



Appeal Decision

Site visit made on 18 September 2023

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2023

Appeal Ref: APP/H1705/W/22/3313689

Land between A339 and Fawconer Road, Kingsclere, Hampshire RG20 5RW

- 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 Frontier Estates (KIN) Ltd against the decision of Basingstoke and Deane Borough Council.
 - The application Ref 21/02814/FUL, dated 26 August 2021, was refused by notice dated 8 September 2022.
 - The development proposed is erection of a care home (within Use Class C2) with parking, access, landscaping and other associated works.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a care home (within Use Class C2) with parking, access, landscaping and other associated works at land between A339 and Fawconer Road, Kingsclere RG20 5RW, in accordance with the terms of the application, Ref 21/02814/FUL, dated 25 August 2021, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. During the appeal the appellant submitted an executed Section 106 legal agreement dated 5 April 2023 (S106). It relates to infrastructure that would be provided on-site for biodiversity enhancement, tree works, woodland and landscape planting, maintenance and management and a travel plan; and off-site for management of a Site of Interest for Nature Conservation and highway access and footway works. I have received written confirmation from the Council and the highway authority (Hampshire County Council) that they consider the S106 would mitigate impacts of the proposal in these regards and the Council has withdrawn reason for refusal 3 in its decision notice. I have, therefore, determined the appeal on this basis.

Main Issues

3. The main issues in this appeal are:
 - whether the proposal would provide dwellings on the site;
 - if it would meet a local need for a care home within Class C2¹ and be appropriate in location; and
 - its effect on the character and appearance of the area.

¹ Schedule 1, Part C of the Town and Country Planning (Use Classes) Order 1987

Reasons

4. The appeal site is a large parcel of part wooded grassland on the edge of the existing built-up area of Kingsclere village, in Kingsclere Parish. It would be redeveloped by the appellant with a 50-bedroom Class C2 care home for use by a future operator.

Dwellings

5. The development plan in this appeal is the Basingstoke and Deane Local Plan May 2016 (LP) and the Kingsclere Neighbourhood Development Plan October 2018 (NP). In the LP the site is in the countryside but in the more recent NP, as provided for by LP Policy SS5, it is inside a revised NP settlement policy boundary for Kingsclere where development is acceptable in principle. NP Policy K HA1 allocates the site for residential development for at least 12 dwellings, broadly consistent with LP Policy SS1 with regard to the scale and distribution of new housing across the borough.
6. Amongst other things, the NP seeks to meet the needs of younger people in Kingsclere and the Parish for affordable housing or lower cost and 'starter' market housing. By this means it also aims to maintain a more balanced population demographic to sustain the village. In this context, allocating the site for at least 12 dwellings reflects anticipation of smaller conventional housing on the site, such as shown indicatively in an extant outline planning permission for up to 13 dwellings which includes 4 affordable houses².
7. Albeit that this is not the only way the site could be developed and comply with the wording of NP Policy K HA1, the care home is a Class C2 use not a Class 3 dwellinghouse use. En-suite bedrooms with communal living facilities would be a fundamentally different, institutional form of residential development. It would not, therefore, result in houses, bungalows or flats on the site so not provide dwellings as is intended by the NP. The appellant accepts that there is 'some discrepancy' against NP Policy K HA1 in this respect and according to the Council the care home would be a departure from the development plan.
8. In light of the above, I find that the proposal would not provide dwellings on the site so it is contrary to NP Policy K HA1.

Local need and location

9. The NP also seeks to meet the needs of older or elderly and infirm people in Kingsclere and the Parish. NP Policy K3 permits housing for older people to address the local housing needs of elderly and infirm residents if it meets a proven identified need for it and the location is appropriate in terms of access to facilities and services in Kingsclere, including public transport. It is, in essence, consistent with LP Policy CN4.
10. The NP confirmed that the Parish has an ageing population with a higher than borough, regional or national average proportion of residents over age 59 and almost a fifth of the population over 65 in 2011, nearly half of whom were over 75. Many older residents wished to continue living in their own homes or downsize to smaller homes if these were available, including adapted or designed to meet their needs, and there was no preference for a Class C2 care home. Nevertheless, a notable number and proportion of local people did not,

² 19/02370/OUT

therefore, want to meet their future living needs in bungalows or small houses and existing age related sheltered or retirement accommodation in the village has been substantially oversubscribed.

