



Appeal Decision

Site visit made on 2 May 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023

Appeal Ref: APP/Q4625/W/22/3310643

Parts of garden to 88 and 90 Station Road and vacant field at rear of Station Road, Balsall Common, Solihull, West Midlands CV7 7FL

- 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 Regis Property Ltd against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2021/03086/PPFL, dated 21 November 2021, was refused by notice dated 25 August 2022.
 - The development proposed is Demolition of part of 90 Station Road, formation of access way and erection of 4 detached houses with associated detached garages, parking, landscaping and associated site works on unused land between Station Road and Stoneton Crescent.
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Decision

1. The appeal is allowed, and planning permission is granted for Demolition of part of 90 Station Road, formation of access way and erection of 4 detached houses with associated detached garages, parking, landscaping and associated site works on unused land between Station Road and Stoneton Crescent at Parts of garden to 88 and 90 Station Road and vacant field at rear of Station Road, Solihull CV7 7FL in accordance with the terms of the application, Ref PL/2021/03086/PPFL, dated 21 November 2021, and the plans submitted with it, subject to the attached schedule of conditions.

Preliminary Matters

2. The Emerging Solihull Local Plan was submitted in May 2021 for examination by the Secretary of State. Paragraph 48 of the National Planning Policy Framework (the Framework) enables me to ascribe weight to the policies of an emerging plan depended on its progress, extent of objections against a particular policy and degree of consistency with the Framework. Nonetheless, the Council has not drawn my attention to any especially relevant policies of this plan. Due to its early stage, I have afforded only limited weight to its policies in my consideration of this appeal.
3. A proposal, sharing the same general area as the appeal site, was subject to a dismissed appeal¹ for four dwellings in 2021. This was deemed to not reflect the character or grain of local development. Since that decision was made the Council's Backland Residential Development [2021] Supplementary Planning Document (BRD-SPD) and the Balsall Common Neighbourhood Plan [2021] (NP) have been adopted. That scheme was different to the current proposal in that it was for dwellings with 5 bedrooms, included second floor

¹ Planning Appeal Reference: APP/Q4625/W/20/3262193

accommodation, had higher ridge heights, included garages and had significantly greater footprints. Nevertheless, although different, this decision is a material consideration of modest weight, and I shall pay regard to it where relevant.

4. Amended Plans were submitted to the Council during the application consideration process. These changes slightly relocated plot 3, added landscaping to the sides of the driveway and removed the garages. These details were subject to re-consultation and I have paid regard to the further comments made by interested parties on these revisions. As such, I am satisfied that no party would be prejudiced by my consideration of the amended scheme.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

Policy context

6. The development plan for the district includes the Solihull Local Plan [2013] (LP). LP policy P5 supports housing in unallocated sites in accessible locations where they would contribute towards meeting borough wide housing needs and would enhance local character and distinctiveness. An objective to secure design quality is reinforced by LP policy P15 which states that new development should conserve and enhance local character and create a sense of place.
7. The Framework promotes the efficient use of land in meeting the need for homes and other uses. Paragraph 119 advises that strategic policies should set out a clear strategy to make as much use as possible of previously developed land. Although the Framework's glossary excludes "land in built-up areas, such as residential gardens" from its definition of previously developed land, this does not preclude such sites from coming forward in appropriate locations. Furthermore, the Council's RBD-SPD identifies that backland development can enhance places and add to architectural quality and streetscene variety with a finer urban street grain.
8. The appeal site is within the limits of a large village. The proposed dwellings would be within easy access of bus stops, a food store and GP surgery. It would also be within range of a primary school and rail station, although these are marginally beyond the criteria advanced by LP policy P7, but nevertheless demonstrate a general conformity with the policy. The site is therefore a suitable location for the provision of housing in spatial planning terms, a matter supported by the Council and the former appeal decision.

