



Appeal Decisions

Site visit made on 26 November 2024

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2024

Appeal A Ref: APP/M1710/W/24/3346132

Ajax House and Plowden House, 27 Haslemere Road, Liphook, Hants GU30 7UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under Section 73 of the Town and Country Planning Act 1990 for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by McCarthy & Stone Retirement Lifestyles Ltd against the decision of East Hampshire District Council.
 - The application Ref is 23460/011.
 - The application sought planning permission for the demolition of existing office buildings and erection of 39 retirement apartments, with associated parking and landscaping without complying with condition 20 attached to planning permission 23460/010 to allow drawings to be substituted for the inclusion of 3no balconies to second floor apartments.
 - The condition in dispute is condition 20 which states that:
The development hereby permitted shall be carried out in accordance with the following approved plans and particulars [see schedule C].
 - The reason for the condition is:
To ensure provision of a satisfactory development.
-

Appeal B Ref: APP/M1710/W/24/3346134

Ajax House and Plowden House, 27 Haslemere Road, Liphook, Hants GU30 7UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under Section 73 of the Town and Country Planning Act 1990 for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by McCarthy & Stone Retirement Lifestyles Ltd against the decision of East Hampshire District Council.
 - The application Ref is 23460/012.
 - The application sought planning permission for the demolition of existing office buildings and erection of 39 retirement apartments, with associated parking and landscaping without complying with condition 20 attached to planning permission 23460/010 to allow drawings to be substituted for the inclusion of 3no patios to ground floor apartments.
 - The condition in dispute is condition 20 which states that:
The development hereby permitted shall be carried out in accordance with the following approved plans and particulars [see schedule C].
 - The reason given for the condition is:
To ensure provision of a satisfactory development.
-

Decisions

1. Appeal A is allowed and planning permission is granted for the demolition of existing office buildings and erection of 39 retirement apartments, with

associated parking and landscaping in accordance with application 23460/011 without complying with condition 20 attached to planning permission 23460/010 to allow drawings to be substituted for the inclusion of 3no balconies to second floor apartments, and subject to the conditions set out in the attached schedule A.

2. Appeal B is allowed and planning permission is granted for the demolition of existing office buildings and erection of 39 retirement apartments, with associated parking and landscaping in accordance with application 23460/012 without complying with condition 20 attached to planning permission 23460/010 to allow drawings to be substituted for the inclusion of 3no patios to ground floor apartments, and subject to the conditions set out in the attached schedule B.

Preliminary Matters

3. In the address on the application forms 'house' is inadvertently spelt 'hose'. This is clearly a spelling error and I have corrected it in the addresses used in the banner headings above.
4. The office buildings have now been demolished and at the time of my site visit footings and a ground floor slab had been laid.

Main Issues

5. For Appeal A, the main issue is the effect varying the approved plans to allow for the inclusion of a balcony on unit 39 would have on the privacy of occupants of unit 38.
6. For Appeal B, the main issue is the effect varying the approved plans to allow for the inclusion of 3 patios to the ground floor units 10, 11 and 12 would have on the character and appearance of the street scene.

Reasons

Appeal A - balconies

7. The balcony to unit 39 would be partly flanked by building to either side. Someone standing on the balcony would be able to clearly see the bedroom window of unit 38. However, the angle between the two would be so oblique that even if a person was to deliberately stand in the furthest corner of the balcony, only a very small part of the adjoining unit's bedroom would be able to be seen. In all normal circumstances, a person on the balcony would not have a view into the neighbouring bedroom, nor would they be seen by someone occupying the bedroom. A user of that space would not therefore be, or perceive to be, overlooked to any harmful degree.
8. In a flatted scheme such as this, it is normal to have windows of different units in close proximity to one another, and some degree of intervisibility is to be expected. I do not consider that the relationship between units 39 and 38 would be materially any different to such relationships where balconies have already permitted in the scheme, for example the flats immediately below units 39 and 38 which have a very similar orientation.
9. The Council raises no objection to the other 2 balconies proposed on units 29 and 30, nor do I. I conclude that there would be no harmful loss of privacy for the occupants of unit 38, and therefore there would be no conflict with Policy

CP27 of the East Hampshire District Local Plan: Joint Core Strategy 2014 (the Core Strategy), which requires development to avoid unacceptable effects on the amenity of neighbouring occupiers.