11. A recent housing needs assessment (HNA) prepared for a review of the NP shows that between 2011 and 2020 the Parish population aged 65 and over increased significantly, as well as in proportion³. The highest rate of change was in the 85 and over age cohort. The projected number of people aged 75 or over in the Parish would more than double between 2011 and 2039⁴ to give a proportionately older population than in the borough. The HNA confirms that older peoples living and care needs will vary, including from age 55, and can overlap with Class C2 use.
12. However, even if the HNA includes some proxy Class C2 need, this is not quantified because it only considers Class C3 dwellinghouses, not Class C2 residential institutions, and only people aged 75 or over. Nor has it been calibrated against any recent community consultation or household survey. A care home is a type of specialist housing for older people as set out in Planning Practice Guidance (PPG). Accordingly, the HNA does not give a complete picture of potential older persons housing or care needs in Kingsclere or the Parish. It is also not clear to me what stage the NP review is at or when a new NP might be made. There is also no certainty that the NP review or a future NP will give more prominence to care homes or if, though not obliged to, it would allocate a site for one.
13. I have not been provided with a copy of the Council's most recent Strategic Housing Market Assessment (September 2020). There is no evidence before me that it advocates providing Class C2 development by pro-rata delivery of bedspaces between 2022 and 2040 in the borough, let alone against the Parish population, or that provision must be evenly distributed across the borough. Nor that either means would meet Class C2 need in the most efficient or effective way.
14. The HNA confirms that choice, cost effectiveness and economies of scale are important to the delivery of specialist housing for older persons. There is no apparent reason why this should not apply to a care home which is inherently institutional in nature with integrated accommodation, care and communal living facilities. There is no evidence that Class C2 use could or would be provided by a developer or commissioned by an operator at a pro-rata rate of 7 bedspaces per annum in the Parish until 2040. Nor that the amount of provision or rate of delivery should be moderated due to some short average resident stays within such care homes.
15. According to the appellant's Class C2 need assessment (C2NA), the density of elderly people aged 65 or over living in Kingsclere, the Parish or within a 10km radius catchment of the site is low and, in number, proportionately roughly in line with regional and national averages⁵. However, this area includes other villages not just sporadic housing and the HNA confirms that a neighbourhood plan can have a role within a wider area. In this catchment the age 65 or over cohort is forecast in the C2NA to increase significantly by 2031, including people with dementia. On this basis, and net of existing or pipeline care home

³ Kingsclere Housing Needs Assessment, January 2023 (AECOM)

⁴ The currently anticipated new NP plan period

⁵ Desktop Market Analysis, June 2021 (Christie & Co)

developments, there is an under supply of 115 care home beds in the catchment in 2021, forecast to increase to 269 beds by 2031. As well as no Class C2 care home in Kingsclere, none is currently planned elsewhere within about 6km of the site. Nor is the existing or planned provision necessarily comparable in quality or standard of accommodation and some elderly persons homes have limited vacancies or long waiting lists.

16. I accept that there is no mechanism before me to ensure that the proposed care home would be occupied initially or thereafter by elderly or older and infirm people drawn from Kingsclere, the Parish or within the 10km catchment. However, I am satisfied that there is clear objective evidence of an identified need for a Class C2 care home in this local area.
17. The care home would be in a central, sustainable location in the Parish on the edge of Kingsclere. Though not a town or higher in the Council's settlement hierarchy, there would be good access (including a new footway secured by the S106) to a range of facilities and services about 600m away in the village centre. Also, to bus stops (including a shelter, seating and timetables) near the site in Ashford Hill Road⁶ with hourly bus services from early morning until mid-evening to Basingstoke and Newbury, towns which also have railway stations. No Sunday or Bank Holiday bus services would not render the care home inaccessible by bus for most of the week, including at times when some people might be more likely to visit residents.
18. There is no objective evidence that receiving care per se would prevent more able-bodied or ambulant residents of the care home from walking or cycling to the village centre or using buses. Nor create an untenable demand for existing local health services beyond that which would be provided on the site. There is no apparent reason why such residents would not be able to participate in village life or visit public open spaces in Kingsclere or beyond. A condition could secure suitable cycle parking on the site to encourage this mode of travel.
19. Taking all the above into account, the care home would provide a timely and convenient opportunity for some people, including in Kingsclere or the Parish, to fulfil present, imminent or future living and care needs. It would not fatally undermine or be manifestly out of kilter with holistic objectives of the NP and the LP to meet older or elderly and infirm peoples living and care needs by a range of measures, so give choice for them to decide how best to meet their own needs. Accordingly, I find that the proposal would meet a local need for a care home within Class C2 and be suitable in location. Consequently, it is not incompatible with NP Policy K3 or LP Policy CN4, including because strict application of 'housing' in either policy as meaning only houses, bungalows or flats would otherwise result in unduly narrow outcomes.

