



Appeal Decision

Site visit made on 23 April 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2024

Appeal Ref: APP/D3505/W/23/3325188

Land East of Meadow View, High Street, Long Melford, Suffolk CO10 9DB

- 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 Essex Prestige Homes Ltd against the decision of Babergh District Council.
 - The application Ref is DC/23/01735.
 - The development proposed is erection of 6No single-storey, 2/3 bedroom dwellings with associated ancillary outbuildings; creation of access (following demolition of No 8 Harefield and stable).
-

Decision

1. The appeal is allowed and planning permission is granted for erection of 6No single-storey, 2/3 bedroom dwellings with associated ancillary outbuildings, creation of access (following demolition of No 8 Harefield and stable) at Land East of Meadow View, High Street, Long Melford, Suffolk CO10 9DB in accordance with the terms of the application, Ref DC/23/01735, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Babergh and Mid Suffolk Joint Local Plan – Part 1 (JLP) was adopted by Babergh District Council in November 2023 and replaced the Babergh Core Strategy (CS) and the Babergh Local Plan (LP). Subsequently, the JLP was adopted after the Council issued its Decision. In these circumstances, I am required to determine the appeal against the current development plan for the area at the time of my Decision. The Council identified the policies within the JLP most relevant to this appeal and provided copies of them with its evidence. The appellant was then given the opportunity to comment on the JLP although no comments were received.
3. The National Planning Policy Framework (the Framework) was updated in December 2023. The main parties were given the opportunity to comment on the updates to the Framework and these were taken into consideration.
4. I have removed reference to 'following approval under DC/20/05175/OUT etc' from the description of development as this is not an act of development.

Main Issues

5. The main issues are:
 - whether the proposed development would be in a suitable location having regard to policies concerned with housing in rural areas; and

- whether the proposal would preserve the setting of the Grade II listed Hill House and the setting of the Long Melford Conservation Area.

Reasons

Whether the proposed development would be in a suitable location having regard to policies concerned with housing in rural areas

6. There is no dispute between the parties that the site is outside of the settlement boundary for Long Melford. Policy SP03 of the JLP identifies that outside of the settlement boundaries, development will normally only be permitted under a number of criteria, only one of which must be met. The site is not allocated for development and as such the proposal would not comply with criterion a) of SP03.
7. The Long Melford Neighbourhood Plan was made in 2022 (NP) and forms part of the development plan. Whilst planning permission has been granted for five dwellings on this site¹, the application that is the subject of this appeal does not have planning permission and given that it is not an allocated site, the scheme does not comply with Policy LM1 of the NP. Accordingly, the proposal would not accord with criterion b) of SP03 which permits development that is in accordance with a made NP.
8. Criterion d) states that development will normally only be permitted where it is in accordance with paragraph 80 of the 2021 Framework. This is now paragraph 84 in the updated Framework. This relates to isolated homes in the countryside, however for development to accord with this paragraph it must be in an isolated location. Given that the appeal site is located close to other dwellings it cannot be said that it would be far away from other places, buildings, or people. As such, the site is not isolated, and the proposal would not accord with paragraph 84 of the Framework and as a result the development would not comply with criterion d).
9. Criterion c) of SP03 permits development outside of settlement boundaries where it is in accordance with one of the policies of the JLP listed in Table 5.
10. JLP Policy LP01 is listed in Table 5 of SP03 and permits windfall infill housing development outside settlement boundaries. However, 'infill' in the development plan is defined as the filling of a small undeveloped plot in an otherwise built-up highway frontage. The site is a parcel of land located to the rear of Hill House and the development around Harefield and as such it is not located next to a built-up highway frontage. Consequently, the site does not accord with this definition of 'infill'. For similar reasons, the site is not located within a cluster of at least ten well related dwellings. As a result, the proposal would not be windfall infill housing development outside a settlement boundary and thus the scheme would not comply with Policy LP01. As a consequence, the development proposed would not comply with any of the criteria in SP03.
11. Therefore, the proposed development would not be in a suitable location having regard to policies concerned with housing in rural areas. The proposal would, thus, conflict with JLP Policies SP03 and LP01 as well as NP Policy LM1. It would also not accord with the Framework for the reasons given above.

