



Appeal Decisions

Hearing held on 26 February 2025

Site visit made on 26 February 2025

by H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal A Ref: APP/L1765/W/24/3350662

Land south of School Lane, Denmead PO7 6QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Amy and Derek Hopkins against the decision of Winchester City Council.
 - The application Ref is 24/01166/OUT.
 - The development proposed is outline application for the phased development of up to 3 self-build and custom housebuilding plots with all matters reserved except for access.
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Appeal B Ref: APP/L1765/W/24/3347360

Land south of School Lane, Denmead PO7 6QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Amy and Derek Hopkins against the decision of Winchester City Council.
 - The application Ref is 23/01908/OUT.
 - The development proposed is outline application for the phased development of up to 6 self-build and custom housebuilding plots with all matters reserved except for access.
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Decisions

1. Appeal A is allowed and planning permission is granted for outline application (some matters reserved) for the phased development of up to 3 serviced plots for self-build and custom housebuilding at Land south of School Lane, Winchester, PO7 6QJ, in accordance with the terms of the application, Ref 24/01166/OUT, subject to the conditions in the attached schedule.
2. Appeal B is dismissed.

Preliminary Matters

3. Since the appeal was submitted, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were provided with an opportunity to comment on the implications of the change in policy circumstances and thus, no prejudice has occurred. I address this further below.
4. Final draft S106 planning obligations pertaining to the respective appeals were submitted prior to the hearing and completed versions of the same were received on 28 February 2025.

5. The Council submitted a draft Local Plan (eLP) for examination in November 2024. The main parties agreed that the first phase of examination hearings into the eLP were to commence in April 2025. The Council agreed that very little weight could be attributed to policies of the eLP at this particular stage of its production.

Main Issues

6. The main issues, common to both appeals are:
 - whether the location of the site accords with policies of the development plan;
 - the effects of the proposal on the character and appearance of the area; and
 - the effects of the proposal on the existing trees within and adjoining the site.

Reasons

Location of development

7. The broadly triangular appeal site extends to around 0.37ha of gently sloping pastureland to the west of existing dwellings and west of the large village of Denmead with a frontage onto School Lane. There is a notable Oak tree within the eastern part of the site and substantial trees of mixed species within the eastern site boundary.
8. The development plan for the area currently comprises the Winchester Local Plan Part 1 (adopted 2013) (LPP1), the Winchester Local Plan Part 2 (adopted 2017) (LPP2) and the Denmead Neighbourhood Plan 2011-2031 (made 2015) (DNP).
9. The defined settlement boundary for Denmead excludes the dwellings to the east on the junction of Lower Crabbick Lane and School Lane but includes the dwellings on the opposite side of School Lane that front onto Upper Crabbick Lane. In short, the extent of the settlement boundary and built extent of the village is a matter of metres from the appeal site in a broadly easterly direction. Nonetheless, the site being outside of the settlement boundary means that it is not in accordance with policies of the development plan that support development within settlements.
10. As a consequence, one of the focuses of the appeal has been whether either scheme would comply with policies that permit some forms of development outside of the settlement boundaries, such as MTRA2, MTRA4 of LPP1, Policy DM1 of LPP2 and Policy 1 of the DNP.
11. In my view, despite LPP2 Policy DM1 and Policy 1 of the DNP being the later adopted policies, they add nothing beyond the clear position set out in LPP1 Policies MTRA2 and MTRA4 which clearly relate to the appeal. Taking these in reverse order, MTRA4 stipulates that development in the countryside shall be limited to developments such as agricultural workers dwellings, reuse of existing rural buildings, business development which has an operational need to be in the countryside, and small scale, low key tourism schemes. Neither scheme meets any of the policy criteria to be permissible in the countryside.
12. Policy MTRA2 states that the focus for development should be within existing settlement boundaries in the first instance and that sites outside settlement boundaries will only be permitted where, following an assessment of capacity within the built-up area, they are shown to be needed, or to meet a community

need or realise local community aspirations identified through a Neighbourhood Plan or other process which demonstrates clear community support.

