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# Appeal Decision

Site visit made on 8 April 2024

**by K Williams MTCP (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8<sup>th</sup> July 2024**

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**Appeal Ref: APP/V0510/W/23/3328203**

**Land to the Rear of Garden Close, Sutton, Cambridgeshire CB6 2RF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by Abbey Developments Ltd against the decision of East Cambridgeshire District Council.
- The application Ref 22/00057/RMM sought approval of details pursuant to condition 1 of a planning permission Ref 17/01445/OUM, granted on 18 January 2019.
- The application was refused by notice dated 27 April 2023.
- The development proposed is described as 'Reserved Matters for appearance, landscaping, scale and layout for the erection of 47 homes including public open space of previously approved outline planning application 17/01445/OUM for erection of up to 53 houses to include public open space and details relating to access.
- The details for which approval is sought are: appearance, landscaping, layout and scale.

## Decision

1. The appeal is allowed and the reserved matters are approved, namely appearance, landscaping, layout and scale submitted in pursuance of condition No 1 attached to planning permission Ref 17/01445/OUM, granted on 18 January 2019, in accordance with the terms of the application Ref 22/00057/RMM and subject to the conditions in the attached schedule.

## Applications for costs

2. An application for costs was made by Abbey Developments Ltd against East Cambridgeshire District Council. This application is the subject of a separate Decision.

## Preliminary Matters and Background

3. The appeal follows the Council's refusal for the reserved matters for appearance, landscaping, scale and layout of the approved outline planning application 17/01445/OUM (the parent permission) granted at appeal<sup>1</sup> in 2019. The appeal before me was refused permission for three reasons relating to the provision of single storey homes, housing mix and the effect of fencing on the occupiers of No 10 Oates Lane.
4. A separate appeal for the reserved matters<sup>2</sup> was dismissed in 2021. However, since this appeal was lodged another reserved matters application<sup>3</sup> was

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<sup>1</sup> Appeal Ref: APP/V0510/W/18/3195976

<sup>2</sup> Appeal Ref: APP/V0510/W/3275044

<sup>3</sup> Council Ref: 23/00870/RMM

approved by the Council in March 2024. The approved 2024 reserved matters scheme follows a similar layout and design as the appeal before me.

5. I therefore accepted further information from the occupiers of No 10 regarding the approved 2024 reserved matters application. I was provided with the committee report, transcript of the committee meeting, the Council's decision notice, the approved site layout plan, and the Police Designing Out Crime officer comments. I was also provided with the application<sup>4</sup> for the approval of details reserved by condition No 8 of the 2024 reserved matters approval. The Council and the appellant were given the opportunity to comment. The Council discharged condition No 8 on 13 May 2024. I return to this matter later.
6. An updated Landscape and Visual Impact Assessment<sup>5</sup> was provided with the appeal. I have accepted this because it does not fundamentally change the proposal. The Council and other parties will have had the opportunity to review this as part of the appeal process.
7. The Committee Report for the approved 2024 reserved matters permission identified that the emerging Replacement Sutton Neighbourhood Plan (the RSNP) has yet to be examined. Only moderate weight can be given to the RSNP and its policies, and I have no evidence to contrary to take a different view on this matter.

### **Main Issues**

8. The main issues are:
  - whether the proposal would provide predominantly single storey homes;
  - whether the proposal would provide an appropriate mix of housing; and
  - whether the proposed development would harm the living conditions of the occupiers of No 10 Oates Lane.

### **Reasons**

#### *Single storey homes*

9. The site is located on fields on the edge of the village of Sutton. It would be accessed from Garden Close, which mostly consists of single storey homes. The proposal is for the construction of bungalows and two storey houses, which incorporate a mix of dwelling types and sizes including detached, semi-detached and terraced homes.
10. Following the grant of the parent permission, Policy NP5 of the Sutton Neighbourhood Plan 2017–2036, made 30 May 2019, (the SNP) was updated to reflect this approval. The SNP Examiners Report of March 2019 recommended changes to be made to the supporting text to Policy NP5 to reflect local aspirations for the site. This included criterion i) that the development should be predominantly low-density single-storey dwellings. The Council's concerns are that the development does not meet this requirement in terms of the amount of single storey homes on site. However, Policy NP5 does not set an absolute requirement for this, nor does it define the term.

