



Appeal Decision

Hearing held on 4 April 2023

Site visit made on 4 April 2023

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2023

Appeal Ref: APP/P4605/W/22/3312178

Land off Somerford Road, Weoley Castle, Birmingham B29 5LB

- 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 Volume Property against the decision of Birmingham City Council.
 - The application Ref 2021/10774/PA, dated 20 December 2021, was refused by notice dated 12 October 2022.
 - The development proposed is the erection of 23no. affordable dwellings (14no. 2 and 3 bed semidetached houses & 9no. 2 bedroom apartments) with associated infrastructure works to include parking, landscaping and access
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 23no. affordable dwellings (14no. 2 and 3 bed semidetached houses & 9no. 2 bedroom apartments) with associated infrastructure works to include parking, landscaping and access at Land off Somerford Road, Birmingham, B29 5LB in accordance with the terms of the application, Ref 2021/10774/PA, dated 20 December 2021, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The description used above is taken from the agreed statement of common ground, as this accurately reflects the details of the scheme, however I have corrected it to state "2 and 3 bed" rather than "2 and 4 bed" dwellings.
3. Prior to the hearing, draft planning obligations were submitted, comprising of both a S106 agreement and a Unilateral Undertaking. These are discussed further below. I agreed at the hearing to allow time for these draft documents to be completed and signed, and then provided.
4. Since the refusal of planning permission, there have been constructive discussions between the appellant and the Council, with the aim of resolving a number of the matters identified in the reasons for refusal. The agreement in these regards is set out in an agreed Statement of Common Ground. This outlines that the matters of the principle of the loss and replacement of the community facility, provision of affordable housing and public open space, separation distances between proposed and existing properties, provision of outdoor space for the proposed dwellings, and highway safety, are no longer contested by the Council. Subject to consideration of the submitted planning obligations, I find no reason to decide that these matters have not been

satisfactorily resolved and they are not therefore included in the main issues I identify below.

5. Following discussions between the main parties during the course of the appeal, further information was provided in respect of proposed and existing ground levels within the site and in relation to the surrounding sites. In particular, in light of this information the matter of the effect of the proposal on the users of Princethorpe Junior School, with particular regard to overlooking and outlook is no longer pursued by the Council. Based on what I have seen, I have no reason to disagree with this revised stance.
6. A brief discussion was held at the hearing in respect of the suggested conditions to be imposed should I be minded to allow the appeal. There were however a number of amendments that were required. As such, I asked that the appellant and the Council discuss these further and provide an agreed list following the hearing, which they have done.
7. The appellant sought to reduce the height of the proposed apartment block during the appeal, by having the roof with a shallower pitch than that which was originally proposed. During the discussion at the hearing the appellant confirmed that this amendment was no longer sought, and it was requested that I determine the appeal on the basis of the details of the apartment block as originally proposed. As these were the original details which were subject to consultation, to do so would cause no prejudice and I have therefore considered the original details when making my decision.

Main Issues

8. The main issues raised are:
 - The effect of the proposal on the character and appearance of the area,
 - Whether the occupiers of the apartment block would experience satisfactory living conditions, with particular regard to the provision of outdoor space,
 - Whether the occupiers of Plots 10-17 would experience satisfactory living conditions, with particular regard to outlook,
 - The effect of the proposal on the users of Edith Cadbury Nursery School, with particular regard to overlooking, overbearing effect and overshadowing, as well as any safeguarding risk,
 - Whether adequate drainage facilities can be delivered, and
 - Whether the proposal makes adequate provision for the incorporation of energy efficiency and sustainability measures.

Reasons

Character and appearance

9. The appeal site comprises an area of land currently occupied by a clubhouse building, two tennis courts, and an area of overgrown land. It lies to the rear of a parade of buildings which front Castle Square, which comprise commercial premises at ground floor, with some residential above. To the south is a junior school, while to the east and west are dwellings and a nursery school.

