

Appeal Decision

Site visit made on 8 October 2024

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2024

Appeal Ref: APP/Q1153/W/23/3332821

Linkincorn, Stoke Hill Lane, Crapstone, Devon PL20 7PG

- 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 Elite Estates Holdings Limited against the decision of West Devon Borough Council.
 - The application Ref is 1500/23/FUL.
 - The development proposed is Construction of Five Dwellings & Associated Works.
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Decision

1. The appeal is allowed and planning permission is granted for Construction of Five Dwellings & Associated Works at Linkincorn, Stoke Hill Lane, Crapstone, Devon PL20 7PG in accordance with the terms of the application, Ref 1500/23/FUL, and subject to the conditions set out in the schedule to this decision.

Application for costs

2. An application for costs was made by Elite Estates Holdings Limited against West Devon Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appeal site is within the Tamar Valley area of outstanding natural beauty (AONB), now known as the Tamar Valley national landscape (NL). I have therefore had regard to the purpose of conserving and enhancing the area's natural beauty as set out in section 85 of the Countryside and Rights of Way Act 2000 (as amended). The development plan and the National Planning Policy Framework (Framework), along with the Tamar Valley AONB Management Plan 2019-2024 (TVMP), also seek to protect such designated landscapes, recognise the intrinsic character and beauty of the countryside, and attach great weight to conserving and enhancing their landscape character and scenic beauty, which have the highest status of protection in relation to these issues.
4. With the appeal, the appellant submitted an Undertaking pursuant to section 111 of the Local Government Act 1972. During the course of the appeal, a Deed of Undertaking, pursuant to section 106 of the 1990 Act and imposing obligations on the site, was then submitted. An updated version of that

Unilateral Undertaking (UU) was subsequently provided (dated 29 April 2024, but submitted on 24 October 2024) which resolved some minor typographical errors. I have had regard to the latest UU in reaching my decision.

Main Issues

5. The main issues are:

- whether the proposed development would be in a suitable location, with particular regard to development plan policies in relation to accessibility and need;
- the effect of the proposed development on the character and appearance of the surrounding area, with particular regard to the Tamar Valley NL and trees;
- the effect of the proposed development on the living conditions of adjoining occupiers, with particular regard to overlooking of plots 11 and 12 in the adjoining development;
- whether foul drainage provision would be adequate for the proposed development;
- whether the proposed development would achieve sufficient carbon reduction; and
- the effect of the proposed development on designated nature conservation sites.

Reasons

Location

6. Whilst Crapstone has a rural setting, it is reasonable to describe it as, in the words of Policy TTV1 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (JLP), a smaller village. Although forming an undeveloped field situated on the edge of the settlement, built form also surrounds much of the appeal site. This includes, as I observed on my visit, housing to the north on the other side of the highway; the property, known as Linkincorn, in the adjoining plot to the east; the row of properties to the south, which extend linearly away from Stoke Hill Lane; and the new housing development to the west, which runs along approximately half of the site's south-western boundary. The site is therefore neither isolated nor outside the built-up area of the settlement. As such, and with the Council recognising that the site is set within Crapstone, the appeal proposal cannot reasonably be described as development in the countryside. Consequently, I find that JLP Policy TTV26 is not applicable in this instance.

7. Having recently lost its post office and shop, Crapstone has little in the way of services and facilities to meet daily needs, and cycling or walking from the appeal site to mixed used centres in the wider area is unlikely to be feasible or appealing for most people. However, there are bus stops a short distance from the site and Yelverton Business Park is also nearby. Whilst Stoke Hill Lane is narrow, has no footways and is mostly unlit, there is some street lighting and separation for pedestrians from vehicular traffic (either via footways or some hard surfacing to the side of the carriageway) on the main

road to the north-east of the site. With that road accessible via the public right of way that runs along the side of the site, future occupiers could therefore walk to the bus stops for onward connections to other settlements with services and facilities; and to the various employment generating uses in the business park. As such, although the bus services may not be particularly frequent and may sometimes be cancelled at short notice, future occupiers would not be solely reliant on the private vehicle to serve their daily needs and to access services, facilities and jobs in the wider area.

