



Appeal Decision

Site visit made on 3 January 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 March 2025

Appeal Ref: APP/K1128/W/24/3345036

Development Site At Sx 783 624, Broom Park, Dartington, Devon

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions imposed on the approval of reserved matters or details pursuant to a previous planning permission.
- The appeal is made by Baker Estates Ltd against the decision of South Hams District Council.
- The application Ref is 0292/24/VAR.
- The application sought planning permission for application for reserve matters, seeking approval of appearance, landscaping, layout and scale for 80 dwellings and discharge of outline conditions 9, 12, 15, 16, 17 and 18 following outline approval 3842/20/OPA without complying with a condition attached to planning permission Ref 4442/21/ARM, dated 25 April 2022.
- The condition in dispute is No.1 which states that: *'The development hereby approved shall in all respects accord strictly with the following documents, plans and drawings:*
 - 191105 L 02 01 Rev A - Proposed Site Layout
 - 191105 L 02 02 Rev A - Boundary Treatments (Alternative Layout)
 - 191105 L 02 03 Rev A - House Type Layout
 - 191105 L 02 04 Rev A - Parking Layout, EV Charging & Bike Storage
 - 191105 L 02 05 Rev A - Bin Storage Strategy
 - 191105 L 02 06 Rev A - Building Materials
 - 191105 L 02 07 Rev A - Tenure Plan
 - 191105 L 02 08 Rev A - Solar Orientation Plan
 - 191105 L 02 09 Rev A - Garden Areas
 - 191105 E 02 01 Rev A - Proposed Street Elevations A & B
 - 191105 E 02 02 Rev A - Proposed Street Elevation C
 - 191105 Se 02 01 Rev A - Proposed Site Section A
 - 191105 Se 02 02 Rev A - Proposed Site Section B
 - 191105 Se 02 03 Rev A - Proposed Site Section C
 - 191105 SK 220211 (sheets 1-5) - Illustrative Site Sections
 - 191105 D 01 01 - Bike Store Details
 - 191105 D 02 01 - Boundary Treatment Details 01 of 06
 - 191105 D 02 02 - Boundary Treatment Details 02 of 06
 - 191105 D 02 03 Rev A - Boundary Treatments Details 03 of 06
 - 191105 D 02 04 - Boundary Treatment Details 04 of 06
 - 191105 D 02 05 Rev A - Boundary Treatment Details 05 of 06
 - 191105 D 02 06 - Boundary Treatment Details 06 of 06
 - 191105 CON 01 - Conservatory 01 - Elevations and Floor Plans
 - 191105 CON 02 - Conservatory 02 - Elevations and Floor Plans
 - 191105 HT 01 01 - 1B HTA - Elevations Option 1
 - 191105 HT 01 02 - 1B HTA - Floor Plans Option 1
 - 191105 HT 01 03 - 1B HTA - Elevations Option 2
 - 191105 HT 01 04 - 1B HTA - Floor Plans Option 2
 - 191105 HT 02 01 - 2B HTB - Elevations
 - 191105 HT 02 02 - 2B HTB - Floor Plans
 - 191105 HT 03 01 - 3B HTB - Elevations
 - 191105 HT 03 02 - 3B HTB - Floor Plans
 - 191105 HT 04 01 - 4B HTR - Elevations
 - 191105 HT 04 02 - 4B HTR - Floor Plans