10. The development in the wider area comprises predominantly 1930s, inter-war residential development of semi-detached and terraced dwellings arranged along roads, typically constructed in red brick under tiled roofs. The layout of this residential development imparts a sense of spaciousness in the street due in part to wide grass verges behind which the dwellings are set. There is also a verdant aspect to the surrounding areas due to the presence of street trees.
11. The appeal scheme proposes the construction of fourteen dwellings and nine apartments within the site. The dwellings would be positioned centrally, as well as to the eastern extremity and would comprise of semi-detached pairs and a short terrace. The apartment block would be located to the western extremity and rise to three-storeys in height. From the single point of vehicular access runs an estate road, to the front of the semi-detached dwellings.
12. Given the location of the site to the rear of an existing parade of buildings, as well as being surrounded by built development, there is little appreciation of it from public viewpoints in the surrounding area. The most notable view would be from Somerford Road at the existing point of vehicular access, and this would be a narrow and short-lived view as the observer passes the entrance point. From here, the apartment block would be visible positioned behind existing buildings.
13. This block rises to three-storeys, which is taller than many surrounding buildings. However, the structure comprising the parade of buildings to Somerford Road and Castle Square, while providing two storeys of accommodation, has a particularly tall and prominent roofscape, that rises to a height above that of other nearby buildings. This is evidenced on the opposite side of the road where the position of two-storey dwellings alongside a similarly scaled parade highlights the difference in heights.
14. As a result, while the apartment block would be taller than nearby dwellings and other buildings, it would share a comparable scale to the buildings with which it would share its closest visual affinity, the parade that is viewed from the street. Within this context, I find that the apartment block would not appear overly large, or at odds with the characteristics of the surrounding townscape, in the context of which it would be viewed.
15. The design of the dwellings themselves also departs from that of those that are located within the vicinity of the site. However, in my view, there is no need to slavishly follow the design of the nearby 1930s development. The proposed dwellings adopt a more modern design approach in terms of their detailing, form, and fenestration patterns. While this does not replicate the surrounding development, considering the enclosed nature of the site, that the development departs from the layout and arrangement of existing dwellings, as well as that there is little visual association with the surrounding area, I consider that there is scope for a development that is different in its design approach. This point was accepted by the Council at the hearing.
16. The scheme would not appear as an incongruous element within the townscape, but a modern insertion into an existing context that uses an area of previously developed land in a sympathetic and sensitive way. Accordingly, the scheme would not dilute the existing character of the area. There was initially concern over the use of a cul-de-sac arrangement however at the hearing it was accepted by the Council that this was likely to be the only way to develop the site, given the single point of access.

17. Also at the hearing, there was discussion in respect of the density of the proposed development in comparison to the surrounding 1930s development. The Council opined that there was an increase from around 30 dwellings per hectare (dph) to around 40 dph. However, in my view, this alone does not make the development unacceptable. Indeed, the development plan sets a general target for 50 dph in new residential development. There must be a demonstrable harmful effect from any increase in density. No persuasive evidence was presented that convinces me that the increase in density, for the reasons I have outlined above, results in a development that fails to appropriately respond to the constraints of the site.
18. I therefore find that the proposal would have an acceptable effect on the character and appearance of the area. Thus, it accords with policies PG3, TP27 and TP30 of the Birmingham Development Plan (adopted January 2017) (the BPD), and policy DM2 of the Development Management in Birmingham – Development Plan Document (the DPD). Together, and amongst other things, these policies seek to ensure that development demonstrates high-quality design, that development is delivered at a density appropriate to its location and that development does not harm the amenity of an area. The scheme would also accord with the design aims of the National Planning Policy Framework (the Framework).

Living conditions – occupiers of apartment block

19. The occupiers of the apartment block would rely on the space around the building for the provision of outdoor space. While there are several balconies proposed, the Council highlight these are not of the size that is required, and in any event not all of the units within the block are provided with a balcony.
20. The Council requires that for each of the 9 two-bed apartments within the block, there should be 7 square metres (sqm) of private outdoor space. Thus, there should be 63 sqm in total for the apartments. The appellant highlights that there is sufficient space around the building to be able to provide this and the Council produced nothing that would convince me otherwise.
21. However, the location and layout of the area that could be used would in my view not provide a space that is of a good quality. It would be positioned to the southern corner of the site and while this may infer that there would be good access to daylight and sunlight, given the positioning of the proposed building, together with that of the adjoining boundary treatments, it is likely that the outdoor space would feel somewhat hemmed in and restrained. The boundary treatments and surrounding vegetation would also limit direct sunlight to the area.
22. As such, while the space is of sufficient size, such that it would allow for some outdoor storage, the hanging of washing, etc., it would not be a particularly attractive location, to sit out, for example. I therefore find that the outdoor garden space would be unsatisfactory. The harm in this respect would be tempered however due to the close proximity of other outdoor space within the vicinity of the appeal site, which would afford occupants the opportunity to use an attractive and open green space.
23. Nonetheless, the scheme would not provide a high-quality outdoor space and thus the scheme would conflict with policy PG3 of the BPD, insofar as it seeks to ensure that external spaces are attractive. There would also be conflict with

policies DM2 and DM10 of the DPD, insofar as they seek to ensure that development provides high-quality and adequate outdoor space. There would also be some conflict with the design aims of the Framework. Policy TP27 is referred to however this policy refers to the creation of attractive public spaces, not private spaces. As such, this does not appear to be directly relevant to the scheme.