Appeal B - patios

10. The 3 patios to units 10, 11 and 12 would face Haslemere Road. While these would be on the most public façade of the building they would be small in size and set back from the road frontage behind a communally maintained grassed area, and retained boundary wall backed by a new hedge and occasional trees.
11. So far as the paved surfaces are concerned, they would be modest in scale when compared to the amount of soft landscaping remaining and would be no different to other patios in the development. They would not be the only hard surfaces on this frontage as there would also be a pedestrian gate and path to a communal entrance, to which no objection has been raised by the Council. The patios would not be visually prominent or harmful in the street scene, and would have the benefit of providing outdoor amenity space. They would also be partly screened by the boundary wall and hedge.
12. It is possible that occupants of the respective ground floor apartments may wish to personalise the patios with, for example, pots or planters. These would be little different from such features commonly found in domestic settings. Given the modest size of the patios, it is unlikely that such features would appear cluttered or dominant from the public realm. The patios would remain part of the communally managed grounds around the apartment buildings, and the management company would therefore retain control over any enclosure or unsightly domestic paraphernalia that might otherwise occur.
13. I conclude that the patios for units 10, 11 and 12 would not appear harmful in the street scene, nor would their use give rise to features that would be unattractive or detrimental to the character and appearance of the area. There would therefore be no conflict with Policy CP29 of the Core Strategy, which requires development to make a positive contribution to the overall appearance of the area.

Other Matters

14. The Council's appeal statement raises concern at the development causing harm to the setting of the Liphook Conservation Area, although this does not form part of the reason for refusal and the Council's Conservation Officer has raised no objection.
15. The development would be seen from part of the Conservation Area, which includes land on the opposite side of the road. However, for the reasons that I have set out above, I do not consider there would be any harm to the character and appearance of the area. It follows that there would also be no harm to the setting or significance of the Conservation Area.
16. The original planning permission granted under 23460/010 was subject to a legal undertaking under Section 106 of the Town and Country Planning Act 1990. I have not been provided with a copy of that undertaking nor has its provisions been raised by either the appellant or Council. As I have not been asked to consider it as a matter in these appeals, I have assumed that the obligations contained in the undertaking have been discharged or that it is worded in such a way as to apply to Section 73 applications.

Conditions

17. Allowing the appeals has the effect of granting planning permission for the whole scheme permitted under 23460/010 but without compliance with condition 20. I have therefore restated all the original conditions, including condition 20 but suitably modified to refer to the amended plans showing the balconies and patios respectively. If some of these conditions have already been discharged, that is a matter which can be addressed between the appellant and the Council. There is no need for conditions setting time limits for the development, as it has already commenced on site. The reasons for the conditions are as set out on the decision notice for 23460/010.

Conclusion

18. I conclude that Appeal A and Appeal B should be allowed.

Guy Davies

INSPECTOR

Schedule A

Conditions pursuant to Appeal A (balconies) - APP/M1710/W/24/3346132:

1. No development above slab shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames, doors, and guttering (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to, and approved in writing, by the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
2. No development above slab shall take place until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

3. No development shall take place above slab level until details of particulars/samples of the materials to be used for all boundary treatments and on all access roads/paths and areas of hard-standing within the development hereby permitted (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to, and approved in writing by, the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
4. The approved development shall under undertaken in strict in accordance with the approved Tree Survey and Impact Assessment (Ref.1803-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevB) by Keen Consultants (dated December 2022) and drawing no.1803-KC-XX-YTREE-TTP01 Rev B.
5. No development shall commence on site until the following details have been submitted to, and approved in writing by, the Local Planning Authority:-
 - (a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
 - (b) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise agreed in writing by the Local Planning Authority and identified as unnecessary

in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site.

