



Appeal Decision

Hearing held on 29 May 2024

Site visits made on 28 and 29 May 2024.

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2024

Appeal Ref: APP/W1850/W/23/3334961

Green Acres, The Homend, Ledbury, HR8 1AP

- 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 McCarthy and Stone Retirement Lifestyles Ltd against the decision of Herefordshire Council.
 - The application Ref is P223248/F.
 - The development proposed is described as "the demolition of existing buildings on site and erection of Retirement Living apartments with associated access, car parking, landscaping, ancillary facilities and associated works."
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings on site and erection of Retirement Living apartments with associated access, car parking, landscaping, ancillary facilities and associated works at Green Acres, The Homend, Ledbury, HR8 1AP in accordance with the terms of the application, Ref P223248/F, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council refused planning permission for two reasons. The second reason for refusal related to highway safety. In their submission the Council revised its position, as a result, they withdrew their defence of the reason for refusal relating to highway safety and this was not pursued by them at the Hearing.

Background and Main Issues

3. The Ledbury Neighbourhood Development Plan (NDP) identifies the appeal site as local green space. NDP Policy CL2.1 provides a list of the benefits such spaces provide. The policy goes on to state that the loss of such spaces should only be permitted if it can be shown to be surplus to requirements for recreational purposes or the value of its visual, historic and community attributes is considered to be outweighed by the benefits of the development.
4. The submitted Statement of Common Ground highlights areas where the Council and appellant are in dispute. This relates to the historic value of the site and its impact on the character and appearance of the area and the use of the site as a stepping stone for biodiversity.
5. As such, in light of the above, the main issues are the effect of the proposed development on the character and appearance of the area and on biodiversity, having particular regard to the loss of green space.

Reasons

Character and Appearance

6. The appeal site is located in the settlement of Ledbury. Whilst the immediate area to the north, east and west of the site is predominantly residential, to the south lies a supermarket, petrol station and the town centre. The area is characterised by detached and semi-detached housing of varied design. On The Homend and Newbury Park these are set on generous plots, with higher density development located on Robinson's Meadow. Whilst there is a variety of designs and scales of housing, there is a general consistency in the use of red brick and rendered walls. Houses in this area are often set back behind well-maintained front gardens, many bound by hedgerows, which creates a verdant character and sense of spaciousness.
7. The appeal site comprises a detached single storey dwelling, fronting on to The Homend, and an area of undeveloped land to its rear. The existing dwelling on site, to be demolished, represents a fairly small site frontage onto The Homend, set back from the road to a similar degree as other nearby properties. The area of undeveloped land is enclosed by built form on all four sides. Around the perimeter of the appeal site are mature trees and landscaping. Whilst views of the undeveloped land are largely obscured by the existing built form, the trees are apparent in glimpses from nearby roads and rights of way, and in longer views from higher ground. As the undeveloped land and open area are not visible from the surrounding area, the site in this respect has a neutral impact on the character and appearance of the area. The boundary trees, however, as a back drop to the built form are visible from long range views, and contribute positively to the verdant character of the area.
8. The Council's concerns relate to the historic contribution the appeal site makes to the development of the settlement, and that the loss of the green space would alter the character of the town. I saw during my site visit that the character of the area changes from a mixed commercial and residential use to the south of the site to a predominantly residential character travelling north along The Homend. The site, being bound on three sides by residential properties, would lie within the more residential area. Surrounding buildings have developed over time with more modern development being located at Robinson's Meadow.
9. Whilst it is clear that, apart from the building to be demolished, the appeal site has remained undeveloped, the legibility of the development of the settlement would remain. Street patterns and the change in character from commercial to residential would not be altered by the construction of retirement apartments. Furthermore, the surrounding landscaping and existing and proposed trees and hedgerows, would safeguard the visible verdant characteristics of the site that contribute positively to the character and appearance of the area.
10. The proposed building would be substantially larger than the existing building and nearby residential buildings, which are largely detached and semi-detached single, two and three storey dwellings. However, due to the topography of the land, which slopes down from The Homend, and the contained nature of the site, the building would only be visible from public roads and rights of way in a glimpse down the proposed access. Long range views may be apparent from higher ground, but this would be reduced by the boundary trees. The building's

height, due to the topography, would also appear reduced with only the top two floors and roof visible from the proposed entrance.