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<sup>4</sup> Council Ref: 23/00870/DISA

<sup>5</sup> Appellant Appendix U: 23.1671

11. There is uncertainty within the Council's evidence as to whether this means a certain percentage or represents a visual judgment. The Council has not sought to clarify what is meant nor addressed the appellants view that predominantly is 51%. However, Policy NP5 also requires that development should preserve important views from the south towards St Andrew's Church, from Lawn Lane and Station Road across the cricket fields.
12. It has been put to me that the provision of single storey homes at 55% falls short of what can be considered predominantly, but clearly over half the scheme would be single storey development. Single storey development would sit naturally alongside the existing homes on Garden Close and Pipkin Lane and therefore due to their lower height views of the elevated and distinctive St Andrew's Church would be preserved. Single storey homes would also be positioned along the eastern and southern edge of the site which lie adjacent to open fields, thus offering a similar village edge interface with the countryside as the current properties on Garden Close.
13. Although there would be tree removals, a central area of trees would provide a backdrop, enclose and also soften views of the more centrally positioned two-storey homes. The proposed terraced homes also have relatively shallow roof pitches and are not excessively high. The orientation of buildings and the space created by the back-to-back gardens and the parking court of the terraces would help provide open areas across the site from east to west. As there are bungalows in the northern part of the site the two-storey homes would almost be surrounded by single storey development, and in my opinion would not dominate the site.
14. I am aware there has been reduction in the overall number of homes, two-storey properties and that ridge heights have been lowered from the dismissed 2019 reserved matters appeal. The proposed development would be of a suitable density and single storey homes would appear as the predominant house type. With the proposed landscape enhancements, I am satisfied that the development would preserve the views referenced in policy NP5.
15. I therefore conclude that the proposed development would appear and provide predominantly single storey homes. The development would therefore be in accordance with Policy NP5 of the SNP, the provisions of which I have referred to above.

### *Housing Mix*

16. The issue of housing mix is set out in Policy HOU1 of the East Cambridgeshire Local Plan adopted 2015 (the Local Plan). Although the supporting text identifies that it will be determined on a site by site basis, the wording of Policy HOU1 states that development should provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs as identified in the most recent available housing evidence relating to the locality. Policy NP7 of the SNP similarly seeks to meet the needs of the village particularly through the provision of two-bedroom dwellings as well as homes that can meet an ageing population.
17. The Council has subsequently considered, in the 2024 reserved matters application, that the AECOM Sutton Housing Needs Assessment (September 2021) is the most recently available housing evidence, as such I shall also proceed on that basis. The assessment advises that new development might

involve the following share of dwelling sizes 23% as one-bedroom, 47% as two-bedrooms, 18% as three-bedrooms, 0% as four-bedrooms and 12% as five or more bedrooms.

18. The development would not meet this mix, and this forms the crux of the Council's concerns. However, there is evidence that engagement with the Council's Housing Strategy and Enabling Officers informed the mix and their advice that the housing register showed a preference for two-bedroom bungalows. I also note that the appellant was given no encouragement for the provision of one or five-bedroom homes during responses from the Housing Officers.
19. Furthermore, whilst the proposed development does not provide any one or five-bedroom homes neither have any been secured in the approved 2024 reserved matters application. The associated committee report also casts some doubt as to whether any development on the site could achieve alignment with the AECOM assessment, concerning to the effect of large homes on the character of the site. In any event, given the material consideration of the later approval, the failure to provide one and five-bedroom homes is not reason to resist the scheme.
20. The proposed development focusses on providing smaller homes. It would provide more two-bedroom homes than any other type and the AECOM assessment predicts these to be increasingly in demand as a result of an ageing population in the village. The proposal would also provide a greater proportion of three bedroom homes which would also serve to provide smaller homes, which the AECOM assessment has also identified would be suited to younger residents and families.
21. On this basis, and in the absence of substantive evidence to the contrary, I conclude that the scheme would provide an acceptable housing mix that would meet the overall aims and objectives of HOU1 of the Local Plan and NP7 of the SNP. Together these seek to ensure that housing development must contribute to meeting the needs of the community.