¹ Application Reference: DC/20/05175

Whether the proposal would preserve the setting of the Grade II listed Hill House and the setting of the Long Melford Conservation Area

12. The duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to have special regard to the desirability of preserving the setting of a listed building. The Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Although the setting of a Conservation Area is not protected by statute, the same considerations will apply as a matter of policy in terms of assessing the effect on significance.
13. Hill House is a Grade II listed building that is located on High Street with the appeal site located to the east. Between the site and Hill House is the associated garden and tennis court for Hill House as well as landscaped garden land for a neighbouring dwelling known as Meadow View.
14. Hill House is a large 19th Century dwelling with important external architectural features that positively contribute to the significance of the listed building and reinforce its role as an imposing feature in the surroundings.
15. Whilst Hill House is located within a residential area, to the east is open land that allows views of the open countryside beyond, which the appeal site forms part of. This gives a semi-rural setting to the listed building that contributes positively to the significance of it.
16. Whilst the proposed dwellings would be single storey buildings, development of the site would interrupt views between Hill House and the open countryside beyond. This would detract from the rural character of the site that positively contributes towards the semi-rural setting to the east of Hill House. Overall, the proposal would be harmful to the setting of the listed building and the contribution this makes towards the significance of the heritage asset.
17. 57-60 High Street are a group of Grade II listed buildings located on the opposite side of High Street to the appeal site. However, given the intervening buildings between them and the site, the proposal would not affect the heritage assets setting which would consequently be preserved.
18. The site is located close to the Long Melford Conservation Area (CA) which includes large areas of the open countryside around Long Melford.
19. The Conservation Area Appraisal identifies that the CA derives its significance from a collection of historic buildings and architectural styles around a linear street pattern.
20. Punctuating the linear form there are areas of open space. Given the limited depth of the built form of the village near this northern section of the CA, the views over these areas of open space, as well as between buildings positively contributes towards the CA's relationship with the open countryside beyond.
21. The undeveloped appearance of the site and the views this allows over the countryside beyond makes a positive contribution towards the setting of the CA and its relationship with the open countryside. This makes a positive contribution towards the heritage assets significance.

22. For similar reasons to those given above, the proposed development would detract from the rural character and appearance to the east of the CA and the positive contribution this makes towards the setting of the CA as a whole. Overall, the proposal would reduce the ability to appreciate the heritage asset in its countryside setting and thereby causes harm to its significance.
23. For the reasons given above, the proposal would not preserve the setting of Hill House nor the setting of the CA.
24. Paragraph 205 of the Framework advises that, when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to say that any harm to, or loss of, the significance of a designated heritage asset from its alteration should require clear and convincing justification.
25. In this case, the harm would be less than substantial but nevertheless of considerable importance and weight. In these circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
26. Outline planning permission has already been granted for five dwellings on this site and the reserved matters have subsequently been approved. There would not appear to be anything that would physically prevent that scheme being built. As such there is a greater than theoretical possibility that the development might take place.
27. The overall layout of the proposal would be broadly similar to the approved scheme with dwellings located either side of a central road but with an additional dwelling located on the northern part of the site, built in line with the other dwellings. As such, the looser layout of the five dwelling scheme would not necessarily appear substantially different to the six dwelling scheme when viewed from Hill House. The proposal would be a more densely developed scheme compared to the approved development. However, the dwellings would be smaller and additional landscaping is proposed between the heritage assets and the development which would soften the appearance of the scheme.
28. Whilst the proposal would deliver an additional dwelling, the access road and the overall extent of built form would be located further from Hill House and the CA compared to the approved development. By moving the built form of the proposal further away from the heritage assets the proposal would have a less harmful effect upon the settings of the heritage assets.
29. The proposal would still cause harm to the setting of both heritage assets; however, the fallback scheme would have a more harmful effect upon the setting of them. A condition requiring the materials used for the external materials and roof tiles to be approved would ensure that appropriate materials were used within this setting and thus not harm the heritage assets significance. Given that the proposal would have a less harmful effect on the significance of the heritage assets compared to the approved scheme I attribute substantial weight to this heritage benefit of the proposal.
30. Therefore, for the reasons given above I conclude that the public benefits of the scheme do outweigh the less than substantial harm that would be caused to the significance of the heritage assets. This positive conclusion on the