11. The proposed development would also occupy a much larger site compared with nearby residential buildings. However, large areas of landscaping would be provided around the building. As such, in this respect, the proposed development would appear as being proportionate to the size of site, without appearing cramped.
12. The proposed building would be finished in red brick and render under a brown tile roof, similar materials to those used in nearby residential buildings. The simple design provides chimneys and gables that echo architectural features of nearby buildings. The height of the proposed development, at four storeys, would be taller than other buildings in the vicinity, however there would be some small degrees of variation in the roof height and gables, and those features would have the effect of breaking up that built form. The proposed development would be set back from the boundaries of the site, largely screened by landscaping, and at a lower level in the site. As such it would sit comfortably within the site and respect the character and appearance of the area.
13. For these reasons, I conclude on this issue that the appeal proposal would not harm the character and appearance of the area. As such, the proposal would be consistent with NPD Policy BE2.1 and Policy LD1 of the Herefordshire Local Plan – Core Strategy (2015) (CS) which seek, amongst other things, to ensure that developments demonstrate that the character of the landscape and townscape has positively influenced the design, scale, nature and site selection and conserve the character of the Parish.
14. NDP Policies CL2.1 requires the loss of the green space to be balanced against the benefits of the proposed development. I will turn to this matter later in my decision.

Biodiversity

15. NDP Policy CL2.1 states that the green infrastructure of Ledbury offers a number of benefits, which include providing wildlife corridors or stepping-stones within built up areas. The Council are concerned that the proposed development would remove the site as a stepping-stone for biodiversity and interested parties raised concerns about the transient use of the site by various species, including birds and deer.
16. During my site visit I noted that whilst there were trees around the boundary, the centre of the site was laid to grass. I heard evidence from interested parties at the hearing that the grassed area had been maintained in different ways over the years, including the grazing of sheep. Based on these observations, there is the potential for the proposed development to impact on biodiversity.
17. The application was supported by a number of documents, including a Preliminary Ecological Appraisal (PEA), Bat, Great Crested Newt and Badger Surveys and a Biodiversity Metric Assessment (BMA). Together, these concluded that, subject to conditions and specific working methods, there would not be a harmful impact to biodiversity.

18. Whilst the appeal site may be used currently by various species, the PEA noted that the area to be constructed on, the grassland, was largely made up of amenity and improved grassland of a poor condition. Whilst trees and hedgerows bound the site these were noted to be in a moderate condition.
19. The BMA notes that through the introduction of evergreen shrubs, native shrubs, grass, trees, wildflower grassland and native/evergreen hedgerow planting that whilst the overall green space on the site would be reduced it would provide an overall improved habitat. An approximate 2.92% improvement in habitat and an 88.18% improvement in hedgerow.
20. The proposed building and parking would sit relatively central within the site, with large areas of green space surrounding the building and the parking area. Through appropriate maintenance and external lighting, which can be secured via condition, the remaining green space could remain in use by species as a stepping-stone to the wider area. Boundary trees would mostly remain and hedgerows would be improved, providing terrestrial routes from the surrounding area, and through the appeal site.
21. Whilst I have had regard to the concerns raised by interested parties, based on the evidence before me, including the lack of an objection from the Council's Ecologist, the proposed development would safeguard and enhance the biodiversity of the area and continue to provide a wildlife stepping-stone. Conditions would ensure the provision and maintenance of landscaping and ensure that existing biodiversity species noted on the site are safeguarded through the construction process.
22. For these reasons, I conclude on this issue that the appeal proposal would not harm biodiversity on or using the appeal site. As such the proposal would be consistent with CS Policy LD1 which seeks to ensure that developments incorporate new landscape schemes and maintain and extend tree cover to support green infrastructure.