(c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages.

The above reports should be completed by a competent person, as stipulated in the National Planning Policy Framework, Annex 2, and site works should be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS10175:2011 Investigation of potentially contaminated sites – Code of practice.

6. Before any part of the development is first occupied or brought into use (unless otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to, and approved in writing by, the Local Planning Authority.

The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

7. No development shall take place above slab level until details of any plant (including ventilation and air conditioning) and/or ducting system to be included in the development, and the method of control of noise and vibration of this plant, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that noise levels shall not exceed Noise Rating Curve NR 30 in living rooms and NR 25 in bedrooms, as defined within Table B.1: Noise Rating Values of BS 8233:2014.
8. No development shall take place above slab level until a scheme to demonstrate that separating elements between the proposed non-domestic/communal areas and residential elements of the development shall be designed to maintain a minimum sound insulation performance of 50dB DnT,w + Ctr shall be submitted to the Planning Authority for approval. The approved scheme shall be implemented prior to occupation.
9. No development shall take place above slab level until an acoustic assessment has been undertaken to determine the impact of noise arising from the external plant to residents, and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. All measurements shall be defined and derived in accordance with

BS 4142:2014. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

10. No development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. Thereafter all works shall be carried out in accordance with the approved Statement throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- a public communication strategy, including a complaints procedure
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- measures to control noise and vibration during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

**The noise and vibration control element of the CMS shall be in accordance with measures detailed in sections 10.3 and 10.4 of the Mayer Brown Noise Assessment report (April 2022).

11. The approved development shall be carried out in accordance with the approved Drainage Strategy by Graham Garner and Partners Ltd (dated 22/04/22).

12. The access shall at all times, and permanently, be maintained to ensure access visibility of 2.4 metres x 37.5 to the right on exit, and 2.4 x 39 metres to the left on exit, with no obstruction to vision above 0.6 metres.

13. No development shall commence on site until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

14. Before first occupation of any part of the development is commenced provision for all car (including 4 Electric Vehicle Charging points) and secure cycle parking facilities have been made within the site in accordance with the approved plans and shall be permanently retained and maintained thereafter and kept free at all times for those purposes. Both private, and visitor, parking spaces as shown on the approved drawings shall only be used for the parking of private motor vehicles and for no other purpose.

15. The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully

implemented and made available for use. These facilities shall thereafter be retained for use at all times.

16. No external lighting/ floodlighting shall be installed on the site until such details have been submitted to and approved in writing by the Planning Authority. The lighting shall be installed, operated, and maintained in accordance with the approved details.
17. No development shall commence on site until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority to demonstrate that the built development hereby permitted incorporates measures that provides at least 10% of energy demand from decentralised and renewable or low carbon energy sources.

Before any part of the development is first occupied a verification report and completion certificate shall be submitted in writing to the Local Planning Authority confirming that the built development hereby permitted has been constructed in accordance with the approved scheme.

The developer shall nominate a competent person for the purpose of assessing and providing the above required report and certificate to confirm that the completed works incorporate such measures as to provide these requirements. The measures shall thereafter be retained and maintained to the agreed specification for the lifetime of the development.

18. Prior to any development above slab level, details of the specification and location of at least eight Swift brick nests to be installed within the development shall be submitted to, and approved in writing, by the Local Planning Authority.
19. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Application Form

CIL Form

AD/2101070 - Topographical Survey

SO-2755-03-AC-001-P03 – Site Location Plan (appeal A)

002-P02 – Existing Site Layout Plan

SO-2755-S3-AC-926-P02 – Site Layout Plan (appeal A)

SO-2755-03-AC-927-P02 – Ground Floor Plan GA (appeal A)

SO-2755-03-AC-928-P01 – First Floor Plan GA (appeal A)