Character and appearance

9. Station Road consists of dwellings that are a variety of styles and scales, the majority of which have been individually designed. The highway includes a footway on only one side with a grass verge on the opposing side. The plots of the dwellings, along Station Road, are of various widths and depths creating a variety of spacings between built form. The properties of Stoneton Crescent, within a relatively modern estate, are more uniform in scale, style and plot

size. These areas are defined in a similar manner within the NP as zones 'E' and 'F', with both areas including infill cul-de-sac developments and small clusters of housing within back land locations. These infill developments range from small groups to more substantial estates. The pattern of development is therefore varied without a clear linear pattern. Many plots within the area include mature tree and hedge landscaping which make a positive contribution to the green and verdant character of the area.

10. The appeal site comprises an area of extended garden that has become severed by fencing from the formal rear garden of 90 Station Road (No 90). The site includes several self-seeded trees and bushes mostly clustered around its southwest and northeast boundaries. The site is relatively flat with dwellings along Station Road being set on marginally higher land, and those of Stoneton Crescent being marginally lower. Other areas of land, beyond the site boundaries, are generally flat with only limited changes in gradient. Due to the planting within and around the site, it is largely enclosed without substantially contributing to wider views through the area.
11. Due to its backland nature the proposed dwellings would be behind existing dwellings and would form a small cul-de-sac. This would be similar in style to several infill plots noted locally having a discrete access and a driveway found between existing linear development. The scheme would mostly be obscured from views from both Station Road and Stoneton Crescent with only the dwelling of plot three being visible from Station Road. As a result, the scheme would largely be seen from private views only within the immediate area having a minimal effect of the established streetscene of Station Road.
12. In layout terms, plots 3 and 4 would be orientated with a front elevation that addresses Station Road. In contrast the dwellings of Plots 1 and 2 would look towards the side of plot 3, being perpendicular to Station Road. Plots 3 and 4 would have staggered front building lines and non-uniform footprints creating a varied street scape. The scheme would create a comparatively regimented layout with two short rows of dwellings that follow the arrangement of houses along both Station Road and Stoneton Crescent. The proposed driveway would be relatively long, but this would be necessary to connect to this backland site.
13. As a general design requirement, the RBD-SPD advises that "Due to its nature, backland development will largely be out of view, but nevertheless should not dominate the frontage property, whilst still being partly visible so that people can find it". The proposed access drive would be lined by landscaping, with a relatively wide accessway. The dwelling of plot 3 would be recessed to an extent that it would be partly viewed from Station Road, being subservient from the street. These features are promoted as good design in figure 3 of the Council's guidance sharing common characteristics of landscaping and built form. The dwelling of plot three would also create a terminus to the view. This would act as an effective end vista, adding interest from Station Road and natural surveillance of the drive as sought by paragraph 2.33 of the RBD-SPD. Each dwelling would include a landscaped front garden, that whilst smaller than neighbouring plots, would add interest to the frontages.
14. The scheme would place some neighbours' rear gardens adjacent to the front gardens and the parking areas of the scheme. However, these newly exposed boundaries would be adjacent to semi-public land only and would not be demonstrably affected by adverse noise or security issues by virtue of the