### *Living Conditions*

22. The property at No 10 is able to operate as a care home and a family home. I do not consider it appropriate to go into detail, but the occupants of No 10 require long term privacy and security to enable the current level of freedoms to remain for the occupiers and carers. It has been demonstrated by the occupants of No 10, supported by numerous practitioners, that the proposed development could result in a different form of care having to be provided or lead to the care setting and family home environment to fail.
23. I have had due regard to the Human Rights Act 1998 (HRA) and the Public Sector Equality Duty (PSED) under the Equality Act 2010. Disability is a relevant protected characteristic to which the PSED applies. I have kept these interests at the forefront of my mind. However, they are qualified rights and interference may be justified where in the public interest. The concept of proportionality is key.
24. As such, in order to moderate the effects of the development a 2.4m acoustic fence and stock proof fence with additional planting surrounding the garden of No 10 has been proposed. This would provide a barrier largely preserving

- privacy and alleviating noise. The Council's concerns relate to the location of the proposed acoustic fence, and the effect upon the outlook of the occupiers of No 10 from the therapeutic garden, a concern echoed by the occupiers.
25. However, No 10 has relatively open garden boundaries with the appeal site. Although there are numerous trees along the rear garden boundary, the openness of the existing site would be able to be readily appreciated. The presence of the acoustic fence and the restricted landscape buffer with tree planting would in this context, be placed relatively close to the rear garden boundary, and would be positioned virtually around its entire length. The fencing would be acutely experienced by the occupiers of No 10. Together with the tree planting there would be an enclosing effect. This would reduce the existing levels of openness experienced and would limit the enjoyment and therapeutic use of the garden. This would be to the detriment of the living conditions of the existing occupants of No 10.
26. However, the approved 2024 reserved matters application revised the position of the acoustic fencing to move it further from the boundary with No 10. If as suggested this were imposed on this permission, this would allow a greater separation distance, and more breathing space for planting, thus providing a more open and less enclosing outlook. The Council and the appellant agree that if the development were to be amended to reflect this approval, that this would overcome the third reason for refusal. Significantly, the occupiers of No 10 have stated some acceptance of moving the acoustic fence further away and substituting an anti-climb fence instead of the stock proof fence.
27. The appellant and the Council are of the view that the amendment to the boundary could be secured by a condition imposed upon the appeal scheme, and I see no reason to disagree. I also do not consider that such an alteration would be a significant change or prejudice other interested parties, as the approved 2024 reserved matters scheme already encompasses the amended position of the fence and the Council has discharged condition No 8 in respect of this boundary.
28. I appreciate the development of the site, will have an effect on the occupiers of No 10. However, based upon the information before me I am satisfied that subject to an appropriately worded condition, that moving the acoustic fence further away would be a proportionate response to mitigate the effects and preserve the living conditions of the occupiers of No 10.
29. The proposal would therefore accord with Policy ENV2 of the Local Plan. Insofar as it is relevant to this matter this seeks to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers.

### **Other Matters**

30. The site is outside the Sutton Conservation Area (the SCA). It is also within the setting of St Andrew's Church (Grade I), Rectory Farmhouse and Rathmore (both Grade II). I have therefore had regard to the statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. From my observations, the significance of the SCA includes its rural setting and architectural and historical quality of buildings. The significance of the listed buildings includes their positive contribution to SCA, their architectural quality and also their contribution to the historic and social development of the village.

31. There is no compelling evidence before me that the proposed development would have a harmful impact on the setting of the SCA, or any listed buildings. I note that the Council has not raised the effect on either as a reason for refusal. The Council officer report identifies that the proposed development would have a neutral impact on the historic environment.
32. The appeal site contributes to both the rural setting of the SCA and therefore the above listed buildings. As I have identified above the development would have an appropriate site layout. The position and lower height of the dwellings on the periphery of the site would ensure that the development would not have an unacceptably impinge on views towards the church and would not have a significantly different relationship to the existing later development and dwellings which adjoin the historic parts of the village. The development would result in the loss of a rural field, but the effects on the rural character and the setting of the heritage assets, would be on the lesser end of the notional scale of less than substantial harm.
33. Paragraph 208 of the National Planning Policy Framework states that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Although I attribute great weight, in this case, the provision of up to 47 additional dwellings, a significant number of which are single-storey two-bedroom homes alongside the provision of affordable housing would be a public benefit which clearly outweighs the less than substantial harm to the setting of the SCA and the listed buildings.
34. Other concerns have been raised, mainly by local residents. These include but are not limited to effect on living conditions, noise, loss of privacy, loss of light and loss of view, future occupier's living conditions, lack of nearby services and facilities. Environmental effects such as light pollution, loss of trees, effect on footways, land levels, harm to wildlife and ecological habitats has also been raised.
35. In addition drainage, surface water and flood risk are a concern for many local residents. Other matters also include highway safety, parking provision, lack of cycle route, lack of public transport, as well as the overall layout and connectivity of the development. Matters relating to the principle of development and loss of the green field have also been raised and additional financial contributions have also been raised.
36. Overall the above matters are largely identified and considered within the Council officer's report on the appeal scheme and were before Councillors when they determined the planning application. They were also before the Council when it prepared it prepared its evidence and when it submitted its case. Other than as set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission.
37. The Council has not sought to secure other contributions and advises that it is not possible to secure them and I have no evidence to disagree. Furthermore, the 2024 reserved matters permission has already been granted for a similar development. This indicates that such matters can be adequately addressed or are subject to existing conditions.