Living conditions – occupiers of Plots 10-17

24. The dwellings within Plots 10-17, while positioned centrally within the appeal site, have gardens that abut the rear boundary. Also positioned alongside this boundary is part of the adjacent Princethorpe Junior School. The part of the school building that is closest to the boundary is single storey however and the two-storey element of the school building is stepped back behind this single storey element.
25. Each of the rear gardens would have a depth of 11 metres (m) to the boundary, the single storey element of the school is positioned around 3 m from the end of the gardens resulting in a separation distance of around 14 m between the two built forms. Furthermore, there is an even greater distance between the rear of the dwellings and the two-storey part of the school.
26. As a result, from views both within the dwellings and from the garden areas, the school building, whilst visible, would not be a dominant or oppressive visual feature. There would be a large amount of visible sky from views to the rear of the properties, such that there would not be any unacceptable sense of enclosure experienced by future residents when in the garden areas, or within the dwellings.
27. Accordingly, I find that the occupiers of Plots 10-17 would experience satisfactory living conditions, with particular regard to outlook. Thus, the scheme accords with policy PG3 of the BDP, as well as DM2 and DM10 of the DPD. Together, and amongst other things, these seek to ensure that outdoor spaces are attractive, and that development provides high-quality and adequate outdoor space. The scheme would also accord with the living condition protection aims of the Framework. As above, Policy TP27 is referred to but does not appear to be directly relevant to the scheme.

Effect on users of Edith Cadbury Nursery School

28. The side elevation of the proposed block of flats is located within close proximity to the boundary shared with the Edith Cadbury Nursery School (the nursery). The side elevation of the block would directly face the Nursery and part of its associated outdoor play space. In light of this proximity and the young age of the children attending the nursery, I can understand concern in respect of the effect of overlooking of the play space and how this could reduce the attractiveness of this area for utilisation by users. The parties have agreed a condition to ensure that the windows resulting in the overlooking are obscurely glazed and subject to this condition there would be no unacceptable overlooking of the adjacent nursery.
29. In terms of any potential overbearing effect, the main bulk of the block of flats would be positioned in proximity to the boundary and would rise to three-storeys in height. However, only a small portion of the outdoor play space is located in proximity to the building, with the rest of the outdoor space

extending to the south and east. As a consequence, the bulk of the building would only have a direct influence on a small area and a large, open and expansive play area would remain. Whilst there would be some overbearing effect therefore, it would be limited in its extent and would not substantially reduce the attractiveness of the outdoor space that is associated with the nursery. Accordingly, any effect in this regard would not be unacceptable.

30. Due to the position of the proposed block of flats, there would likely be some overshadowing of the adjacent nursery. However, due to the orientation of the nursery to the appeal site, this would in my view be limited to a reasonably short period of time in the morning of the day. With the sun travelling to the south through the day, any overshadowing would be for a limited period and would not be such that it would lead to an unreasonable or deleterious effect on the users of the nursery.
31. The Council has raised concern in respect of the potential safeguarding risk posed by the development. When questioned at the hearing, it was suggested that this related to a perceived harm that would result, likely from occupiers possibly being able to look into the outdoor space at the nursery. However, I am not convinced by being provided with any cogent evidence that the ability of persons to overlook an outdoor play space inherently results in any risk to safeguarding. In any event, in light of my comments above in respect of the use of obscure glazing, this will not now occur. It was also mentioned at the hearing that there may be cultural groups that would not like being overlooked while in the nursery. Again, this was not supported by any persuasive evidence. In any event, the use of obscure glazing would prevent any harmful overlooking.
32. I therefore find that, subject to a condition in respect of the use of obscure glazing, the scheme would not result in any significant or unacceptable effect on the users of Edith Cadbury Nursery School, with particular regard to overlooking, overbearing effect and overshadowing, as well as safeguarding risk. Accordingly, the proposal does not conflict with policy PG3 of the BDP, or DM2 and DM10 of the DPD. Together, and amongst other things, these seek to ensure that outdoor spaces are attractive, and that development provides high-quality and adequate outdoor space. The scheme would also accord with the living condition protection aims of the Framework. As above, Policy TP27 is referred to but does not appear to be directly relevant to the scheme.