13. The appeals have been submitted with Alternative Site Assessments which seek to demonstrate that there is insufficient capacity within the existing settlement boundary to accommodate a scheme of either 3 or 6 self/custom build plots and that there is sufficient need for them from amongst the community of Denmead, but also when the need for self/custom build plots across Winchester is considered more holistically.
14. The Framework sets out that the needs of groups with specific housing requirements should be addressed and this includes people wishing to commission or build their own homes. Under Section 2A of the Self Build Act¹, local planning authorities are required to grant a sufficient number of permissions to meet the demand for self and custom-build housing within their area. This demand is to be measured by the number of new applicants entered on the local Self-Build Register in each base period; and that number must be matched by suitable new permissions granted within 3 years of the end of each relevant base period. Authorities must have regard to the Register when carrying out their planning functions, such as when deciding applications.
15. The main parties agree that there is a substantial need for self and custom build housing plots, with the Council indicating that permission for 189 were left to be granted to meet the now passed target for the end of Base Period 6. Conversely, the appellant offers a higher shortfall of 484 plots needed to meet the same target based on its interrogation of the data and disagreement about the permissions that can be counted towards the target.
16. Whilst I have limited cogent evidence to dispute the limited availability of alternative sites within the settlement boundary, I am not persuaded by the appellant's demonstration of the need for the development to be located specifically in Denmead. As such, neither proposal receives the support of Policy MTRA2 of LPP1.
17. The development plan does not contain a specific policy relating to the provision of self or custom build housing plots, which, largely given its age, is unsurprising. Despite the inherent acknowledgement that this can be remedied through the eLP and notwithstanding appeal decisions which may have reached an alternative conclusion, I do not consider that the current absence of a specific policy means that the development plan is silent on the form of development proposed. There is a sufficient suite of policies that dictate the location and acceptability of a range of development types. In this case, the provision of self and custom build housing in the location proposed does not accord with the aforementioned development plan policies.

Character and appearance

18. The large village of Denmead has an evident nucleated form contained by Forest Road to the south and has clearer settlement edge patterns to the north and east. To the west and north-west around the area of Anthill Common, the settlement pattern is more sprawling and has evolved in a more linear fashion. The appeal site sits in this area to the west of the settlement.

¹ As amended by the Housing and Planning Act 2016 and secondary legislation

19. The landscape encompassing the appeal site falls within Landscape Character Area (LCA) 18: Forest of Bere Lowlands as defined by the Winchester Landscape Character Assessment (2022). Denmead is recognised as the largest settlement within the wider LCA. Insofar as it was once a part of a larger tract of farmland, now subdivided into small paddocks and within an area of gently undulating topography with treed hedges, it is broadly consistent with the wider LCA. The network of lanes, narrow, although not always winding, is another feature consistent with the LCA.
20. Due to its adjacency with existing dwellings and close proximity to others within the settlement boundary, this particular site is influenced by the settlement edge to the extent that its sensitivity is lessened to a degree. That said, it is still an attractive part of the countryside forming the edge of the settlement and the introduction of dwellings, hard surfacing, cars, lighting, activity and other features of domesticity would be a harmful change.
21. From a visual perspective, any development of up to two storeys in height would be visible from School Lane and glimpsed from surrounding roads, particularly to the west, through and above hedgerows, depending on their height and management regime. There would also be a high degree of visibility from the public right of way (PROW) to the west which passes through neighbouring fields from where there is little in the way of established hedgerows to filter the views. Whilst this is a relatively localised area, the visual change would be a harmful one despite many views of the dwellings having a backdrop of some built form.
22. Whilst the nature of the proposals in outline form with fixed access typically means that there is less precision about the form of development that would come forward, illustrative layout plans and Design Codes have also been submitted with each scheme which draw some influence from the Denmead Village Design Statement (2016).
23. The Appeal B scheme would be particularly dense and lays the dwellings out in a haphazard arrangement, with evident differences between building footprints and plot sizes. The scheme would appear cramped and without due consideration of its surrounding context which is that of either large dwellings in large plots or regularly spaced dwellings in regularly laid out generous plots along Upper Crabbick Lane. Whilst there would be some benefit to giving the Oak tree its own space outside of any garden area, the development would push up to the other boundaries and would leave little prospect of a meaningful western boundary being established. Therefore, on the basis of the illustrative detail, this scheme would appear poorly designed and visually incongruous.
24. The Appeal A scheme for three dwellings would be at a far lower density, more befitting of its edge of village location. The intention would be for there to be a single point of access and the parking and manoeuvring areas to be to the front, with dwellings fronting onto School Lane with a generous set back. This would be more appropriate and would better follow the pattern of development along Upper Crabbick Lane and further east along School Lane. The gardens to the rear of the dwellings would be long and would taper to the southern end. The Design Code seeks to promote the establishment of a western landscape feature. Undoubtedly, such a feature is needed to replace the stockproof fencing to provide an appropriate and robust edge to the development.