191105 HT 05 01 - 2B HTE - Elevations
 191105 HT 05 02 - 2B HTE - Floor Plans
 191105 HT 07 01 - 4B HTG - Elevations
 191105 HT 07 02 - 4B HTG - Floor Plans
 191105 HT 08 01 - 3B HTI - Elevations Option 1
 191105 HT 08 02 - 3B HTI - Floor Plans Option 1
 191105 HT 08 03 - 3B HTI - Elevations Option 2
 191105 HT 08 04 - 3B HTI - Floor Plans Option 2
 191105 HT 08 05 - 3B HTI - Elevations Option 3
 191105 HT 08 06 - 3B HTI - Floor Plans Option 3
 191105 HT 09 01 - 4B HTI - Elevations Option 1
 191105 HT 09 02 - 4B HTI - Floor Plans Option 1
 191105 HT 09 03 - 4B HTI - Elevations Option 2
 191105 HT 09 04 - 4B HTI - Floor Plans Option 2
 191105 HT 09 05 - 4B HTI - Elevations Option 3
 191105 HT 09 06 - 4B HTI - Floor Plans Option 3
 191105 HT 09 07 - 4B HTI - Elevations Option 4
 191105 HT 09 08 - 4B HTI - Floor Plans Option 4
 191105 HT 10 01 - 4B HTP - Elevations
 191105 HT 10 02 - 4B HTP - Floor Plans
 191105 HT 11 01 - 3B HTK - Elevations Option 1
 191105 HT 11 02 - 3B HTK - Elevations Option 2
 191105 HT 11 02 - 3B HTK - Floor Plans
 191105 HT 11 03 - 3B HTK - Floor Plans - Wheelchair adaptable
 191105 HT 12 01 Rev A - 2B HTA - Elevations
 191105 HT 12 02 Rev A - 2B HTA - Floor Plans
 191105 HT 14 01 - 3B HTA - Elevations
 191105 HT 14 02 - 3B HTA - Floor Plans
 191105 HT 21 01 - 5B HTD - Elevations Option 1
 191105 HT 21 02 - 5B HTD - Elevations Option 2
 191105 HT 21 03 - 5B HTD - Elevations Option 3
 191105 HT 21 04 Rev A - 5B HTD - Elevations Option 4
 191105 HT 21 05 - 5B HTD - Elevations Option 5
 191105 HT 21 06 - 5B HTD - Elevations Option 6
 191105 HT 21 07 - 5B HTD - Floor Plans
 191105 HT 23 01 - 5B HTW - Elevations 1 of 2
 191105 HT 23 02 - 5B HTW - Elevations 2 of 2
 191105 HT 23 03 - 5B HTW - Floor Plans
 191105 HT 24 01 - 5B HTX - Elevations 1 of 2
 191105 HT 24 02 - 5B HTX - Elevations 2 of 2
 191105 HT 24 03 - 5B HTX - Floor Plans
 191105 HT 25 01 - 3B HTY - Elevations
 191105 HT 25 02 - 3B HTY - Floor Plans
 191105 GT 01 01 - GT 01 Single Garage A - Elevations and Floor Plans
 191105 GT 03 01 - GT 03 Twin Garage A - Elevations and Floor Plans
 191105 GT 04 01 - GT 04 Twin Garage B - Elevations and Floor Plans
 191105 GT 05 01 - GT 05 Double Garage A - Elevations and Floor Plans
 123 1055 Rev B - External Level Strategy - Sheet 1
 123 1056 Rev C - External Level Strategy - Sheet 2
 14098_P03 (sheet 1 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 2 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 3 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 4 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 5 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 6 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 7 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 8 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 9 of 10) Rev C - Soft Landscape Design
 14098_P03 (sheet 10 of 10) Rev C - Soft Landscape Design
 14098_P04 (sheet 1 of 2) Rev C - Hard Landscape Design
 14098_P04 (sheet 2 of 2) Rev C - Hard Landscape Design
 14098_P07 Rev A - Broom Park LEAP Design

14098_P08 Rev B - Broom Park - Context Plan
14098_P10 Rev B - Open Space Strategy Plan
14098_R01b_AW_TW Rev B - Landscape Implementation and Management Programme
14098_P13 Rev C - Retention Basin and Swale Details
05495 TPP RM 9.3.22 (sheet 1 of 2) - Tree Protection Plan & Arboricultural Method Statement
05495 TPP RM 9.3.22 (sheet 2 of 2) - Tree Protection Plan - South Sheet
21062-HYD-XX-XX-RP-ME-0001-Broom Park Rev P01- Lighting Impact Assessment.'