## Conditions

38. I have considered the conditions attached to the outline planning permission alongside the Council's suggested conditions in light of the guidance of the Planning Practice Guidance (PPG) and the National Planning Policy Framework. Where necessary I have amended some of the wording for clarity.
39. A plans condition is necessary as this provides certainty. Conditions relating to the revision to the boundary fencing with No 10, an updated construction management strategy, and maintenance of the fences has been imposed. These are necessary to preserve the living conditions of the occupiers of No 10. A condition requires details of any piling and therefore mitigation and is necessary to protect the living conditions of nearby residents.
40. Conditions relating to an updated landscape and ecology maintenance plan and surveys are necessary. These are required to protect and provide enhancements for wildlife and habitats.
41. Conditions requiring details of the maintenance and management of the proposed streets, for the development to provide accesses to dwellings from the road and private driveways, surfaces to be formed and visibility splays are imposed. These are necessary in the interests of highway safety.
42. A condition which relates to the provision of hedgerows and trees, the timing of planting and its management and maintenance, development to be carried out in accordance with the arboricultural method statement and compliance with the schemes are also imposed. These conditions are in the interests of the visual appearance and biodiversity value of the site and are therefore necessary. A condition which relates to lighting and is necessary to safeguard living conditions of nearby residents and nocturnal biodiversity.
43. A Condition relates to the removal of permitted development rights contained within The Town and Country Planning (General Permitted Development) (England) Order 2015, which allow the additional stories, alterations to the roof. These are necessary given the requirement for single storey development.
44. Conditions are necessary to secure details of the proposed materials in the interests of the visual appearance of the area. A condition which seeks to provide cycle storage and is necessary in the interests of encouraging sustainable modes of transport.

## Conclusion

45. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. I have assessed the proposal against the relevant policies and in the absence of substantive evidence to the contrary found that it would accord with them.
46. Furthermore, given my conclusions on the main issues and wider matters raised, there is no basis to conclude that human rights would be interfered with or violated as a consequence of the proposed development being implemented. In performing my function on behalf of a public authority I have also exercised my duties under the PSED contained in the Equality Act 2010. Again, given my conclusions on the main issues and wider matters raised, I am satisfied that a grant of planning permission would not unacceptably interfere with the right to

a private and family life and home. It is proportionate in the circumstances to allow the appeal.

47. For the reasons given above, I conclude that the appeal should be allowed.

*K Williams*

INSPECTOR

## Conditions Schedule

- 1) Development shall be carried out in accordance with the drawings and documents listed below, except insofar as may be otherwise required by other conditions to which this permission is subject:

Drg No 1925/P/210.01 Location Plan;  
Drg No 1925/P/210.02 Rev G Site layout;  
Drg No 1925/P/210.03 Rev F Boundary treatments;  
Drg No 1925/P/210.04 Rev F Materials Layout;  
Drg No 1925/P/210.06 Rev F Proposed Levels Plan;  
Drg No 1925/P/210.07 Rev F Proposed Open Space; and  
Drg No 1925/P/220.01 Rev B Type 2b Bung - Floor Plans;  
Drg No 1925/P/220.11 Rev C Type V - Floor Plans;  
Drg No 1925/P/220.31 Rev C Type A, 994 - Floor Plans;  
Drg No 1925/P/220.41 Rev C Type N, Stirling - Floor Plans;  
Drg No 1925/P/220.51 Rev C Type AFF 2b Bung - Floor Plan;  
Drg No 1925/P/220.61 Rev D Type HA1 - Floor Plans;  
Drg No 1925/P/220.71 Rev B Type 2BHA - Floor Plans;  
Drg No 1925/P/220.101 Type 3B Bung B - Floor Plans;  
Drg No 1925/P/220.111 Rev A Type 3B Bung A - Floor Plans;  
Drg No 1925/P/220.121 Type 2B - Floor Plans;  
Drg No 1925/P/220.02 Rev B Type 2b Bung - Elevations 1;  
Drg No 1925/P/220.03 Rev B Type 2b Bung - Elevations 2;  
Drg No 1925/P/220.12 Rev C Type V - Elevations 1;  
Drg No 1925/P/220.13 Rev C Type V - Elevations 2;  
Drg No 1925/P/220.33 Rev C Type A, 994 - Elevations 2;  
Drg No 1925/P/220.42 Rev C Type N, Stirling - Elevations 1;  
Drg No 1925/P/220.43 Rev C Type N, Stirling - Elevations 2;  
Drg No 1925/P/220.44 Rev A Type N, Stirling - Elevations 3;  
Drg No 1925/P/220.52 Rev C Type AFF 2b Bung - Elevations;  
Drg No 1925/P/220.62 Rev D Type HA1 - Elevations;  
Drg No 1925/P/220.72 Rev B Type 2BHA - Elevations 1;  
Drg No 1925/P/220.73 Rev B Type 2BHA - Elevations 2;  
Drg No 1925/P/220.102 Type 3B Bung B - Elevations;  
Drg No 1925/P/220.112 Rev A Type 3B Bung A - Elevations 1;  
Drg No 1925/P/220.113 Type 3B Bung A - Elevations 2;  
Drg No 1925/P/220.122 Type 2B - Elevations 1;  
Drg No 1925/P/220.123 Type 2B - Elevations 2.  
Drg No 1925/P/240.01 Rev F Street Scenes 1- 5;  
Drg No 1925/P/240.01 Rev E Street Scenes 6 -10;  
Drg No 1925/P/240.03 Rev D Site Section;  
Drg No 1925/P/240.04 Rev D Site Section;  
Drg No 1925/P/240.05 Rev C Site Section;  
Drg No 1925/P/250/02 Single Garage Alternative Roof;  
Drg No 1925/P/250/04 Twin Garage - Alternative Roof;  
Drg No 1925/P/250/05 Double Garage;  
Drg No 1925/P/250/07 Car Port - Single;  
ABBEY22966aia Arboricultural Impact Assessment C;  
ABBEY22966AMS Arboricultural Method Statement C;  
ABBEY22966 03 Tree Protection D;

Drg No ABBEY22966-11K Sitewide;  
Drg No ABBEY22966-11K 1 of 5 Landscape Proposals;  
Drg No ABBEY22966-11K 2 of 5 Landscape Proposals;  
Drg No ABBEY22966-11K 3 of 5 Landscape Proposals;  
Drg No ABBEY22966-11K 4 of 5 Landscape Proposals;  
Drg No ABBEY22966-11K 5 of 5 Landscape Proposals;  
Drg No 22-0500 SP04 Swept path (fire) 2 of 2 J;  
Drg No 22-0500 SK01 Highways layout 1 of 2 H;  
Drg No 22-0500 SK02 Highways layout 2 of 2 H;  
Drg No 22-0500 SK03 Ped splays 1 of 2 I;  
Drg No 22-0500 SK04 Ped splays 2 of 2 I;  
Drg No 22-0500 SP01 Swept path (refuse) 1 of 2 J;  
Drg No 22-0500 SP02 Swept path (refuse) 2 of 2 J;  
Drg 22-0500 SP03 Swept path (fire) 1 of 2 J.