Other Matters

23. The proposed development would create a new access on to The Homend. During my site visits I noted that The Homend provided a main route in to the centre of Ledbury and that some cars were parked on the street. A lane, known as Knapp Lane, to the south of the proposed access, is a narrow, sloped lane. I witnessed during my site visit cars reversing onto The Homend from Knapp when they met cars travelling the lane, causing some delay, and queuing on The Homend.
24. Whilst the proposed development would increase the numbers of vehicles using The Homend, it is a fairly straight road with good visibility in both directions from the proposed access. Knapp Lane would be visible when exiting the proposed access, as such if there were any queuing drivers would have good visibility of any highway issues and remain in the junction until the road clears. The good visibility would ensure that drivers would also be able to see any oncoming pedestrians travelling along the pavement. As such, the proposed development would not have a harmful impact on highway safety.
25. A viability assessment was produced by the appellant detailing that contributions toward affordable housing and open space would render the development unviable. The Council reviewed this assessment, with the District

Valuer, and agreed with its conclusions. Whilst I understand the concerns of interested parties that no affordable housing will be provided and the developer profit was set at 20%, this value falls within the ranges set out in the Planning Practice Guidance – Viability (PPG – Viability). The viability assessment has followed the recommended approach set out in PPG - Viability, including following relevant RICS guidance. For that reason, I find it a sound basis on which to assess the viability of the scheme. As such, sufficient evidence has been submitted to demonstrate that it would be unviable to provide any affordable housing or other planning obligations.

26. The appeal site adjoins the rear gardens of dwellings along Newbury Park, The Homend and Robinsons Meadow. Currently the existing residents look towards an area of dense foliage, with small gaps where the site is visible. An area of approximately 6 metres of poor-quality trees would be felled to the rear of Newbury Park in order to accommodate the development but would be replaced with new native tree planting. The proposed building would be located in excess of 22 metres from the rear garden boundaries with Newbury Road, the dwellings located further away again due to long rear gardens, and in excess of 30 metres from the rear elevations of dwellings on Robinsons Meadow and The Homend. Whilst there would likely be a change in outlook for these residents, the distance maintained between the gardens, rear elevations and the proposed building, combined with the existing and proposed landscaping would ensure that the proposal would not have a harmful impact on privacy or outlook.
27. The construction of the proposed building and associated parking could increase surface water drainage and lead to surface water flooding. The appeal is supported by a Flood Risk Assessment (FRA), information from Mucklow & Harris consulting civil and structural engineers and a Soakaway Assessment which conclude that discharge to ground for surface water is not viable. As such proposes the use of attenuation tanks, alongside, permeable paving and grasscrete and a pumped solution for foul drainage into the public sewer. Whilst the proposal will increase the impermeable area of land on the site, the proposed drainage scheme would ensure that both surface and foul water are appropriately managed. Further detailed information of the drainage can be secured via condition.
28. The proposed building would be located, at a lower level than No's 1 and 2 The Homend, Oakland House, The Willows and Oakland Lodge, all of which are Grade II listed building. They derive their significance from their special architectural interest as good examples of early C19 dwellings located on a main thoroughfare in to Ledbury. The appeal site, being contained on all four sides, and not readily visible from the surrounding roads, does not form part of the setting of these buildings. The proposed development would therefore have a neutral effect on, and therefore preserve, the setting of the listed buildings.
29. Based on the evidence before me, including the scale of the development and the distance maintained between it and the CA, and the retention of landscaping, I am satisfied that the proposal would have a neutral effect on, and therefore preserve, the setting of the CA.
30. The Knapp, a non-designated heritage asset, is a detached dwelling and garden. There is some dispute between the appellant and interested parties about whether the appeal site formed part of the gardens of the Knapp. During

my site visit I entered the appeal site via the grounds of the Knapp. It appeared to me that the gardens were well bound by landscaping, somewhat separating them from the undeveloped appeal site. Whilst there may have been some historic link between the appeal site and the Knapp, from what I saw on site and the evidence before me it is its gardens that closely relates to the dwelling which is a non-designated heritage asset due to it being the birthplace of John Masefield, a noted poet.

31. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and harm or loss and the significance of the heritage asset. The grounds of the Knapp will remain well defined and there will be no alteration to the structure or the garden. The proposed building will be located at a lower level and screened by landscaping within the site and within the grounds of the Knapp. As such, the proposal would not have a harmful impact on this non-designated heritage asset.