heritage balance in Paragraph 206 of the Framework is a material consideration. Consequently, the proposal would accord with Policy LP19 of the JLP insofar as it states that harm to designated heritage assets will require clear and convincing justification in line with the tests in the Framework.

31. For the reasons given earlier in this decision the scheme would not comply with JLP Policy LP01 and would not be a windfall infill housing development outside of the settlement boundary. As such, considerations regarding the effect of windfall infill housing developments on heritage assets are not relevant in this instance.

Other Matters

32. Comments were received from interested parties related to a number of different matters and these have been considered below.
33. Suffolk County Council as the Highway Authority did not object to the application on highway safety grounds, subject to suitably worded conditions. Given the limited number of vehicular movements that would arise from this scheme and because the access road would be sited on a relatively straight section of the road with visibility for a considerable distance in both directions, based on the evidence before me I see no reason to disagree. With the imposition of suitably worded conditions the proposal would not have an unacceptable impact on highway safety.
34. The proposed access road would be located between two existing houses and road users would pass between them to access the proposed development. The parking for the proposed dwellings would also be located a modest distance from the nearby houses. However, given the limited number of trips that would be generated by this development and because the houses are located within a residential area where vehicular movements are not uncommon, the noise and disturbance from vehicles passing the two houses would not significantly harm the surrounding occupiers' living conditions.
35. The appeal site appears to have a higher ground level compared to the dwellings along Harefield. However, the proposed dwellings would be bungalows and would be located a modest distance from the rear of the houses along Harefield. As such, the occupiers of the proposed dwellings would not harmfully overlook the properties along Harefield. The Council came to a similar conclusion and based on the evidence before me I see no reason to disagree.
36. Matters related to the works to demolish 8 Harefield and the potential need to properly dispose of asbestos would be covered by the Demolition and Construction Management Plan which would be the subject of a planning condition.
37. The Demolition and Construction Management Plan would seek to ensure that the disturbance caused during construction would not have a significantly harmful effect upon the living conditions of neighbouring occupiers. Additionally, this disturbance would only be for a limited period of time. Furthermore, a condition ensuring that the first 10 metres of the access road would be made from bound material would ensure the proposed access road would not lead to harmful levels of dust and stones being displaced onto the public highway.

38. A condition requiring the details for refuse and recycling bins storage areas would seek to ensure that these would not cause harmful disruption to the surrounding occupiers.
39. There is no substantive evidence that local services and facilities do not have capacity to accommodate the increased demand from the proposed development.
40. Given that the proposed dwellings would be located to the rear of the houses along Harefield there would be natural surveillance from those homes. This would contribute to deterring criminal activity.
41. Taking into consideration the size and location of the appeal site there is no substantive evidence that the proposal would increase flood risk elsewhere from all sources of flooding.
42. While the proposal would result in the loss of 8 Harefield the development would deliver 5 additional dwellings. Furthermore, the NP acknowledges that the housing need for any given area should be seen as a minimum.