Drainage

33. The scheme is supported by a Drainage Strategy which assesses the potential drainage options for the site. This concludes that discharge to a soakaway is not suitable due to deposits underlying the site. Further, there is no watercourse to which drainage can be directed. Therefore, it is proposed to discharge to a public surface water sewer nearby. Flows to this will be subject to attenuation to control the flow rate.
34. The agreed Statement of Common Ground sets out that the Lead Local Flood Authority does not have an in-principle objection to the scheme but maintains an objection over what is considered to be a lack of information in respect of exceedance and surface water flow routes. It is stated however that this matter could be overcome. The appellant's consultant was clear at the hearing that he considered that an acceptable scheme could be achieved, and the Council agreed with this stance.

35. Given that the principle of the method of surface water disposal is agreed between the parties and it is only the matter of exceedance that remains to be resolved, I consider that this can be satisfactorily addressed by the imposition of a suitably worded planning condition should the appeal be allowed. This would ensure that during an exceedance event, surface water can be directed appropriately and dealt with without any harmful effect on neighbouring properties.
36. Accordingly, subject to such a condition, adequate drainage facilities can be delivered, and the scheme would thus accord with policy TP6 of the BDP insofar as it seeks to ensure that appropriate drainage facilities are secured. The scheme would also accord with the relevant paragraphs of the Framework.

Energy efficiency and sustainability measures

37. At the time of the planning application, it was contended that it was unviable to include energy efficiency and sustainability measures, but this was not supported by any assessment of viability. Since this time, further information has been submitted in a revised Sustainable Construction and Energy Statement.
38. The Statement of Common Ground sets out that the Council's consultee on this matter considers that there are further matters that should be considered within this document. However, following discussion at the hearing, the Council accepted that, while it would be preferable to have all of this information provided, that the matter could be satisfactorily dealt with by way of a planning condition should the appeal be allowed. I have seen nothing that would lead me to consider differently.
39. As such, subject to an appropriate condition, the proposal would make adequate provision for the incorporation of energy efficiency and sustainability measures. In this respect, it would therefore accord with policies TP3 and TP4 of the BDP, which seek to ensure that buildings meet a high standard of sustainable design and construction, as well as reducing energy consumption.

Other Matters

40. The appellant has submitted a signed and completed S106 agreement and Unilateral Undertaking. These have been submitted as counterpart documents and included is a clause that the original and counterparts shall constitute one and the same agreement.
41. The agreement secures contributions in respect of affordable housing, open space, and replacement of tennis courts. The Council has also provided details of the justification for the contributions that are sought. I am satisfied that the contributions accord with the planning obligation tests as laid out in paragraph 57 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations.
42. The unilateral undertaking includes provision for those dwellings not secured as affordable housing as part of the agreement, to also comprise affordable housing, resulting in a 100% affordable scheme. This contribution is also noted.

Planning Balance

43. The Framework requires Councils to demonstrate a five-year supply of deliverable housing sites. At the hearing, I was informed that the current five-

year housing land supply position is 3.99 years, based on the figures published in October 2022. Therefore, the presumption in favour of sustainable development, as envisaged by paragraph 11 of the Framework, is engaged.

44. I have found some limited harm in respect of the quality of the outdoor space that would be associated with the apartments. This limited harm must be balanced against the benefits of the scheme.
45. The benefits would include the provision of 23 units of affordable housing, at a sustainable location, as well as the re-use of a dilapidated area of previously developed land. In my view, these matters carry significant weight.
46. Overall, I find that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits that would arise. Consequently, the proposal benefits from the presumption in favour of sustainable development envisaged by paragraph 11 of the Framework, indicating that planning permission should be forthcoming.