8. The available evidence indicates that household change to 2034 will lead to a need for smaller homes across the JLP area. The area in the vicinity of the appeal site also includes a large percentage of one-two person households and homes with one-two unoccupied bedrooms. Combined with the number of larger dwellings in the area exceeding the West Devon average, it has been put to me that this indicates that there is an oversupply of larger units and that the need is for smaller homes. Be that as it may, the figures before me show that the locality has a reasonable balance between larger homes and properties with one to three bedrooms, and the development proposed would not significantly change this balance in housing stock. In addition, the submitted evidence does not indicate that larger homes are not needed, whilst it seems to me that the proposed houses could provide suitable accommodation for working families and reduce the need to travel by providing opportunities for home working.
9. For the above reasons, I conclude that the proposed development would be in a suitable location, with particular regard to development plan policies in relation to accessibility and need. I therefore find that it accords with JLP Policies TTV1, SPT1, SPT2 and DEV8. Amongst other aspects, these set out that growth will be delivered according to a hierarchy of settlements, with development in smaller villages permitted only if it supports the principles of sustainable development and sustainable communities; seek to manage development in accordance with various sustainable development principles, including with respect to the availability of sustainable and health-promoting transport options to mixed use centres; expect development to support the creation of sustainable and mixed communities with a good balance, range and mix of housing, deliver a wide choice of homes which widen opportunities for home ownership, and provide appropriate higher density living with opportunities for home working and reducing the need to travel. The proposal is also consistent with the provisions in the Framework in relation to rural housing and achieving appropriate densities.

Character and appearance

10. In terms of scale, design and layout, development in the locality is generally varied, with little obvious local vernacular building traditions apparent or predominating; and as set out above, whilst being an undeveloped, relatively open field on the edge of Crapstone, the appeal site is largely surrounded by built form. Although Stoke Hill Lane has a rural feel, many of the properties surrounding the site, as well as the nearby business park, are visible from it; and I observed on my visit that various buildings are also visible from within the site. Consequently, the site reads as being enclosed by development and, despite the line of trees on the site's northern boundary, forming part of the settlement's suburban form rather than the wider countryside and the

less developed landscape to the south-west. Although the site's green nature and tree-lined boundary hedges contribute to the verdant appearance and semi-rural character of the Lane and wider area, its relatively suburban position means that, despite its size, it cannot reasonably be described as contributing to the natural beauty and special qualities of the NL.

11. The proposed introduction of dwellings and hard-surfaced vehicular access, via a widened opening, would clearly change the site from an undeveloped, relatively open field. This would be noticeable in public views including from, in particular, the adjoining public right of way and the Lane. However, the proposed dwellings would not appear as unexpected, unrelated or incongruous features given the presence of surrounding properties. The associated residential activities, traffic movements and light spill would also neither be significant nor inconsistent in relation to the context. In addition, the majority of views of the proposed development, which would effectively read as an in-fill scheme, would be from the immediate locality which is largely suburban given the surrounding presence of housing.
12. Although it has been put to me that the residential cul-de-sac to the south does not set a precedent, its presence forms part of the area's development pattern, and the layout of the proposed development would reflect its similar linear form. Whilst the proposed dwellings would be relatively large and have what is described as a suburban executive design, their scale and design would neither read as dominating nor incompatible given the variety of built form in the surrounding area. The site's topography does not lead me to a different conclusion. In addition, although the proposed driveway would be wider than the Lane, its width would not be excessive, there would be planting (including the existing hedge) either side of the entrance, and its width would be similar to the drive serving the properties to the south.
13. The development would not require the removal of any trees and the proposed dwellings would not be within any root protection areas. The submitted arboricultural impact assessment report also shows that only limited pruning would be required to one tree for construction purposes; tree protection measures could be put in place during construction; and although the access road would overlay the root protection areas of several trees, including those with a high arboricultural and landscape value, suitable construction methods could be utilised to avoid significant harm to them and ensure their continued health and viability. In addition, whilst the vehicular entrance and visibility splay would require the existing site access to be widened and the hedge running along the Lane to be cut back, neither the widening nor the extent of hedge trimming required would be significant. Furthermore, the provision of soft landscaping within the site, such as to the front of each unit as shown on the proposed site plan, would provide some screening of the development and greenness within the site.
14. Overall, the development would therefore not unacceptably lessen the site's verdant contribution to the surrounding area, whilst the Lane's more rural, enclosed character would not be significantly changed. In coming to this view, I have taken into account the reduction in foliage during winter and that new planting will take time to establish. Given the site's orientation and the location of the proposed dwellings, it would also be unlikely that the trees would need significant future pruning – let alone any felling – in

relation to maintaining acceptable and safe living conditions for future occupiers of the proposed development.