25. However, the Appeal A scheme would result in the Oak tree being in close proximity to the easternmost dwelling and forming a domineering feature within its garden. Similarly, the eastern boundary trees would be substantial features that would shade a large part of the garden for certain points of the year. Therefore, despite its greater landscape and visual cohesion with the area than the Appeal B scheme, even the scheme of up to three dwellings would not pay adequate regard to existing site features.
26. Taking together the effects on the landscape character and visual amenities of the area, the schemes conflict with, in particular, Policies DM15, DM16 and DM23 of LPP2 which seek to protect landscape character and secure high quality design. For similar reasons, the schemes would fail to adhere to guidance in the Denmead Village Design Statement (2016). These As above, the Appeal B scheme would equate to substantively greater harm in these regards. I return to this in the planning balance below.

Effect on trees

27. The group trees within the eastern boundary and on adjoining land, along with the Oak in the eastern part of the site make an important contribution to the character and appearance of the area, alike many others similar which give the area a verdant quality and sense of time depth. Despite not being particularly rare within this area of landscape, the trees are still important and are deserving of retention, protection and adequate consideration in any development proposals. The appellants have indicated their acceptance of a Tree Preservation Order (TPO), which the Council indicated it would be serving imminently.
28. The Appeal B scheme would afford more space around the site's Oak tree within a small communal area of open space largely focussed on the Root Protection Area of the tree (RPA). The group of trees within the eastern boundary would still overhang and shadow the gardens of the two adjoining plots.
29. The Appeal A scheme would result in all of the trees being within or dominating the garden of the easternmost dwelling (Plot 3). Whilst the house would be outside of the RPA of the Oak tree on site, the space would be constrained and the garden of the house would be relatively shaded through summer until later in the day. The extent of coverage of the garden of RPAs would also constrain the construction of other incidental buildings or hardsurfaces with the freedoms that may typically be enjoyed by householders.
30. The trees could be protected throughout the construction phase of either scheme by way of measures required by condition. The Appeal A scheme, owing to the more direct relationship Plot 3 would have with the tree beyond construction, has been submitted with measures to protect the Oak tree included with the submitted planning obligation. This would lessen the ability for future occupiers to propose or undertake future direct works which may harm the tree.
31. In view of the above, notwithstanding the protection measures that could be put in place, the proposals have not been designed so as to fully avoid compromise to the existing trees, such that they would conflict with Policy DM24 of LPP2 which seeks to avoid the loss or deterioration of important hedgerows, special trees, distinctive ground flora and the space required to support them.