Planning Balance

32. NDP Policy CL2.1 states that the loss of green spaces should only be permitted if it can be shown that the value of its visual, historic and community attributes is considered to be outweighed by the benefits of the development. The concerns raised by the Council relate to the loss of the green space and its impact on the character and appearance of the area, including the historic legibility of Ledbury and the use of the site as a wildlife stepping-stone.
33. Planning Practice Guidance (PPG) states that the need to provide housing for older people is critical, whilst recognising that there are a variety of specialist housing types to meet the needs of this group. The type of accommodation proposed would comprise retirement living apartments for older people.
34. The completed Statement of Common Ground identifies the scheme's benefits agreed by the main parties. It is agreed that the proposal would provide accommodation in line with the development plan and that there is a growing need for specialised housing for the elderly and that significant weight should be attached to the need for this type of accommodation. The proposal would accord with NDP Policy HO3.1 in that it would free up houses suitable for occupation by families (NDP para 6.12).
35. Economic benefits would arise from the proposed development. I acknowledge that these could be derived from the spending power of its residents in local shops and services and the short-term economic benefits derived from the creation of construction jobs. Other moderate benefits would be derived from the scheme's social and health benefits from the provision of specialised accommodation. Environmental benefits in the form of biodiversity enhancements would arise from the development of this site.
36. The scheme would cater for the changing needs of its occupants over time. This type of accommodation helps occupants live independently for longer, feel more connected to their community and assists in reducing social care needs and wider health costs. It would support improved physical health as well as the social well-being of its residents.
37. The provision of 53 retirement living apartment would release existing housing units into the market. This would be due to future occupants of the extra care

accommodation vacating existing properties, which are often under-occupied and larger family houses. These knock-on benefits attract significant weight in favour.

38. Having considered the range of planning benefits and the degree of weight attached to them, I am satisfied that they outweigh the loss of the green space. I place significant weight on the provision of older persons accommodation given the extent of demand for this type of use in the Council area. I have also not found harm to the character and appearance of the area or on biodiversity.
39. I recognise that each of these benefits accord with the adopted policies and the National Planning Policy Framework (the Framework). The other matters, raised by interested parties, regarding highway safety, viability, living conditions, drainage and heritage assets, do not weigh against it to such an extent to alter the balance which I have found in favour of the scheme.

Conditions

40. Conditions controlling the time for implementation of the permission and listing the approved plans are required in the interests of certainty. A condition regarding the age limit is necessary in order to ensure this specialist accommodation is available only to those who require it.
41. To protect biodiversity and environmental interests, conditions are required to secure biodiversity mitigation and enhancements, construction and landscape environmental management plans, landscaping, trees, the remediation of contaminated land and noise mitigation. In the interests of highway safety, alternative methods of transport, and reducing travel demand as far as possible, conditions relating to construction management plan, vehicular access, electric car charging, cycle, scooter and car parking, refuse collection, visibility splays and gates are necessary.
42. A resource audit is necessary in order to comply with policies and ensure that the handling of site waste is acceptable. To ensure satisfactory surface and foul water drainage schemes are provided and to avoid any increase in flood risk off-site, full details of a surface water drainage scheme and maintenance strategy, and foul drainage scheme must be agreed prior to the commencement of any development. To ensure water efficiency measures are incorporated a condition relating to water conservation is necessary.
43. The Council suggested a number of other conditions that are not necessary. A condition limiting the number of dwellings that can be constructed at the site is not needed as the plans detail 53 apartments. The Council request a condition relating to the submission of samples of materials. Details of the materials to be used are provided on the approved drawings. I have therefore not imposed these conditions.
44. Some of the Council's conditions included reasons for their imposition, lists of details to be submitted or reference to other approval processes, guidance and legislation. My conditions focus on the actions required to be taken in the interests of precision, and I have omitted generic lists so that the parties can agree the relevant factors for this site, in accordance with prevailing guidelines at the relevant time. I have made some other changes to the Council's suggested conditions to avoid duplication and in the interests of consistency

and clarity, and to ensure compliance with the Framework and Planning Practice Guidance.

Conclusion

45. For the reasons given above the appeal should be allowed.

Tamsin Law

INSPECTOR

APPEARANCES

For the Appellant;

John Barrett KC - Advocate

Rachel Clare BSc (Hons), MSc – Principal Planning Associate

Justine Lloyd BSc (Hons) – Ecology and Innovation Manager

David Beardmore MSc, MA, DipLD, DipArch, DipUD, Dip Bldng Cons, FRTPI, CMLI, IHBC – Director – Urban Design and Heritage

Harry Cross BSc (Hons), MCIHT – Principal Transport Planner

San Brownhill – McCarthy Stone

For the Council;

Kelly Gibbons - Development Management Service Manager

Councillor Steff Simmons – Ledbury Town Council

Interested parties;

