



Appeal Decision

Site visit made on 3 April 2024

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2024

Appeal Ref: APP/C5690/W/23/3325078

Miriam Lodge, 185 Dartmouth Road, London SE26 4RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hussein Ridha, on behalf of Shuttleworth (UK) Ltd, against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/21/123657.
 - The development proposed is demolition of existing annex building ancillary to the hostel at Miriam Lodge and construction of 9 three storey 4 bedroomed dwellinghouses together with the provision of cycling spaces at the rear, refuse/recycling storage, and a new vehicular access onto Dartmouth Road.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing annex building ancillary to the hostel at Miriam Lodge and construction of 9 three storey 4 bedroomed dwellinghouses together with the provision of cycling spaces at the rear, refuse/recycling storage, and a new vehicular access onto Dartmouth Road at Miriam Lodge, 185 Dartmouth Road, London SE26 4RQ in accordance with the terms of the application, Ref DC/21/123657, subject to the conditions in the schedule at the end of this decision.

Preliminary Matters

2. In the banner heading and formal decision above, I have set out a truncated form of the description of development in the appellant's appeal form and the Council's decision notice, omitting any superfluous text.
3. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. This has not raised any new matters which are determinative to the outcome of this appeal.
4. As part of their appeal submission, the appellant has provided a revised Daylight, Sunlight and Overshadowing Assessment¹ (DSOA), including an assessment of the impact of the proposed development on the daylight / sunlight levels of the neighbouring properties, and a Bat Emergence Survey² (BES). These documents are directly related to the Council's reasons for refusal, they do not materially alter the proposal, and the parties in the appeal have had an opportunity to comment on them through the appeal process. I am therefore satisfied that no party would be prejudiced by my consideration of them, and I have thus had regard to both documents.

¹ BLDA Consultancy – Daylight, Sunlight and Overshadowing Assessment – May 2023

² ASW Ecology Ltd – Bat Emergence Survey – Report Number: ASW/SHW/031/27/2023 – June 2023

Main Issues

5. The main issues are:

- The effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to light, privacy, outlook and noise; and
- The effect of the proposal on protected species, with particular regard to bats and birds.

Reasons

Living Conditions

6. The appeal scheme comprises demolition of an existing annex building and erection of two almost parallel rows of 3-storey terraced dwellings located between the existing hostel building at Miriam Lodge and the adjacent cul-de-sac of residential houses at Suncroft Place. There are further residential dwellings on Dartmouth Road and a flatted development at 179 Dartmouth Road to the northwest/west. To the east/southeast are the grounds of Holy Trinity Church, with further dwellings along Sydenham Park beyond.
7. The planning application was accompanied by a shadow study drawing³. This examines the potential level of overshadowing at 9am, 12pm and 3pm on the equinox date of 21 March. The drawing suggests that a degree of overshadowing affecting the rear garden areas of 10-12 Suncroft Place would occur around 3pm on this date, though much of this appears to be cast by existing obstructions, with the DSOA showing there would be minimal change in overshadowing to the rear of these properties on 21st March.
8. The DSOA confirms that all but one of the neighbouring amenity spaces assessed would receive at least 2 hours of direct sunlight on 21st March, in full compliance with the Building Research Establishment (BRE) guide levels. The front garden area of No 12 would not comply with the BRE guidance on this date. However, this space is on the north-west side of the dwelling. The DSOA shows that it already receives very limited direct sunlight at this time of year. Given its limited privacy and location it is also likely to be less frequently used than the rear garden space. Nevertheless, all 31 amenity spaces assessed, including the front garden of No 12, will retain BRE-compliant levels of sunlight in the summer months, when they are more likely to be used.
9. In terms of sunlight and daylight levels for neighbouring dwellings, the DSOA indicates the proposal would result in very little change overall. Of the 218 neighbouring windows that were assessed, 217 windows would comply with the BRE guide levels for Vertical Sky Component (VSC) after the construction of the proposed development. 100% of the rooms tested would fully comply with BRE targets for daylight distribution. Similarly, 100% of the site-facing windows tested which face within 90 degrees of due south, and the rooms they serve, would fully comply with both the annual and winter sunlight criteria.
10. The Council has not raised any concerns in respect of daylight or sunlight to other properties to the east and west of the appeal site, which are located along Dartmouth Road and Sydenham Park, which they found would be located

³ Drawing No BDM - PPA - XX- XX - DR- A – 20109 Rev P01

at a sufficient distance from the proposed development. There is no compelling reason before me to conclude otherwise.