- 2) Notwithstanding the approved plans in condition 1, prior to the commencement of the development a revised scheme for the precise location and specification of the fencing denoted as "2.4m acoustic fence" and "1.8m high stock-proof fence" as proposed Drg No 1925/P/210.03 Rev F Boundary treatments, shall have been submitted to and approved in writing by the local planning authority. The scheme shall include but is not limited to the provision of: a revised boundary treatment drawing showing a revised alignment of the acoustic fence moved further away from the garden boundary of No 10 Oates Lane; acoustic fence and anti-climb fence and gates specifications and acoustic fence and anti-climb fence and gates sections.  
Once approved, the acoustic fence shall be erected prior to any other works proceeding and the anti-climb fence and gates shall be erected prior to the first occupation of the development and thereafter both shall be retained and maintained in perpetuity to the agreed specification.
- 3) No development shall take place until the Construction Environmental Management Plan (CEMP) under Condition 7 of application 17/01445/OUM has been updated, submitted to and approved by the local planning authority. The updated CEMP shall include a scheme which shall include but is not limited to measures for working at height to prevent overlooking, the timing of noisy activities and positioning of plant and equipment in relation to the occupiers of No 10 Oates Lane for the construction phase of the development. Once approved construction works shall be carried out in accordance with the approved details.
- 4) Prior to works proceeding above ground level, an updated Landscape Ecology Management and Maintenance Plan (LEMP) which follows the principles of the LEMP secured under the associated outline planning permission shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed LEMP.
- 5) No trees or hedgerow shall be removed until an updated ecological habitat survey of the relevant trees and hedgerow, together with any necessary mitigation measures has been submitted to and approved in writing by the local planning authority. Works to those trees and hedgerow proposed to be removed shall thereafter be carried out in strict accordance with the recommendations as set out in the agreed ecological habitat survey.

- 6) Prior to the first occupation of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.
- 7) Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining road in accordance with the details approved on drawing 1925/P/210.02 Revision G.
- 8) Prior to first occupation of each dwelling, the private drive serving each dwelling shall be levelled, surfaced in a bound material, drained away from the highway and thereafter retained for that specific use.
- 9) Prior to first occupation of a dwelling, the pedestrian visibility splay pertaining to its access, as shown on drawings SK03 Rev I and SK04 Rev I, shall be implemented and thereafter maintained free from obstruction from a height of 600mm above the adjoining footway surface.
- 10) Prior to the occupation of the development, an inspection and maintenance scheme, including details of signage pursuant to the acoustic and anti-climb fence and gates as detailed under conditions 2 above shall be submitted to and approved in writing by the local planning authority. The future management of the fences shall thereafter be carried out in strict accordance with the agreed scheme for the lifetime of the development.
- 11) In the event that the foundations for the proposed development require piling, prior to the commencement of development the applicant shall submit a report/method statement to the local planning authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 12) Prior to works proceeding above ground level, a Hedgerow and Tree Management Scheme shall be submitted to and approved in writing by the local planning authority. The scheme is required to contain details of the following:
  - i) the areas of trees and hedgerows to be retained and/or enhanced;
  - ii) areas where new trees and hedgerows will be established;
  - iii) the methodology for the establishment of new areas of native trees and hedgerows; (timings and details for plot thinning and coppicing operations and removal of protective fencing/guards) management of existing trees and hedgerows to enhance its amenity and ecological value; (timings and details for plot thinning and coppicing operations)
  - v) details of responsibility for the future management of the scheme;
  - vi) details to cover a period of no less than 20 years or until decommission of the development.The development shall be carried out and managed in accordance with the approved scheme.

- 13) All soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.
- 14) The development shall be carried out in accordance with measures as set out within the Arboricultural Method Statement reference: ABBEY 22966 AMS REV C. The completed schedule of site supervision and monitoring of the arboricultural protection measures shall be submitted for approval in writing by the local planning authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written and photographic evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.
- 15) The soft landscape works shall be audited at completion of the development and verified against the approved soft landscape plans by a Landscape Architect, to ensure compliance with approved drawings. A copy of the verification report and any recommended actions and timings for carrying out those actions shall be submitted to and approved in writing by the local planning authority within 6 months of completion of the development. The agreed actions shall be carried out in accordance with the approved verification report.
- 16) Prior to works proceeding above ground level, a lighting scheme for all streets, local planning authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out:
- i) the specification of lights;
  - ii) locations and heights of lighting columns;
  - iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.
- The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases and retained as such thereafter.
- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modifications), no development within Classes AA, B and C of Part 1; of Schedule 2 of the Order shall take place on site unless expressly authorised by planning permission granted by the local planning authority.
- 18) Prior to works proceeding above slab levels, the precise details and colour of all facing brickwork, roof tiles, render and weatherboarding shall be submitted to

and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 19) All dwellings not served by a garage, shall be provided with a cycle shed in accordance with details to be submitted to and approved in writing by the local planning authority. The cycle shed shall be located within the rear garden prior to the occupation of that dwelling.
- 20) Prior to works proceeding above slab level, details of the surfacing finish of all roads and paths shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**End of Schedule**