



Appeal Decision

Site visit made on 28 August 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/H1840/W/24/3339168

Land at Abbots Morton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Thompson against the decision of Wychavon District Council.
 - The application Ref is W/23/02210/FUL.
 - The development proposed is demolition of existing workshop and storage yard and erection of 2 residential dwellings and associated infrastructure.
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Decision

1. The appeal is allowed, and planning permission is granted for demolition of existing workshop and storage yard and erection of 2 residential dwellings and associated infrastructure at Land at Abbots Morton, in accordance with the terms of the application W/23/02210/FUL, subject to the Schedule of Conditions attached to this Decision.

Applications for costs

2. An application for costs was made by Mr Ian Thompson against Wychavon District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are: i) Whether the appeal site is in a suitable location for new housing; ii) the effect of the proposal on the character and appearance of the area; and iii) the effect of the proposal on protected species.

Reasons

Location for housing

4. The appeal site comprises a field, which is subdivided by a group of buildings and structures located centrally within it. Access is via an unmade track off Village Road along the side of the front field. This track leads to the area where the buildings and structures are positioned.
5. It is not a matter of dispute between the main parties that the appeal site is located outside of the settlement boundary of Abbots Morton. Under Policy SWDP 2 of the South Worcestershire Development Plan ('DP') it therefore comprises open countryside where development is to be strictly controlled. The proposal would not comprise a rural worker dwelling, rural employment development, rural exception site, building for agriculture and forestry, replacement dwelling, house extension, replacement building or renewable energy project.

6. The appellant asserts that the buildings and yard are brownfield land because these are used for the storage of building materials. However, in the absence of a lawful development certificate, there is limited certainty of this and therefore this attracts little weight. Irrespective, whilst DP Policy SWDP 2 encourages the effective use and re-use of brownfield land, amongst other things, this needs to be accessible. Therefore, even if I were to accept that part of the site is brownfield land, its re-use is not supported by this Policy.
7. Accordingly, the proposal does not meet any of the exceptions to development within open countryside (Policy SWDP 2 criterion C). Further, it is not one that would be specifically permitted by other DP policies.
8. The supporting text to the above Policy, recognises that the high quality of the open countryside is an important planning attribute of the area. Adding that, sites beyond development boundaries generally are less sustainable as access to local services and employment opportunities tends to be poorer and therefore it is appropriate that development in the open countryside is restricted to proposals which are supportive of more specific DP policies.
9. Policy SWDP 4 of the DP requires that proposals minimise demand for travel and offer genuinely sustainable travel choices.
10. These policies are broadly consistent with the National Planning Policy Framework ('the Framework'), which states that to promote sustainable development in the rural areas housing should be located where it will enhance or maintain the vitality of rural communities; seek opportunities to promote walking, cycling and public transport; limit the need to travel, and offer a genuine choice of transport modes.
11. In the South Worcestershire Development Plan - Hierarchy of Settlements, Abbots Morton is identified as a Category 4b village, which are defined as settlements that have low / medium level of public transport provision and low services / facility provision.
12. There is only a church and church hall in Abbots Morton. The surrounding villages such as Bishampton and Church Lench are Category 3 villages, with limited services and facilities. The closest Category 1 village is Inkberrow, which offers a better range of services and facilities. However, this is over 4 miles away and not in reasonable walking distance. There is no public transport to Inkberrow but the facilities in this village could potentially be accessed on a bicycle.
13. The new development would incorporate electric car charging points and cycle storage to encourage sustainable transport methods to be used. However, there is no certainty that future occupiers would use these transport modes.
14. Therefore, to access a range of health, education and employment areas, occupiers of the proposed dwellings and visitors are likely to be largely reliant on private motor vehicles. Therefore, the location of the appeal site would not minimise demand for travel.
15. Even when taking account of the Framework, which acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, the location of the appeal site does not offer genuinely sustainable travel choices to a range of nearby shops, facilities and services.

As such, this is likely to require the use of private cars, which is likely to give rise to adverse environmental impacts through increased carbon emissions.

16. Therefore, the location of the appeal site is not suitable for housing and the proposal conflicts with Policies SWDP 2 and SWDP 4 of the DP.