11. Based on the evidence before me, I am therefore satisfied that the appeal proposal would not result in an undue loss of daylight or sunlight to neighbouring dwellings or their respective external amenity spaces.
12. Concerns have been received from interested parties with respect to the effect of the proposal on the outlook from neighbouring properties. However, the proposal would replace an existing large structure and adequate separation distances would otherwise be maintained to all neighbouring properties. Moreover, the scheme would be partially screened, particularly in views from properties to the south-east and north-west, by intervening vegetation. This would sufficiently negate any undue sense of enclosure or overbearing effect. Notably, the Council did not identify any adverse impact on the living conditions of neighbours arising from a sense of enclosure or loss of outlook.
13. With respect to privacy, adequate separation distances would be maintained between windows within the proposed dwellings and those within neighbouring dwellings and their immediate rear garden areas, sufficient to prevent any undue loss of privacy for the occupiers of neighbouring properties. While the plans initially submitted with the application depicted second floor balconies serving the proposed dwellings, amended plans submitted during the course of the application removed these from the scheme.
14. With respect to noise, the appeal scheme comprises a residential development within an existing urban area surrounded by other residential uses. Given this context, there is no reason to suspect that the proposed use of the site for this purpose would result in undue levels of noise or disturbance for the occupiers of neighbouring properties. Likewise, while a degree of artificial light would be generated by the development, there is no compelling evidence that this would be greater than that generated by the existing use, or that it would be of a level that would be harmful to the living conditions of neighbouring occupiers.
15. I conclude that the proposal would not have an unduly harmful effect on the living conditions of the occupiers of neighbouring properties, with particular regard to light, outlook, privacy and noise. It would be in accordance with Policy 15 of the Core Strategy Development Plan Document Adopted June 2011 (the Core Strategy) and DM Policy 33 of the Development Management Local Plan Adopted 26 November 2014 (the DM Local Plan). These policies, among other provisions, seek to ensure that development is sensitive to local context and provides no significant loss of privacy or amenity for adjoining houses and rear gardens.
16. Furthermore, I have not identified any conflict with the guidance contained within the Lewisham Small Sites Design Guide (SSDG), which sets out general principles for the design of small sites and backland development, and seeks to limit direct overlooking, including privacy standards for neighbouring rear gardens. Additionally, the proposal would comply with paragraph 135 of the Framework which, among other provisions, seeks to ensure that developments create places with a high standard of amenity for existing and future users.

Protected species

17. The planning application was supported by a Preliminary Ecological Assessment (PEA)⁴. This found that there was no evidence of bats present within the top floor of the building to be demolished or under external features, upon inspection. However, there was external bat roosting potential, with some crevices within damaged roof sections, behind wooden boarding and under felt. Representations from the Council's Ecologist highlighted that the PEA needed to be followed up with one bat emergence survey conducted during the active bat season (between May and September).
18. The BES submitted with this appeal was conducted in June 2023. It recorded bats foraging or commuting along the adjacent tree line and gardens. However, it concluded that there were no bat roosts present at the appeal building, and there would be no direct or indirect impact from the proposed demolition works that would be harmful to the bat populations in the area. Nevertheless, the report recommends 3-4 bat boxes be installed at the site for local bats to use and that bat friendly planting be introduced to any new landscaping scheme, as a means of biodiversity enhancement. It also recommends that any artificial lighting is bat friendly. These measures can be secured by planning condition.
19. Interested parties have raised concerns regarding the impact of the proposals on birds. The Council's Ecologist initially commented that the existing building seems likely to be suitable for nesting birds. However, the submitted PEA found that there were no active bird nests at the application site. Although the shrubs and trees do have potential for the occasional hidden bird nest to be present, the evidence indicates that it is highly unlikely that any rare or notable breeding species could be nesting at this site.
20. Other ecological mitigation and enhancement measures are recommended within the submitted PEA, including removal of invasive non-native plant species, and provision of hedgehog doorways in fence panels, insect and bird nest boxes and other wildlife friendly planting. It is also recommended that no vegetation be removed during the bird nesting season and that other vegetation at the application site is appropriately managed. Such measures can also be secured by planning condition. The Council's Ecologist has confirmed they agree with the findings and recommendations of the PEA.
21. Notwithstanding my findings above, all bat species are protected under the Conservation of Habitats and Species Regulations 2017 and all wild birds are protected under the Wildlife and Countryside Act 1981. Among other restrictions, it is an offence to intentionally kill, injure, disturb or capture protected birds or bats, or their nests. The appellant remains bound by these provisions at all times and must act appropriately should they encounter protected species or their nests on site.
22. I conclude that the proposal would not have a harmful effect on protected species, with particular regard to bats and birds. It would be in accordance with Policy 12 of the Core Strategy and DM Policy 24 of the DM Local Plan. These policies, among other provisions, seek to preserve or enhance local biodiversity interests and require new development to take full account of biodiversity, ensuring the delivery of benefits and minimising of potential impacts on biodiversity.