- The reason given for the condition is: 'To ensure that the proposed development is carried out in accordance with the drawings and documents forming part of the application to which this approval relates.'
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Decision

1. The appeal is allowed and planning permission is granted for up to 80no. residential units and associated public open space and infrastructure at Development Site At Sx 783 624, Broom Park, Dartington, Devon in accordance with the terms of the application 0292/24/VAR, subject to the conditions in the attached schedule.

Procedural Matters

2. The wording under the Decision heading above references the description of development for the outline planning permission, excluding reference to any outline application or reserved matters, as a new planning permission is being granted. I will return to this below.
3. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party, and I have had regard to the latest version in reaching my decision.
4. At the time of my site visit the development had been commenced and appeared to accord with the submitted plans. For the avoidance of doubt, I have determined the appeal based on those plans.

Background and Main Issues

5. The appeal site forms part of a wider development known as Broom Park. As part of the consented development, a series of measures to avoid/mitigate potential impacts to commuting/foraging bats associated with the South Hams Special Area of Conservation (SAC) were approved as part of the design.
6. These include a wide dark ecological corridor, retention of existing hedgerows, scrub and woodland habitat, creation of habitats for bats and low levels of surrounding lighting from roads and properties. Management of the corridor has been approved via a Landscape and Ecological Management Plan that will be managed by an appointed management company as secured through the requirements of a S.106 Agreement.
7. The appeal proposal seeks the provision of a pedestrian access gate from the garden of Plot 79 into the dark ecological corridor and minor changes to the shape of the garden of Plot 80. The Council's Officer Report and other evidence clarifies that there are no concerns raised to the changes to Plot 80 as this would not impact upon the corridor. As I have no reason to disagree, I do not need to deal with this matter further.
8. In light of the above, the main issues are the effect of the proposal in relation to Plot 79 on:
 - the ecological corridor, including the effect on the integrity of the South Hams Special Area of Conservation (SAC) Greater Horseshoe Bat Sustenance Zone for Bulkamore Iron Mine SSSI/SAC; and,
 - the character and appearance of the area.

Reasons

Integrity of the SAC

9. The appellant advises that access to the ecological corridor from Plot 79 is required to establish beehives with no associated change of use or domestication of the land being applied for. The appointed management company would retain control over the bat corridor, its management and access. Furthermore, there are no changes proposed to any planting within the corridor or amendments to existing lighting levels.
10. In the absence of any additional lighting, loss of only a very small area of planting to make way for the gate, retention of all other planting, and given that access to the corridor would be for the purposes of accessing beehives with their associated environmental benefit, the proposal would not undermine the original purpose of the corridor in providing a landscape buffer and habitat corridor. I see no reason why allowing access to beehives would significantly change the management of the scrub landscaping, or its function. There would be no need to access the beehives at night. Furthermore, management of the area and access by the occupiers of Plot 79 would be restricted and managed by the appointed management company to ensure no adverse effects on the bat corridor or management of the area from activities such as composting, dumping of waste or other activities that could erode the effectiveness of the corridor.
11. Whilst I have had regard to the concerns raised regarding the proposal resulting in further requests for incremental changes to hedge banks and access to the corridor, I have little evidence before me that further requests would be forthcoming. Furthermore, I have to consider the proposal on its merits.
12. I note the comments from the Council's Landscape Officer and Ecological Officer. However, the concerns raised relate to the risk of residents extending their gardens into the corridor and as stated above, this does not form part of the proposal. Moreover, I note that the Council's Ecological Officer confirms that the introduction of a gate and beehives in themselves would not affect bat activity.
13. The appeal site lies within the sustenance zone for the SAC that is located 3.2km west of the site. The SAC is protected via the Habitats Directive, which is incorporated into domestic statute via the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). The Habitats Regulations impose a duty on me, as the competent authority, to consider whether the proposal would be likely to have a significant effect on the integrity of the SAC, either alone or in combination with other plans and projects.
14. The SAC is designated in order to protect the population of Greater Horseshoe Bats and prevent damage to foraging and commuting habitats. Damage or disturbance of these features can degrade the integrity of the overall roost network and bat populations.
15. The outline planning application was the subject of a Habitat Regulations Assessment (HRA) carried out by the Council following the conclusion that that proposal could have likely significant effects on bat foraging and commuting habitat. The HRA includes a number of mitigation measures to ensure no adverse effect on the integrity of the SAC and this was agreed by Natural England. These mitigation measures comprise provision of protection of the dark bat corridor, avoidance of construction phase lighting, location of operational buildings away from the corridor, restricted lighting entering the corridor, protection of all boundary hedges, trees and woodland and implementation of a construction phase Construction Ecological Management Plan (CEMP), Woodland Management Plan (WMP) and compliance monitoring. The HRA considered the application in combination with other applications in the area and concluded that provided the mitigation measures are secured there will be no adverse effect on the integrity of the SAC alone or in-combination with other proposals or projects.