Other Matters

The Framework – Housing Land Supply

32. The Framework, published in December 2024, sets out that its new five year supply provisions should take immediate effect and include a revised standard methodology for calculating housing needs, along with the need for an appropriate buffer. As set out in Appendix 3 of the Addendum Statement of Common Ground, the Council acknowledge that the annual requirement under the Framework is for 1,157 dwellings per annum. As a illustration of the vast difference, the housing figure under the current development plan, which is over five years old, is for 676 dwellings per annum. The Council have also sought to justify a 5% rather than 20% buffer and I find no reason to disagree with this approach. Furthermore, the parties are in agreement on the 3,888 dwellings that make up the supply and thus, there was no need to look further into evidence on the individual sites, permissions and allocations.
33. The Council emphasise that the examination into the eLP is due to commence in April 2025 and will be seeking to establish a lower housing requirement than that required by the Framework under the transitional arrangements. The figure promoted in the eLP is 773 dwellings per annum. The Council's calculation of its five year supply for this appeal is therefore based on a combination of the Framework requirement for year one and the need for years 2 – 5 being set by the eLP, assuming its adoption in late 2025.
34. Whilst the Council suggests that it can demonstrate a 5.4 year supply of housing based on its hybrid approach to calculating need and making a healthy deduction based on past over supply, I am not content that the adoption of the eLP can be considered so certain or so imminent to accept this as a robust position. It is clear that the Council are progressing its eLP, but it was indicated at the hearing that it was only capable of attracting very limited weight. Therefore, whilst I do not seek to replicate the role of the examination, I am not persuaded by the evidence of the Council as part of this particular appeal that it can demonstrate a 5 year supply of housing land with appropriate 5% buffer.
35. Absent of any more robust evidence of the Council to the contrary as part of this appeal, I adopt the appellant's position which indicates that the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework is engaged for decision making purposes.

Effects on Solent Protected Sites

36. The site lies within the catchment area that passes into the Solent. The Solent hosts many Protected Sites², designated under the Habitats Regulations³ for their specific qualifying features, including aquatic plants, the water environment and the multiple overwintering bird species.
37. In short, levels of nitrogen and phosphorus from various sources are reaching the Solent Protected Sites with negative consequences, harmful to their integrity. As a result, the nutrient input from changes in use of land, increases in foul drainage

² Solent Maritime Special Area of Conservation, Solent and Dorset Coast SPA, Solent and Isle of Wight Lagoons SAC, Solent and Southampton Water SPA and RAMSAR site, Chichester and Langstone Harbours SPA/RAMSAR, Portsmouth Harbour SPA/RAMSAR.

³ The Conservation of Habitats and Species Regulations, 2017, as amended

outflows and other related developments that drain into the protected sites must be assessed and found not to add to the existing nutrient burdens.

38. The existing use of the site is pastoral land, which itself has a nutrient output. Either proposal would add a number of additional dwellings and their respective residents which would increase the nutrient burden from the site. Effects on the integrity of the protected sites cannot therefore be screened out and an appropriate assessment is necessary.
39. The proposal would connect to the mains foul drainage system and would be treated at the Budds Farm wastewater treatment plant. Other run off would discharge to soakaways on site. The completed and submitted *Natural England Solent Nutrient Neutrality Budget Calculator February 2024* for Appeal A indicates that the scheme of the up to 3 dwellings proposed would generate an annual nitrogen load of 5.16 kg TN. The equivalent for Appeal B for up to 6 dwellings indicates that the development would generate an annual nitrogen load of up to 5.56 kg TN.
40. In these cases, the appellant has sought to indicate that additional nitrate burdens could achieve nutrient neutrality through the purchasing of offsetting credits at least equivalent to the amounts of additional nitrogen identified above, depending on what scheme were implemented. In this case, the appellant has invited the imposition of a negatively worded condition that would prevent occupation of any dwelling until such time as it has been demonstrated that any dwelling would have water efficiency measures that limit each person to no more than 110 litres of water per day, to ensure that any foul drainage system is installed, and to demonstrate that a mitigation package for the additional nitrogen loading has been secured prior to first occupation, i.e. that the credits have been purchased from a certifiable location and to the amount necessary to offset the impacts of the development. This approach is set out in *the Winchester City Council Position statement on nitrate neutral development* (2020).
41. As competent authority for the purposes of the Habitats Regulations, I have consulted with Natural England. Owing to the identification of specific measures within the submitted evidence and subject to conditions, I am certain that based on the best available scientific evidence, neither scheme would harm the integrity of the protected sites and would therefore accord with the expectations of the Habitats Regulations and LPP1 Policy CP16. This Policy seeks to support development which protects sites of international, European, and national importance, and local nature conservation sites from inappropriate development.