Character and appearance

17. As well as being in the countryside, the appeal site forms part of the Abbots Morton Conservation Area ('the Conservation Area'). There are also several listed buildings within the Conservation Area.
18. Although the Council's reasons for refusal do not refer to heritage assets, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special regard to the desirability of preserving listed buildings and their setting. The Framework requires me to assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).
19. Based on my observations and the Abbots Morton Conservation Area Appraisal ('the Appraisal') the significance of the Conservation Area is derived from Abbots Morton being a rare survival of a small planned medieval village with a remarkable collection of historic buildings, which also draws significance from its rural setting.
20. The Conservation Area includes areas of open land and most of the built forms associated with the village, which are mainly laid out along both sides of Village Road. This is a single lane on a gently curving south-west/north-east axis. Individual houses and cottages are scattered along the lane in a framework of large linear plots which are set at right angles to the lane. Most buildings front the lane, with their ridges carried in approximate alignment. A few depart from this pattern and present their gables to Village Road. Most are set back behind front gardens of varying sizes. There is no uniformity in spacing between buildings, or in the distance of set back from Village Road, so that there is no hard delineation of a consistent building line.
21. Between the buildings, trees, hedgerows, gardens, open spaces and the surrounding countryside are frequently visible, and make a significant contribution to the rural character of the area including the Conservation Area. Based on the Appraisal undeveloped private gardens also contribute to an impression of openness, and these are important to the character and appearance of the Conservation Area.
22. The buildings and structures within the site are of a low-rise scale and screened from the wider area by established landscaping. Whilst some limited and glimpsed views of the existing development are available from along the site's access and the path to the rear of the site, in most views from the surrounding area, the appeal site has the appearance of a verdant and open space. In particular, the undeveloped parts of the site contribute to the rural setting of the Conservation Area.
23. However, development either side of the appeal site and on the other side of Village Road is also apparent. As such, in my view, on the ground, the appeal site does not have the character of an edge of village location.

24. As part of the proposed scheme, the existing buildings and structures would be removed. These are identified as 'Negative Factors' in the Appraisal and detract from the appearance of the area. These would be replaced by two detached dormer cottages with separate car barns. These new built forms would broadly occupy the same area as the extant buildings and structures at the site. The existing track would be widened and extended to facilitate the proposal.
25. The spacing between the proposed dwellings, and their setback from Village Road would be consistent with the diverse arrangement of buildings in the area.
26. Because of their individual and traditional designs, the proposed dwellings would complement the varied forms of buildings in the locality, which includes some which are of twentieth century architecture. The car barns would be consistent with the design of the proposed dwellings.
27. Several trees within the site are to be removed, these are largely of low quality and replacement tree and native hedge planting is proposed. Even so, the Council's Landscape and Natural Heritage Officer has suggested additional compensatory planting in the interests of biodiversity. Such planting is also necessary to preserve and enhance the character and appearance of the Conservation Area. To this end, and notwithstanding the submitted landscaping details, the submission of a more robust landscaping scheme could be secured by a similar landscaping condition, as suggested by the Council if the appeal is allowed.
28. Although the proposed dwellings incorporate two-storeys, the upper floors are accommodated in the roof space. This limits the overall scale of these. Even so, because of the overall extent of new development along with the alterations to the existing track and removal of trees, the new development would have a stronger visual presence than the extant development.
29. Nevertheless, the proposed dwellings would be located to the rear of the field which faces Village Road. This land along with most of the boundary planting are to be retained. Together, these would support the verdant and spacious character of the site and area. Also, these factors and proposed planting, would filter and soften views of the new development from public vantage points.
30. However, the field adjacent to Village Road is part of the appeal site and to ensure that this is not developed or occupied in association with the proposed dwellings, in the interests of safeguarding the character and appearance of the countryside and Conservation Area, it would be necessary to control this if the appeal succeeds. Also, the access and management of this field could be dealt with as part of any landscaping scheme.
31. The proposed rear gardens would be able to support domestic paraphernalia, such as garden furniture. However, this would be in the context of nearby gardens and uses. Nevertheless, to ensure that the gardens remain largely undeveloped in the interests of the character and appearance of the area and the Conservation Area, it would be justified to remove permitted development rights for outbuildings. For similar reasons, so that the development area and wider site are safeguarded from inappropriate and unnecessary enclosures, it would also be justified to remove permitted development rights for gates

walls, fences etc. Such controls could be secured by conditions if the appeal succeeds.