16. Given that the appeal proposal does not seek to extend the domestic garden into the ecological corridor, would not alter lighting levels, would not significantly change any planting, with access managed by the management company, and continued compliance with the CEMP and WMP, the appeal proposal would not affect bat activity within the corridor. As a result, the proposal would not materially change the originally agreed mitigation for effects on the SAC or undermine the purposes of the dark corridor. Consequently, the appeal proposal would not result in a harmful effect on the integrity of the SAC, and I am satisfied that likely significant effects to the ecological integrity of the SAC would be avoided. I have consulted with Natural England which has confirmed that the mitigation is sufficient to avoid adverse impacts on the SAC.
17. In light of the above, I conclude that the proposal would not have a harmful impact upon the corridor, including the integrity of the South Hams Special Area of Conservation Greater Horseshoe Bat Sustenance Zone for Bulkamore Iron Mine SSSI/SAC. As such, it would not be contrary to Policy DEV26 of the Plymouth & South West Devon Joint Local Plan 2014-2034 March 2019 (JLP). Amongst other things, this seeks to ensure that development support the protection, conservation, enhancement and restoration of biodiversity and give the highest level of protection to European Sites, permitting development unless it will not adversely affect the integrity of a European site, either alone or in combination.
18. For the same reasons, the proposal complies with the provisions of Chapter 15 of the Framework that seeks to conserve and enhance the natural environment.

Character and appearance

19. The immediate area close to the proposed location for the pedestrian access comprises the rear gardens of residential plots immediately adjoining the open ecological corridor. These gardens comprise timber boundary fencing and gates characteristic of most residential garden areas.
20. The introduction of a pedestrian access and associated gate at the boundary of the rear garden to the dwelling, accessing the ecological corridor, by reason of its small scale, timber materials and location, would not be highly discernible and would be partly screened by planting. For the same reasons, it would not look out of place or unusual in a residential environment.
21. It follows from the above that the proposal would not harm the character and appearance of the area. As such, it complies with JLP Policy DEV23 which, amongst other things, requires development to conserve and enhance landscape, townscape and seascape character and scenic visual quality, avoiding significant and adverse landscape or visual impacts.

Other Matters

22. A condition of a reserved matters approval is a condition of a planning permission (that being the combination of the outline planning permission and reserved matters approval). Furthermore, an application under s73 of the Town and Country Planning Act 1990 (as amended) (The Act) is an application for development to be carried out without complying with a condition imposed on a planning permission. The result of a successful s73 application is the grant of a new planning permission.
23. Therefore, it is not possible to grant a new 'approval of reserved matters' through a s73 application (a reserved matters approval being an approval of a condition of planning permission) and if this appeal were allowed, a new planning permission would be created.
24. The outline planning permission, Ref 3842/20/OPA, was granted following a planning obligation securing certain financial contributions under S106 of the Act (the S.106 Agreement). The S106 Agreement, under the definition of "Permission" clarifies that it

relates to all approvals granted together with any planning permission granted under section 73 of the 1990 Act. Even though I would be granting a new full planning permission if this appeal is allowed, it would nonetheless be granted under section 73 of the 1990 Act and the provisions of the S106 Agreement would therefore continue to apply.