Views of interested parties

42. I have considered the numerous representations made by local residents in connection with the scheme, many of which are addressed above. In terms of the granting of permission resulting in the establishment of a precedent for similar future developments, I have determined these cases on their specific merits and on the evidence before me. The other numerous appeal proposals put to me by both main parties do not appear to replicate the circumstances of these appeals so closely that they dictate my decisions. Similarly, I cannot envisage a situation where the circumstances of either of these cases will be replicated so similarly as to influence the outcome of any future proposals.

43. A number of residents indicate that School Lane is narrow and not of a sufficient width to enable cars to pass, with the result that the proposals will prejudice the safety of the local highway network. Whilst I note that it is not a typical width for two-way traffic and without footways and lighting, it is relatively typical of some of the roads on the periphery of Denmead which are well used by vehicles, pedestrians, cyclists and those on horseback.
44. Whilst I note that there is concern about the lack of surface water and foul drainage infrastructure, these aspects would be addressed by way of suitably worded planning conditions.
45. The concerns about the impacts on biodiversity are not in dispute between the main parties and, subject to conditions, I find no reason to reach an alternative view.
46. Whilst it has been indicated that the site has been discounted from the Denmead Site Options and Assessment Study (2024), that background document does not carry the full weight of a development plan document and does not prevent me from reaching conclusions on the schemes before me.

Planning Balances

47. Owing to the location and nature of the proposed developments, their effects on the character and appearance of the area and effects on trees, the appeal schemes are in conflict with the development plan when taken as a whole.
48. As I have found the presumption in favour of sustainable development to be engaged, I attribute less weight to the conflict with the development plan policies based on the location and nature of the development, particularly as the site is considered to be sustainably located. Even though the conflict with policies relating to the harm to the character and appearance of the area and trees attract full weight, Appeal B is the more harmful scheme in these regards.
49. The public benefits common to both schemes include the delivery of housing, particularly of the self- and custom build type, for which the Council accept there is a substantial need. Appeal A would deliver three plots which is a small, yet valuable contribution. Appeal B would deliver four plots, plus two additional affordable plots with a discount of at least 20% from open market value. These would be delivered by either scheme and attract significant weight, with modestly more benefit to be derived from Appeal B when compared to Appeal A by this particular measure.
50. There would be some economic benefits from either scheme, though the appellant did not promote these as being materially different for one compared to the other. Notwithstanding the absence of a skills and employment plan, I attribute the economic benefits modest weight in favour of the schemes.
51. Weighing all of the above factors together, I conclude that the adverse impacts of granting Appeal A would not significantly and demonstrably outweigh the benefits, when considered against the Framework and having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.

52. For Appeal B, I conclude that the adverse impacts would significantly and demonstrably outweigh the benefits, when considered against the Framework and having particular regard to the same key policies.
53. Therefore, for Appeal A, the presumption in favour of sustainable development is a consideration of such weight that it indicates that a decision should be made other than in accordance with the development plan. For Appeal B, the public benefits and other considerations advanced do not indicate that a decision should be made other than in accordance with the development plan.