15. Although the site is within the Tamar Valley NL, it is predominantly surrounded by residential development and is not particularly visible in the wider landscape. Contained within a relatively small site, the proposed development would also have a relatively limited scale. For these reasons and given my findings above, the proposed development would therefore neither affect the special qualities of the NL nor change the residential edge-of-settlement character of the locality. Accordingly, the proposal would conserve the landscape character and natural beauty of the designated landscape. Sympathetic and suitably designed development that reflects its surroundings can also be construed to be a form of enhancement. To my mind, the appeal proposal, making use of a relatively small parcel of land which reads as being rather marooned by surrounding development, would achieve that.
16. For the reasons above, I conclude that the proposed development would not harm the character and appearance of the surrounding area, with particular regard to the Tamar Valley NL and trees. I therefore find that it accords with JLP Policies DEV10, DEV20, DEV23, DEV25 and DEV28. Amongst other aspects, these require development to conserve and enhance the natural beauty of the protected landscape, and set out that housing developments should have regard to the pattern of local development and context; integrate with adjacent development and be designed to prevent the addition of incongruous features; be of a high quality and contribute positively to townscape and landscape; respect scenic quality and maintain distinctiveness; conserve and enhance the area's characteristics along with valued attributes and existing site features such as trees and hedgerows that contribute to the quality of the area; and avoid the loss or deterioration of trees and hedgerows and provide replacements to ensure a 'net gain'. The proposal is also consistent with the provisions in the Framework in relation to conserving and enhancing the natural environment and objective 3.4.1 of the TVMP to conserve and enhance landscape character and local distinctiveness.

Living conditions

17. Plots 4 and 5 would back on to units 11 and 12 on the adjoining development. Plots 4 and 5 would have relatively extensive ground- and first-floor glazed openings in their rear elevations, which would serve habitable rooms and face towards the existing properties. The proposed gardens would also extend up to the shared boundary with units 11 and 12.
18. However, the degree of separation between the proposed and existing properties' rear elevations would be sufficient to avoid significant overlooking of 11 and 12's habitable rooms from the proposed dwellings. The existing hedge and shrubs on the shared boundary, which the tree protection plan shows would be protected during construction and retained (rather than rebuilt, as indicated on the proposed site plan), would also provide some screening. In addition, 1.8 metre high fencing would be erected along the hedge. As such, the rear gardens (including patios) of units 11 and 12 would also not suffer from an unacceptable loss of privacy through direct or

uninterrupted views from plots 4 and 5. In coming to this view, I have taken land levels and winter leaf drop into account.

19. For the reasons above, I conclude that the proposed development would not harm the living conditions of adjoining occupiers, with particular regard to overlooking of plots 11 and 12 in the adjoining development. I therefore find that it accords with JLP Policy DEV1 which, amongst other aspects, requires development to provide satisfactory privacy for existing residents.

Foul drainage

20. Although a foul drainage assessment form was submitted and the proposed site plan shows treatment plants for each dwelling, the information on proposed foul drainage was both limited and inconsistent at planning application stage. For example, little detail was provided on how discharge would be dealt with, whilst conflicting answers relating to the use of a soakaway or drainage field for foul drainage were given.
21. The appellant's appeal submissions provide some further information, including the specification for the proposed treatment plants, and clarify the intended design, with the units discharging clear effluent water to soakaways within the site. Nevertheless, with no percolation tests provided nor justification for the lack of such information, the available evidence does not demonstrate the provision of adequate foul drainage for the proposed dwellings. The Council's suggested condition on this matter would therefore not be sufficient.
22. However, the site is not within an identified critical drainage or flood risk area, and the Council's Planning Application Report indicates its acceptance of soakaways being sufficient to deal with surface water drainage. Based on the available evidence, there is therefore little before me to indicate that the use of soakaways (or an alternative discharge solution, including for example connecting to the public sewer) for foul drainage would not be feasible. Accordingly, full details of the foul drainage that would be provided can be adequately secured by a pre-commencement condition. This would ensure that the final design of the foul drainage scheme would be suitable, with any soakaways for foul drainage being separate to those for surface water, and that discharges would not create or exacerbate any localised flooding, ground water contamination or other issues.
23. For the reasons above, I conclude that the foul drainage provision would be adequate for the proposed development. I therefore find that it accords with JLP Policy DEV35 which, amongst other aspects, sets out that development will not be permitted without confirmation that sewage/wastewater treatment facilities can accommodate the new development in advance of the development taking place.