Conditions

47. In the interests of certainty, I have imposed a condition specifying the approved plans to which the planning permission relates. To ensure that the development has an acceptable external appearance, I have imposed conditions in respect of samples of materials, architectural detailing of the buildings, landscaping, boundary treatments and refuse storage facilities. To protect trees, a condition requiring development to be in accordance with the submitted arboricultural statement is necessary.
48. The appeal site is constrained to all sides and located near to sensitive users, I have thus imposed conditions in respect of demolition and a construction method statement, to protect neighbouring users. In the interests of health and safety, conditions are also required in respect of the identification and remediation of any contamination that may be present. For the reasons outlined above, detailed drainage conditions are also necessary.
49. To safeguard biodiversity, conditions are imposed in respect of bird and bat boxes, as well as external lighting. Also, for the reasons outlined above, I have included a condition in respect of sustainable construction measures, relating to energy consumption.
50. To protect the amenity of neighbouring users, a condition in respect of obscure glazing to the western elevation of the apartment block is included. In the interests of highway safety, conditions are included in respect of completing the means of access, the service road and the parking and turning areas. I have also included the requirement for measures to prevent mud from being carried onto the road within the above construction method statement. In the interests of sustainability, a condition requiring the inclusion of electric vehicle charging is included.
51. Conditions have been suggested in respect of removing permitted development rights for the erection of garages, alterations to the dwellings or roofs and insertion of windows. No compelling justification has been provided for removing these rights and so I have not imposed them. The Council suggests a condition in respect of delineating the pavement, with the reason for this being to prevent access through means other than the designated entrance.

However, as only one point of access is proposed, I do not consider this necessary.

52. Following the hearing, it has also been suggested that a travel plan is required. However, this was not a matter that was raised for discussion at the hearing and given the location of the site in an established residential area, within a settlement and built-up area, together with the scale of the development and availability of public transport nearby, I do not consider that a condition is necessary in this respect.
53. The Council identifies that works within the highway are required and requests that an informative be included highlighting the requirements in this respect. However, I do not consider this necessary as the matter is covered by separate legislation.

Conclusion

54. There would be some conflict with the development plan. However, material considerations, namely the provisions of the Framework, indicate a decision other than in accordance with the development plan.
55. For the reasons given above I conclude that the appeal should be allowed.

Martin Allen

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Matthew Williams	Planning Consultant
Joshua Rigby	Drainage Consultant

FOR THE COUNCIL:

Richard Bergmann	Principal Planning Officer
Jenny Walters	Urban Designer

DOCUMENTS SUBMITTED AT OR AFTER THE HEARING

1. Completed S106 Agreement and Unilateral Undertaking
2. Agreed list of suggested planning conditions
3. Additional suggested conditions

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers
 - 20271-SGP-ZZ-ST-DR-A-131101 Rev P.1 [Site Location Plan]
 - 20271-SGP-ZZ-ST-DR-A-131102 Rev P.12 [Proposed Site Plan]
 - 20271-SGP-001-ZZ-DR-A-131101 Rev P.3 [2B3P Apartment – Floor & Roof Plan]
 - 20271-SGP-001-ZZ-DR-A-131301 Rev P.3 [2B3P Apartment Types – Elevations Plan]'
 - 20271-SGP-002-ZZ-DR-A-131101 Rev P.1 [3B5P House Type – Floor & Roof Plan]
 - 20271-SGP-002-ZZ-DR-A-131301 Rev P.1 [3B5P House Type – Elevations Plan]
 - 20271-SGP-003-ZZ-DR-A-131101 Rev P.1 [2B4P House Type – Floor & Roof Plan]
 - 20271-SGP-003-ZZ-DR-A-131301 Rev P.1 [2B4P House Type – Elevations Plan]
 - 20271-SGP-ZZ-ST-DR-A-131104 Rev P.2 [Site Section A-A]
 - 20271-SGP-ZZ-ST-DR-A-131105 Rev P.2 [Site Section B-B & C-C]
 - 20271-SGP-ZZ-ST-DR-A-131108 Rev P.1 [Raised Planter Location Plan]('the approved plans').
3. Samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be implemented in accordance with the approved details.
4. The following architectural details shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the building to which they relate:
 - Windows design and materials.
 - External doors design and materials.
 - Building facades.
 - Roof materials.
 - Rainwater goods design, materials, and position.The development shall be implemented in accordance with the details approved.
5. No development shall take place until a method statement demonstrating the means to be employed in the works of demolition authorised by this permission and support of any retained structures has been submitted to and approved in writing by the Local Planning Authority. Demolition shall be implemented in accordance with the approved method statement.
6. No development shall take place, including any works of demolition, 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 method statement shall provide for details of the following:

- the parking of vehicles of site operatives and visitors
- location of loading and unloading of plant and materials
- hours of demolition/construction/delivery
- measures to ensure that material, such as spoil or mud, from vehicles leaving the site is not carried onto or deposited on the highway

The development shall be carried out in accordance with the approved details.