Conditions

25. The Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect.
26. I have removed any pre-commencement conditions as they are no longer necessary given that works have commenced. I have also removed conditions requiring the submission or timing of reserved matters, and for any reserved matters submission to accord with the Parameters Plan as reserved matters is no longer required with the relevant details already submitted and approved.
27. I have varied the plans condition to include the plans showing the amended layout the subject of this appeal and combined the plans approved at outline and reserved matters stages.
28. Previously imposed conditions to the reserve matters consent remain relevant and necessary with regard to vehicle access (new condition number 2), off-site highway works and safety audit (new condition numbers 3 and 6), contamination (new condition number 9), Written Scheme of Investigation (new condition number 10), landscaping (new condition number 18), solar panels (new condition number 19) and removal of permitted development rights (new condition number 20).
29. Condition numbers 8, 9, 11, 12, 15, 16, 17 and 18 to the outline consent 3842/20/OPA have been discharged by the appellant. As a result, these now become compliance conditions in accordance with the approved details as new condition numbers 4, 5, 7, 8, 11, 12, 13 and 14.
30. Condition numbers 2, 3, 4 and 6 to the reserved matters consent 4442/21/ARM have been discharged by the appellant. As a result, these now become compliance conditions in accordance with the approved details as new condition numbers 15, 16, 17 and 18.

Conclusion

31. For the reasons given above the appeal is allowed and a new planning permission granted.

C Rose

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with drawing nos:
 - 191105 L 02 01 Rev A - Proposed Site Layout
 - 191105 L 02 02 Rev A - Boundary Treatments (Alternative Layout)
 - 191105 L 02 03 Rev A - House Type Layout
 - 191105 L 02 04 Rev A - Parking Layout, EV Charging & Bike Storage
 - 191105 L 02 05 Rev A - Bin Storage Strategy
 - 191105 L 02 06 Rev A - Building Materials
 - 191105 L 02 07 Rev A - Tenure Plan

- 191105 L 02 08 Rev A - Solar Orientation Plan
- 191105 L 02 09 Rev A - Garden Areas
- 191105 L02 101 – Adjustments to rear and side boundary to plots 46-48, 52-54
- 191105 E 02 01 Rev A - Proposed Street Elevations A & B
- 191105 E 02 02 Rev A - Proposed Street Elevation C
- 191105 Se 02 01 Rev A - Proposed Site Section A
- 191105 Se 02 02 Rev A - Proposed Site Section B
- 191105 Se 02 03 Rev A - Proposed Site Section C
- 191105 SK 220211 (sheets 1-5) - Illustrative Site Sections
- 191105 D 01 01 - Bike Store Details
- 191105 D 02 01 - Boundary Treatment Details 01 of 06
- 191105 D 02 02 - Boundary Treatment Details 02 of 06
- 191105 D 02 03 Rev A - Boundary Treatments Details 03 of 06
- 191105 D 02 04 - Boundary Treatment Details 04 of 06
- 191105 D 02 05 Rev A - Boundary Treatment Details 05 of 06
- 191105 D 02 06 - Boundary Treatment Details 06 of 06
- 191105 CON 01 - Conservatory 01 - Elevations and Floor Plans
- 191105 CON 02 - Conservatory 02 - Elevations and Floor Plans
- 191105 HT 01 01 - 1B HTA - Elevations Option 1
- 191105 HT 01 02 - 1B HTA - Floor Plans Option 1
- 191105 HT 01 03 - 1B HTA - Elevations Option 2
- 191105 HT 01 04 - 1B HTA - Floor Plans Option 2
- 191105 HT 02 01 - 2B HTB - Elevations
- 191105 HT 02 02 - 2B HTB - Floor Plans
- 191105 HT 03 01 - 3B HTB - Elevations
- 191105 HT 03 02 - 3B HTB - Floor Plans
- 191105 HT 04 01 - 4B HTR - Elevations
- 191105 HT 04 02 - 4B HTR - Floor Plans
- 191105 HT 05 01 - 2B HTE - Elevations
- 191105 HT 05 02 - 2B HTE - Floor Plans
- 191105 HT 07 01 - 4B HTG - Elevations
- 191105 HT 07 02 - 4B HTG - Floor Plans
- 191105 HT 08 01 - 3B HTI - Elevations Option 1
- 191105 HT 08 02 - 3B HTI - Floor Plans Option 1
- 191105 HT 08 03 - 3B HTI - Elevations Option 2
- 191105 HT 08 04 - 3B HTI - Floor Plans Option 2
- 191105 HT 08 05 - 3B HTI - Elevations Option 3
- 191105 HT 08 06 - 3B HTI - Floor Plans Option 3
- 191105 HT 09 01 - 4B HTI - Elevations Option 1
- 191105 HT 09 02 - 4B HTI - Floor Plans Option 1
- 191105 HT 09 03 - 4B HTI - Elevations Option 2
- 191105 HT 09 04 - 4B HTI - Floor Plans Option 2
- 191105 HT 09 05 - 4B HTI - Elevations Option 3
- 191105 HT 09 06 - 4B HTI - Floor Plans Option 3
- 191105 HT 09 07 - 4B HTI - Elevations Option 4
- 191105 HT 09 08 - 4B HTI - Floor Plans Option 4
- 191105 HT 10 01 - 4B HTP - Elevations
- 191105 HT 10 02 - 4B HTP - Floor Plans
- 191105 HT 11 01 - 3B HTK - Elevations Option 1
- 191105 HT 11 02 - 3B HTK - Elevations Option 2
- 191105 HT 11 02 - 3B HTK - Floor Plans
- 191105 HT 11 03 - 3B HTK - Floor Plans - Wheelchair adaptable