Character and appearance

20. The site is in the Kingsclere Settlement Area Landscape Character Area⁷. This area is distinctive including because of a varied landscape enclosed in the north up to the A339 by a predominantly soft, well-integrated edge to Kingsclere. There would be a significant influx of built form on the site with a large ground floor footprint and in overall scale and massing. The building would stretch towards the north and south boundaries of the site, across much of the

⁶ Also referred to as B3051 George Street

⁷ Basingstoke and Deane Landscape Character Assessment, May 2021

tapering east to west part of it. Though broadly like a low block of flats there is no immediate local context for this form of development.

21. However, the mostly two-storey parts of the building with sloping roofs would reflect these features of the closest houses in Fawconer Road and Thorneley Road. Some parts would also be similar in siting, layout and orientation to rows of these houses or face towards a turning head or a garage court. Although in places taller to eave and roof levels, most of the building would nestle into the lower undulating parts of the site and not be overly close to any house, which are anyway mainly on higher sloping land. A condition could establish site levels and building height above ground before any development commenced.
22. The indented floor plan, articulated roof form and varied external materials would break the building down into smaller connected parts, including the longer elevations. The contemporary design would use some traditional local materials and give a cohesive appearance to reflect the purpose and clear identity of the building. Suitable external materials and details such as window reveals could be secured by a condition.
23. As a result, the overall height and bulk of the building would not appear unduly dominant or overbearing in relation to houses in Fawconer Road and Thorneley Road. Most of it would be screened behind these houses or boundary landscape features so not be unduly prominent or conspicuous in public views from these roads. While the development would be seen by the occupiers of some of these houses there is no right to a private view.
24. The development would also be well contained inside the A339, behind the wide belt of trees and dense understory next to the site along this side of the road which arc around the corner into Ashford Hill Road. This planting would still form a substantial wooded edge for the planned expansion of the built-up area of Kingsclere. The building would sit centrally on the site with an adequate buffer of landscaping or open areas, especially front and back, so not appear overly cramped including in its immediate landscaped or developed context.
25. Some trees protected by a Tree Preservation Order would be removed, including in the more wooded western end of the site⁸. While these are mainly lower quality or value, or younger trees or parts of groups, a mature oak tree in particular would be lost. However, the most important protected trees would be retained and the tree removals would not seriously undermine the individual or collective public visual amenity value of trees on the site or next to it.
26. It would also allow the building to be positioned well back from Ashford Hill Road and this entrance into Kingsclere from the A339. The hard surfacing and car parking in the eastern part of the site would be at ground level, so retain an appreciable degree of openness and give a deep, wide setting to the building interspersed with grassed areas and some trees, including most of the trees and hedgerow retained along the Ashford Hill Road frontage. A condition could ensure that the extent of canopy cover lost was clearly established before development commenced, allied to the S106 details of tree works, woodland and landscape planting, maintenance and management.
27. The development would not, therefore, be unduly conspicuous in transient or glimpsed views from vehicles or cycles along the A339 or the southern end of

⁸ TPO/BDB/0638 (also referred to as TPO/BDB/0638A)

Little Knowl Hill and there are no pavements for pedestrians. Retained and new planting would filter public views of the development from passing vehicles or cyclists in Ashford Hill Road, or pedestrians from the south, such that taken with the setback of the building it would not be unduly prominent. There are no pavements linking this road north to the A339 or therefore opposite the vehicular access where a gap would give a more open perpendicular view of the building, albeit set back on mainly lower ground with some intervening trees or other planting and framed by taller background trees.