Carbon reduction

24. The Design, Access and Planning Statement provides some details on the provision of low carbon and renewable energy systems and the planning application was also accompanied by a Climate Emergency Compliance Form. Nevertheless, 'CEPS assistance spreadsheets' and 'as designed SAP' were not provided, despite the form indicating the need for such detail.

25. However, the appellant's appeal submissions include full design-stage SAP calculations, and the consultant's accompanying letter confirms that the scheme would provide highly efficient, zero carbon development. Although the Council consider that such information should have been provided with the planning application, it has had an opportunity to review the additional details and has not raised any concerns.
26. For the reasons above, I conclude that the proposed development would achieve sufficient carbon reduction. I therefore find that it accords with JLP Strategic Objective SO11 and Policies SPT1 and DEV32. Amongst other aspects, these promote an environmentally-conscious approach; seek development to respond to the challenges of climate change and reducing carbon emissions; and set out that the design and implementation of all development should consider the need to deliver a low carbon future, with development proposals aiming to reduce energy demand, maximise efficiency and deliver low carbon/renewable energy systems. The proposal is also consistent with mitigation measure M1 of the Plymouth and South West Devon Climate Emergency Planning Statement (which sets out that major and minor planning applications need to secure an equivalent 20% carbon saving through onsite renewable energy generation); and the provisions in the Framework in relation to planning for climate change.

Designated sites

27. The proposed development falls within the Zone of Influence for new residents having a recreational impact on the Plymouth Sound and Estuaries European Marine Site (EMS), which comprises the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and the Tamar Estuaries Complex Special Protection Area (SPA). In combination with other residential development in the area, the appeal proposal would therefore be likely to have a significant effect on these sites. Accordingly, under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), Appropriate Assessment of the implications of the project for the EMS in view of its conservation objectives is required.
28. The qualifying features of the SAC include large shallow inlets and bays, estuaries, subtidal sandbanks, intertidal mudflats and sandflats, Atlantic salt meadows, reefs, shore dock and allis shad. The SPA qualifies for its populations of avocet and little egret. The conservation objectives for both sites seek to, in summary: maintain or restore the extent, distribution, structure, function and supporting processes of each of the qualifying features; and maintain or restore the distribution and population of each of the qualifying features within the site.
29. The available evidence indicates that without mitigation it would not be possible to ascertain that the residential accommodation proposed would not adversely affect the integrity of the EMS through the indirect effects of increased recreation. However, the JLP Supplementary Planning Document (2020) (SPD) sets out that the adverse effects of development can be mitigated by developments providing a financial contribution towards strategic mitigation. As detailed in the EMS Recreation Mitigation and Management Scheme (EMS Scheme), such mitigation includes visitor management actions delivered via various projects and capital works, monitoring and employing

marine recreation officers. The EMS scheme also sets out the costs, funding and delivery of the mitigation measures.

30. Based on the submitted evidence, the securing of the necessary mitigation would be sufficient to mitigate the effects of the development on the SAC and SPA. In this instance, the submitted UU includes an obligation for the Plymouth Sound and Estuaries EMS contribution (as defined in the UU, and in-line with the relevant per-dwelling figure in the EMS Scheme) to be paid to the Council prior to occupation of the first dwelling. The evidence before me also indicates that the contribution would be used for the intended purpose and that the mitigation would be implemented in a timely manner, in-line with the measures set out in the EMS Scheme.
31. Accordingly, I am satisfied that the EMS contribution would be sufficient to mitigate the recreational effects of the development on the EMS. Confirming this, Natural England indicate that the mitigation would ensure the development would not adversely affect the integrity of the European Sites and their relevant features.
32. On this basis, I am able to ascertain, as the competent authority undertaking Appropriate Assessment, that the integrity of the designated sites would not be adversely affected by the proposed development. Consequently, I find that the appeal proposal accords with JLP Policies SPT12, SPT14, DEV26 and DEL1. Amongst other aspects, these seek to protect sites of European significance for biodiversity and conservation, require mitigation – through planning obligations – for recreational impacts on European Sites, and set out that development will not be permitted unless it will not adversely affect the integrity of a European site.