Mrs Trea Connon

Mr David Cotterill

Councillor Elizabeth Harvey

Councillor Philip Howells

Mr Mike Lister

Dr David Lloyd

Mr John Masefield

Councillor Nick Morris

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 permitted shall be carried out strictly in accordance with the approved plans listed below:
 - Location Plan (Ref: MI-2822-02-AC-0000);
 - Amended Site Plan (Ref: MI-2822-03-AC-0001 Rev K);
 - Amended Lower Ground (Ref: MI-2822-03-AC-1000-E);
 - Amended Ground Floor Plan (Ref: MI-2822-03-AC-1001-F);
 - Amended First Floor Plan (Ref: MI-2822-03-AC-1002-E);
 - Amended Second Floor Plan (Ref: MI-2822-03-AC-1003-E);
 - Amended Roof Plan (Ref: MI-2822-03-AC-1004-C);
 - Amended Entrance Elevation (Ref: MI-2822-03-AC-2001-D);
 - Amended North Elevation (Ref: MI-2822-03-AC-2003-B);
 - Amended South Elevation (Ref: MI-2822-03-AC-2004-C); and
 - Amended Levels Strategy (Ref: MI-2822-03-DE-100 Rev B)
- 3) Each residential dwelling hereby permitted shall be occupied only by:
 - Persons over the age of 60; or
 - Persons living as part of a single household with such a person or persons; or
 - Persons who were living as part of a single household with such a person or persons who have since died.
- 4) Prior to commencement of development, a Construction Environmental Management Plan (CEMP) – including but not limited to detailed ecological working methods, retained tree and hedgerow protection scheme and consideration of all environmental effects of construction processes shall be submitted to and approved in writing by the Local Planning Authority.

The approved CEMP shall be implemented in full for the duration of all construction works at the site.
- 5) Prior to commencement of development, a Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter maintained as approved.
- 6) Prior to commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include, but is not limited to, the following matters:
 - a) site management arrangements, including on-site storage of materials, plant and machinery; temporary offices, contractor's compounds and other facilities;
 - b) on-site parking and turning provision for site operatives, visitors and construction vehicles (including cycle parking for staff and

visitors); and provision for the loading/unloading of plant and materials within the site;

- c) wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
- d) measures for managing access and routing for construction and delivery traffic;
- e) hours during which construction work, including works of site clearance, and deliveries can take place.
- f) Construction Traffic Management Plan.

The development shall be carried out in accordance with the approved details for the duration of the construction of the development.

- 7) Prior to commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) a 'desk study' report including previous site and adjacent site uses, potential contaminants arising from those uses, possible sources, pathways, and receptors, a conceptual model and a risk assessment in accordance with current best practice;
 - b) if the risk assessment in (a) confirms the possibility of a significant pollutant linkage(s), a site investigation should be undertaken to characterise fully the nature and extent and severity of contamination, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors;
 - c) if the risk assessment in (b) identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted in writing.

The Remediation Scheme shall include consideration of and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination encountered shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

The Remediation Scheme shall be fully implemented before the development is first occupied. On completion of the remediation scheme the developer shall provide a validation report to confirm that all works were completed in accordance with the agreed details, which must be submitted and agreed in writing before the development is first occupied. Any variation to the scheme including the validation reporting shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

- 8) Prior to commencement of development, a Resource Audit to identify the approach to materials shall be submitted to and approved in writing by the Local Planning Authority. Construction works shall thereafter be carried out in full accordance with the details of the approved Resource Audit.

- 9) Notwithstanding the approved plans, with the exception of site clearance and groundworks, no further development shall commence until a Landscape Scheme (a scaled plan or plans) including the following has been submitted to and approved in writing by the Local Planning Authority:
- a) Full details of all retaining walls including height, size, location and materials;
 - b) Trees and hedgerow to be retained, setting out measures for their protection during construction, in accordance with BS5837:2012.
 - c) Trees and hedgerow to be removed.
 - d) All proposed planting, accompanied by a written specification setting out; species, size, quantity, density with cultivation details.
 - e) All proposed hardstanding and boundary treatment.
 - f) A schedule of landscape management and maintenance for a minimum period of 10 years.
- 10) All hard and soft landscaping (planting, seeding or turf laying) in the approved landscape scheme required by condition 9 shall be carried out concurrently with the development and completed in the first planting season following the occupation of any part of the development hereby permitted or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become severely damaged or diseased within 10 years of planting will be replaced in accordance with the approved plan.
- 11) With the exception of site clearance and groundworks, no other development shall commence until the specification for vehicular access has been submitted to and approved in writing by the Local Planning Authority. The access shall be implemented in accordance with the agreed details prior to occupation of the development.
- 12) With the exception of site clearance and groundworks, no development shall commence until written and illustrative details of the number, type/specification and location of electric vehicle charging point, has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed prior to first occupation and be maintained and kept in good working order thereafter as specified by the manufacturer.
- 13) With the exception of site clearance and groundworks, no development shall commence until a detailed surface water management scheme for the site and connection to an agreed discharge point, based upon the hydrological and hydrogeological context of the development, and a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The surface water management scheme shall be fully implemented in accordance with the submitted details and approved timetable and thereafter maintained as such.