32. Drawing on the above reasons, whilst the proposal would result in new development in the countryside, this would largely be contained on an area which already supports some development. Therefore, this would not unacceptably undermine the aims of the DP for safeguarding the high quality of the countryside. Furthermore, and having regard to the site's context, the layout, scale and design of the proposed development would be acceptable, and this would accord with the design guidance in the Appraisal.
33. To the west of the appeal site lies The Gable House and Sitting Room, which are both Grade II listed. Further along to the east on the other side of the Village Road are several cottages which are also Grade II Listed. The significance of these heritage assets largely derives from their history and architecture, which are impressive 16th/17th century domestic buildings. The nearest to the appeal site are The Gable House and Sitting Room. In limited views from Village Road, the appeal site and these heritage assets are visible together. As such, the appeal site forms part of the setting of The Gable House and Sitting Room.
34. Nevertheless, because the proposed development would be set back within the appeal site and, in part, screened by retained intervening landscaping, this would not intrude on or dominate the views of these listed buildings from along Village Road or elsewhere. As such, there would be no harm to the setting or significance of the nearby listed buildings or the Conservation Area. Moreover, the proposal would secure the removal of uncharacteristic development at the appeal site which would enhance the Conservation Area.
35. Consequently, the proposal would not harm the character and appearance of the area and accords with DP policies SWDP 21 and SWDP 25. Amongst other things, these policies seek to safeguard and (wherever possible) enhance the open countryside; ensure that the siting and layout of a development reflects the given characteristics of the site in terms of its appearance and function, and that developments are appropriate to, and integrate with, the character of the landscape setting. This is consistent with the Framework which states that new development should be of high-quality design and contribute positively to making places better.

Protected species

36. The Council's fourth reason for refusal ('RfR') relates to the effect of the proposal on protected species, namely bats.
37. Notwithstanding the incorrect wording of the fourth RfR, the submitted Bat and Badger Surveys 2023, confirms that the demolition of site buildings and redevelopment of the site has the potential to impact upon bats and will result in the destruction of a confirmed bat roost supporting small numbers or individual lesser horseshoe and brown long-eared bats.
38. Bats and their roosts are afforded strict protection under UK and European Law. Indeed, Regulation 9 (3) of the Conservation of Habitats and Species Regulations 2017 (the Regulations) imposes a duty on me to have regard to the likelihood of bats, a European Protected Species, being present and affected by the proposed development.

39. A bat mitigation licence would need to be obtained from Natural England ('NE') before any works can commence. Decisions about whether a licence can be granted are the responsibility of NE and are dealt with under a separate process.
40. Nevertheless, as the decision-maker I am required by the Regulations to have regard to the requirements of the Habitats Directive in the determination of this appeal. In effect I am required to consider whether there would be a reasonable prospect of a licence being granted by applying the three derogation tests: (a) preserving public health or public safety or other imperative reasons of overriding public interest; (b) that there is no satisfactory alternative; and (c) that the action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.
41. In respect of test (a), given that the buildings where the roost is located is in poor condition, the proposal is likely to secure the long-term availability of bat roosts on site. Based on the evidence and my observations I have no reason to dispute this.
42. The proposal also includes the removal of uncharacteristic development at the site, which would enhance the Conservation Area and is a benefit to the scheme. The submitted scheme would also contribute to the supply of housing, including an affordable housing contribution in an area which, on the evidence before me, has a shortfall in supply. Therefore, I acknowledge that there would be some social, economic and environmental benefits associated with the proposal, as set out in the appellant's submissions. Together, these are sufficient to amount to an imperative reason of overriding public interest.
43. Regarding test (b), as already stated, the existing roosts are at risk and could also be damaged through any refurbishment or conversion of the existing buildings on site, with a similar adverse impact on bat roosts. As such, there would appear to be no satisfactory alternative option.
44. On the information before me, the proposed mitigation and compensation measures would be acceptable to compensate for the loss of a roost arising from the demolition of existing buildings and structures. This would meet the requirements of test (c).
45. In light the above reasons, there is sufficient evidence for me to deduce that there would be a reasonable prospect of a derogation licence being granted by NE. As such, the proposal would not compromise the favourable conservation status of protected species (Bats). This accords with DP Policy SWDP 22, which says that development which would compromise the favourable conservation status of European or nationally protected species or habitats will not be permitted. This is consistent with similar aims of the Framework.

