



Appeal Decision

Site visit made on 27 March 2023

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd January 2024

Appeal Ref: APP/X1355/W/23/3315510

Site of the Former St Peter's School, Main Road, Gainford DL2 3BQ

- 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 Kebbell Developments Limited against the decision of Durham County Council.
 - The application Ref DM/21/04249/FPA, dated 9 December 2021, was refused by notice dated 21 October 2022.
 - The development proposed is Residential Development of 37 units with associated access and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for Residential Development of 37 units with associated access and landscaping at Site of the Former St Peter's School, Gainford, DL2 3BQ in accordance with the terms of the application, Ref DM/21/04249/FPA, dated 9 December 2021, subject to the conditions set out in the attached Schedule of Conditions.

Preliminary Matters

2. The appeal site's lengthy planning history has been usefully set out by both parties. From this, it is agreed that an extant permission¹ exists for the development of 48 dwellings and the conversion of the former school building to 9 flats, it also being agreed that works had commenced on site sufficient to implement the permission.
3. The site has since been split into separate ownerships; the two distinct parts being the current appeal site and an inset to that which housed the former school building and various areas of hardstanding around it. The inset area of the former school buildings and area surrounding them has separately been granted planning permission² for conversion and redevelopment. That permission was not implemented and has since expired. It has been subsequently confirmed that permission has been granted for the demolition of the remaining extent of the former school buildings³.
4. A signed and dated planning agreement (s106) pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) has been submitted during the course of the appeal. The s106 relates to the provision of affordable housing (affordable rented units and discounted sale units); open space and public amenity space contribution and a health contribution. I will return to the matters set out within the s106 separately, below.

¹ LPA Ref No: DM/18/01980/FPA – approved 23 September 2019

² LPA Ref No: DM/15/00730/FPA – approved 2 April 2019

³ LPA Ref No: DM/21/01210/FPA – approved 4 May 2023

5. An updated and revised version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The main parties were invited to make representations on it and I have taken into account any responses in considering this appeal.

Main Issues

6. The main issues are:

- Whether the appeal site is an appropriate location for development of the nature proposed;
- The effect of the proposed development upon the character and appearance of the surrounding area and whether it amounts to good design; and
- The effect of the proposed development upon the living conditions of future occupiers of plots 16-19 and 22 of the proposed development, with particular regard to outlook and noise and disturbance.

Reasons

Location

7. It is agreed between the parties that the appeal site does not lie within the settlement of Gainford. As such, it occupies an open countryside location. It is also agreed, however, that the site has an extant permission⁴ for residential development as part of a larger site and forms part of the Council's housing commitment as per County Durham Plan⁵ (CDP) Policy 1. Whilst the Council's claim to a 5-year housing land supply is noted, the extant permission forms part of its housing commitment even if the site's fragmented ownership has resulted in it being taken out of the current 5-year housing supply figures. Even if the appeal site does not contribute towards the 5-year supply, and its absence would not challenge the Council's ability to achieve it, the existence of a 5-year housing land supply should not be seen as being an upper limit on such development.
8. The appeal site is nevertheless an unallocated site in the open countryside beyond an existing settlement. CDP Policy 10 states that development in the open countryside will not be permitted, unless allowed for by specific policies in the CDP. A footnote sets out a range of 'relevant policies', including development on unallocated sites.
9. CDP Policy 6 sets out the Council's approach to development on unallocated sites, either within built-up areas or, as in this instance, outside the built-up area. Proposals outside the built-up area, provided they are well-related to a settlement, will, it states, be permitted provided they are in accordance with all relevant development plan policies. A further range of design criteria follow within CDP Policy 6.
10. The site lies to the east of Gainford, in the region of approximately 135 metres at the Council's estimation, from the existing edge of the settlement. That edge is formed on the northern side of Main Rod (A67) by both frontage development facing on to the road, and the garden boundaries of residential

⁴ LPA Ref No: DM/18/01980/FPA

⁵ Adopted 2020

development behind. Those properties, and that edge of the settlement, are clearly visible across open fields on approach from the east broadly level with the appeal site's proposed entrance. Nevertheless, I broadly agree with the Council's assessment that Gainford has a strong settlement boundary, at least north of the A67.