⁴ ASW Ecology Ltd – Preliminary Ecological Assessment – Report Number: ASW/SHW/055/26/2022– August 2022

Other Matters

23. The appeal site sits outside of, albeit adjacent to, the Sydenham Park Conservation Area (CA). The evidence also indicates there are several locally listed buildings in the vicinity, including 165-175 Dartmouth Road and 37-43 Sydenham Park. The surrounding area is primarily residential in nature, though commercial uses can be found further along Dartmouth Road in both directions. There is a mix of dwelling types and sizes in the vicinity, as well as other buildings of varying scale. Trees are a prevalent feature on the appeal site and within the surrounding area, and positively contribute to the setting of the CA.
24. The proposed dwellings would be set out in two rows. The shorter terrace would sit broadly in alignment with the adjacent terrace at Suncroft Place. Though taller than these neighbouring dwellings, the scale of the proposals would not be out of keeping with their immediate surroundings, particularly in the context of the traditional terraces on Dartmouth Road and Sydenham Park, and the large adjacent hostel building and apartment block.
25. Notably, the Council's Conservation Officer considered the built form of the proposals to be appropriate, and the Council's Officer Report concluded the scheme would preserve or enhance the character or appearance of Sydenham Park Conservation Area and the neighbouring locally Listed Buildings or their setting, subject to conditions. There is no compelling reason before me to conclude otherwise.
26. Concerns have been raised regarding the effect of the proposal on existing trees, the limited information regarding the proposed soft landscaping, and the effect this would have on the setting of heritage assets. I saw on my site visit that there are a number of trees on the appeal site, particularly along the north-east and south-east boundaries. Nine existing trees to the south east of the site are subject to a Tree Preservation Order.
27. There is no detailed soft landscaping scheme before me. However, a Tree Constraints Plan⁵ and Tree Survey⁶ have been provided. Additionally, the proposed site plan⁷ and demolition plan⁸ show trees to be retained. These plans indicate that several large trees to the rear of the existing annex building would remain, as would existing trees along the north-west boundary.
28. The cypress trees along the north-east boundary, which provide an element of screening, would be removed. However, some are growing close to the existing building or are of limited quality and provide only a limited contribution to the character and appearance of the area and the setting of heritage assets. Moreover, the plans before me indicate that there would be replacement planting provided along the north-eastern boundary of the site, in addition to along the site access and within front garden areas. There would also remain numerous trees beyond the site boundaries, particularly to the north-west and south-east, that continue to provide a valuable contribution. In this instance, I am satisfied that the protection of trees to be retained and the provision of a detailed soft landscaping scheme that would preserve the character and appearance of the area and the setting of heritage assets can be secured by planning condition.