7. No development (excluding demolition) shall take place until the following components of a remediation scheme to deal with the risks associated with contamination of each phase for the intended use have been submitted to and approved, in writing, by the Local Planning Authority:
- 1) A preliminary risk assessment, which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways, and receptors
 - potentially unacceptable risks arising from contamination at the time.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed risk assessment of the risk to all receptors that may be affected, including those off site.
 - 3) An options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken, timetable of works and site management procedures.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved and must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (and subsequent legislation) in relation to the intended use of the land after remediation.

8. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
9. No development (excluding demolition) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the

development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed and thereafter retained.

10. The development hereby permitted should not commence (excluding demolition) until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
11. A scheme of hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation and these works shall be carried out as approved.
These details shall include:
 - 1) A scaled plan at 1:100 showing all existing vegetation and landscape features to be retained; and where used, locations of individually planted trees, areas of woodland, shrubs, hedges, herbaceous planting, bulbs, and areas of grass.
 - 2) Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs.
 - 3) Planting schedules noting species, plant sizes and proposed numbers/densities, and details of the proposed planting implementation programme.
 - 4) Location, type, and design of materials to be used for hard landscaping, including ground surfacing, paving, kerbs, edges, steps, and furniture.
 - 5) Specifications, where applicable for the following:
 - permeable paving;
 - tree pit design – indicating root available soil volumes and matched to species demands at mature size;
 - underground modular systems;
 - sustainable urban drainage integration;
 - surfacing within tree Root Protection Areas (RPAs).
 - 6) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice.
 - 7) Retaining structures, noting their height, design and facing materials.
 - 8) Minor artefacts and structures.
 - 9) Proposed and existing functional services above and below ground.

All hard and soft landscape works shall be implemented in accordance with the approved details.

The works shall be implemented prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

Any trees or shrubs which, within a period of two years from the completion of the development, die, are removed, or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

12. Details of the proposed boundary treatments for the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. These details shall include plans showing the locations of existing, retained and proposed new boundary treatments and scaled drawings indicating the positions, height, design, materials, type and colour of proposed new boundary treatments. The approved scheme shall be implemented before occupation of the buildings hereby permitted and shall be retained thereafter.
13. The development shall be undertaken and maintained in accordance with the submitted Arboricultural Method Statement (Prepared by Wharton Natural Infrastructure Consultants; Ref: 220714 1360 AMS V1; Dated 15th July 2022) and its included Tree Protection Plan (Prepared by Wharton Natural Infrastructure Consultants; Ref: 211215 1360 TPP V3; Dwg No.: 1 of 1; Dated July 2022).
14. No development shall take place (excluding demolition) until details of the number, design, location, and post-development monitoring arrangements of bird nesting boxes/bat boxes/bricks/tubes to be provided as part of the development, has been submitted to and approved in writing by the Local Planning Authority. The bird/bat boxes shall be installed in accordance with the approved details and thereafter retained.
15. The development hereby approved shall not be occupied until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate, site plans showing horizontal and vertical overspill to include light trespass and source intensity, affecting surrounding residential premises and details of the lighting fittings including: colour, watts, and periods of illumination. All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the occupation of any part of the development and thereafter retained.
16. No development shall take place (excluding demolition) until details of measures which support the sustainable construction of the buildings/dwellings within the site and minimise their energy consumption shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be implemented before occupation of the buildings hereby permitted in accordance with the details approved and thereafter retained.
17. All windows in the west elevation of the apartment building shall be installed with obscure glazing and thereafter retained as such. Details of such windows shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the windows.
18. Details of facilities for the storage of refuse within the curtilage of buildings approved under this permission shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The refuse facilities shall be provided in accordance with the approved details before the buildings are first occupied and thereafter retained.

19. No dwelling/building shall be occupied until that part of the service road, which provides access to it, has been constructed in accordance with the approved plans.
20. No dwelling/building shall be occupied until space has been laid out and surfaced in accordance with drawing number '20271-SGP-ZZ-ST-DR-A-131102 Rev. P10 [Proposed Site Plan]' for cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. These areas shall not be used for other than their designated purpose.
21. Details of the siting and design of the proposed means of access shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The approved scheme shall be implemented before the development hereby permitted is brought into use.
22. At least one charging point for electric vehicles shall be provided at each residential unit with dedicated parking. At least 10% of non-dedicated parking spaces shall be provided with electric vehicle charging points. The charging points shall be available for use prior to first occupation of the development hereby approved.