11. Although the settlement's boundary on the southern side of the road is not so strongly defined, the site still lies separated from it by an open field with a heavily vegetated roadside boundary. However, the entrance to the appeal site lies between the remains of the former St Peter's School building and one of two detached residential properties on the southern side of the road. From here, the settlement edge of Gainford to the north of the A67 is clearly seen.
12. A continuous paved and level footpath, illuminated by regular streetlight columns on both sides of the road, runs from beyond the appeal site towards Gainford. This provides a reasonably short, convenient and direct link between the appeal site and the settlement, and from the settlement to an extensive area of allotments to the east of the appeal site, and to the local footpath network that leads towards the River Wear. The village's doctor's surgery is located a short walk along this path from the appeal site, whilst bus stops lie opposite the appeal site on either side of the road.
13. Whilst I accept that the appeal site is separated from the main body of the settlement by an open field on either side of the road, I am satisfied that it is, in broad physical and visual terms, reasonably well related to the settlement for the purposes of CDP Policies 6 and 10. There is a visual link between the site and the settlement throughout the length of the intervening pavement link, whilst the remains of the former St Peter's School building, prominent from the roadside frontage, are a long-standing marker of the approach and entrance in to Gainford. The site's entrance lies within the settlement's speed limit which, whilst not determinative, nevertheless combines with other factors noted above to reaffirm the nature of the site's relationship with the settlement.
14. The Council seek to downplay the status of the extant permission, explaining that the site's development was previously considered against the provisions of the then development plan in place; the Teesdale District Local Plan. It may well have been the case at that time that that plan was not considered up to date and the previous scheme considered in the context of paragraph 11(d) of the Framework. However, I have considered the current scheme against the current development plan and its policies, and other material considerations.
15. I am therefore conscious of the complex planning history of the appeal site, and the adjoining portion of the former St Peter's School site. It is broadly agreed that there exists an extant permission for that site and the current appeal site. The appeal scheme may well not solely and comprehensively redevelop the whole of the former school site, but as site ownership has since been split but for which an extant scheme still exists, I am not persuaded that the appeal scheme would amount to a failure to deliver a comprehensive form of development. The appeal scheme before me would, after all, comprehensively develop the appellant's site. Nor have the Council persuaded me that the appeal scheme would prevent the redevelopment of the adjoining portion of the former school site in terms of, amongst other things, access or layout (in terms of outlook, separation distances, privacy, etc). Whilst adjoining portions of the former school site are not within the appellant's control to

develop, I am not persuaded that that should be held against the appellant in the current instance.

16. Whilst I turn to matters of detail below, with particular regard to the form of development and its effect on character and appearance, the appeal scheme would redevelop the available site in a comprehensive fashion, and on a site where a significant proportion of it is previously developed land. For the reasons set out, I am satisfied that the appeal site is an appropriate location for development of the nature proposed and there would be no conflict, in principle, with CDP Policies 1, 6 and 10. In reaching this conclusion, the presence of an extant permission for residential redevelopment on the appeal site and the land adjoining it are matters to which I give considerable weight.

Character and appearance

17. The appeal scheme would deliver 37 dwellings in a cul-de-sac layout, accessed via a single entrance from the A67 located between the former St Peter's school building and the adjacent dwelling. As a consequence, the development would not have a frontage presence to the A67.
18. The appeal site lies within the Gainford Conservation Area (the CA), the extent of which was extended in 2013 from the village core to include the St Peter's school site. Although noted within the extracts of the CA Character Appraisal quoted by the appellant as being in a prominent position leading in to the village with its architectural styling aimed at 'promoting the social and philanthropic aims of the time', the building and site was empty at the time of designation. The building's decline is well-documented in the submissions before me, its condition plain to see at the time of my visit to the site. Permission has since been granted for its demolition.
19. It seems to me that there would be little material difference between the appeal scheme's form of development and that which would have arisen from the extant permissions. Thus, in terms of the general form of build development and the extent to which development extends across the width of the site, and the depth that it would extend towards the river, there would be little difference. Whilst I accept that the absence of frontage development, that would previously have been achieved with the inclusion of the former school building and the area of land around it, means that the appeal scheme would amount to a form of backland development, I am not persuaded that this would be harmful in character and appearance terms.
20. Indeed, from the extract plan set out within the appellant's Statement of Case⁶ and the submitted plans, the main body of the appeal scheme would be directly connected with the main road and the pavement link to the service and facilities within the village. This link would be shorter and more direct than that shown on the previously approved schemes where access was to be taken through the 'Ruttle' site. So too, to the local footpath network and the publicly accessible open space on the meadows to the south of the built development. Whilst there may not be direct access from the site to the track to the east, it appears that the appellant has sufficient control within the boundaries of the appeal site to be able to make a connection to this track. A suitably worded condition with regard to the provision of hard and soft landscaping and site

⁶ Figure 2.3 (page 9)

layout could, as the appellant suggests, adequately and reasonably achieve this. In this respect, I am satisfied that the site would be sufficiently well connected with the main road and access to the services and facilities offered within Gainsford.

