Conditions 24 and 27 have been imposed for this reason and also to secure the living conditions of future occupants, and on this matter conditions 17, 18 and 25 have also been imposed. Condition 25 is specifically required by DM Policy DM2(d). To ensure the living conditions of neighbouring

occupiers I have imposed condition 26. Condition 29 has been imposed to ensure the proposed semi-detached dwellinghouses remain of a size appropriate to the overall housing mix on the site and to meet the local housing need.

34. Conditions 3 to 10 are required to be pre-commencement as it is fundamental to have these details agreed prior to any works commencing on the appeal site. Condition 3 relates to land outside of the appeal site. However, this is a negatively worded 'Grampian' condition, as established in case law¹, and refers to land within the control of the Local Highway Authority who has indicated the acceptability of these works, by proposing this condition. The appellant has agreed to both the pre-commencement and 'Grampian' conditions.
35. The Council had proposed a condition requiring an archaeological investigation. However, the site has previously been developed and there is nothing before me indicating any potential archaeological significance within the site or its surroundings. Therefore, I do not find such a condition to be reasonable in this case.

Planning Balance and Conclusion

36. As the proposal would permanently remove the potential for any employment use on the site, I attribute moderate weight to this. I have, however, not found any other harm and the proposal would provide 97 affordable homes in a sustainable location and represent an efficient and effective use of a vacant site. It would also contribute to the borough's 5YHLS, which is currently not being met. These benefits would attract substantial weight and, in my view, the adverse impacts of the loss of employment land would not significantly and demonstrably outweigh them.
37. Therefore, 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:
Location Plan with unique plan reference of #00615643-E818A0

PAH05-MAA-XX-DR-A-01051 P01	PAH05-MAA-XX-DR-A-01061 P03
PAH05-MAA-XX-DR-A-01101 P06	PAH05-MAA-XX-DR-A-01102 P06
PAH05-MAA-XX-DR-A-01103 P06	PAH05-MAA-XX-DR-A-01104 P06

¹ Grampian Regional Council v Aberdeen CC [1983] P&CR 633

PAH05-MAA-XX-DR-A-01105 P06	PAH05-MAA-XX-DR-A-01106 P04
PAH05-MAA-XX-DR-A-01121 P03	PAH05-MAA-XX-DR-A-02101 P03
PAH05-MAA-XX-DR-A-02102 P03	PAH05-MAA-XX-DR-A-02111 P03
PAH05-MAA-XX-DR-A-02112 P04	PAH05-MAA-XX-DR-A-02113 P03
PAH05-MAA-XX-DR-A-02121 P04	PAH05-MAA-XX-DR-A-02122 P04
PAH05-MAA-XX-DR-A-02131 P03	PAH05-MAA-XX-DR-A-04101 P03
PAH05-MAA-XX-DR-A-04111 P03	PAH05-MAA-XX-DR-A-04121 P04
PAH05-MAA-XX-DR-A-04131 P01	PAH05-MAA-XX-DR-A-04131 P03
PAH05-MAA-XX-DR-A-04161 P01	PAH05-MAA-XX-DR-A-04171 P01

- 3) No works or development shall take place until a Highway Improvement Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall secure:

- the provision of one bus shelter with countdown facilities serving the westbound direction of the segment of Pool Road flanking this site;
- the reconstruction of the hump flanking this site on Pool Road as a raised pedestrian crossing; and
- the provision of a pedestrian access at the north-eastern periphery of this site to serve as a pedestrian route connection between the development and the bus stops on Pool Road.

No dwelling shall be occupied until the scheme has been implemented in accordance with the approved details.

The improvements shall thereafter be maintained and retained.

- 4) No works or development shall take place until a site investigation of the risks posed by any contamination has been undertaken in accordance with a site-specific investigation plan which has first been submitted to and approved in writing by the local planning authority.

The investigation must be undertaken by a suitably qualified contaminated land practitioner, and shall assess any contamination on the site, whether it originates on the site or not, and provide details of the investigation for soil, gas, and controlled waters where appropriate.

- 5) On completion of the site investigation within Condition 4, no works or development shall take place until the results of that investigation have been submitted to and approved in writing by the local planning authority. These results shall be compiled to provide a refined conceptual model and a Method Statement with verification plan, detailing any remediation requirements and how successful implementation of these requirements would be verified.

The Method Statement shall then be adhered to throughout all stages of the development.

No dwelling shall be occupied until any required remediation has been fully implemented, and a Completion of Remediation and Verification Report (CRVR) written by a suitably qualified contaminated land practitioner has been submitted to and approved in writing by the local planning authority. Any post remediation monitoring shall be carried out in accordance with the Method Statement and CRVR.

