



Appeal Decision

Inquiry held on 18 March 2025

Site visit made on 19 March 2025

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd April 2025

Appeal Ref: APP/H2265/W/24/3353896

Land to the east of Platinum Way and opposite Grange Road, St Marys Platt, Sevenoaks

- 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 B. Yond Homes Ltd against the decision of Tonbridge and Malling Borough Council.
 - The application Ref is TM/23/03133.
 - The development proposed is residential development alongside hard and soft landscaping including access, car parking, public open space, SuDS and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 24 dwellings (50% affordable), formation of new access from Platinum Way and associated hard and soft landscaping, car parking, public open space, SuDS and associated infrastructure at land to the east of Platinum Way and opposite Grange Road, St Marys Platt, Sevenoaks, in accordance with the terms of the application, reference TM/23/03133, subject to the conditions in the attached schedule.

Preliminary Matters

2. Before the opening of the inquiry, Tonbridge and Malling Borough Council (the Council) advised that it no longer wished to defend the inquiry. I return to the reasons for this below.
3. The application was originally submitted by Rydon Homes. That company changed its name to B. Yond Homes Ltd prior to submission of the appeal. In the interest of clarity, the address in the above banner derives from both the application form and the decision notice. The description of development in the heading above has been taken from the planning application form. Whilst Part E of the appeal form states that the description of development has not changed, a different wording has been entered. This more accurate description has been used on subsequent documentation by the appellant and, accordingly, I have used this in the decision.
4. The Council accepts that it cannot demonstrate a five year supply of housing land, with the current agreed position being 2.89 years, based upon a housing need of 1,097 dwellings per annum, plus a 20% buffer, against the requirements of the revised National Planning Policy Framework (2024)(the Framework).

Main Issues

5. The decision notice issued by the Council contained nine reasons for refusal. Reason one cites the development as inappropriate development in the Green Belt, however, following publication of the revised Framework on 12 December 2024, the Council agree that the appeal site now falls within the grey belt. The proposal is also agreed to meet the criteria of paragraph 155 such that the development should be considered not inappropriate and comply with the Golden Rules to provide 50% affordable housing.
6. Following submission of the appeal, Kent County Council withdrew its objection relating to flood risk and provided a consultation response relating to safeguarded minerals, such that the fourth and fifth reasons have been addressed. The infrastructure and affordable housing matters referred to in reasons six to nine have been addressed by a planning obligation. Shortly before the opening of the inquiry, the Council agreed to the use of a Grampian condition for the translocation of reptiles to a suitable off-site receptor site to address reason three. At the inquiry, it emerged that dispute remained between the parties in respect of a cascade mechanism to secure affordable housing.
7. On that basis, the main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the site and the surrounding area; and
 - whether the proposal makes adequate provision for affordable housing.

Reasons

8. The appeal site is some 1.26 hectares of undeveloped scrubland. The site is roughly rectangular in shape with ground levels sloping down to the west and being some 1.7 metres below the A25 Maidstone Road, which forms the southern boundary of the site with residential properties beyond. The northern boundary is defined by a railway line, beyond which is Platt Industrial Estate. To the east is the access road to the industrial estate, beyond which are the terraced dwellings and rear gardens of Whatstone Cottages. Platt Primary School and the Village Hall are to the west.
9. The proposal is for full planning permission for 24 dwellings, comprising semi-detached units and apartments, of which 12 would be affordable. Access would be taken directly from Platinum Way, and the buildings would be set back from the site boundaries with landscape buffers, attenuation pond, open space and habitat areas around the perimeter.
10. The development plan includes the Tonbridge and Malling Borough Core Strategy (2007)(CS) and the Managing Development and the Environment Development Plan Document (2010)(DPD). The emerging local plan is not expected to be adopted until late 2027 and, given its early stage, is agreed by the main parties to attract no weight in this appeal.