- proposed and retained landscape screening. Moreover, car parking areas would be set away from neighbouring rear gardens, and would maintain a minimum buffer of one metre, in compliance with the advice of the RBD-SPD.
15. The proposed layout demonstrates that the dwellings would occupy between a half and a third of their plots, in general conformity of the Council's guidance that requires "*all dwellings and plots to provide useable rear or side garden space of at least the same size as the built footprint*"². The proposed gardens, for the new dwellings, would be generous spaces and comparable in size to neighbouring plots. The retained gardens of No's 88 and 90 would be small in comparison to neighbouring dwellings. Nonetheless, these would be around 11 metres long, similar in size to those of Stoneton Crescent and of sufficient size to support a family's typical needs for recreation and play. Moreover, whilst garages are not proposed, the gardens would be of sufficient size to accommodate sheds for secure storage of bicycles and other bulky items.
 16. The proposal includes the removal of the two-storey side extension of No 90. Its removal would rebalance the symmetry of the host dwelling. Accordingly, the absence of built form would be similar to other gaps between buildings along the street.
 17. The site access would not include a traditional bellmouth as seen on nearby larger culs-de-sac. However, the private shared driveway would consist of a suitable low-key entrance based on the scale of the scheme and in keeping with its subservient character. This approach is supported by the RBD-SPD where such access points need not be over-engineered, enabling the scheme to blend in with the existing streetscene. Furthermore, a refuse collection area would be located adjacent to the access drive. This would be close to the highway in a discrete and appropriate position.
 18. Accordingly, the layout of the proposed estate would have a more compact landscape frontage than neighbouring dwellings but would be appropriate in character with the local area with an open and complementary configuration.
 19. In terms of scale, RBD-SPD states that backland development should be subservient and smaller to the frontage properties. Nonetheless, the scale of backland dwellings should generally accord with the predominant character of an area. As such, it would be inappropriate for a scheme to be substantially shorter than neighbouring development just by virtue of its backland nature. The proposed dwellings would have a ridge height of around 7.6 metres, this appears to be similar in height to dwellings along both Station Road and Stoneton Crescent.
 20. The sectional drawing demonstrates that the dwellings of Stoneton Crescent are set slightly lower than the appeal site. This indicates that whilst the dwellings of plots 1 and 2 would be taller than some houses on Stoneton Crescent, the height difference would be marginal and as such would not dominate the gardens or rear elevations of these neighbouring dwellings. The proposed development would therefore appear subservient in these views in compliance with the advice of the RBD-SPD.
 21. Although recognising the slight change in gradient from Station Road to Stoneton Crescent, this change in levels would be over a substantial distance

² RBD SPD, bullet point 8 of design criteria

with the proposed dwellings standing on almost flat land as perceived from Stoneton Crescent. Furthermore, the proposed dwellings would be unlikely to be visible over neighbouring dwellings from the principal highways, apart from along the access drive, despite the Council's assertion.

22. The width, depth and height of the proposed dwellings are comparable to the scale of many properties adjacent to the site. Moreover, many existing dwellings are substantially larger, especially with respect to the width of several frontages. As land levels are largely flat, the proposed dwellings would not appear unreasonably dominant in neighbouring rear gardens or within the outlook of adjacent housing. Consequently, the scale of the scheme would be in keeping with the area and would represent development that would be subservient in this context.
23. The Council's officer report demonstrates that the density of the proposal, at 17 dwellings per hectare, would be similar Kenilworth Close. The Council's report also illustrates that the density would be slightly higher than those dwellings of Station Road and slightly less than dwellings along Stoneton Crescent. This clearly demonstrates that the proposed density would be in accordance with the general density observed within the area.
24. The proposed dwellings would be two-storey, with projecting gable features, bay windows and shallow roofs in common with the design of neighbouring buildings. Furthermore, the proposed dwellings would be a style and include a palette of materials that would reflect the local vernacular by including brick and render elements. Consequently, the design of the proposed dwellings would be in keeping and would complement local built form.
25. Accordingly, the proposal would integrate well with the existing pattern of development and thus complement the character and appearance of the area. As such, the proposal would comply with LP policies P5 and P15, NP policies H1 and BE2, guidance within the RBD-SPD and the Framework. These policies seek, among other matters, for development to enhance local character, create a sense of place and for its scale, density and layout to respect the surrounding natural and built environment.

Other Matters

Housing need

26. The Framework seeks to significantly boost the supply of housing. The proposal would make a contribution, albeit limited, towards the Council's supply of housing. This is an important consideration in favour of the appeal scheme especially as the Council cannot currently demonstrate a 5-year Housing Land Supply.
27. NP Policy H2 establishes a need in the parish for a range of house types, including a need for 25-35% of new housing to have four or more bedrooms. Small sites may not be able to accommodate all types of house sizes due to site constraints and a need for the scheme to accord with the character of an area. As such, in providing for sizes of housing required within the area, the proposal would comply with the required need. Furthermore, the proposal would not engage the Council's policy requirement for affordable housing due to its size.