Planning Balance

43. The proposal would deliver an additional dwelling compared to the approved scheme and this would lead to economic benefits during construction. There would also be benefits to the local economy through spending by the additional household. The household would also positively contribute towards the social fabric of the village. These benefits would also be on top of the benefits that would have arisen from the additional dwellings delivered by the approved scheme. Furthermore, the proposal seeks to deliver 2 and 3 bedroom properties that would make a positive contribution towards local housing mix and would accord with NP Policy LM11. In light of the scale of the proposal I attribute moderate weight to these benefits in favour of the development.
44. The scheme also includes additional landscaping and wildflower planting and there would be modest benefits to local biodiversity through this scheme given the scale of it. To these I attribute modest weight in favour of the proposal.
45. Electric vehicle charging points and air source heat pumps are proposed which would support the transition to a low carbon future in a changing climate and this is supported by paragraph 157 of the Framework. Given the modest scale of the scheme, the benefits attract modest weight in favour of it.
46. Whilst photo-voltaic roof panels are shown on the proposed plans given that it is development for which planning permission is required, there is no certainty the photo-voltaic roof panels could be delivered via a planning condition and as such, I have not considered them within the balance.
47. Furthermore, for the reasons set out above, I attribute substantial weight to the heritage benefit of the proposal in favour of it.
48. Overall, conflict with the development plan arises as the proposed development would not be in a suitable location having regard to local policies concerned with housing in rural areas and would not preserve the setting of Hill House nor the setting of the CA. The conflict is with the development plan as a whole.
49. In light of the weight given to the fallback scheme as well as the stated benefits of the proposal, these material considerations outweigh the conflict

and thus indicate that the appeal should be determined other than in accordance with it.

Conditions

50. I have considered the planning conditions suggested by the Council having regard to the tests set out in the Framework. Where appropriate, I have amended the wording to ensure they are reasonable given the scale of the development and site context and to ensure that they meet all other Framework tests for conditions.
51. Further to the statutory commencement condition [1] it is necessary in the interest of certainty that the development is carried out in accordance with the approved drawings [2].
52. A condition is necessary in order to ensure that appropriate provision is made so that the significance of the historic environment is recorded [3 and 4]. It is necessary for Condition 3 to be pre-commencement to ensure provisions are in place in relation to matters of potential archaeological interest before abortive works which may affect them are undertaken.
53. A condition requiring a Demolition and Construction Management Plan is necessary in the interest of protecting the living conditions of neighbouring occupiers [5]. Condition 24 is necessary for similar reasons. It is necessary for Condition 5 to be pre-commencement to ensure a plan is agreed before construction works which may affect the living conditions of the neighbouring occupiers begins.
54. The Demolition and Construction Management Plan shall include the operating hours and as such a further condition specifying this is not necessary.
55. Condition 6 is necessary in the interest of the character and appearance of the area. It is necessary for this to be pre-commencement to ensure the hedges and hedgerows are protected before works that could affect them begin.
56. It is necessary to ensure the infrastructure to be provided for electric vehicle charging points is secured in the interests of sustainable transport provision [7]. It is necessary for this to be pre-commencement to ensure abortive works are not undertaken which could hinder the implementation of the infrastructure.
57. I am satisfied that Conditions 8, 9, 14, 15 and 18 are necessary in the interest of highway safety. It is necessary that Conditions 8 and 9 are pre-commencement to ensure a safe and suitable access is provided prior to construction works starting and that works that could affect their delivery are not undertaken.
58. It is necessary in the interest of the character and appearance of the area to ensure the materials to be used in the external elevations and roofs are approved [10]. I have revised the suggested condition to include the external elevations for the reasons given above. A condition requiring fenestration details for windows, rooflights and doors is necessary for similar reasons [13].
59. It is not necessary for information regarding cycle storage details or bin storage details to be provided prior to the commencement of development as this would not pass the tests of necessity [11 and 12]. This information is

necessary before development begins above slab level to ensure abortive works which may affect them are not undertaken. These conditions are necessary in the interest of highway safety and to promote sustainable modes of transport.