Character and appearance

11. The Council's position on matters relating to character and appearance remains as set out in reason for refusal two. However, the Council also accepts that significant weight should be given in favour of the grant of permission under paragraph 158 of the Framework (the Golden Rules) and that the presumption in favour of

sustainable development under paragraph 11(d) applies as a result of the housing land supply position. Accordingly, the Council conclude that the harm caused to the character and appearance of the surrounding area does not significantly and demonstrably outweigh the benefits of the scheme. I return to this in the planning balance, after reaching my own finding on character and appearance.

12. The site is currently characterised by being an isolated parcel of scrubland within an otherwise largely urban environment. The site's openness and natural appearance make a positive contribution to the streetscene. However, the site is securely fenced off such that public access is prevented, and it performs no public, recreational or historic function. The character of the surrounding area is primarily residential, alongside community and business uses. The effect of the proposal would be to introduce residential development into what is effectively a gap site surrounded by existing built development.
13. Although the site is valued by the community, it is not a designated or valued landscape in the development plan or as described in the Framework. The setting of the Kent Downs National Landscape is of high sensitivity and, whilst the proposal would restrict some views across the site towards the escarpment, the principal views down and across Platinum Way would remain. Therefore, in terms of furthering the purposes of National Landscapes, the overall impact of the proposal would be highly localised and slight adverse. The impact on national and regional landscape character areas would be negligible, given the site's surrounding urban context.
14. The properties to the south of Maidstone Road are agreed to be the worst affected receptors in respect of visual impacts. However, many of the proposed dwellings would be sited at lower ground levels, such that the height, bulk and scale of the built forms to the west of the site would be seen as being considerably lower than existing built forms to the east and south and would instead relate appropriately to the adjacent school building. Even the highest dwellings to the east of the site would be of lower height than Whatsome Cottages. In terms of layout, the dwellings would be set behind deep landscaped buffers, thereby maintaining a considerable degree of the site's natural appearance. This would mature over time to provide partial screening of the development which, whilst not offsetting the loss of openness, would provide an attractive setting for the development. The visual impact on this receptor would be moderate.
15. From other receptors within the visual envelope, the impacts would be no more than slight. In longer range views from more distant receptors, the proposal would be surrounded by existing built development and subsumed into the urban environment of the wider settlement. An interested party has raised concerns about the density of the development and the number of units being provided. However, the proposed density is relatively low, being just under 20 dwellings per hectare, such that I find no harm in this respect.
16. Overall, the impacts of the proposal would be localised such that the development would have a moderately adverse effect on the character and appearance of the site and surrounding area, contrary to policies CP24 of the CS and SQ1 of the DPD. Together these policies require that development should be of high-quality design and reflect the local distinctiveness, condition and sensitivity of the area.

Affordable housing

17. The s106 planning obligation would secure 50% of the total dwellings as affordable housing (12 units), with a tenure mix of four shared ownership and eight social rented units including one wheelchair accessible unit. A cascade mechanism is also included which would, in the event of being unable to secure an affordable housing registered provider for the site within six months of completion, allow the appellant to apply to the Council with details of an alternative form of ownership and tenure, but to which the Council is not obliged to agree.
18. The requirement for the cascade arises from current and ongoing difficulties securing registered providers within Kent. The Council objects to the cascade, indicating that a Deed of Variation should be used in such circumstances, and that as the scheme benefits from the Golden Rules, no tolerance should be accepted. However, the clause would not require the Council to accept a lesser quantum of affordable housing. Furthermore, it would allow speedier resolution of alternative arrangements, if required and if appropriate, and hence facilitate swifter delivery of much needed market and affordable housing. Enforcement of the alternative arrangements could be satisfactorily managed through the current proposed obligation. I therefore conclude that the cascade mechanism should have effect.
19. The proposal for provision of 50% affordable housing meets the requirements of the Framework, and there is no policy justification to require the 100% provision suggested by an interested party. Overall, I am satisfied that the proposal would make adequate provision for affordable housing. The obligation, including the cascade mechanism, is necessary, directly related to the development, and fairly related in scale and kind. It complies with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the Framework and therefore can be taken into consideration.