Planning Obligation and Conditions – Appeal A

54. I have considered the submitted planning obligation in light of the tests specified in the Framework, the Community Infrastructure Levy Regulations (2010) as amended and the Planning Practice Guidance (PPG).
55. The S106 seeks to secure the plots for self- and custom build purposes with details as to how they will be marketed and who will be eligible to occupy them. As I have attributed weight to the benefit of this type of housing in light of the agreed shortfall, this is a necessary obligation.
56. The S106 also seeks to provide measures for long-term protection of the Oak tree which is a necessary measure, to supplement other protections that will be in place through conditions or the TPO.
57. Taking the above into account, I consider that the obligation is one that is necessary, directly related and fairly and reasonably related in scale and kind to the development. As such, the S106 has been taken into account in my overall decision. However, as Appeal B is being dismissed for other reasons, it is not necessary to further examine the S106 related to that case.
58. In respect of the planning conditions, the main parties agreed on a list of suggested conditions prior to the hearing. I have considered these in light of the tests in the Framework and PPG and made only minor amendments where necessary.
59. Due to the outline nature of the scheme, conditions are needed to clarify which reserved matters approvals are required, by when and by what date development shall commence. Similarly for reasons of certainty, conditions are needed to specify the approved plans and secure details of compliance with the approved Design Code.
60. A condition is required in connection with the provision of parking and turning for vehicles in the interests of highway safety. For reasons of the protection of biodiversity interests, conditions are needed to secure the design of any scheme of lighting prior to its implementation, and to ensure adherence to the submitted Preliminary Ecological Appraisal.
61. For the reasons outlined above concerning the avoidance of effects on the integrity of the Solent Protected Sites, a condition is necessary to secure the specified mitigation measures.
62. To accord with LPP1 Policy CP11, a condition is needed to secure details of the sustainability credentials of the buildings in energy and water efficiency terms.

63. For reasons relating to the character and appearance of the area, conditions are also needed to secure further tree protection measures and require their implementation alongside future construction works. For similar reasons, a condition is needed to remove specified householder permitted development rights that would otherwise harm the important trees.

Conclusions

64. For the foregoing reasons, Appeal A is allowed, but Appeal B should be dismissed.

H Nicholls

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Andy Moger	Director, Tetlow King Planning
Daniel Austen-Fainman	Senior Planner, Tetlow King Planning
Sarah Gibson	Director, Mood Landscape
John Hartley	Arb Tech

FOR THE LOCAL PLANNING AUTHORITY:

Liz Young	Senior Planner, Winchester City Council
Stuart Dunbar-Dempsey	Landscape Officer, Winchester City Council
Andrew Giles	Tree Officer, Winchester City Council

INTERESTED PARTIES:

Councillor Langford-Smith	Councillor for Denmead Ward
Councillor Andreoli	Denmead Parish Councillor

HEARING DOCUMENTS:

Document 1	Extract from Winchester City Council Self-Build Register Data returns 2022/2023
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DOCUMENTS RECEIVED AFTER THE HEARING:

Document 2	S106 Agreement dated 27 February 2025
Document 3	S106 Agreement dated 27 February 2025

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 2) The first application for approval of reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 3 years from the date of this permission.

- 3) The submission of all reserved matters and the implementation of development shall be carried out fully in accordance with approved Drawing Ref 22557/ 3601 C (CIL Phasing Plan).
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Location Plan – Reference 22557/1001
 - CIL Phasing Plan – Reference 22557/ 3601 C
 - Design and Access Statement Rev B (incorporating Design Code) – Pad Design (17.04.24)
- 5) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the local planning authority before any development takes place on each phase and the development shall be carried out as approved.
- 6) Plans and particulars showing the detailed proposals for all the following aspects of the development (hereinafter called "the reserved and other matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced in respect of each phase. The approved details shall be carried out as approved and fully implemented before the buildings are occupied in respect of each phase.

Each reserved matters application shall be accompanied by a statement of compliance with the Design Code (as set out within the approved Design and Access Statement).

For each reserved matters application the applicant shall include plans and particulars that demonstrate how the reserved matters area relates to the approved CIL Phasing Plan.