Other Considerations

46. On the information available to me, the Council's housing land supply stands at about 2.78 years. Consequently, Paragraph 11d) ii of the Framework applies. This states that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

47. The delivery of two new dwellings would positively contribute towards the Council's housing land supply and this would boost the delivery of homes in accordance with the Framework. The scheme also includes an affordable housing contribution.
48. The proposal would create employment during the build phase. Thereafter, new residents would enhance or maintain the vitality of rural communities, in accordance with the Framework.
49. When taking the Council's position on housing land supply, which indicates a housing shortage, I attach significant importance to the provision of new housing and the social, economic and environmental benefits associated with this. Nonetheless, because of the modest scale of the development (2 dwellings) the benefits associated with this attract more than moderate weight.

Other Matters

50. To support appropriate provision of affordable housing in the district, criterion B. v. of Policy SWDP 15 of the DP requires that, on sites of fewer than five units, a financial contribution towards affordable housing will be sought.
51. The submitted S106 Agreement includes the provision of the required financial contribution towards affordable housing. This accords with Policy SWDP 15 of the DP. Accordingly, the obligation is also directly related to the development, fairly and reasonably related in scale and kind to the development and therefore complies with the tests set out in the Framework, the advice in the Planning Practice Guidance and with Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended).
52. In addition to the above matters, third parties have raised concerns in respect of the effect of the proposal on highway safety, flooding, and the living conditions of neighbours. These matters were addressed in the Council's Delegated Decision Report and did not form part of its reasons for refusing the proposal. I have also considered these matters and on the information before me, I see no reason why these factors, whether alone or in combination, would justify resisting the scheme.
53. Based on the submitted ecological information and subject to the appellant obtaining the required licence from NE, and undertaking additional landscaping, the proposal would enhance biodiversity.
54. There is limited evidence that the proposal would unacceptably affect any notable archaeological interests in the area. Concerns that the removal of trees would adversely affect the village during inclement weather and that a barn storing straw adjacent to the site would be at risk of fire during construction are unsubstantiated.
55. I am also unpersuaded that two new dwellings in an area which already incorporates some residential development, would be incompatible with a neighbouring eventing business because of noise.
56. Whilst there is some reference to the Abbots Morton Parish Plan, this is not in the evidence before me. The provision of utilities and services to the site would be a matter for the developer.

57. Concerns have been raised about the potential for further development at the appeal site. However, no such proposal is before me.
58. I have been made aware of previous refusals for residential development at the appeal site, including one which was dismissed on appeal. Based on the limited information before me, these appear to relate to the part of the field forward of the developed areas and were considered under a different local and national planning policy context. In any event, the scheme which was dismissed on appeal was for outline planning permission. As such, these previous decisions are not directly comparable and do not alter my findings on the main issues. Also, I have assessed the scheme before me on its merits and having regard to the site-specific circumstances. For these reasons, my Decision is unlikely to set a precedent.