Other Matters

20. Representations have been made in respect of road safety and additional traffic movements. However, a road safety audit has been conducted as part of the transport assessment that did not identify specific problems arising from the proposal nor does it offer any recommendations, notwithstanding proximity to the school. The proposed access would be via the recently constructed Platinum Way which has been constructed to appropriate standards, unlike the access road serving the industrial estate which has no footways or lighting. Construction traffic would be appropriately managed by means of a construction management plan condition. Furthermore, the local highways authority has raised no concerns.
21. The site is identified by the Environment Agency as being at low risk of flooding, and surface water would be discharged by infiltration with adequate attenuation to limit the risk of flooding arising from the development. Although a potential brownfield development site may exist at the former Platt school site, there is no requirement for a sequential approach to development and the current proposal must be assessed on its own merits.

Planning Obligation

22. In addition to the affordable housing matter discussed above, contributions towards education would be used towards the land for, and the establishment of, a new secondary school, as well as for additional special educational needs and

disabilities places or facilities, and adult education centres. Financial contributions would be secured for additional equipment and resources at integrated children's services and local libraries, as well as adapting homes and community facilities which serve the development. The impact of the proposal on waste and recycling facilities would be addressed by a contribution towards additional capacity. I am satisfied that these obligations meet the tests and requirements described above.

Conditions

23. A list of suggested conditions was discussed at the inquiry. Amendments have been made to the wording of some conditions for clarity, brevity, or to avoid duplication, and to ensure accordance with the tests set out in paragraph 57 of the Framework. Pre-commencement conditions were agreed by the appellant.
24. In the interests of certainty, a condition specifying approved plans is necessary (condition 2). Conditions for specification of external materials, protection of existing trees, and landscaping are required to ensure no harm is caused to the character and appearance of the area (conditions 3, 9, 10 and 12). To protect and enhance ecology and biodiversity, conditions are required relating to ecological mitigation, construction management, and landscape and ecological management (conditions 4, 5 and 6). Further site investigations are required in order to conclude that the contamination risk to the proposed development would be negligible (conditions 7 and 8).
25. Satisfactory management of surface water is to be agreed to ensure the development does not increase flood risk (conditions 11 and 18). Noise attenuation measures are necessary to protect the living conditions of occupiers of the proposed development (condition 13). In order to protect the living conditions of future occupiers and habitats of protected species, a lighting scheme is required (condition 14). The provision of cycle and vehicle parking, and turning areas, with retention in the long term, also requires to be secured (conditions 15, 16 and 17).

Conclusion

26. Landscape harm would be caused such that the proposal would conflict with the identified policies and the development plan as a whole. In terms of benefits, the proposed 24 houses, including 12 affordable homes, would make a positive contribution to housing supply. This attracts substantial weight. Economic benefits would accrue from the construction phase, including the creation of jobs, with longer term benefits from increased spending in the area. Financial contributions would also be secured towards education and community learning, children's services, libraries, social care and waste. Environmental benefits would arise from the securing of biodiversity net gain and public open space. These contributions would benefit local residents beyond those occupying the development.
27. Compliance with the Golden Rules means that significant weight should be given in favour of a grant of planning permission. The Council cannot demonstrate a five year supply of housing land, as required by paragraph 78 of the Framework. In these circumstances, paragraph 11(d) of the Framework indicates that the policies that are most important for determining the application should be considered as out of date. For the purposes of this appeal therefore, the above identified policies are of reduced but nonetheless still significant weight. There are no policies in the Framework of relevance to this appeal that protect areas or assets of particular importance that provide a clear reason for refusal.