SO-2755-03-AC-929-P01 – Second Floor Plan GA (appeal A)

SO-2755-03-AC-934-P01 – Roof Plan GA (appeal A)

SO-2755-03-AC-935-P02 – Elevations 01 B&W (appeal A)

SO-2755-03-AC-936-P01 – Elevations 02 B&W (appeal A)

SO-2755-S3-AC-938-P01 – Proposed Elevations 02 – Coloured (appeal A)

039-P03 – Site Sections

SO-2755-S3-AC-944-P02 – Site Layout Plan – Roof Level (appeal A)

058-P01 – Existing Elevations

MCS748/Drg01 P7 - Landscape Proposals (received 02/03/23)

Statistical Overview of the Proposed Boardwalk for Radford Park (received)

Technical Note - Response to Environmental Health Consultation Comments by MB (dated 20th April 2023) (received 24/04/23)

Parking Restriction Plan (V2) (received 24/04/23)
Accessibility Map (V3) (received 24/04/23)
Bus Route 250 (V3) (received 02/03/23)
Bus route 13 (V3) (received 02/03/23)
Letter to EHDC from (dated 24th February 2023) from N. Thompson (Robinson Escott Planning)
Letter to EHDC from (dated 16th August 2022) from N. Thompson (Robinson Escott Planning)
Letter to EHDC from (dated 8th December 2022) from N. Thompson (Robinson Escott Planning)
Design & Access Statement by Inspire Design (dated April 2022)
Planning Statement & Appendices by RE Planning
Planning Statement Addendum & Appendices by RE Planning
Planning Statement - Loss of Existing Use Statement – RE Planning
Marketing Report by Lambert Smith Hampton (dated 26th April 2022)
Financial Viability Assessment by Alder King (dated 5th May 2022)
Letter to B. Boyce (Ashill Land) from R. Neaverson (Lambert Smith Hampton) (dated 04/03/21)
Alder King Response to Dixon Searle Partnership Appraisal – (dated 14th September 2022)
Alder King Response to Dixon Searle Partnership Appraisal (dated 12th December 2022)
Assessment of the Site's Suitability for Employment Use by Hurst Warne (dated April 2022)
Statement of Community Involvement by BECG (dated April 2022)
Transport Statement by Paul Basham Associates (dated April 2022)
Transport Statement Addendum by Paul Basham Associates (dated September 2022) (received 27/02/23)
Forward Visibility and Pedestrian Visibility Plan - 034.0142.009
Energy Statement by Focus Consultants (dated April 2022)
Drainage Strategy by Graham Garner and Partners Ltd (dated 22/04/22)
Drainage Strategy Response to LLFA comments dated 28/06/22 (20 December 2022)
Development Drainage General Arrangement – S0-2755-03-DE-9706-01Rev BP
Phase 1 Contamination Desk Top Study by Ridge and Partners (dated March 2022)
Tree Survey Impact Assessment (Rev. B) by Keen Consultants (dated December 2022)
1803-KC-XX-YTREE-TPP01RevB - Tree Protection Plan
Preliminary Ecological Appraisal by Arcadian Ecology (dated March 2022)
Biodiversity Net Gain Statement –by Arcadian Ecology (dated March 2022)
Report to Inform Appropriate Assessment by ACD Environmental Ltd (dated 27/04/22)
Noise Assessment by Meyer Brown (dated October 2021 and updated April 2022)
Heritage Assessment by Asset Heritage Consulting (dated March 2022)

Schedule B

Conditions pursuant to Appeal B (patios) - APP/M1710/W/24/3346134:

1. No development above slab shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames, doors, and guttering (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to, and approved in writing, by the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
2. No development above slab shall take place until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority.

Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

3. No development shall take place above slab level until details of particulars/samples of the materials to be used for all boundary treatments and on all access roads/paths and areas of hard-standing within the development hereby permitted (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to, and approved in writing by, the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.
4. The approved development shall under undertaken in strict in accordance with the approved Tree Survey and Impact Assessment (Ref.1803-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevB) by Keen Consultants (dated December 2022) and drawing no.1803-KC-XX-YTREE-TPP01 Rev B.
5. No development shall commence on site until the following details have been submitted to, and approved in writing by, the Local Planning Authority:-
 - (a) a scheme outlining a site investigation and risk assessments designed to assess the nature and extent of any contamination on the site.
 - (b) a written report of the findings which includes, a description of the extent, scale and nature of contamination, an assessment of all potential risks to known receptors, an update of the conceptual site model (devised in the desktop study), identification of all pollutant linkages and unless otherwise

agreed in writing by the Local Planning Authority and identified as unnecessary in the written report, an appraisal of remediation options and proposal of the preferred option(s) identified as appropriate for the type of contamination found on site.

(c) a detailed remediation scheme designed to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and a verification plan outlining details of the data to be collected in order to demonstrate the completion of the remediation works and any arrangements for the continued monitoring of identified pollutant linkages.

The above reports should be completed by a competent person, as stipulated in the National Planning Policy Framework, Annex 2, and site works should be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and BS10175:2011 Investigation of potentially contaminated sites – Code of practice.

6. Before any part of the development is first occupied or brought into use (unless otherwise first agreed in writing by the Local Planning Authority) a verification report demonstrating the effectiveness of the remediation works carried out and a completion certificate confirming that the approved remediation scheme has been implemented in full shall both have been submitted to, and approved in writing by, the Local Planning Authority.

The verification report and completion certificate shall be submitted in accordance with the approved scheme and undertaken by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

7. No development shall take place above slab level until details of any plant (including ventilation and air conditioning) and/or ducting system to be included in the development, and the method of control of noise and vibration of this plant, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that noise levels shall not exceed Noise Rating Curve NR 30 in living rooms and NR 25 in bedrooms, as defined within Table B.1: Noise Rating Values of BS 8233:2014.
8. No development shall take place above slab level until a scheme to demonstrate that separating elements between the proposed non-domestic/communal areas and residential elements of the development shall be designed to maintain a minimum sound insulation performance of 50dB DnT,w + Ctr shall be submitted to the Planning Authority for approval. The approved scheme shall be implemented prior to occupation.
9. No development shall take place above slab level until an acoustic assessment has been undertaken to determine the impact of noise arising from the external plant to residents, and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning

Authority. All measurements shall be defined and derived in accordance with BS 4142:2014. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

10. No development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. Thereafter all works shall be carried out in accordance with the approved Statement throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- a public communication strategy, including a complaints procedure
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- measures to control noise and vibration during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

**The noise and vibration control element of the CMS shall be in accordance with measures detailed in sections 10.3 and 10.4 of the Mayer Brown Noise Assessment report (April 2022).

11. The approved development shall be carried out in accordance with the approved Drainage Strategy by Graham Garner and Partners Ltd (dated 22/04/22).

12. The access shall at all times, and permanently, be maintained to ensure access visibility of 2.4 metres x 37.5 to the right on exit, and 2.4 x 39 metres to the left on exit, with no obstruction to vision above 0.6 metres.

13. No development shall commence on site until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

14. Before first occupation of any part of the development is commenced provision for all car (including 4 Electric Vehicle Charging points) and secure cycle parking facilities have been made within the site in accordance with the approved plans and shall be permanently retained and maintained thereafter and kept free at all times for those purposes. Both private, and visitor, parking spaces as shown on the approved drawings shall only be used for the parking of private motor vehicles and for no other purpose.

15. The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully

implemented and made available for use. These facilities shall thereafter be retained for use at all times.

16. No external lighting/ floodlighting shall be installed on the site until such details have been submitted to and approved in writing by the Planning Authority. The lighting shall be installed, operated, and maintained in accordance with the approved details.
17. No development shall commence on site until a scheme has been submitted to, and agreed in writing by, the Local Planning Authority to demonstrate that the built development hereby permitted incorporates measures that provides at least 10% of energy demand from decentralised and renewable or low carbon energy sources.