Conditions

59. I have had regard to the conditions put forward by the Council considering the requirements of the Planning Practice Guidance and the Framework. In addition to the standard timescale condition for the implementation of the planning permission, I have imposed a condition specifying the approved drawings in the interests of certainty.
60. In the interests of ensuring a high-quality development and safeguarding the character and appearance of the area, I have imposed conditions requiring details of all external finishes, materials, boundary treatments and surfaces.
61. To minimise the disruption caused by construction activity on neighbours and the environment a Construction Environmental Management Plan is both necessary and reasonable. The times for demolition, construction, and deliveries associated with the development could also be incorporated into this.
62. To protect and enhance biodiversity, a condition requiring that the development be carried out in accordance with the recommended ecological mitigation measures identified in the Preliminary Ecological Appraisal and Bat and Badger Surveys is necessary. Also, in the interests of safeguarding bats and the character and appearance of the area it is necessary to control external lighting at the appeal site.
63. For the reasons already given, it is necessary to specify conditions controlling the use and development of the part of the field between the proposed dwellings and Village Road and the removal of certain permitted development rights.
64. A condition relating to foul and surface water drainage is necessary to avoid local pollution and manage flood risk. A condition to identify and deal with on-site contamination is required in the interests of safeguarding operatives, neighbours and occupiers.
65. Whilst some landscaping details have been provided, to ensure that the proposed landscaping enhances the character and quality of the area and supports biodiversity enhancements, I have specified a condition requiring a landscaping scheme and its implementation.
66. It is reasonable to impose conditions to secure a proportion of energy sources from renewable and/or low carbon measures, and to require electric vehicle

charging points to promote sustainable forms of development. To further support sustainable modes of travel, a condition requiring the details and provision of cycle storage facilities is also necessary.

67. A condition for the provision of the proposed access and parking areas is necessary in the interests of the satisfactory functioning of the development and highway safety. Also, to ensure the satisfactory functioning of the development, a condition requiring details and the provision of refuse and recycling storage facilities is reasonable and necessary.
68. Conditions (3-6 inclusive) which prevent any development approved from commencing until they have been complied with, are considered fundamental to the development hereby approved. It is necessary for them to take the form of 'pre-commencement' conditions to have their intended effect. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

Planning balance and conclusion

69. To develop the appeal site as proposed would be contrary to the Council's development strategy, which seeks to direct new development towards sustainable areas within development boundaries and safeguard the countryside. Even though the Council's development strategy is currently failing to deliver sufficient homes to meet its housing land supply target, this broadly aligns with the Framework and still is afforded some weight.
70. For the reasons already given, despite the appeal site being in a countryside location, I am satisfied that the proposal would not harm this. Nevertheless, because of the location of the appeal site this would not promote walking, cycling and public transport; limit the need to travel, and offer a genuine choice of transport modes, which is contrary to the aims of the development plan and the Framework. This amounts to harm. However, because of the modest scale of the development, I attach moderate weight to this.
71. On the other hand, the proposal would deliver 2 new dwellings. This, and the benefits associated with the proposal, and in particular the removal of the uncharacteristic buildings and structures from the Conservation Area, weigh in favour of the proposal and attract more than moderate weight.
72. As a result, when assessed against the policies in the Framework, the adverse impacts associated with the proposal, would not significantly and demonstrably outweigh the benefits arising from this. Consequently, the presumption in favour of sustainable development applies and this indicates that planning permission should be granted, and the appeal allowed. Accordingly, I also find no conflict with Policy SWDP 1 of the DP, which reflects the presumption in favour of sustainable development contained in the Framework.

M Aqbal

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) Unless where required or allowed by other conditions attached to this permission, the development hereby approved shall be carried out in accordance with the following plans/drawings:
Existing Site Location Plan, Existing Site Plan & Proposed Site Plan: Drawing SJD 305 005 Rev D;
Proposed Car Barn Floor Plans, Elevations & Section: Drawing SJD 305 007 Rev C;
Proposed House Type Floor Plans & Elevations: Drawing SJD 305 006 Rev C;
Proposed House Type Floor Plans & Elevations: Drawing SJD 305 006 Rev B;
Proposed Street Scene Elevation: Drawing SJD-305; and
Swept Path Analysis long wheel base van 23-247-TR01.
- 3) The development hereby permitted, shall not commence until details of all external finishes, materials, and surfaces (including hard landscaping and the surface of the access and parking/turning areas) have been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted, including any ground clearance and demolition works shall not commence until an ecological mitigation and enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the recommendations contained within the Phase 1 Preliminary Ecological Appraisal Abbots Morton Document Reference: Abbot0623_PEA Prepared: June 2023 and Abbots Morton Bat and Badger Surveys 2023 (1 October 2023) and shall also include details of all proposed lighting and an implementation timetable. Thereafter, the ecological mitigation and enhancement scheme shall be carried out in accordance with the approved details and timetable.
- 5) The development hereby permitted, including any ground clearance and demolition works shall not commence until a Construction Environment Management Plan ('CEMP') has been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be undertaken in accordance with the approved CEMP.
- 6) Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation, must not commence until parts 1 to 6 of this condition have been complied with:
 1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a

diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required, and this should be detailed in a report supplied to the local planning authority. The risk assessment must be approved in writing before any development takes place.

2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the local planning authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

3. Detailed site investigation and risk assessment must be undertaken, and a written report of the findings produced. This report must be approved by the local planning authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with the Environment Agency's "Land Contamination: Risk Management" guidance.

4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the local planning authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority.

6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval of the local planning authority prior to the occupation of any buildings.

7. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared; these will be subject to the approval of the local planning authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the local planning authority prior to the occupation of any buildings.

- 7) The land (excluding the proposed access) between Village Road and the two dwellings hereby permitted, as shown white on the Proposed Ground Floor Plan, on Drawing: SJD 305 005 Rev D, shall not be used or developed for any residential purpose in association with the dwellings hereby permitted.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, no development shall be carried out at the development site, which falls within Class E of Part 1 and Class A of Part 2 of Schedule 2 to the Order.
- 9) The development hereby permitted shall not be occupied until details of all foul and surface water drainage systems to serve the development have been submitted to and approved in writing by the local planning authority. The approved drainage systems shall be before the first occupation of any dwelling hereby permitted and shall be retained thereafter.
- 10) The development hereby permitted shall not be occupied until details of cycle storage facilities have been submitted to and approved in writing by the local planning authority. The approved cycle storage facilities shall be implemented before the first occupation of any dwelling hereby permitted and shall be retained thereafter.
- 11) Prior to the first occupation of any dwelling hereby permitted, the access and parking facilities shown on drawing: Proposed Site Plan SJD 305 005 Rev D, shall be completed. Thereafter, these areas shall be always retained and kept available for their respective approved uses.
- 12) No trees other than those identified under Table 1 of the Arboricultural Impact Assessment, Reference: ZTL_222 (October 2023) prepared by Zebra Trees and shown on the submitted plans shall be removed, and prior to the removal of any such trees a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The landscaping scheme shall include: - (i) a plan(s) showing details of all existing trees and hedges on the application site and land adjoining the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread. (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas. (iii) a schedule of proposed planting -indicating species, sizes at time of planting and numbers/densities of plants. (iv) details of planting, access and maintenance arrangements for the retained land referred to under Condition 7 of this permission. (v) a written specification outlining cultivation and other operations associated with plant and grass establishment. (vi) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting. All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation of the development, whichever is the sooner. The planting shall be maintained in accordance with the approved schedule of

maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 13) The development hereby permitted shall not be occupied until a plan indicating the positions, design, and materials for boundary treatments to be erected at the development site have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be implemented before the first occupation of any of the dwellings hereby permitted.
- 14) The development hereby permitted shall not be occupied until details of renewable or low carbon energy generating facilities to be incorporated as part of the development, have been submitted to and approved in writing by the local planning authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met using renewable/low carbon energy generating facilities. The approved facilities shall be provided before the first occupation of any of the dwellings hereby permitted.
- 15) Prior to its first occupation, each dwelling hereby permitted shall be fitted with an electric vehicle charging point, the specification of which shall be submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be maintained thereafter.
- 16) The development hereby permitted shall not be occupied until details of refuse and recycling storage facilities to serve the development have been submitted to and approved in writing by the local planning authority. The approved refuse and recycling storage facilities shall be provided before the first occupation of any of the dwellings hereby permitted and retained thereafter.
- 17) Other than any lighting approved as part of this permission, no further external lighting shall be installed at the development site unless the details of this have been submitted to and approved in writing by the local planning authority.