⁵ Reference 4105/01/D16-2858 Revision 2

⁶ Reference 16-2859

⁷ Drawing Number BDM - PPA - XX- XX - DR- A - 20105 Revision P05

⁸ Drawing Number BDM - PPA - XX- XX - DR- A - 20104 Revision P02

29. The evidence indicates that the westernmost of the proposed dwellings within the long terrace, adjacent to the existing substation, would receive a more limited amount of daylight. However, the VSC results for windows in this dwelling would not be significantly below BRE guidance. Moreover, only the front facing dining room of this dwelling would fall marginally below the BRE criteria for illuminance. Given the urban context of the site and the overall performance of the scheme in this regard, this would not provide an unduly harmful living environment for future occupiers.
30. I recognise that this dwelling would also feature a more constrained rear garden space due to its relationship to the adjacent electricity substation. However, it would also benefit from a reasonably sized front garden area. Notably, the Council found that all of the dwellings would be provided with private amenity space that would exceed minimum requirements. The proposal would thus provide adequate external amenity space for future occupiers.
31. Interested parties have raised concerns regarding the effect of the proposal on surface water drainage in the area. I saw on my site visit that a large proportion of this area is a concrete surface or is otherwise occupied by the existing annex building. The appeal proposal would introduce permeable surfaces and soft landscaping. The submitted Design and Access Statement indicates that sustainable urban drainage will be incorporated into the design of the buildings and landscape. I am satisfied that the proposal would not unduly increase the risk of flooding and full details of surface water drainage and hard and soft landscaping can be secured by planning condition.
32. Following amendments to remove proposed parking bays, requested by the Council during the application process, the proposal would constitute a car-free development. Concerns have been raised by interested parties regarding the increased volume of residents using cars and the lack of proposed car parking.
33. The surrounding area is not a Controlled Parking Zone (CPZ) and there is no compelling evidence before me to indicate a CPZ is proposed. The proposal is supported by a Transport Statement⁹ including a parking survey. The Transport Statement found that, based on census data, the proposed dwellings could result in additional parking demand for 9-10 cars. However, further analysis by the Local Highway Authority (LHA) using the sites specific lower output area found that the scheme would result in a potential demand for just 4 vehicles. The parking survey indicates a parking occupancy between 68% to 78% (9-13 spaces available for parking within 200m of the site). Additionally, the site has a Public Transport Accessibility Level (PTAL) of 4, indicating relatively good access to public transport.
34. The LHA were satisfied that the proposed parking provision would accord with the London Plan, and the Council has not otherwise raised any concerns in respect of this matter. There is no compelling reason before me to conclude otherwise.
35. Nevertheless, the Council has suggested a planning obligation should be secured to restrict future occupiers from purchasing a car parking permit if a CPZ is introduced in the local area, and to provide a car club scheme at the site. There is however no legal agreement or other mechanism before me to secure these measures.

⁹ Transport Statement For Bedu – Motion – Issue Final Rev A – Date 13/04/2022

36. Given the availability of parking in the local area, the accessibility of public transport, and as there is currently no CPZ locally, I do not find that an obligation to prevent future occupiers obtaining parking permits would be necessary to make the development acceptable in planning terms. There is no compelling evidence to indicate that the proposal would otherwise have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The issuing of permits is the responsibility of the LHA and would be enforced through the Traffic Regulation Orders, should a CPZ be introduced. Additionally, the Council has not provided any compelling justification for the requirement for a car club at the site and, given the PTAL in this area, I do not find this to be necessary based on the evidence before me.
37. Disruption from construction activity, including noise and other disturbances, will be temporary and can be managed through compliance with a demolition and construction method statement in the interests of the living conditions of neighbouring residents. Final details of this can be secured by planning condition, prior to commencement of development.
38. Interested parties have raised concerns that local infrastructure needs maintenance and improvement. However, no further information has been provided, and there is no compelling justification before me to indicate that the appeal proposal should directly contribute towards this. This matter is otherwise beyond the scope of this appeal.
39. In terms of affordable housing provision, the Council has confirmed that the application proposal falls below the threshold for seeking affordable housing set out in the development plan.
40. Matters relating to any legal 'Right to Light' are private matters and fall outside of the scope of this appeal.