Ecology/Biodiversity

28. LP Policy P10 seeks to conserve, enhance and restore biodiversity. It seeks appropriate mitigation for the impacts of development, and for compensation to be sought where required, to deliver a net gain in biodiversity and habitat creation. Paragraph 174, of the Framework, states that planning decisions should enhance the natural environment by providing net gains for biodiversity.
29. The proposal requires the removal of several trees, a section of hedge and a group of trees. These are found to be low quality in the Arboricultural Impact Assessment and are not visible from the public realm. Consequently, these do not make a strong contribution to the amenity interest of the site. Furthermore, replacement trees could be secured through a condition, that would offset this minor loss of green infrastructure.
30. The Appellant's Ecological Assessment³ identifies that the site would be unlikely to provide suitable habitat for invertebrates or amphibians. The site was found to be suitable for use by common bird species but that the proposed small-scale removal of bird habitat would not be ecologically significant. Neither trees nor the dwelling of 90 Station Road were found to provide a suitable habitat for bats. Furthermore, no evidence of badger or hedgehog activity/habitat was found. Although interested parties have stated that bats have been seen on site, there is no compelling evidence that a roost exists on site and any sightings are likely to relate to bats using the site as part of a foraging route. The Assessment has concluded that the proposal would be unlikely to result in a significant adverse effect on species or species groups. I see no reason to disagree with these findings.
31. Nonetheless, the Council's ecologist identified that the proposal would result in a loss of 0.4 habitat units, and a reduction of grassland and scrub habitats. Although not in evidence, the Council states that the Appellant's biodiversity metric found a net loss of 0.3 habitat units. The Council considers it is not possible to achieve a net gain of biodiversity within the site. It identifies that the loss could be mitigated through the payment of a sum to create and improve habitats off site. Such a sum would need to be secured by a S106 Legal Agreement.
32. However, the Council did not refuse the proposal based on the absence of a mechanism to secure such a sum. The Council has also not adequately explained in its Statement of Case why such an Agreement would be necessary and has not provided any substantive detail, policy or guidance on this matter. Consequently, insufficient evidence has been provided that might demonstrate that a sum would be required, how a mitigation sum has been calculated or where it would be spent. Moreover, despite the Council's concerns as to on-site mitigation, I find that the green spaces and landscaped areas proposed around the built form would be relatively large and could accommodate the required improved habitat. As such, a suitable condition could be imposed to deliver on-site enhanced biodiversity to create a net biodiversity gain, in satisfaction of LP policy P10, due to the limited identified loss.

³ Ecological Assessment, by Wharton-Natural Infrastructure Consultants, June 2022

Highway matters

33. Station Road is a residential street with a footway one side and street lighting. It has a 30mph speed restriction. The access would be on a relatively straight section of highway, with a small access opposite serving another infill development plot. Whilst the access would be opposite an existing access, vehicle movements associated with the use of the proposed entrance would be minimal and would therefore have no material bearing on surrounding pedestrian safety.
34. The proposed access would be five metres wide. This would provide adequate visibility splays to allow motorists to enter and exit the site safely. Furthermore, despite including a short pinch point, adjacent to No 90, this would be some distance from the highway and would not preclude the safe use of the driveway. Also, traffic numbers using the drive would be limited, and speed would be low, ensuring pedestrian safety. Adequate turning space would be provided within the site to allow a fixed based wagon, such as a delivery vehicle, to safely manoeuvre within the site. Each dwelling would have two parking spaces and one additional space for visitors. Consequently, parking provision would be adequate based on the size of the proposed dwellings. Overall, the proposal would operate safely and without causing detriment to the safety of other road users, and I note that the Highway Authority takes a similar view.

Effect on neighbouring living conditions

35. The moderately constrained location could result in some disturbance from construction vehicles. However, this would be a temporary effect that would predominantly take place in the daytime during weekdays causing limited harm to the living conditions of neighbours.
36. During my site visit I was able to view the site from a neighbouring property in Stoneton Crescent. The rear boundary consisted of a wooden fence, beyond which was a reasonable tall hedge, most of which is proposed to be retained. From this vantage I noted that the gardens rise slightly to their rear boundary.
37. The side elevations of the dwellings of plots 1 and 2 would be visible from the rear outlook of dwellings on both primary roads, most directly 94 Station Road and 18 Stoneton Crescent. From the rear elevations of neighbouring dwellings, the proposed development would obscure some views over the site. However, neighbours would see a small gable feature and a receding sloping roof that would diminish the scale of these dwellings from neighbouring views. Consequently, these dwellings would not be overbearing to the outlook of neighbours due to the separation distances and boundary screening.
38. The side elevations of the dwellings of plots 1 and 2 would include first floor side windows that would serve non-habitable rooms. As these could be obscurely glazed by the imposition of a condition, they would not result in overlooking into neighbouring gardens. Plots 3 and 4 would share a rear boundary with dwellings of Stoneton Crescent. These would have garden lengths of around 11 metres and 15 metres respectively forming generous separation distances with neighbouring dwellings. Consequently, the separation distances, and boundary screening, would limit intervisibility between the proposed and existing properties resulting in no material loss of privacy.