21. Whilst I note the Council's concern that the appeal scheme could proceed without the 'Ruttle' site, there is not necessarily any greater guarantee that that element of the site would be developed were it within one ownership and one development scheme. The redevelopment of the appeal site behind an undeveloped site, whilst not necessarily ideal, particularly for the appellant, does not equate to inappropriate backland development, or necessarily to the detriment of the character and appearance of the surrounding area. Indeed, the presence of a consented development, should the appeal succeed, may act as a spur for the implementation of that element of the scheme.
22. Furthermore, whilst the redevelopment of the former school building and the rest of the 'Ruttle' site would complete the front corner of the wider former school site, there would ultimately be little difference between the permitted form of development in the majority of the site and that set out in this appeal scheme. The character and form of the development, based around a central 'spine' road with small culs-de-sac and shared driveways serving a mix of detached and semi-detached houses varies little from that approved. In terms of the site's character and the nature of its location relative to Gainford itself, I am not persuaded that what is before me would be harmful, whilst I am also mindful that an extant scheme of broadly similar character and layout exists.
23. In addition, whilst not completely redeveloping the whole of the previously developed land associated with the former school use, the appeal scheme would nevertheless account for a significant proportion of that previously developed land. Beyond this area, the appeal proposal, like that before it, would secure the management of the wider area of accessible open space between the site and the river, linking up with the local footpath network and maintaining the pleasant, valley floor setting of the southern part of the appeal site. It is regrettable that the proposed development would result in the loss of 12 individual trees and 6 groups of trees. However, noting that these were not necessarily of the highest quality and were reflective of the layout of the former school and its activities rather than the pastoral meadow on the lower southern portion of the site, their loss is outweighed by the wider developmental benefits of the appeal scheme. Thus, the wider proposals for the provision and management of the open areas to the south of the built development should be viewed as a significant positive feature.
24. Similarly, the incorporation and retention of the row of mature trees that run along a north/south axis through the southern 'meadow' portion of the site, and which are a significant positive contributor to the character of this area and the setting of the site when viewed from the south, is a significant and positive feature of the scheme. That the 'Ruttle' site is not part of the appeal site does not alter this balance or the positive aspects offered by the wider landscaping proposals set out within the appeal scheme.
25. I have noted the Council's concerns regarding the omission of the former school building itself from the appeal site and, thus, the appeal scheme. Whilst I accept that the building was previously part of a wider, larger site, that is now no longer the case. The appeal scheme would redevelop that land available to

the appellant within the appeal site and so, as far as is appropriate, the appeal scheme's redevelopment of a partially previously developed site would contribute towards urban regeneration aims, if not as widely or as comprehensively as before. In this respect, I am also mindful of the permission to demolish the former school building itself, approved during the life of the appeal scheme, which removes the possibilities and opportunities that its redevelopment would otherwise have presented.

26. The residential development of the land would undoubtedly alter the setting of the former school buildings and character of the land around them. However, this would have been the case in any event with the extant permission for development which, on the land to the south of the buildings, would not have been materially different from the scheme before me. The loss of roadside trees would be regrettable, but the individual tree and the group of trees at the proposed site entrance and along the western flank of the school buildings are recognised within the appellant's Arboricultural Impact Assessment⁷ as being of low quality and value. However, longer views along the road The Council accept that the 'appropriate and comprehensive redevelopment of the wider site' would enhance the character and appearance of the CA. However, in granting permission for the demolition of the former school building the contribution that it and the land around it made to the character or appearance of the CA would be lost.
27. The appeal scheme before me would provide for the redevelopment of the wider area of land around the school, with the exception of the 'Ruttle' site, in a broadly similar manner and character to a previous and extant scheme found to be acceptable in planning terms. The appeal scheme would provide a comprehensive scheme within the land available to it and would enhance the biodiversity offer of, and access to, the meadow land between the development's southern built-extent and the river. The connectivity of the site to the main road would not, as the Council suggest, be worse than the approved scheme. Indeed, it seems to me that the repositioned access would provide a more direct and shorter link to the main road, and thus, the services and facilities within the village. Whilst I accept that the scheme before me may not enhance the character or appearance of the CA in the manner described by the Council in relation to the extant scheme, and would not bring benefits in terms of the refurbishment of the school buildings, I am nevertheless satisfied that the scheme would avoid harm to, and thus preserve the character or appearance of, the CA.
28. Thus, for the reasons I have set out, I am satisfied that the appeal scheme would avoid harm to the character or appearance of the CA and, as such at least preserves its character or appearance. The scheme as submitted would redevelop the appeal site, comprised of land around the former St Peter's School buildings, in a manner that would avoid conflict with the provisions of CDP Policies 6, 10, 26, 29, 31, 40 and 44, the provisions of the Council's 'Building for Life Supplementary Planning Document' (BfLSPD, 2019) and the aims and provisions of the Framework which, taken together, seek to ensure high quality development.