Before any part of the development is first occupied a verification report and completion certificate shall be submitted in writing to the Local Planning Authority confirming that the built development hereby permitted has been constructed in accordance with the approved scheme.

The developer shall nominate a competent person for the purpose of assessing and providing the above required report and certificate to confirm that the completed works incorporate such measures as to provide these requirements. The measures shall thereafter be retained and maintained to the agreed specification for the lifetime of the development.

18. Prior to any development above slab level, details of the specification and location of at least eight Swift brick nests to be installed within the development shall be submitted to, and approved in writing, by the Local Planning Authority.
19. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Application Form

CIL Form

AD/2101070 - Topographical Survey

001-P03 – Site Location Plan (appeal B)

002-P02 – Existing Site Layout Plan

826-P01 – Site Layout Plan (appeal B)

827-P01 – Ground Floor Plan (appeal B)

028-P04 – First Floor Plan GA

029-P04 – Second Floor Plan GA

034-P05 – Roof Plan GA

835-P01 – Elevations 01B B&W (appeal B)

836-P01 – Elevations 02B B&W (appeal B)

844-P01 – Site Plan Layout (appeal B)

039-P03 – Site Sections

044-P06 – Site Layout Plan – Roof Level (received 02/03/23)

058-P01 – Existing Elevations

MCS748 DRG01 P1 - Landscape Proposals (appeal B)

Statistical Overview of the Proposed Boardwalk for Radford Park (received)

Technical Note - Response to Environmental Health Consultation Comments by MB (dated 20th April 2023) (received 24/04/23)

Parking Restriction Plan (V2) (received 24/04/23)
Accessibility Map (V3) (received 24/04/23)
Bus Route 250 (V3) (received 02/03/23)
Bus route 13 (V3) (received 02/03/23)
Letter to EHDC from (dated 24th February 2023) from N. Thompson (Robinson Escott Planning)
Letter to EHDC from (dated 16th August 2022) from N. Thompson (Robinson Escott Planning)
Letter to EHDC from (dated 8th December 2022) from N. Thompson (Robinson Escott Planning)
Design & Access Statement by Inspire Design (dated April 2022)
Planning Statement & Appendices by RE Planning
Planning Statement Addendum & Appendices by RE Planning
Planning Statement - Loss of Existing Use Statement – RE Planning
Marketing Report by Lambert Smith Hampton (dated 26th April 2022)
Financial Viability Assessment by Alder King (dated 5th May 2022)
Letter to B. Boyce (Ashill Land) from R. Neaverson (Lambert Smith Hampton) (dated 04/03/21)
Alder King Response to Dixon Searle Partnership Appraisal – (dated 14th September 2022)
Alder King Response to Dixon Searle Partnership Appraisal (dated 12th December 2022)
Assessment of the Site's Suitability for Employment Use by Hurst Warne (dated April 2022)
Statement of Community Involvement by BECG (dated April 2022)
Transport Statement by Paul Basham Associates (dated April 2022)
Transport Statement Addendum by Paul Basham Associates (dated September 2022) (received 27/02/23)
Forward Visibility and Pedestrian Visibility Plan - 034.0142.009
Energy Statement by Focus Consultants (dated April 2022)
Drainage Strategy by Graham Garner and Partners Ltd (dated 22/04/22)
Drainage Strategy Response to LLFA comments dated 28/06/22 (20 December 2022)
Development Drainage General Arrangement – S0-2755-03-DE-9706-01Rev BP
Phase 1 Contamination Desk Top Study by Ridge and Partners (dated March 2022)
Tree Survey Impact Assessment (Rev. B) by Keen Consultants (dated December 2022)
1803-KC-XX-YTREE-TPP01RevB - Tree Protection Plan
Preliminary Ecological Appraisal by Arcadian Ecology (dated March 2022)
Biodiversity Net Gain Statement –by Arcadian Ecology (dated March 2022)
Report to Inform Appropriate Assessment by ACD Environmental Ltd (dated 27/04/22)
Noise Assessment by Meyer Brown (dated October 2021 and updated April 2022)
Heritage Assessment by Asset Heritage Consulting (dated March 2022)