Conditions

41. The Council did not provide a comprehensive list of conditions which they consider should be imposed if planning permission is granted. I have nevertheless considered the evidence before me, including representations from interested parties and technical consultees, and set out a list of planning conditions, having regard to the Planning Practice Guidance (PPG) and the tests for conditions set out in Paragraph 56 of the Framework.
42. In addition to the conditions I refer to above and the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. Conditions to secure details of external finishing materials, boundary treatments, solar photovoltaic panels, heat pumps and mechanical ventilation equipment are required to safeguard the character and appearance of the area.
43. A condition requiring obscure glazing and limited opening of the south-west facing windows within the gable elevation of the proposed short terrace is required to protect the privacy of the occupiers of Miriam Lodge.
44. A refuse and servicing strategy is required to ensure the appropriate management of waste from the development and in the interests of highway safety. Details of the proposed cycle parking provision are also required to be agreed to ensure this is adequate to provide an alternative means of transport to the private car.

45. In order to safeguard the health of those working on the site, future occupiers and visitors, and the occupiers of neighbouring properties, an assessment of the risks posed by any contamination is required to be secured by condition, along with any necessary site remediation and measures to deal with any unexpected contamination.
46. In response to the list of conditions set out, the Council did later suggest an additional 5 conditions, however no reasoning or development plan policies or guidance documents relevant to those conditions have been provided. Nonetheless, in respect of unsuspected contamination, this is already covered by condition No 4.
47. With regard to the other conditions suggested, the PPG indicates that blanket removal of freedoms to carry out small scale domestic alterations that would otherwise not require planning permission are unlikely to meet the tests of reasonableness and necessity. The scope of such conditions needs to be precisely defined. In this case, no compelling justification has been provided for the blanket removal of permitted development rights.
48. Additionally, in the absence of relevant development plan policies or guidance documents, it is not clear where suggested conditions requiring compliance with optional building regulations standards and restrictions on emissions from construction machinery are derived from.

Conclusion

49. The proposed development would adhere to the development plan as a whole and there are no other considerations that would outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Ryan Cowley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - BDM - PPA - XX - XX - DR -A - 20101-REV P01;
 - BDM - PPA - XX - XX - DR -A - 20102-REV P01;
 - BDM - PPA - XX- XX - DR- A - 20104-REV P02;
 - BDM - PPA - XX- XX - DR- A - 20105-REV P05;
 - BDM - PPA - XX- XX - DR- A - 20106-REV P04;
 - BDM - PPA - XXXX - DR- A - 20108-REV P03;
 - BDM - PPA - XX- 00 - DR- A - 20200-REV P02;
 - BDM - PPA - XX- 01 - DR- A - 20201-REV P02;

BDM - PPA - XX- 02 - DR- A - 20202-REV P03;
BDM - PPA - XX- RF - DR- A - 20203-REV P03;
BDM - PPA - XX- 00 - DR- A - 20205-REV P02;
BDM - PPA - XX- 01 - DR- A - 20206-REV P01;
BDM - PPA - XX- 02 - DR- A - 20207-REV P02;
BDM - PPA - XX- RF - DR- A - 20208-REV P02;
BDM - PPA - XX- XX - DR- A - 20400-REV P02;
BDM - PPA - XX- XX - DR- A - 20401-REV P03;
BDM - PPA - XX- XX - DR- A - 20402-REV P03;
BDM - PPA - XXXX - DR- A - 20403-REV P02;
BDM - PPA - XX- XX - DR- A - 20404-REV P03;
BDM - PPA - XX- XX - DR- A - 20405-REV P02;
BDM - PPA - XXXX - DR- A - 20406-REV P03;
BDM - PPA - XX- XX - DR- A - 20407-REV P03;
BDM - PPA - XX- XX - DR- A - 20107-REV P02;
BDM - PPA - XXXX - DR- A - 20300-REV P03.

- 3) No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v. wheel washing facilities;
 - vi. measures to control the emission of dust and dirt during demolition and construction;
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii. delivery, demolition and construction working hours.

The approved Demolition and Construction Method Statement shall be adhered to throughout the demolition and construction period for the development.

- 4) No development shall take place, including any works of demolition, until an assessment of the risks posed by any contamination, carried out in accordance

with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 14 days of the report being completed and approved in writing by the local planning authority.