39. The proposed dwellings would be to the northwest of housing on Stoneton Crescent, potentially effecting afternoon/evening sunlight levels. The houses would also be to the southeast of Station Road, which could affect morning sunlight. However, the site is within a built-up part of the village where existing buildings would obscure the low-lying sun. Furthermore, due to the separation distances, and the scale of existing boundary tree/hedge cover, sunlight and daylight levels would be unlikely to be materially reduced.
40. The layout does not propose the provision of streetlights or lighting bollards and it is not anticipated that these would be required due to the scale of the proposal. The proposal would result in a limited number of vehicle movements, travelling at low speeds along the access drive. Occasional larger delivery vehicles may need to attend the site, but such activity would be limited and infrequent. Accordingly, the modest scale of the proposal would be unlikely to result in significant vehicular disturbance to adjacent occupiers in terms of either noise, light spill or pollution.

Flooding and drainage issues

41. The submitted Drainage Strategy⁴ identifies rainwater from roofs will be stored and used in the properties in a grey water recovery scheme for washing, toilet flushing and garden watering. Further roof runoff, and rainwater that falls on the permeable hardstanding areas, would be captured under the roadways. This would be stored in voids before percolating into the ground, reducing off-site runoff rates.
42. The Lead Local Flood Authority (LLFA) has identified that the site is at risk of surface water flooding during extreme storm events. The LLFA has recommended that the development is constructed using flood resilient construction techniques to ensure that the site levels design would not cause an increased flood risk to third parties. As the drainage scheme intends to use a new soakaway, the Appellant should undertake soakaway tests. This would ensure that the soakaway would work well and be sized correctly to manage any surface flooding. The LLFA are content that a sustainable drainage solution would not worsen the existing status and have raised no objection. Accordingly, this matter can be secured through the imposition of a condition.

Land ownership

43. Interested parties have indicated that some of the application site may be outside the Appellant's ownership. It has also been suggested that covenants effect the land. Nonetheless, the Applicant has declared that all landowners within the application site have been served notice of the planning application. This satisfies the legal requirements of the application submission process. In any event, development within third party land cannot take place without a owner's consent. Any covenant restrictions on the site would be a private matter between affected landowners and would have no bearing on the main issue of this appeal.

Building regulations

44. Interested parties have identified that the proposal would not comply with section M4 of Building Regulations with respect to disabled parking provision.

⁴ Surface Water Drainage Strategy, by SIDS, dated July 2019

However, it is not within the purview of this appeal to seek compliance with legislation enforced by other bodies.

Conditions

45. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (PPG). I shall take the Council's suggested conditions into consideration and impose these with some amendments and adjustments for clarity.
46. It is necessary for details relating to a construction management plan, tree retention measures, landscape and ecological management plan, construction environmental management plan, floor levels and a sustainable drainage strategy to be submitted prior to the commencement of development. I consider these pre-commencement conditions to be so fundamental to the development that it would have been otherwise necessary to refuse permission. These are required prior to construction commencing as these would affect the ground within the footprint of the buildings and relate to the initial setting out of the site. These measures would ensure the development would be suitably drained, ensure the delivery of a net gain to biodiversity, maintain the character and appearance of the area, and have a limited impact on the living conditions of adjacent residential occupiers [conditions 6, 7, 11, 12, 13 and 14].
47. I have imposed the standard conditions with respect to timeframe and approved plans as advised by the PPG for clarity and certainty [1 and 2]. Conditions are necessary with respect to materials, refuse store, the provision of landscape planting and boundary details in the interests of the character and appearance of the area [3, 5, 8 and 9]. It is necessary for side windows, of first floor non-habitable rooms, to be obscurely glazed to protect the living conditions of neighbouring occupiers from overlooking [10]. It is also necessary for the access and on-site hardstanding provision to be laid out in the interests of the satisfactory completion of the development and highway safety [4].
48. The Council has suggested that a condition that would prevent the addition of any new side windows and the addition of dormer windows is prevented. However, permitted development (PD) rights, conveyed by Schedule 2, Part 1, class A.3(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015, requires any new side windows to be obscurely glazed and non-opening. The Framework advises that conditions should not be used to restrict PD rights unless there is clear justification to do so. No such justification has been given in mind of the operation of class A.3(b) and the shallow nature of the roof. As such, no such condition would be necessary.