28. Drawing together the above harms and benefits, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, and having had particular regard to key identified policies. The proposal therefore benefits from the presumption in favour of sustainable development. Although the proposal would conflict with the development plan as a whole, material considerations indicate a decision other than in accordance with it.
29. I conclude that planning permission should be granted subject to the conditions in the attached schedule.

Patrick Hanna

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Richard Turney KC, instructed by B. Yond Homes Ltd

He called:

Peter Rainer MRTPI

Kate Falconer Hall MPhil MA

Mark Flatman BA(Hons) Dip LA CMLI

Daniel Wood Bsc (Hons) CEEM

DMH Stallard

Montagu Evans

Liz Lake Associates

Ecology Solutions

FOR THE LOCAL PLANNING AUTHORITY

Asitha Ranatunga, instructed by Joy Ukadike, Head of Legal

He called:

Alison Hutchinson MRTPI

Helen Forster BSc(Hons) MCIEEM

Hutchinsons

Biodiversity Officer

INQUIRY DOCUMENTS

- IN1 Council's opening statement
- IN2 Updated draft s106 planning obligation
- IN3 Appellant's closing submissions

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

• Location Plan	148-FA-01
• Site Layout Plan	143-FA-02
• Levels Plan	143-FA-03
• Ground Floor Plan	143-FA-04
• Parking Allocation Plan	143-FA-05
• Refuse & Recycling Plan	143-FA-06
• Fire Tender Tracking Plan	143-FA-07
• Affordable Housing Plan	143-FA-08
• Tree Works Plan	143-FA-09
• Development Grain	143-FA-10
• Air Source Heat Pump Plan	143-FA-11
• Plots 1 & 2 Floor Plans	143-FA-100
• Plots 1 & 2 Elevations	143-FA-101
• Plots 3 & 4 Floor Plans	143-FA-102
• Plots 3 & 4 Elevations	143-FA-103
• Plots 5 & 6 Floor Plans	143-FA-104
• Plots 5 & 6 Elevations	143-FA-105
• Plots 7 & 8 Floor Plans	143-FA-106
• Plots 7 & 8 Elevations	143-FA-107
• Plots 9 & 10 Floor Plans	143-FA-108
• Plots 9 & 10 Elevations	143-FA-109
• Plots 11 & 12 Floor Plans	143-FA-110
• Plots 11 & 12 Elevations	143-FA-111
• Plots 13 & 14 Floor Plans	143-FA-112
• Plots 13 & 14 Elevations	143-FA-113
• Plots 15 & 16 Floor Plans	143-FA-114
• Plots 15 & 16 Elevations	143-FA-115
• Plots 17 & 18 Floor Plans	143-FA-116
• Plots 17 & 18 Elevations	143-FA-117
• Plots 19-21 Floor Plans	143-FA-118
• Plots 19-21 Elevations	143-FA-119
• Plots 22-24 Floor Plans	143-FA-120
• Plots 22-24 Elevations	143-FA-121
• Proposed Street Scenes	143-FA-122
• Site Survey 1 of 3A	SMP/2195/1
• Site Survey 2 of 3A	SMP/2195/2
• Site Survey 3 of SA	SMP/2195/3
• Landscape Strategy	2655A2-LLA-ZZ-GF-DR-L-0001 Rev P02

- 3) No development above slab level shall commence until details of the materials to be used in the external surfaces of the buildings have been submitted to and

approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

- 4) No development shall commence and no site preparation, site investigations or site clearance works shall take place until an ecological mitigation strategy (EMS) has been submitted to and approved in writing by the local planning authority and has been implemented as approved. The submitted strategy shall include:
- (a) updated reptile, bat and badger surveys;
 - (b) details of required mitigation;
 - (c) detailed methodology to implement mitigation;
 - (d) plans demonstrating where the mitigation will be implemented to include details of both on-site provision and the off-site receptor site;
 - (e) plans showing the location of proposed exclusion fencing;
 - (f) details/evidence that the habitat of the on-site provision and partial off-site translocation site would be capable of supporting reptiles, would benefit reptile conservation, and confirmation that the proposed partial off-site translocation site will be able to support an increased number of reptiles;
 - (g) the extent and location/area of the proposed partial off-site translocation receptor site, and evidence that the receptor site is at least the same size of the habitat to be lost on the development site, and details of connectivity to other sites as and if required;
 - (h) the quantity and quality of the habitats located within the partial off-site translocation receptor site;
 - (i) the extent of any proposed works required on the partial off-site translocation receptor site, details of which are to be shown on appropriate scale maps and plans;
 - (j) a timetable for implementation of the works, including details of the method and timetable for the capture of reptiles on the development site and their relocation to the off-site translocation site;
 - (k) a site management plan;
 - (l) details of an ongoing annual monitoring plan for a five year period for the off-site translocation site, including monitoring to be undertaken by a suitably qualified ecologist and any amendments to the plan arising from the monitoring shall be submitted to and approved in writing by the local planning authority;
 - (m) interim management plan prior to the approval of the LEMP required as part of condition 6; and
 - (n) details of the legal mechanism (a future S106, or other mechanism such as a Conservation Covenant) by which the management and monitoring of the off-site translocation site will be secured.
- 5) Prior to the commencement of development, including any advance infrastructure, site preparation and groundworks, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to at all times through the construction of the development. The CEMP shall provide for:
- (a) hours of construction work including deliveries;
 - (b) suitable access and turning arrangements to the site in connection with the construction of the development;
 - (c) the parking of vehicles of site operatives and visitors;
 - (d) loading and unloading of plant and materials;
 - (e) any temporary traffic management/signage;

- (f) site office locations and storage of plant and materials used in constructing the development;
- (g) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (h) a Construction Dust Management Plan including wheel washing measures to control the emission of dust and dirt during construction including on the public highway;
- (i) mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour during site preparation, groundwork and construction;
- (j) details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures;
- (k) a scheme for recycling/disposing of waste resulting from construction works;
- (l) routing and timing of construction traffic, to minimise impact on the local community; and to ensure that traffic avoids the dropping off and collecting times for the adjacent Platt Church of England Primary School; and
- (m) details of a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and to prevent pollution of groundwaters.

The CEMP shall also provide details in relation to biodiversity and shall include the following:

- (a) risk assessment of potentially damaging construction activities;
- (b) identification of "biodiversity protection zones" demonstrated on maps;
- (c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (d) the location and timing of sensitive works to avoid harm to biodiversity features;
- (e) the times during construction when specialist ecologists need to be present on site to oversee works;
- (f) responsible persons and lines of communication;
- (g) the CV, role and responsibilities on site of an ecological clerk of works or similarly competent person;
- (h) use of protective fences, exclusion barriers and warning signs; and
- (i) on-going protected species surveys to inform Method Statements and to monitor the effectiveness of the CEMP mitigation measures.

- 6) Prior to the occupation of the development a Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the local planning authority. The LEMP shall include provision for habitat creation, enhancement and management during the lifetime of the development hereby permitted and shall include the following:
- (a) description and evaluation of features to be managed, including the reptile habitat site;
 - (b) ecological trends and constraints on site that might influence management;
 - (c) aims and objectives of management measures;
 - (d) appropriate management options for achieving aims and objectives;
 - (e) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - (f) details of future reptile and habitat monitoring (including BNG metric) and ongoing management plan reviews;

- (g) details of the body or organisation responsible for the implementation of plan;
 - (h) ongoing monitoring, remedial/contingency measures triggered by the monitoring to ensure that conservation aims and objectives are met;
 - (i) details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery; and
 - (j) programme for implementation, including how contingencies and /or remedial action will be identified, agreed and implemented to ensure that the development delivers the fully functioning objectives of the approved scheme.
- The LEMP shall be implemented as approved.