- 6) No works or development shall take place until details of surface water drainage works 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 using a maximum discharge rate of 2 l/s;
 - 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.), including details of any required pond lining resulting from further ground water investigations. Confirmation is required of a 1 m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times, if soakaways are utilised;
 - 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
 - details of drainage management responsibilities and maintenance regimes for the drainage system.

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, has been submitted to and approved in writing by the local planning authority. The drainage system shall thereafter be retained and maintained in accordance with the agreed details.

- 7) No works or 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:
- the protection of protected habitats and species including wetland features from any adverse impacts as a result of construction, notably the potential for dust created by the demolition work and that of noise;
 - impact avoidance and mitigation measures relating to protected species within the development site;
 - the risk assessment of potentially damaging construction activities;
 - measures to control and reduce impacts during demolition and construction including but not limited to dust and noise management and polluted runoff control;

- the erection and maintenance of security hoarding, protective fencing, exclusion barriers and warning signs, where appropriate;
- delivery, demolition, and construction working hours; and
- responsible persons and lines of communication.

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

- 8) No works or 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 include, but is not limited to:
- a description and evaluation of ecological features to be managed and created;
 - specifications, number, and location of proposed ecological features, where appropriate
 - aims and objectives of management and appropriate management options to achieve these;
 - prescriptions for management actions;
 - preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - details of the body or organisation responsible for implementation of the LEMP;
 - ongoing monitoring and remedial measures; and
 - details of legal/funding mechanisms.

The LEMP shall be adhered to throughout all stages of the development, and no dwelling shall be occupied until the ecological features and biodiversity enhancements have been fully implemented in accordance with the LEMP. The ecological features and biodiversity enhancements shall thereafter be maintained in accordance with the approved details.

- 9) No works or development shall take place until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall provide for, but is not limited to:
- the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials, including on-site turning for construction vehicles;
 - storage of plant and materials used in constructing the development;
 - programme of works including measures for traffic management;
 - provision of boundary hoarding behind any visibility zones where appropriate;
 - HGV deliveries and hours of operation;
 - vehicle routing;
 - measures to prevent the deposit of materials on the highway;
 - before and after construction condition surveys of the highway and a scheme of remediation, if necessary;
 - noise and dust suppression;

- timing and consolidation of deliveries;
 - subscription to "Considerate Contractors' Scheme" and "Freight Operation Recognition Scheme", or similar, and
 - penalties to be issued to contractors for observed non-compliance.
- The approved CTMP shall be adhered to throughout the construction period of the development.

- 10) No works or development shall take place until supporting arboricultural information has been submitted to and approved in writing by the local planning authority, and a pre-commencement meeting has been held on site. The information shall include details of:
- existing trees and hedges to be retained in the form of a Tree Survey and Arboricultural Impact Assessment, in line with BS5837:2012;
 - measures taken to protect existing trees and hedges during construction, demolition, delivery / storage of materials and machinery, including a Tree Protection Plan and schedule for installation, retention, and maintenance during all phases of development;
 - the location and installation of services / utilities / drainage / soakaways, including services to automated gates;
 - all construction and installations including methodologies within root protection areas or that may impact on retained trees;
 - all arboricultural site monitoring and supervision required for the duration of the development, to be undertaken by a suitably qualified arboriculturist;
 - methods to improve the rooting environment for retained and proposed trees and landscaping; and
 - specifications of new trees to be planted, including their quantity, size, species, and positions, how they will be protected and the proposed time of planting.

The development thereafter shall be implemented in strict accordance with the approved details, and no dwelling shall be occupied until a completion report for the arboricultural site monitoring and supervision has been submitted to the local planning authority.

- 11) The development hereby permitted shall be carried out in accordance with the approved Preliminary Ecological Appraisal by PJC Consultancy dated 22 November 2019 (reference: 4198E/19) and Bat Survey Report by ACD Environmental dated 26 May 2020 (ref: PRI22833 Bat Survey Report, Revision *), and no dwelling shall be occupied until the mitigation and enhancement measures identified within these documents have been implemented, and thereafter retained.
- 12) The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA), by BWB Consulting dated 16 March 2021 (reference: BRH-BWB-EWE-XX-RP-EN-0001_FRA), and no dwelling shall be occupied until the mitigation measures identified within this document have been implemented, and thereafter retained.
- 13) If contamination is found during any stage of development that was not previously identified by Conditions 4 and 5, it shall be reported immediately

to the local planning authority and development on the part of the site affected shall be suspended.