28. Winter month views of the development would be mitigated by the density of intervening or background tree or hedgerow trunks, stems, boughs or branches. This would still give a strong sense of visual containment and the development would still have a generally overall recessive presence on the site, so not jar in its surrounding setting or context. The S106 would ensure future maintenance of retained and proposed landscaping, including enforcement by the Council if necessary. Suitable details of external lighting could be secured by a condition to prevent excessive light spill or intrusion, including as might be more obvious during the winter.
29. Nevertheless, infilling the site with the proposed development would give it a built-up appearance with a permanent, localised change to the character and appearance of the area. However, the site is allocated for residential development and planning permission has been granted for its redevelopment, albeit with a different scheme so some different or less pronounced outcomes in these respects. There is also an expectation and acceptance of change to intrinsic features of the site, such as its openness and landscape character.
30. Having regard to all these considerations, I find that the location, scale and density of the single building and coarser grain of development would not be incompatible, nor an overly discordant feature in an enlarged village envelope. It would be neither unplanned sprawl or inappropriate development but instead be assimilated on the site and into the Fawconer Road/Thorneley Road and A339/Ashford Hill Road streetscenes in a satisfactory way, with existing or proposed landscaping reflecting the suburban to rural edge transition and vice versa. As a result, this localised urbanising effect would not cause unacceptable harm to the character and appearance of the area.
31. Consequently, it complies with LP Policies EM1 and EM10 and with NP Policies K4 and K6. These policies include that development should respond to local context and be sympathetic to the character, visual quality and distinctiveness of the area. Additionally, respect sense of place having regard to landscape, settlement setting and important views, buildings, open areas, trees and hedgerows and in density, scale, layout, appearance, detailing and materials.

Other Matters

32. Some interested parties objected to the proposal including about drainage or flooding, car parking provision, traffic generation or congestion, highway safety at road junctions, adequacy of external amenity areas and alleged loss of privacy due to overlooking or noise and disturbance. I have given due regard to such matters and to the reasons why the Council did not object in these regards, including with advice from relevant specialist consultees and subject to some suggested conditions. There is no compelling objective evidence to sustain what are, therefore, largely anecdotal or speculative concerns no matter how well-informed or strongly held.

33. Alleged inadequate pre-application consultation by the appellant with the local community is not within the scope of this appeal. It has been suggested that the care home should be in or closer to Basingstoke, next to the settlement boundary of Kingsclere or on a site less than a mile from the village centre. None of these are the scheme before me and I have considered the appeal on its individual planning merits. My decision would not, therefore, set a precedent for opportunistic development or that which cannot be properly justified.

Conditions

34. The appellant does not object to the conditions suggested by the Council if the appeal was allowed and I have received its written agreement to the pre-commencement of development conditions. Where required, I have considered modified wording in the interests of clarity or precision and have had regard to the relevant tests in the Framework and PPG advice. Matters that are part of the S106 do not require separate conditions.
35. In addition to those already referred to earlier above, pre-commencement conditions could secure a biodiversity enhancement and mitigation plan, details of services and future management, a construction statement for water and energy efficiency measures and a scheme to mitigate road traffic noise. These would be in the interests of conserving and enhancing the natural environment, climate change and the living and working conditions of future residents and staff of the care home. This would be important for a successful development and some are intertwined with other conditions or the S106 so would need to be confirmed at an early stage. There is, therefore, a clear reason to secure these matters before any development started.
36. As well as the standard 3-year time limit for commencing development a condition would be necessary to specify the approved plans and documents in the interests of certainty. In addition to the other conditions already referred to earlier above, conditions would be justified to ensure that vehicular access, car parking and turning, pedestrian footway improvements, cycle and bin storage, validation of noise mitigation measures and some upper floor windows were obscured glazed prior to occupation of the care home. This would be for reasons of highway safety, the living and working conditions of future residents and staff and to prevent loss of privacy to the existing occupiers of some houses near the site. A condition would also be appropriate to prevent undue disturbance to the occupiers of these houses during construction work, which is an unavoidable consequence of development and would be temporary.

Planning Balance

37. The proposal would include a place for people to live so is for the provision of housing for planning purposes. The Council accepts that it cannot demonstrate a 5-year supply of deliverable housing sites. It did not dispute a 4.86-year supply suggested in the appellant's appeal statement of case, said to be 4.7-years in its final comments⁹. The difference is not material and, either way, by virtue of footnote 8, Framework paragraph 11(d) is therefore engaged. The starting point is that planning permission should be granted.
38. In this appeal there are no areas or assets of particular importance that provide a clear reason for refusing the proposal. The NP became part of the

⁹ Based on the Council's Annual Monitoring Report, March 2023

development plan more than two years ago so not all the provisos of Framework paragraph 14 are met.