- 191105 HT 12 01 Rev A - 2B HTA - Elevations
- 191105 HT 12 02 Rev A - 2B HTA - Floor Plans
- 191105 HT 14 01 - 3B HTA - Elevations
- 191105 HT 14 02 - 3B HTA - Floor Plans
- 191105 HT 21 01 A - 5B HTD - Elevations Option 1
- 191105 HT 21 02 A - 5B HTD - Elevations Option 2
- 191105 HT 21 03 A - 5B HTD - Elevations Option 3
- 191105 HT 21 04 Rev B - 5B HTD - Elevations Option 4
- 191105 HT 21 05 A - 5B HTD - Elevations Option 5
- 191105 HT 21 06 A - 5B HTD - Elevations Option 6
- 191105 HT 21 07 A - 5B HTD - Floor Plans
- 191105 HT 23 01 A - 5B HTW - Elevations 1 of 2
- 191105 D 02 05 Rev A - Boundary Treatment Details 05 of 06
- 191105 D 02 06 - Boundary Treatment Details 06 of 06
- 191105 CON 01 - Conservatory 01 - Elevations and Floor Plans
- 191105 CON 02 - Conservatory 02 - Elevations and Floor Plans
- 191105 HT 23 02 A - 5B HTW - Elevations 2 of 2
- 191105 HT 23 03 A - 5B HTW - Floor Plans
- 191105 HT 24 01 B - 5B HTX - Elevations 1 of 2
- 191105 HT 24 02 B - 5B HTX - Elevations 2 of 2
- 191105 HT 24 03 B - 5B HTX - Floor Plans
- 191105 HT 25 01 - 3B HTY - Elevations
- 191105 HT 25 02 - 3B HTY - Floor Plans
- 191105 GT 01 01 - GT 01 Single Garage A - Elevations and Floor Plans
- 191105 GT 03 01 - GT 03 Twin Garage A - Elevations and Floor Plans
- 191105 GT 04 01 - GT 04 Twin Garage B - Elevations and Floor Plans
- 191105 GT 05 01 - GT 05 Double Garage A - Elevations and Floor Plans
- 123 1055 Rev B - External Level Strategy - Sheet 1
- 123 1056 Rev C - External Level Strategy - Sheet 2
- 14098_P03 (sheet 1 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 2 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 3 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 4 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 5 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 6 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 7 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 8 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 9 of 10) Rev D - Soft Landscape Design
- 14098_P03 (sheet 10 of 10) Rev D - Soft Landscape Design
- 14098_P04 (sheet 1 of 2) Rev D - Hard Landscape Design
- 14098_P04 (sheet 2 of 2) Rev D - Hard Landscape Design
- 14098_P07 Rev A - Broom Park LEAP Design
- 14098_P08 Rev C - Broom Park – Landscaping Context Plan
- 14098_P10 Rev C - Open Space Strategy Plan
- 14098_R01b_AW_TW Rev B - Landscape Implementation and Management Programme
- 14098_P13 Rev C - Retention Basin and Swale Details
- 05495 TPP RM 9.3.22 (sheet 1 of 2) - Tree Protection Plan & Arboricultural Method Statement
- 05495 TPP RM 9.3.22 (sheet 2 of 2) - Tree Protection Plan - South Sheet
- 21062-HYD-XX-XX-RP-ME-0001-Broom Park Rev P01- Lighting Impact Assessment
- 191105 L 0101 – Redline Plan