- 7) No development shall take place other than as required as part of any relevant approved site investigation works until results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment have been submitted to and approved by the local planning authority. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as contaminated land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended). The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the local planning authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved end use. Prior to the commencement of the development the relevant approved remediation scheme shall be carried out as approved. The local planning authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.
- 8) Following completion of the approved remediation method statement, and prior to the first occupation of the development, a relevant verification report that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the local planning authority. The report shall be undertaken in accordance with the Environment Agency's Land Contamination Risk Management guides. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the local planning authority for written approval and shall be fully implemented as approved. Thereafter, no works shall take place such as to prejudice the effectiveness of the approved scheme of remediation.
- 9) No trees or hedges within the site other than those shown to be removed as shown in the submitted Arboricultural Implications Assessment (ref: J64.23) dated 12th October 2023, shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of the development or within a period of 5 years following commencement of the development.

- 10) No site works (including any temporary enabling works or site clearance) or development shall take place until the temporary tree protection shown on the Tree Protection Plan (drawing number J64.23/02 Rev A) dated 12th October 2023 has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the recommendations of the Tree Protection Plan and Arboricultural Implications Assessment.
- 11) No development shall commence until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk and Drainage Report dated 09 January 2024 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off site. The detailed drainage scheme will also be required to demonstrate that any existing surface water flow paths can be accommodated and disposed of without increase to flood risk on or off site. The drainage scheme shall also demonstrate (with reference to published guidance):
- (a) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters;
 - (b) that there is no resultant unacceptable risk to controlled waters and/or ground stability; and
 - (c) appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.
- The said scheme shall be implemented in accordance with the approved details.
- 12) Prior to the construction of any building, details of the proposed landscaping shall be submitted to and approved by the local planning authority in writing. The landscaping details to be submitted shall include:
- (a) hard surfacing including pathways, driveways, other hard landscape features and materials;
 - (b) existing trees, hedges or other soft features to be retained;
 - (c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
 - (d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife; and
 - (e) details of boundary walls and fencing, including screening of refuse.
- All hard surfacing, walls and fencing shall be completed prior to the occupation of the dwelling to which they relate. All work comprised in the approved scheme of soft landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use. Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

- 13) Noise attenuation measures shall be incorporated within the construction of the dwellings in accordance with the recommendations contained in the Noise Assessment dated September 2023.
- 14) Prior to the installation of any fixed external lighting within the public realm, a lighting scheme shall be submitted to and approved in writing by the local planning authority. The lighting scheme must:
 - (a) show how and where external lighting will be installed (through the provision of a design drawing and a light spill isolux drawing) so that it can be clearly demonstrated that areas of open space and the site boundary will not disturb protected species using their territory or having access to their breeding sites and resting places; and
 - (b) provide details of future maintenance of installed fixed lighting.The lighting scheme shall be implemented in accordance with the approved details and retained at all times thereafter.
- 15) Prior to the first occupation of any dwelling, details of the secure cycle storage facilities shall be submitted to and approved in writing by the local planning authority. The approved cycle storage shall be completed prior to the first occupation of the dwelling to which it relates, and thereafter retained in accordance with the approved details.
- 16) No dwelling shall be occupied until the parking spaces shown on Parking Allocation Plan Drawing No. 143-FA-05 as vehicle parking spaces to serve the proposed dwelling together with any associated visitor parking have been provided, surfaced and drained. Thereafter these areas shall be retained for parking for the dwellings they are intended to serve and kept available for such use for the duration of the development.
- 17) No dwelling shall be occupied until the vehicle turning areas shown on Site Layout Plan Drawing No 143-FA-02 have been provided, surfaced and drained. The turning areas shall thereafter be retained as approved.
- 18) No building shall be occupied until a Verification Report pertaining to the surface water drainage system, prepared by a suitably competent person, has been submitted to and approved by the local planning authority. The said report shall demonstrate that the constructed drainage system is consistent with that which was approved. The report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as-built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

End of Schedule