39. The NP is nevertheless a plan-led local vision for Kingsclere and the Parish. If granted planning permission and implemented the proposal would frustrate delivery of at least 12 (or up to 13) dwellings on the site. Such development is aligned with objectives of the Framework to significantly boost the supply of homes and help meet a need for affordable housing. These adverse impacts ordinarily have significant weight against the proposal. However, given the housing land supply position, reduced, moderate weight applies to the specific aim of NP Policy K HA1 to deliver only dwellings on the site.
40. Even if the current appeal was dismissed, there is no evidence that the extant outline planning permission would be implemented. Nor is it clear to what extent it would deliver small dwellings for younger or older people in Kingsclere or the Parish given that all matters except access are reserved for future approval. The NP allocates two more sites for at least 40 dwellings in total so make up most of the at least 52 dwelling supply in Kingsclere. I have not been informed that either site has been subject to a planning application but there is no evidence they could not be developed with at least some smaller dwellings for younger or older people. This could therefore potentially meet the needs of some of the 49 people in Kingsclere who are on the Council's housing register (there is no evidence that all want to continue living in Kingsclere).
41. PPG sets out that providing housing for older people is critical and is, by definition, a wide spectrum¹⁰. The 50-bedroom care home would make a meaningful contribution to the provision of living accommodation and care in the local area for older or elderly and infirm people, including opportunity for people in Kingsclere, the Parish or the borough. The proposal would align with objectives of the Framework and PPG to meet specific housing requirements of older people and ensure a sufficient amount and variety of land comes forward where it is needed for development suitable in type and tenure to meet a diverse range of older person's needs. PPG advocates a positive approach should be taken in these circumstances.
42. PPG also indicates that housing provided within Class C2 is, in this case, the equivalent of 28 dwellings for housing land supply purposes based on current available published data. As such, although the shortfall in housing supply is not severe, 28 dwellings (or even a net gain of at least 15 against the extant outline planning permission or as many as 16 against NP Policy K HA1) would be a notable contribution to significantly boosting the supply of homes in accordance with the Framework. The proposal would also release some, perhaps as many as 38, existing homes back into the housing market for individuals, couples or families to occupy including potentially in Kingsclere or the Parish and so also help to sustain the village.
43. The building would be well-designed, high quality and sympathetic to its immediate context. Some trees would be lost but there would be overall net gains for biodiversity and ecology on and off the site. Effective and efficient use of the site for the proposed development would cause no unacceptable harm to the character and appearance of the area. These outcomes would reflect aims of the Framework to achieve well-designed places and to conserve or enhance the natural environment.

¹⁰ Framework Annex 2: Glossary

44. The care home would be accessible and well located for travel other than by private car. Even modest expenditure by construction workers, residents, staff or visitors would help to enhance or maintain local services and facilities in Kingsclere. This would be consistent with aims of the Framework to support sustainable transport and all types of businesses in rural areas and to maintain the vitality of rural communities.
45. The development would generate or sustain a number and variety of short and longer term jobs during construction and operational phases, with opportunities for local firms or people. The care home would be exempt from Community Infrastructure Levy receipts but the S106 would make satisfactory provision for on and off-site infrastructure. The proposal would generate significant business rates, health and adult social care public finance savings and help alleviate delays or bed-blocking in hospitals. It would reflect aims of the Framework for a strong economy and to ensure the health and well-being of people.
46. In my view, these individually important and cumulatively substantial social, environmental and economic benefits have compelling weight in favour of the proposal.
47. The adverse impacts of the development would not, therefore, significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development applies in this case.

Conclusion

48. The proposal does not accord with the development plan taken as a whole. However, there are other material considerations, including relevant provisions of the Framework and PPG, which override this finding.
49. Consequently, for the reasons given above, subject to conditions and the provisions of the S106, the proposal is acceptable and therefore the appeal succeeds.