- 49071/5501/SK01 Rev H
 - 49071/5501/SK03 Rev D
 - 21062-HYD-XX-XX-DR-E-2114.P02
 - 21062-HYD-XX-XX-DR-E-9109A.P04
 - 21062-HYD-XX-XX-DR-E-9150.P05
 - 21062-HYD-XX-XX-DR-E-9101.P04
 - 21062-HYD-XX-XX-DR-E-9109B.P03
- 2) Vehicle access to the site shall be carried out in accordance with the details shown on drawing 49071/5501/SK01 Rev H.
 - 3) No dwellings shall be occupied until the off site highway works shown on drawing 49071/5501/SK03 Rev D and 49071/5501/SK01 Rev H have been through a Stage 2 Safety Audit and Designers response, and have been completed.
 - 4) The development shall be carried out in accordance with the approved Construction Management Plan Rev 17, submitted under the discharge of conditions application 3898/23/ARC relating to condition number 8 of 3842/20/OPA approved on 14 February 2024.
 - 5) The proposed estate roads, footways, footpaths, verges, junctions, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with the details submitted as part of application 4442/21/ARM to discharge condition number 9 of 3842/20/OPA approved on 25 April 2022.
 - 6) The occupation of any dwelling of the development shall not take place until the following works have been carried out:
 - (a) The spine road and cul-de-sac carriageway including the vehicle turning head shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - (b) The spine road and cul-de-sac footways and footpaths which provide the dwelling/s with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - (c) The cul-de-sac visibility splays have been laid out to their final level;
 - (d) The car parking and any other vehicular access facility required for the dwelling/s by this permission has/have been completed;
 - (e) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined; and
 - (f) The street nameplates for the spine road and cul-de-sac have been provided and erected.
 - 7) The development shall be carried out in accordance with the approved Waste Audit Statement - Broom Park, submitted under the discharge of conditions application 2799/22/ARC relating to condition number 11 of 3842/20/OPA approved on 7 September 2024.
 - 8) The development shall be carried out in accordance with the Phase 2 Geo-Environmental Assessment submitted as part of application 4442/21/ARM to discharge condition number 12 of 3842/20/OPA approved on 25 April 2022.
 - 9) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