Other matters

33. The Council's Planning Application Report and appeal statement refer to a contribution being needed for the development to support the provision and maintenance of open space, sports and recreation facilities in Crapstone. However, whilst there is policy support for this, the lack of a contribution for the appeal proposal does not form a reason for refusal, and I have little substantive evidence which indicates that such a contribution is necessary to make the development acceptable in planning terms. With limited details as to how the identified contribution has been calculated, I also cannot be certain that it would be fairly and reasonably related in scale and kind to the development. Accordingly, in this instance, the lack of such a contribution does not lead me to a different view that the appeal should be allowed.
34. A number of other matters have been raised by interested parties and I have taken them all into account. This includes: highway safety and the dangers of increased traffic; the effects of construction works on the locality; why access would be on to the Lane – which is narrow, curved and used by walkers, riders and other non-vehicular traffic – rather than the highway to the north; the ability of infrastructure and Council services to meet increasing demands; precedent setting, including with regards to building on greenfield land; impact on house values; the affordability of the proposed dwellings; the proposal would be cramped, high density and overdevelopment; the site not being identified for housing in the local plan and the document 'Considering Sites for Development in Buckland Parish' not considering the site to have

development potential due to constraints regarding access and location; local surface water drainage and flooding issues; air quality; loss of open space; visual and physical effects on the public right of way; harm to wildlife and loss of habitat; lack of a nature strip similar to that in the adjoining development; the adjoining development being determined under a previous local plan and when the Council did not have a sufficient supply of land for housing; loss of agricultural/horse grazing land; and noise and light pollution.

35. However, whilst I take these representations seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in relation to any of these matters. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed. Some of the issues raised, such as regarding construction works, flooding, wildlife and lighting, can also be covered by planning conditions.

Conditions

36. I have had regard to the various suggested planning conditions and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents, for clarity and consistency, and to ensure that details are submitted for the Council's approval where relevant.
37. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. Given the site's position and the extent of development, a pre-commencement condition securing a construction and environmental management plan is necessary and reasonable in the interests of the safe and efficient operation of the highway, the environment and the living conditions of existing residents. However, the condition I have imposed is an amended version of that suggested by the Council because it did not include reference to environmental management (as recommended by the Environmental Health team), whilst the details it did list could be agreed between the parties at the appropriate point.
38. Because of the limited details submitted with the appeal covering the disposal of both foul and surface water, and for the above reasons regarding the issue of foul drainage, I have imposed a pre-commencement condition covering the disposal of both foul and surface water. Replacing the Council's fifteenth and sixteenth suggested conditions, this condition is necessary to ensure that a satisfactory and sustainable drainage system serves the development in the interests of ground water contamination and flooding.
39. The conditions covering trees, including the requirement to submit a method statement prior to commencement of development, are also necessary to safeguard trees in the interests of character and appearance. A condition covering the roof material and method of fixing is necessary in the interests of character and appearance. However, as the exact details could be agreed between the parties at the appropriate point, I have not included all the details in the Council's suggested condition.
40. I have imposed a condition relating to site access and parking in the interests of highway safety. To take account of the Highway Authority's

recommendations, I have amended the Council's twelfth suggested condition. However, I have not included the other condition suggested by the Highway Authority because the construction management plan would sufficiently cover issues related to construction works and traffic.