- 5) No site clearance, preparatory work, demolition or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved. If any retained tree is cut down, uprooted or destroyed or dies during development activities, another tree shall be planted at the same place of such similar size and species, and at such time, as may be specified in writing by the local planning authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved Drawing Number BDM - PPA - XX- XX - DR- A – 20105 Revision P05.

- 6) No development above finished ground floor level shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
- i. a statement setting out the design objectives and how these will be delivered;
 - ii. tree and shrub planting plans, including native species and wildlife friendly planting, and the removal of non-native invasive plant species;
 - iii. written specifications, including cultivation and other operations associated with plant and grass establishment;
 - iv. schedules of trees and plants noting species, plant supply sizes and proposed numbers/densities;
 - v. earthworks showing existing and proposed finished levels or contours;
 - vi. means of enclosure, retaining structures and boundary treatment[s];
 - vii. vehicle and pedestrian access and circulation areas;

- viii. hard surfacing materials;
- ix. minor artefacts and structures [e.g. furniture, play equipment, refuse or other storage units, signs, etc.];
- x. an implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.

- 7) Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.
- 8) No development above finished ground floor level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 9) No development above finished ground floor level shall take place until a refuse and servicing strategy has been submitted to and approved in writing by the local planning authority. This shall include:
 - i. plans depicting the swept paths of typical refuse and service vehicles entering and exiting the site in a forward gear;
 - ii. details of where service vehicles will dwell within the site while undertaking deliveries;
 - iii. the anticipated number of service vehicles arriving and departing the site;
 - iv. details of refuse and re-cycling collection points;
 - v. details of how bins will be brought out to collection points on collection days and returned to bin stores; and
 - vi. the number, size and location of residential bins and where these are stored.

The details approved shall be provided and completed in accordance with this condition prior to the first occupation of the development and maintained for the lifetime of the development.

- 10) The development hereby permitted shall not be occupied until full details of the proposed cycle parking provision, including the type and dimensions of the cycle stands/storage proposed, has been submitted to and approved in writing by the local planning authority. The cycle parking approved shall be provided and completed in accordance with this condition prior to the first occupation of the development and maintained for the lifetime of the development.
- 11) The development hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning

authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and,
 - iii. provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 12) The development hereby permitted shall not be occupied until the south-west facing windows within the gable elevation of the approved short terrace have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 13) The development hereby permitted shall not be occupied until a scheme for wildlife and nesting features has been submitted to and approved in writing by the local planning authority. This shall include as a minimum:
- i. 3 bat boxes at the site boundaries;
 - ii. 2 bird boxes on trees or buildings;
 - iii. 2 insect nesting boxes in a warm and dry place near to vegetation; and
 - iv. Hedgehog doorways at regular intervals within garden fencing, so that hedgehogs are able to commute within the local landscape, without any blockages in their pathways.
- Full details should be provided of the feature's dimensions, location, height, orientation and distance from any external lighting, in plan and elevation views. The details approved shall be provided and completed in accordance with this condition prior to the first occupation of the development and maintained for the lifetime of the development.
- 14) The development hereby permitted shall not be occupied until an external lighting scheme has been submitted to and approved in writing by the local planning authority. Artificial lighting must be bat friendly and adhere to best practice, including no UV elements and no metal halide or fluorescent sources. Light spillage should be curtailed, and warm white spectrum light should be used, with no blue light components. LED luminaires should also be used, and any new security lighting should be set on motion sensors with short timers.

The details approved shall be provided and completed in accordance with this condition prior to the first occupation of the development.

- 15) The clearance of any vegetation, including trees, bushes, shrubs, hedges, bramble scrub or dense ivy cover, shall take place outside of the bird nesting season (January to August inclusive), unless a competent ecologist has undertaken a careful, detailed check within 48 hours prior to the relevant works taking place and provided written confirmation that no birds will be harmed. Any such written confirmation should be submitted to the local planning authority, prior to the work being carried out.
- 16) Installation of the following equipment shall not take place until full details of the equipment have been submitted to and approved in writing by the local planning authority:
- i. solar photovoltaic panels;
 - ii. mechanical ventilation equipment; and
 - iii. heat pumps.

The approved equipment shall be provided and completed in accordance with this condition.

END