- 10) The development shall be carried out in accordance with the Written Scheme of Investigation prepared by AC Archaeology (document ref: ACD2436/1/0, dated 02/02/21) and submitted in support of application 3842/20/OPA dated 8 October 2021. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.
- 11) The development shall be carried out in accordance with drawing number 191105 L 02 04 Rev A – Parking Layout, EV Charging & Bike Storage submitted as part of application 4442/21/ARM to discharge condition number 15 of 3842/20/OPA approved on 25 April 2022.
- 12) The development shall be carried out in accordance with drawing number 191105 L 02 08 Rev A – Solar Orientation Plan and Energy and Sustainability Statement – Broom Park – Rev 2 dated 14.03.2022 submitted as part of application 4442/21/ARM to discharge condition number 16 of 3842/20/OPA approved on 25 April 2022.
- 13) The development shall be carried out in accordance with drawing numbers 191105 R 02 Rev B – Design and Access Statement and 191105 S 01 Rev B – Accommodation Schedule submitted as part of application 4442/21/ARM to discharge condition number 17 of 3842/20/OPA approved on 25 April 2022.
- 14) The development shall be carried out in accordance with the following drawing numbers and details:
 - 123 1057 Rev C - Drainage Strategy Plan
 - 123 1058 Rev B - Impermeable Area Plan
 - 123 1059 Rev E - Overland Exceedance Flow Route Plan
 - Planning - Drainage Compliance Statement - Rev B
 - Plot 55 Soakaway - Micro drainage calculations
 - Plot 56 Soakaway - Micro drainage calculations
 - Plot 57 Soakaway - Micro drainage calculations
 - Plot 58 Soakaway - Micro drainage calculations
 - Plot 59 Soakaway - Micro drainage calculations
 - Plot 60-64 Soakaway - Micro drainage calculations
 - Plot 67 Soakaway - Micro drainage calculations
 - Plot 68 Soakaway - Micro drainage calculations
 - Typical Permeable Driveway - Micro drainage calculations
 - GFRR - 1.640ha QMED
 - GFRR - 1.640ha QBAR
 - 123_D02_RM Planning - Storm Sewer Design Network Design Table
 - QSE 1.527ha 19.8ls
 - Checklist and Control Measures for Surface Water Run Off During Construction
 - Phase 2 Geo-Environmental Assessment
 - Shallow Ground Water Monitoring
 - Additional Soakaway Test Results
 - 123 1061 Rev C - Drainage During Constructionsubmitted as part of application 4442/21/ARM to discharge condition number 18 of 3842/20/OPA approved on 25 April 2022.
- 15) The development shall be carried out in accordance with the following materials and details:
 - 191105 L 02 01 - BROOM PARK Gas Meter Box Locations
 - 191105 L 02 09 - Broom Park Render Colours Layout
 - 191105 L 02 30 Underbuild Clarifications
 - BE215 DET RF 02 TYP Ridge & Valley Details
 - BE215 DET RF 02 A TYP Eaves and Verge Details
 - BE215 DET RF 03 TYP Dry Hip Tile Detail

GGL-EDN-0114-1104 Velux Recessed Slate Flashing
M_STD_413 Rev A External Walls Juliette balcony
Broom Park Stone Sample Panel image
Con 2(g) Broom Park rwg and flues ducts
Con 2. Schedule of Materials - Non Adopted Areas
Example of Juliet Balcony
Flush casement window detail
Flush Solar Panel Roof Images
Gas Uni Box Meter drwg and image
IG Front Door inc Patio and Garage Door
Image Flush Casement Window detail and Cill
Minas Hook fixing
Natural Roof Slate Images
2c Broom Park – Stone sample panel

submitted under the discharge of conditions application 3979/22/ARC and 3804/23/ARC relating to condition numbers 2 and 2c of 4442/21/ARM approved on 31 January 2023 and 1 December 2023 respectively.

- 16) The development shall be carried out in accordance with the Broom Park RM Sample Section of the stone faced hedgebank, submitted under the discharge of conditions application 3017/23/ARC relating to condition number 3 of 4442/21/ARM approved on 22 September 2023.
- 17) The development shall be carried out in accordance with drawing number 191105 L 02 01 – BROOM PARK Hedgehog Passess Plan submitted under the discharge of conditions application 3979/22/ARC relating to condition number 4 of 4442/21/ARM approved on 31 January 2023.
- 18) All planting, seeding or turfing comprised in the approved details of landscaping and outside of the public open space (which is subject to the Landscape Implementation and Management Programme), shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 19) The development shall be carried out in accordance with the following details:

GSE IR Installation Manual V11.3-4 received by the Local Planning Authority on 7 December 2023

CES409-BAK-SP-001 Rev02 – Solar PV Site Plan received by the Local Planning Authority on 10 April 2024

submitted under discharge of conditions application 4012/23/ARC relating to condition number 6 of 4442/21/ARM approved on 16 April 2024.
- 20) Notwithstanding the approved boundary details shown on drawing ref 191105 L 02 02 Rev A and the provisions of the Town and Country Planning General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or wall shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

END OF SCHEDULE