Schedule C

List of approved plans and particulars for the original planning permission granted under 23460/010:

Application Form

CIL Form

AD/2101070 - Topographical Survey

001-P04 – Site Location Plan

002-P02 – Existing Site Layout Plan

026-P07 – Site Layout Plan (received 02/03/23)

027-P065 – Ground Floor Plan GA

028-P04 – First Floor Plan GA

029-P04 – Second Floor Plan GA

034-P05 – Roof Plan GA

035-P06 – Elevations 01 B&W

036-P07 – Elevations 02 B&W

037-P03 – Elevations 01 – Proposed Elevations 01 Coloured (received 02/03/23)

038-P03 – Elevation 02 – Coloured

039-P03 – Site Sections

044-P06 – Site Layout Plan – Roof Level (received 02/03/23)

058-P01 – Existing Elevations

MCS748/Drg01 P7 - Landscape Proposals (received 02/03/23)

Statistical Overview of the Proposed Boardwalk for Radford Park (received)

Technical Note - Response to Environmental Health Consultation Comments by MB (dated 20th April 2023) (received 24/04/23)

Parking Restriction Plan (V2) (received 24/04/23)

Accessibility Map (V3) (received 24/04/23)

Bus Route 250 (V3) (received 02/03/23)

Bus route 13 (V3) (received 02/03/23)

Letter to EHDC from (dated 24th February 2023) from N. Thompson (Robinson Escott Planning)

Letter to EHDC from (dated 16th August 2022) from N. Thompson (Robinson Escott Planning)

Letter to EHDC from (dated 8th December 2022) from N. Thompson (Robinson Escott Planning)

Design & Access Statement by Inspire Design (dated April 2022)

Planning Statement & Appendices by RE Planning

Planning Statement Addendum & Appendices by RE Planning

Planning Statement - Loss of Existing Use Statement – RE Planning

Marketing Report by Lambert Smith Hampton (dated 26th April 2022)

Financial Viability Assessment by Alder King (dated 5th May 2022)

Letter to B. Boyce (Ashill Land) from R. Neaverson (Lambert Smith Hampton) (dated 04/03/21)

Alder King Response to Dixon Searle Partnership Appraisal – (dated 14th September 2022)

Alder King Response to Dixon Searle Partnership Appraisal (dated 12th December 2022)

Assessment of the Site's Suitability for Employment Use by Hurst Warne (dated April 2022)

Statement of Community Involvement by BECG (dated April 2022)

Transport Statement by Paul Basham Associates (dated April 2022)

Transport Statement Addendum by Paul Basham Associates (dated September 2022) (received 27/02/23)

Forward Visibility and Pedestrian Visibility Plan - 034.0142.009

Energy Statement by Focus Consultants (dated April 2022)

Drainage Strategy by Graham Garner and Partners Ltd (dated 22/04/22)

Drainage Strategy Response to LLFA comments dated 28/06/22 (20 December 2022)

Development Drainage General Arrangement – S0-2755-03-DE-9706-01 Rev BP
hase 1 Contamination Desk Top Study by Ridge and Partners (dated March 2022)
Tree Survey Impact Assessment (Rev. B) by Keen Consultants (dated
December 2022)

1803-KC-XX-YTREE-TPP01RevB - Tree Protection Plan

Preliminary Ecological Appraisal by Arcadian Ecology (dated March 2022)

Biodiversity Net Gain Statement –by Arcadian Ecology (dated March 2022)

Report to Inform Appropriate Assessment by ACD Environmental Ltd (dated
27/04/22)

Noise Assessment by Meyer Brown (dated October 2021 and updated April 2022)

Heritage Assessment by Asset Heritage Consulting (dated March 2022)