41. A lighting condition is necessary in the interests of the character and appearance of the surrounding area and ecology. I have also imposed a condition relating to contamination in the interests of public health and the environment.
42. In the interests of biodiversity, an additional condition requiring compliance with the recommendations of the ecological appraisal is necessary. This condition covers the Council's tenth suggested condition, which is therefore not necessary. I have also imposed a condition removing the permitted development rights under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This is necessary and reasonable in relation to the potential for overlooking of adjoining occupiers given that Class A allows for, amongst other aspects, rear extensions. However, the condition I have imposed does not remove the other permitted development rights suggested by the Council because the submitted evidence does not indicate that removing those rights would be necessary and reasonable, particularly given that many of them only allow for relatively minor additions and alterations.
43. I have not imposed the Council's sixth and eleventh suggested conditions because I have little evidence that it would be necessary in relation to the living conditions of adjoining occupiers. The Council's thirteenth suggested condition is also unnecessary because the installation of electric vehicle charging points is now covered by Building Regulations. However, as suggested by the appellant, I have imposed a landscaping condition in the interests of the character and appearance of the surrounding area and ecology, and a condition covering carbon reduction measures in the interests of carbon reduction and energy efficiency. On the basis of the latter condition, the Council's suggested condition covering solar panels is also not necessary.

Conclusion

44. For the above reasons, and having had regard to all other matters raised, I conclude that the proposed development accords with the development plan as a whole. The appeal is therefore allowed.

T Gethin

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan (Drawing No 001); Existing topographical survey (Drawing No 002); Proposed enlarged site plan (Drawing No 003); Proposed plans & elevations (house type A) (Drawing No 004); Proposed sections & visuals (house type A) (Drawing No 005); Proposed plans & elevations (house type B) (Drawing No 006); Proposed sections & visuals (house type B) (Drawing No 007); Proposed double garage with home office (Drawing No 008); Proposed double garage (Drawing No 009); and Proposed street elevations & cross sections (Drawing No 010).
- 3) Prior to the commencement of the development hereby permitted, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details and thereafter retained and maintained as relevant in accordance with those details.
- 4) Prior to the commencement of the development hereby permitted, a detailed scheme for the disposal of foul and surface water for the development, based on an assessment of the hydrological and hydrogeological context of the site and sustainable drainage principles as relevant, 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, and the installed foul and surface water drainage systems shall be provided prior to occupation of the dwellings and thereafter managed and maintained in accordance with the approved details.
- 5) Prior to the commencement of the development hereby permitted, an arboricultural method statement, including a specification and methodology for constructing the private access road, shall be submitted to and approved in writing by the local planning authority. The approved statement shall thereafter be implemented accordingly.
- 6) The development hereby permitted shall be constructed and completed in accordance with the submitted Arboricultural Impact Assessment Report (by Evolve Tree Consultancy, dated 3 October 2023, reference EV-4548-AIA) and the associated Tree Constraints Plan (Drawing No: EV-4548-TCP, Rev A) and Tree Protection Plan (Drawing No: EV-4548-TPP).
- 7) No development above ground shall commence until details of both hard and soft landscape works, including implementation and maintenance programmes, have been submitted to and approved in writing by the local planning authority. The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed

implementation programme, and thereafter maintained in accordance with the approved details.

- 8) Prior to commencement of the roof works of the development hereby permitted, details of the natural slate roof material and method of fixing to all plots (including garages) shall be submitted to and approved in writing by the local planning authority. The approved material and method of fixing shall be provided prior to occupation of the development hereby permitted and thereafter retained and maintained.
- 9) Prior to the first occupation of the development hereby permitted, the site entrance, visibility splays, access road and pavement, and turning and parking areas (including garages) shall be provided in accordance with the approved plans and made available for use by occupants of the dwellings, and therefore retained and maintained.
- 10) The carbon reduction measures set out in the submitted Climate Emergency Compliance form and the Design Stage SAP assessment, including use thermally efficient building materials and the provision of solar panels, air source heat pumps and energy storage shall be provided prior to occupation of the dwellings.
- 11) Any contamination that is found during the course of construction of the development hereby permitted shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 12) Prior to the installation of any external lighting on the site, full details shall be submitted to and approved in writing by the local planning authority. The lighting installation shall then be carried out in accordance with the approved details.
- 13) The development hereby permitted shall be carried out in accordance with the recommendations contained within the submitted Preliminary Ecological Appraisal (by Western Ecology Ltd, dated February 2023).
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Class A of Part 1 of Schedule 2 to the Order shall be undertaken.

END OF SCHEDULE