Robin Buchanan

INSPECTOR

Schedule of Conditions (7)

- 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 and documents:

2954-HIA-01-XX-DR-A-0101 Rev P1	location plan
2954-HIA-ZZ-ZZ-DR-A-0102 Rev P12	site plan
2954-HIA-01-00-DR-A-0201 Rev P5	proposed ground floor plan
2954-HIA-01-01-DR-A-0210 Rev P6	proposed first floor plan
2954-HIA-01-02-DR-A-0220 Rev P5	proposed second floor plan

2954-HIA-01-RP-DR-A-2700 Rev P1	roof plan
2954-HIA-01-XX-DR-A-0401 Rev P1	velux window section
2954-HIA-01-XX-DR-A-0300 Rev P5	proposed elevations sheet 1 of 2
2954-HIA-01-XX-DR-A-0301 Rev P5	proposed elevations sheet 2 of 2
2954-HIA-01-XX-DR-A-0302 Rev P1	proposed street elevation
2954-HIA-01-XX-DR-A-0303 Rev P1	proposed courtyard elevations
2954-HIA-01-XX-DR-A-9001 Rev P2	bin and cycle store
ITB16084-GA-001 Rev B	proposed site access arrangement
ITB16084-GA-002 Rev B	swept path analysis refuse vehicle
16122-HYD-XX-XX-DR-D-2002 Rev P3	proposed foul and surface water drainage strategy plan
B20035-TLP-601	tree survey
B20035-TLP-602 Rev B	arboricultural impact assessment and arboricultural method statement
B20035-401	detailed planting plans sheet 1 of 4
B20035-402	detailed planting plans sheet 2 of 4
B20035-403	detailed planting plans sheet 3 of 4
B20035-404	detailed planting plans sheet 4 of 4
B20035-103C Rev C	landscape proposals
B20035-201 Rev A	hardworks plan
Peter Evans Partnership	Construction and Environmental Management Plan July 2021
Hydrock Consultants Limited	Drainage Strategy August 2021
Diversity	Ecological Assessment August 2021
Diversity	Biodiversity Net Gain Assessment August 2021
Hawkins Environmental	Noise Assessment August 2021
Harris Irwin Architects	Design and Access Statement August 2021
i-Transport	Transport Statement August 2021
The Landscape Partnership	Tree Survey Report August 2021

- 3) No work relating to the construction of the development hereby approved, including deliveries, works of preparation prior to construction, construction processes, operation of machinery or fitting out shall take place outside the hours of 0730-1800 Monday to Friday, 0800-1300 Saturdays and none on Sundays or recognised public holidays.
- 4) No development hereby permitted, including works for ground preparation, soil moving, temporary access construction or widening or storage of materials shall commence until the following details have been submitted to and approved in writing by the local planning authority:
 - (a) Existing and proposed site levels.
 - (b) A canopy cover assessment, including:
 - A measure of the overall canopy cover that will be lost through tree felling required to facilitate the development.
 - A measure of the overall canopy cover to be created through tree planting, assessing the likely canopy spread of new trees at maturity.
 - A calculation of overall canopy loss or gain.

- (c) A biodiversity enhancement and management plan (BEMP) which shall deliver a minimum of 2.68 habitat biodiversity units and 0.23 hedgerow units and include:
- Results of the provided biodiversity metric.
 - Specific species enhancement measures referred to in the approved Diversity Ecological Assessment.
 - Description and evaluation of features to be managed and enhanced.
 - The extent and location or area of proposed enhancement works on appropriate scale maps and plans to include species or faunal enhancement measures.
 - Ecological trends and constraints on site that might influence management.
 - Aims and objectives of management.
 - Appropriate management actions for achieving aims and objectives.
 - An annual work programme (to cover an initial 5-year period).
 - Details of the specialist ecological management body or organisation responsible for implementation of the BEMP.
 - Details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery.
 - That where results from monitoring show that the aims and objectives of the BEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the objectives of the approved BEMP.

For each of the first 5 years of the BEMP a report will be sent by the specialist ecological management body or organisation to the local planning authority about progress of the annual work programme and confirmation of required actions for the next 12-month period. The BEMP will be reviewed and updated every 5 years and implemented in perpetuity.