(i) The reserved matters:

- a) The layout, siting and scale of all buildings and structures;
- b) The design and external appearance of all buildings and structures (including details of the colour and texture of external materials to be used);
- c) Landscaping including a landscape design showing the planting proposed to be undertaken, the means of forming enclosures, the materials to be used for paved and hard surfaces, treatment of retained areas of landscaping/vegetation including trees, hedgerows, and grassland. Such scheme shall specify the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with the approved timing provisions. If within a period of five years after planting any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased another tree or plant of the same species and size as that originally approved shall be planted

at the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

ii) Other matters:

- a) The layout of the development including the positions and widths of roads;
- b) The finished levels (above ordnance datum) of both the ground floor of the proposed buildings(s) and the surrounding ground levels;
- c) The layout, depth and capacity of all foul sewers and surface drainage including SUDS, their means of disposal and ongoing management; and details of any other proposed ancillary drainage works/plant (e.g. pumping stations);
- d) Details of ecological mitigation measures required for each reserved matters application. Ecological mitigation measures should be in accordance with measures set out within the approved Ecological Report
- e) The alignment, height and materials of all walls and fences and other means of enclosure;
- f) Hard surfacing proposals including surfacing materials;
- g) The provision to be made for the parking, turning, loading and unloading of vehicles and cycle parking;
- h) The provision to be made for the storage and removal of refuse from the premises;

(i) Construction management statement detailing:

- Use of fences and barriers to protect natural features
- Details of parking and traffic management measures,
- Chemical and/or fuel run-off
- Waste disposal
- Details of the provisions to be made for the parking and turning on site of operatives and construction vehicles
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works and being deposited on the public highway,
- The provision to be made for contractors vehicles parking and plant, storage of building materials and any excavated materials and all working areas.

Development shall be carried out fully in accordance with the approved details.

- 7) No dwelling shall be occupied until space has been laid out within the site [in accordance with the details approved under Conditions 5 and 6] for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. That space shall thereafter be kept available at all times for the parking and turning of vehicles.
- 8) No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specification, luminosity, operation and layout of lighting (to be informed by the recommendations contained within approved

Updated Preliminary Ecological Appraisal Report, Ecosupport, 20th March 2023).

The lighting must then be installed and implemented in accordance with the approved details.

- 9) Each dwelling unit hereby permitted shall NOT BE OCCUPIED until:
- A) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority:
 - B) A mitigation package addressing the additional nutrient input (nitrogen and phosphorous) arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites;
 - C) Information regarding the efficiency and performance of the septic tank has been submitted to and approved in writing by the Local Planning Authority;
 - D) A package treatment plant (PTP) management and maintenance plan has been submitted and approved in writing by the Local Planning Authority; and
 - E) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.
- 10) Prior to the occupation of each dwelling hereby permitted detailed information demonstrating that the development will achieve a dwelling emission rate (DER) at least 19% lower than the 2013 Part L Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and no more than 105 Litres per person per day predicted internal water use (110 Litres per person per day total) (Equivalent of Code for Sustainable Homes Level 3 / 4) in the form of an 'as built' stage SAP calculation and a water efficiency calculator shall be submitted to the Local Planning Authority for its approval. The development shall be occupied in accordance with the approved details.
- 11) Phase 1 of the approved development shall be carried out fully in accordance with the measures contained within the approved tree report (Arbtech, 7 January 2024).
- 12) Recommendations included in Section 6.0 'Mitigation and Recommendations' of the School Lane, Denmead Updated Preliminary Ecological Appraisal report (Ecosupport, March 2023) shall be strictly adhered to. Development shall subsequently proceed in accordance with any such approved details, with the enhancement features being permanently retained and managed in accordance with the approved plan. Photographs and a report of the implemented measures shall be submitted by an ecologist for approval to the Local Planning Authority prior to the occupation of each unit.

- 13) Prior to development commencing on each phase (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS shall include:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas driveways and foundations, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) a specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Arboricultural supervision and inspection by a suitably qualified tree specialist
- m) Reporting of inspection and supervision
- n) Methods to improve the rooting environment for retained and proposed trees and landscaping
- o) Veteran and ancient tree protection and management

Thereafter the approved scheme shall be implemented in full and maintained in accordance with the wording of the condition.

- 14) Notwithstanding 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 development permitted by virtue of Classes A, E and F of Part 1 of Schedule 2 to the Order shall be undertaken to or within the curtilage of the easternmost dwelling (Plot 3, or Plot 2(c) on the approved CIL Phasing plan Ref 22557/3601 Rev C).

----- End of schedule -----