60. It is necessary in the interest of the character and appearance of the area that a landscape management plan is approved [16]. A further condition is necessary to ensure the landscaping works are given the opportunity to become established in the interest of the character and appearance of the area [17].
61. It is necessary in the interest of the character and appearance of the area for details of screen walls and fencing to be submitted and approved by the Council [19].
62. Conditions 20, 21 and 23 are necessary in the interest of conserving protected and priority species.
63. Condition 22 is necessary in the interest of the living conditions of the neighbouring occupiers. It would not pass the test of necessity for this condition to be pre-commencement.
64. The Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. The site is located within the setting of a Grade II listed building and near to a CA. As such if the dwellings were extended at roof level, they would potentially appear significantly larger which may cause harm to the setting of the heritage assets and thus harm the contribution they make to their significance. As such, this provides clear justification to restrict permitted development rights to make alterations to the roofs of the dwellings [25].
65. Details of the dwellings that have been approved will be secured via a condition and permitted development rights have been removed to make alterations to the roof. Accordingly, a condition requiring the dwellings shall be of a single storey design with living accommodation on the ground floor only is not necessary.

Conclusion

66. Therefore, for the reasons set out, I conclude that the appeal should be allowed.

G Sibley

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 drawings: Defined Red Line Plan OS MAP 1:2500; Visibility Splays DWG No 23/25/03; Proposed Site Plan DWG No 23/25/04; Proposed Plans and Elevations (Plot 1) DWG No 23/25/05; Proposed Plans and Elevations (Plot 2) DWG No 23/25/06; Proposed Plans and Elevations (Plot 3) DWG No 23/25/07; Proposed Plans and Elevations (Plot 4) DWG No 23/25/08; Proposed Plans and Elevations (Plot 5) DWG No 23/25/09; Proposed Plans and Elevations (Plot 6) DWG No 23/25/10; Proposed Landscaping Plan DWG No 23/25/11; Existing and Proposed Site Sections DWG No 23/25/12; Proposed External Lighting Scheme DWG No 23/25/13; and Proposed Street Scenes No. 1, 2 & 3 DWG No 23/25/14.
- 3) No development shall take place within the Defined Red Line Plan OS MAP 1:2500 until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority. The scheme of investigation shall include an assessment of significance and research questions; and:
 - i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation; and
 - vii) The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the local planning authority.
- 4) No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the local planning authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition.
- 5) No development shall commence until a Demolition and Construction Management Plan has been submitted to and approved in writing by the local planning authority. The Demolition and Construction Management Plan shall include details of:
 - i) Operating hours

- ii) Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors)
- iii) Loading and unloading of plant and materials
- iv) Wheel washing facilities
- v) Methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur
- vi) Hours of operation and vehicle movements
- vii) Lighting
- viii) Location and nature of compounds and storage areas (including maximum storage heights) and factors to prevent wind-whipping
- ix) Waste storage and removal
- x) Temporary buildings and boundary treatments
- xi) Dust management measures
- xii) Noise and vibration management (to include arrangements for monitoring, and specifically for piling); and
- xiii) Litter management during the construction phases of the development.

Thereafter, the approved Demolition and Construction Management Plan shall be fully implemented and adhered to during the demolition and construction phases of the development hereby approved. The Demolition and Construction Management Plan shall cover both demolition and construction phases of the development hereby permitted. The developer shall have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites (or equivalent documents which may update or supersede this Standard) in the Development and Construction Management Plan.

- 6) No development shall take place until the existing hedges/hedgerow on the site as shown on DWG No. 23/25/11, have been protected by the erection of temporary protective fences of a design, height, size and in positions which shall be approved, in writing, by the local planning authority prior to the commencement of development. The protective fences shall be retained throughout the duration of building and engineering works. Any part of the hedge(s) that dies or becomes severely damaged as a result of any failure to comply with these requirements shall be replaced with planting of appropriate size and species during the first planting season up to first occupation of the development, following the death of, or severe damage to the hedge/hedgerow.
- 7) Before development is commenced details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is first occupied and shall be retained thereafter and used for no other purpose.
- 8) Before the development is commenced details shall be submitted to and approved in writing by the local planning authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme

- shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
- 9) Prior to the commencement of the development hereby permitted, with the exception of the demolition works to 8 Harefield, the new access shall be laid out and completed in all respects in accordance with Suffolk County Council's Standard Access drawing no. DM03 with a minimum entrance width of 4.5 metres for a distance of 10 metres measured from the nearside edge of the metalled carriageway. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first 5 metres measured from the nearside edge of the highway. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside edge of the highway. The vehicular access shall thereafter be retained in its approved form.
 - 10) No works shall commence above slab level until details of the materials to be used on the external elevations and roofs have been submitted to and agreed in writing by the local planning authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first occupation.
 - 11) No works shall commence above slab level until details of areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the local planning authority. Prior to occupation the approved scheme shall be provided and retained thereafter and used for no other purpose.
 - 12) No works shall commence above slab level until details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the local planning authority. Prior to occupation the approved scheme shall be provided and retained thereafter and used for no other purpose.
 - 13) Prior to the commencement of any works to install fenestration at the hereby approved development, detailed and appropriately scaled drawings which shall include details of materials, finishes, method of opening, glazing and colour of all new windows, roof lights and doors and their surrounds to be installed shall be submitted to and approved, in writing, by the local planning authority and shall thereafter be entirely implemented as approved prior to occupation.
 - 14) Before the access is first used visibility splays shall be provided as shown on DWG No 23/25/03 with an X dimension of 2.4 metres and a Y dimension of 4.3 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. The visibility splays shall be free of any obstruction exceeding 0.6 metres in height and shall be retained as such thereafter.
 - 15) Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with the details that shall have previously been submitted to and approved in writing by the local planning authority and shall be retained as such thereafter.
 - 16) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be

submitted to and approved, in writing, by the local planning authority prior to the first occupation of the development. The landscape management plan shall be carried out entirely as approved in accordance with the details and timescale in the approved plan and thereafter retained.

- 17) All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the landscaping details approved in Condition 16 shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development up to the first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.
- 18) The development shall not be occupied until the area(s) within the site shown on drawing no. 23/25/04 for the purposes of manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.
- 19) Prior to the first occupation of the development hereby permitted details of the provision, siting, design and materials of all screen walls and fences shall have been submitted to and approved, in writing, by the local planning authority. The screen walls and fences as may be approved shall be erected prior to the dwelling/s to which they relate being first occupied and thereafter be retained in the approved form.
- 20) External lighting shall be implemented in accordance with the scheme shown on drawing 23/25/13 'Proposed External Lighting Scheme'. Where the Trio Ohio LED lights cannot be used, full details of the proposed alternative luminaire shall be submitted to and approved by the local planning authority in writing. The scheme shall be implemented prior to occupation of the approved development and maintained for the lifetime of the approved development.
- 21) Prior to occupation a Biodiversity Enhancement Strategy undertaken by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - i) Purpose and conservation objectives for the proposed enhancement measures
 - ii) Detailed designs and product descriptions to achieve stated objectives
 - iii) Locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where applicable)
 - iv) Persons responsible for implementing the enhancement measures; and
 - v) Details of initial aftercare and long-term maintenance (where applicable).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

- 22) Prior to the first occupation of the dwellings hereby permitted a Noise Impact Assessment for any Air Source Heat Pumps or Mechanical Ventilation Heat Recovery plant shall be submitted to the local planning authority and approved in writing. The Air Source Heat Pump Noise Impact Assessment shall detail the noise levels associated with the use of the air source heat pumps and include an analysis of whether any noise mitigation measures are required to control the noise (and if so full details of these mitigation measures). Prior to the occupation of the dwellings any required mitigation measures shall be implemented in accordance with the approved Air Source Heat Pump Noise Impact Assessment and retained thereafter.
- 23) All mitigation measures and/or works shall be carried out in accordance with the details contained in the updated Preliminary Ecological Appraisal (Skilled Ecology Consultancy Ltd, March 2023).
- 24) There shall be no burning of demolition or construction waste and materials on the site at any time.
- 25) Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes B, C and AA of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no enlargement of the dwelling house(s) consisting of an addition or alteration to the roof or construction of additional storeys shall be carried out, except pursuant to the grant of planning permission on an application made in that regard.

End of Schedule