⁷ Arboricultural Impact Assessment (ARB/CP/1494 – December 2021) – Elliott Consultancy Ltd

Living conditions

29. The Council's concerns regarding living conditions centre upon the relationship of the proposed dwellings at plots 16-19 and 22 with the area of hardstanding and land around the former school buildings. The splitting of the wider site leaves the appeal site sitting behind the former school building and the land surrounding it within the 'Ruttle' site.
30. I accept that until such time as the extant scheme is built out, the outlook from the rear of these properties, particularly from elevated positions, would be across derelict, overgrown previously developed land. However, I have some sympathy with the appellant's argument that development here would introduce a relatively high level of natural surveillance from those properties that is just not present currently. There may well be instances of anti-social behaviour within this area of land at present, but it is relatively isolated from direct overlooking and nearby properties and is secluded as a consequence of the pattern of existing trees, tree groups and hedges.
31. The garden plots to these properties are reasonably generous, and a combination of existing vegetation and proposed boundary planting and boundary treatments would be sufficient to create a pleasant domestic setting and outlook to ground floor and outdoor areas. Some mitigation for upper floor views would also be offered but would, I accept, be more limited than from lower levels until such planting schemes mature. Nevertheless, the living conditions of the properties specifically referred to in the third reason for refusal would not be unacceptably compromised in the manner feared by the Council and although the 'Ruttle' site would, at least initially, remain undeveloped I have no reason to believe that it would remain so indefinitely. Furthermore, this area of land would only be a small element of the wider and more expansive countryside surroundings in which these properties, and those elsewhere across the development, would be experienced. For these reasons, I am satisfied that the appeal scheme would provide a satisfactory level of living conditions in terms of outlook for occupiers of these properties. There would be no conflict with CDP Policies 29 and 31 or the Council's '*Residential Amenity Standards Supplementary Planning Document*' (RASSPD, 2020) which together seek to secure high quality and sustainable design in buildings and places, including high standards of amenity and privacy and reflect the approach and provisions set out in chapters 12 and 15 of the Framework.

Other Matters

32. The appeal scheme makes provision for a total of 10 affordable housing units. Although the Council's appeal statement makes reference to 8, rather than 10, units, the Council accepts that the lower level of provision would exceed the required standards set out within CDP Policy 15. A total of 10 units would exceed the minimum requirement and represents a significant benefit arising from the proposal and is a matter which carries considerable weight in support of the proposal.
33. The appellant has submitted a signed and dated planning agreement (S106) pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) with the appeal. The S106 relates to the provision of affordable housing (affordable rented units and discounted sale units); open space and public amenity space contribution and a health contribution.

34. The approach to, and tests in relation to the use of, planning obligations are set out in the Framework⁸ and Regulation 122(2) of the Community Infrastructure Regulations 2010 (as amended) (the Regulations). Obligations should meet all of the tests set out therein. The S106 would allow the proposal to comply with, and indeed exceed, the requirements of CDP Policy 15 in terms of affordable housing provision, whilst matters of contributions towards open space, public amenity space and its management (by way of a Landscape Management Plan) and a contribution towards health facilities can be adequately resolved through the provisions of the s106. I find no conflict with the Framework or the Regulations in this respect and I have taken the S106 into account in reaching my decision.

Conditions

35. I have carefully considered the Council's suggested conditions in light of the provisions of Framework and Planning Practice Guidance. I agree that time limit and plans conditions are necessary and reasonable in the interests of good planning and in order to provide certainty and have imposed those conditions as a matter of course.
36. Given that there are residential properties close to the appeal site, conditions to secure the control of dust, ground contamination and hours of site operation are required in the interests of the living conditions of occupiers of those nearby residential properties. For the benefit of existing nearby occupiers and future occupiers of the proposed dwellings, a condition to secure details of the disposal of foul and surface water will ensure adequate treatment of such matters, and is also both reasonable and necessary.
37. In the interests of character and appearance and the satisfactory appearance of the development upon completion, conditions regarding the submission of detail and subsequent implementation of appropriate tree protection measures, materials, hard and soft landscaping including access paths to, and through, the public open space, and the maintenance of the public open space, I have imposed the suggested conditions. With regard to a condition relating to the surface and maintenance of paths through the area of public open space to the south of the site, I have amended this to pick up on the appellant's undertaking to provide a further link to the track to the east of the site. I also agree that a range of conditions in the interests of sustainability and energy efficiency are reasonably related, necessary and proportionate to the proposed development. Thus, I have also attached conditions regarding glazing and ventilation details, energy efficiency, the provision of electric vehicle charging points and appropriate cycle storage facilities.
38. Finally, a condition regarding the accessibility of the proposed dwellings would contribute towards providing a range of housing types and housing mix, whilst a condition requiring the provision of integrated bat and bird (sparrow) boxes would help deliver biodiversity net gains. In reaching these conclusions regarding the suggested conditions I am satisfied that the suggested times at which the conditions 'bite' are reasonable, appropriate and proportionate.