Conclusion

49. The proposal would accord with the development plan, when taken as a whole, and there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. The appeal is allowed, and planning permission granted subject to the attached conditions.

Ben Plenty

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (Aug 2022), 553 51 rev A site layout, 19060/DSP 02B swept path analysis, proposed dwelling at 90 Station Road, 1553 56 plot 1 and 2 proposed plans and elevations, 1553 58 plot 4 proposed plans and elevations, 1553 58 plot 4 proposed plans and elevations and 1553-21-55 proposed site sections.
- 3) Before any above ground works commence, details of the materials to be used in the construction of the external surfaces of the development and details of all hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) None of the development hereby permitted shall be occupied until the access road, access crossing, turning area for the site, and off-street parking for each dwelling, has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any construction work commences on site.
- 5) Before the development hereby approved is brought into use the detailed scheme for the storage of refuse, as detailed on the approved plans, shall be implemented and maintained throughout the lifetime of the development.
- 6) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for: (a) The parking of vehicles of site operatives and visitors; (b) Loading and unloading of plant and materials; (c) Storage of plant and materials used in constructing the development; (d) Wheel washing facilities; and (e) Permitted hours of work.
- 7) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods has been submitted to and approved in writing by the Local Planning Authority. All the trees and hedges shown on layout plan 1553 51 rev A as "to be retained", and any trees whose canopies overhang the site, shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
- 8) Before above groundworks commence, details of a landscaping scheme shall be submitted to and approved by the Local Planning Authority. The landscape planting shall be carried out in the first planting season after

commencement of the development, or a different timeframe agreed in agreement in writing by the Local Planning Authority and that planting shall be maintained for a period of 5 years. Such maintenance shall include the replacement of any trees and shrubs that die within that period.

- 9) No occupation of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected/retained. The boundary treatment shall be carried out in accordance with the approved details and completed prior to the first occupation of the development and thereafter permanently retained as such.
- 10) The dwellings hereby permitted shall not be occupied until the first-floor side windows of both plots 1, 2 (serving two en-suites) and side windows of plot 4 (serving a shower room and bathroom), have been fitted with obscured glazing of Pilkington level 3 or higher, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.
- 11) The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting, details of species used and sourcing of plants. The plan should also include details of species and habitat enhancement/creation measures and management, such as native species planting, hedgerow creation, bat and bird boxes, access gaps for hedgehogs in fences. Such approved measures shall thereafter be implemented in full prior to the occupation of the first dwelling.
- 12) The development hereby permitted, including site clearance work, shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include details of appropriate working practices and safeguards for bats and nesting birds and working practices relating to invasive species. The agreed CEMP shall thereafter be implemented in full prior to the occupation of the first dwelling.
- 13) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, 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.
- 14) Prior to the commencement development, surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework. The assessment shall provide information of the design storm period and intensity, the method employed to delay and control

the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. The details shall include infiltration tests, calculations and controlled discharge rates. A full BRE Digest 365 infiltration test (or falling head test for deep bore soakaways) shall be submitted to the Local Planning Authority prior to commencement of any works on site. The suitability of infiltration methods should be verified (i.e. possible contaminated ground). The approved drainage scheme shall be implemented prior to the first occupation of the development.

End of conditions