- 14) With the exception of site clearance and groundworks, no development shall commence until details of the maintenance and management of both the surface water management scheme and any receiving system for the lifetime of the development, and any arrangements to secure the ongoing operation of the scheme have been submitted to and approved in writing by the Local Planning Authority. The surface water management scheme shall thereafter be maintained and managed in accordance with the approved details.
- 15) With the exception of site clearance and groundworks, no development shall commence until a detailed foul drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development must be carried out in accordance with the agreed details prior to the occupation or use of any dwelling hereby permitted and shall thereafter be maintained as such.
- 16) Prior to occupation of the development hereby permitted, a schedule of landscape management and maintenance for a minimum period of 10 years shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall be carried out in accordance with the approved schedule.
- 17) Prior to occupation of the development hereby permitted full details of a scheme for the provision of covered and secure cycle and mobility scooter parking facilities shall be submitted to the Local Planning Authority for their written approval. The covered and secure cycle and mobility scooter parking facilities shall be carried out in strict accordance with the approved details and available for use prior to the occupation of any of the dwelling houses hereby permitted. Thereafter these facilities shall be maintained.
- 18) Prior to the occupation of the development hereby permitted written evidence / certification demonstrating that water conservation and efficiency measures to achieve the 'Housing – Optional Technical Standards – Water efficiency standards' for water consumption as a minimum have been installed / implemented shall be submitted to and approved in writing by the Local Planning Authority for their written approval. Thereafter those water conservation and efficiency measures shall be maintained for the lifetime of the development.
- 19) Prior to occupation of the development hereby permitted, details of refuse and recycling collections shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved details.
- 20) Before any other works hereby approved are commenced, visibility splays, and any associated set back splays at 45 degree angles shall be provided from a point 0.6 metres above ground level at the centre of the access to the application site and 2.4 metres back from the nearside edge of the adjoining carriageway (measured perpendicularly) for a distance of 39.5

metres in each direction along the nearside edge of the adjoining carriageway. Nothing shall be planted, erected or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

- 21) The ecological protection, mitigation, compensation and working methods scheme including recommended Biodiversity Enhancement and any required European Protected Species Licence (slow worms) shall be implemented as recommended in the following:
- Reptiles (Middlemarch ref RT-MME-159116-03 dated June 2023);
 - Bat Surveys (Middlemarch ref RT-MME-159116-02 dated June 2023);
 - Great Crested Newt Survey (Middlemarch ref RT-MME-159116-05 dated June 2023);
 - Revised Preliminary Ecology Appraisal (Middlemarch ref RT-MME-159116-01 Ref B dated 30/06/2023);
 - Licence obtained from Natural England.
- 22) The development shall be carried out strictly in accordance with the following documents and plan:
- Tree Constraints Plan (Ref:1571-KC-XX-YTREE-TCP01Rev0);
 - Amended Tree Protection Plan (Ref: 1571-KC-XX-YTREE-TPP01RevB)
- 23) Car parking shall be laid out in accordance with the Amended Site Plan (Drawing Ref: MI-2822-03-AC-0001) prior to occupation of the development and maintained for the purposes of parking thereafter. The areas shall not thereafter be used for any other purpose than the parking of vehicles.
- 24) The mitigation measures identified within the submitted Noise Impact Assessment (Ref 1rN10071r1) dated 19 April 2023 shall be implemented prior to occupation of development.
- 25) No access gates or doors shall be provided at the site access or internal access road without the prior written approval of the Local Planning Authority.