No development on the part of the site affected shall resume until:

- a risk assessment has been carried out and submitted to and approved in writing by the local planning authority;
 - if unacceptable risks are found a remediation and verification schemes shall also be submitted to and approved in writing by the local planning authority; and
 - these approved schemes have been fully implemented.
- 14) If piling is to be used during construction, no development shall take place until a Foundation Works Risk Assessment and Methodology for piling foundations has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.
- 15) If infill material is to be imported onto the site, it must be sampled to ensure it is uncontaminated, in accordance with a sampling programme which has first been submitted to and approved in writing by the local planning authority.
No dwelling shall be occupied until written confirmation of the results of the sampling programme and the suitability of all imported infill materials has been submitted to and approved in writing by the local planning authority.
- 16) No construction above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 17) No construction above slab level shall take place until a scheme of noise mitigation measures to protect the residents of Blocks A, B and C above first floor level, carried out by a qualified acoustic consultant, has been submitted to and approved in writing by the local planning authority.
The development shall then be carried out in accordance with the approved scheme and the details set out in the Environmental Noise Assessment by Clear Acoustic Design Ltd (Revision: 0 dated 23/03/2021).
No dwelling shall be occupied until all noise mitigation measures have been implemented, and thereafter retained and maintained.
- 18) No construction above slab level shall take place until details of a sound and vibration insulation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall ensure:
- noise levels in bedrooms, with appropriate ventilation provided, do not exceed 30dB LAeq (night) and 45dB LMax (measured with F time weighting);
 - noise levels in all other habitable rooms, with appropriate ventilation provided, do not exceed 35dB LAeq (day);
 - noise levels in external amenity areas, do not exceed 55dB LAeq (day); and
 - the evaluation of human exposure to vibration within the building shall not exceed the Vibration Dose Values criteria 'Low probability of adverse comment' as defined BS:8233 2014.

No dwelling shall be occupied until the sound and vibration insulation scheme has been implemented, and thereafter maintained in accordance with the approved details.

- 19) No dwelling shall be occupied until a hard and soft landscaping scheme has been implemented in accordance with details that have first been submitted to and approved in writing by the local planning authority. These details shall include, but are not limited to:
- boundary treatments;
 - hard surfacing materials;
 - any structures such as garden features, gazebos, shelters, viewing platforms etc; and
 - an implementation and maintenance programme, to include the phasing of work where relevant.

The scheme shall thereafter be retained and maintained in accordance with the approved details.

- 20) No dwelling shall be occupied until:
- space has been laid out for the parking of vehicles in accordance with the approved plans;
 - facilities for the secure and enclosed parking of cycles have been installed in accordance with details which have first been submitted to and approved in writing by the local planning authority; and
 - a management plan to ensure the equitable distribution of vehicle and cycle parking between the dwellings has been submitted to and approved in writing by the local planning authority.

This space and facilities shall thereafter be retained for the parking of vehicles and cycles in accordance with the approved management plan.

- 21) No dwelling shall be occupied until provision for the loading and unloading of vehicles, and for the turning of vehicles so that they may enter and leave the site in a forward gear, has been made in accordance with a scheme which has first been submitted to and approved in writing by the local planning authority. These provisions shall thereafter be retained for the loading, unloading, and turning of vehicles.
- 22) No dwelling shall be occupied until Electric Vehicle Charging Points have been installed for each dwelling in accordance with details that have first been submitted to and approved in writing by the local planning authority. The charging points shall thereafter be maintained and retained.
- 23) 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.
- 24) No dwelling shall be occupied until the play area identified on the approved plans has been constructed in accordance with details that have first been submitted to and approved in writing by the local planning authority. The play area shall thereafter be retained and maintained.
- 25) No dwelling shall be occupied until the implementation of a Secured By Design scheme, or similar, that has first been submitted to and approved in writing by the local planning authority.

- 26) No dwelling within Block A shall be occupied until the first, second and third floor windows on the western elevation of Block A have been fitted with obscure glass that accords with level three obscurity as shown on the Pilkington textured glass privacy levels (or equivalent from another glass supplier), and no part of those windows that are less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Once installed the obscured glazing and limited opening shall thereafter be retained.
- 27) No dwelling shall be occupied until space has been laid out for the storage of refuse in accordance with the approved plans. This space shall thereafter be retained for storage of refuse.
- 28) If, within a period of 5 years from the date of occupation any trees or hedges retained or planted in accordance with condition 10 (or any trees or hedges planted in replacement for them) are removed, uprooted, destroyed, die or become, in the opinion of the local planning authority, seriously damaged or defective, another tree or hedge of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree.
- 29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additions or alterations to the roofs of the 4 semi-detached dwellinghouses, including additional storeys shall be constructed.

END OF SCHEDULE