⁸ Paragraphs 55 and 57

Conclusion

39. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should succeed.

G Robbie

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in strict accordance with the following approved plans: Location Plan 2821-011-P01; Proposed; Site Plan 2821-010-P28; EV Charge Point Locations 2821-013-P06; Materials Layout 2821-014-P03; Affordable Housing Tenure 2821-015-P06; Public Amenity Space Plan 2821-016-P04; Boundary Treatment Layout 2821-017-P02; Proposed Site Section 2821-020-P04; House Type 6 2821-105-P04; House Type 8 2821-107-P03; House Type 9 2821-108-P04; House Type 11 2821-110-P05; House Type 12 2821-111-P03; House Type 13 2821-112-P03; House Type 13 – Detached 2821-115-P04; House Type 14 2821-116-P03; 1B Bungalow 2821-117-P01; Apartment Block Plan 2821-118-P02; Apartment Block Elevations 2821-119-P02; Garage Types 2821-120-P02; Landscape Master Plan DIC-0001-P01.
- 3) No development shall commence until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall include as a minimum a Dust Action Plan including measures to control the emission of dust and dirt during construction. The approved Dust Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.
- 4) No development other than ground clearance or remediation works shall commence until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016. The development thereafter shall be completed in accordance with the details and timetable agreed.
- 5) No development other than ground clearance and remediation works shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 2 site investigation, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.
- 6) Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 Verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.
- 7) No construction work shall take place, nor any site cabins, materials or machinery be brought on site until a Tree Protection Plan and Arboricultural

Method Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall take place in accordance with the approved details.

- 8) No development other than ground clearance and remediation works shall commence until details of a final glazing scheme and uprated ventilation are submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall take place in accordance with the approved details.
- 9) The development shall take place in accordance with the details within the Sustainability Report by Richard Thermal Solutions. Prior to the first beneficial occupation of the dwellings a verification report demonstrating that reductions in CO2 emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on current Building Regulations has been achieved shall be submitted and approved in writing by the Local Planning Authority.
- 10) Prior to the construction above ground level of any of the dwellings hereby approved, a report compiled by a suitably competent person setting out how a minimum of 24 dwellings of the development will conform to Buildings Regulations M4(2) standard shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter in accordance with the approved details.
- 11) Prior to the occupation of any dwelling constructed to Buildings Regulations M4(2) standard as approved under condition 10, a verification report compiled by a suitably competent person demonstrating that the dwelling has been constructed to achieve Buildings Regulations M4(2) standard shall be submitted to and approved in writing by the Local Planning Authority.
- 12) No development other than ground clearance and remediation works shall commence until all details of the surface and maintenance of the paths through the area of public open space to the south of the site, which shall also include details of a path link through to, and exiting the site from, the eastern site boundary have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the paths shall be constructed in accordance with the approved details.
- 13) Notwithstanding any details of materials submitted with the application, prior to the construction above damp proof course details of the make, colour and texture of all walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
- 14) No dwellings shall be occupied until a scheme for the ongoing maintenance of the areas of public open space within the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. In the event of proposals to maintain the public open space by means other than through transfer to the Local Authority then the scheme shall provide for details of an agreed maintenance and cutting schedule in perpetuity.

- 15) All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

- 16) Prior to the first occupation of the development hereby approved, details of bin and cycle storage areas serving the users of the apartment block shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be made available prior to the occupation of the apartments.
- 17) Prior to the first beneficial occupation of any of the dwellings hereby approved the electric vehicle charging points (EVCP) shown on the EV Charge Point Locations 2821-013-P06 shall be installed.
- 18) Prior to the first beneficial occupation of the dwelling hereby details of the location and specification of a minimum of 4no. integrated bat boxes and sparrow terrace nest boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the boxes shall be retained for the lifetime of the development.
- 19) The development shall take place in strict accordance with Section 6 Recommendations and Mitigation of the submitted Preliminary Ecological Appraisal by Dendra.
- 20) No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

****end of schedule****