- (d) Details of services, including:
- A detailed layout for all services, including gas, electricity, foul and fresh water, drainage and telecommunications or a statement about why any service is not required. The layout shall respect landscape and wildlife protection and mitigation measures and ensure that its implementation does not require installation or future maintenance excavations to be made within protection or mitigation zones.
 - An investigation of the condition of the existing watercourse, which will take surface water from the development site, including photographs and if necessary, any required improvements to its condition as reparation, remediation, restitution or replacement shall be undertaken prior to any connection to the watercourse.
 - Long-term maintenance arrangements for the approved surface water drainage system, which shall include maintenance schedules for each drainage feature type and ownership protection measures.
 - A connectivity statement to demonstrate that the development shall provide for good broadband connections that are compatible with available fibre communications infrastructure.

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

- 5) No development hereby permitted, or construction works, above ground floor slab or damp proof course levels shall commence until the following details have been submitted to and approved in writing by the local planning authority:
- (a) Notwithstanding condition 2), materials and samples to be used in the construction of the development including external walls and roof(s) of the building(s) and ground surfaces.
 - (b) A construction statement detailing how the building shall meet BREEAM 'excellent' standards for water consumption, unless otherwise demonstrated this requirement for sustainable water use cannot be achieved on technical or viability grounds, and to confirm energy efficiency measures.
 - (c) A mitigation scheme for protecting future occupiers from road traffic noise which shall have regard to the recommendations contained within the approved Hawkins Environmental Noise Assessment. The scheme will:
 - Consider and utilise where possible reduction in noise exposure achieved by effective site layout, building orientation, the use of physical barriers, utilising open space as a buffer, internal room configurations and any other available mitigation strategies.
 - Achieve the following noise levels with mitigation in place:
 - (i) Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open*),
 - (ii) Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LAfMax (windows open*).
 - (iii) Garden areas shall not exceed 60 dB LAeq, 16hr.

*Where it is predicted that the internal noise levels specified above will not be met with windows open despite mitigation strategies, an alternative method of mechanical ventilation must be specified to supply outside air to habitable rooms with windows closed and relieve the need to open windows. Background and passive ventilators, and system 3 extraction systems are not considered adequate for this purpose. Methods may include a system 4 MVHR with cool air by-pass, or standalone mechanical units supplying outside air to each affected habitable room.

- (d) Drawings at a scale of 1:10 showing the depth of window reveals.

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

- 6) The development hereby permitted shall not be occupied or brought into use until the following details have been submitted to and approved in writing by the local planning authority and/or implemented:

- (a) The means of vehicular access to the site shown on the approved proposed site access arrangement plan ITB16084-GA-001 Rev B. No structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plan.
- (b) The car parking area and turning facilities shown on the approved site plan 2954-HIA-ZZ-ZZ-DR-A-0102 Rev P12 11.21 have been marked out.
- (c) Bin and cycle storage and transit routes have been provided on site in accordance with the approved bin and cycle store plan 2954-HIA-01-XX-DR-A-9001 Rev P2.
- (d) The footway and amendments to the highway shown on the approved plans including connection to the existing footway. The footway shall be made available at all times for public use.
- (e) A post completion of development noise survey and report undertaken by a suitably qualified acoustic consultant or engineer, including in accordance with BS4142: 2014 & +A1:2019 Methods for rating and assessing industrial and commercial sound. The post completion testing shall assess:
 - Performance of the internal noise mitigation approved under condition 5(c). If the noise levels set out in condition 5(c) are exceeded, the report shall include details of additional noise mitigation measures (where necessary to ensure the appropriate noise levels can be met) and a timetable for implementation.
 - The rating level of any plant and equipment as part of this development, which shall be at least 5dB below the background level.

A method statement shall be submitted to and approved in writing by the local planning authority prior to the survey being undertaken and post completion testing shall be carried out in accordance with the approved method statement.

- (f) A waste service plan which shall include a diagrammatic plan showing how waste and recycling will be collected and details of the service to be provided, including hours of collection, supplier and their service.
- (g) Windows in the first floor south elevation for stairs, circulation and multi-purpose use shown as 'opaque glazing' in the approved proposed second floor plan 2954-HIA-01-02-DR-A-0220 Rev P5 shall be glazed with obscured glass to at least the equivalent of Pilkington level 4 standard.

These details shall thereafter be retained and/or maintained for these purposes and no other for the lifetime of the development.

- 7) No external lighting shall be installed on the site unless details of such lighting, including the intensity of illumination and predicted lighting contours, shall have been submitted to and approved in writing by the local planning authority and shall thereafter be installed and maintained in accordance with the approved details.