



Appeal Decision

Site visit made on 14 March 2025

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/H1840/W/24/3349702

Land to the rear of Brock House, Low Road, Church Lench WR11 4UH

- 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 H2Land Ltd against the decision of Wychavon District Council.
 - The application Ref is W/23/02605/FUL.
 - The development proposed is erection of 9 dwellings and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 9 dwellings and associated works at land to the rear of Brock House, Low Road, Church Lench WR11 4UH in accordance with the terms of the application, Ref W/23/02605/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Main parties have had the opportunity to comment on the implications of the revised Framework, where received comments have been taken into account.
3. I am also the Inspector dealing with an appeal¹ on a nearby site at the edge of Church Lench, also for residential development. Given the comparable site and policy contexts, and the reasons for refusal in each case, there is a degree of similarity between my appeal decisions. However, each case has been determined on its own individual merits.
4. During the course of this appeal, another Inspector has allowed an appeal² at this site, resulting in the site benefiting from outline planning permission for up to 19 homes (including affordable housing) and related infrastructure.
5. Main parties have referred to the South Worcestershire Development Plan Review (SWDPR). Although in the process of examination, the Inspector's findings have yet to be made. Accordingly, the emerging plan's policies carry limited weight in this appeal.

Main Issues

6. The main issues are: i) the effect of the proposal on the character and appearance of the area; ii) whether the appeal site is a suitable location for residential

¹ Ref: APP/H1840/W/24/3351524- Mayfield, Atch Lench Road, Church Lench, Worcestershire WR11 4UG

² Ref: Appeal Ref: APP/H1840/W/24/3341252 - Land to rear of Brock House, Low Road, Church Lench, Worcestershire WR11 4UH

development having regard to the local development strategy; and iii) whether the proposal would provide an appropriate affordable housing contribution.

Reasons

Character and Appearance

7. The appeal site is broadly rectangular, and mainly consists of a gently undulating grassland field. It is located to the rear of several dwellings that front onto Low Road. Further residential properties border the southern boundary of the appeal site, while a large dwelling is also situated adjacent to the site's eastern boundary. The position of the site in relation to existing residential built form, together with the presence of mature vegetation along several of its boundaries results in the appeal site being highly enclosed from public vantage points.
8. Church Lench is a rural village, that largely has a linear settlement pattern, with dwellings directly addressing the main routes through the village, albeit there is a nucleated pattern of development at the centre of the village. Dwellings within the village vary in their precise architectural style and appearance, although those near the appeal site are predominantly large, detached, properties set in considerable plots.
9. The village sits within a wider landscape that is largely characterised by undulating expanses of medium to large agricultural fields, that are often defined by mature vegetated boundaries, as well as pockets of woodland.
10. The Worcestershire County Council Landscape Character Assessment (LCA) identifies the local landscape as 'Timbered Farmlands'. Key characteristics of the Timbered Farmlands include upstanding plateaus of rolling topography dissected by broad valleys, as well as its ancient wooded character and presence of an organic enclosure pattern of medium to large fields. In terms of settlement character, the LCA describes the area as predominantly consisting of a dispersed pattern of farmsteads and hamlets.
11. The landscape designation though relates to a considerable geographic area. Thus, whilst the surrounding nature of fields and woodland closely align with key attributes set out in the LCA, I do not find the village of Church Lench to highly conform with the described settlement pattern. This is mainly due to the extent of the village's built form and its scale and layout.
12. The scale of the proposal and plot sizes would result in a density of development akin to its surroundings, whilst the appearance of the proposed dwellings is not untoward. The proposed dwellings would not follow the linear layout of adjacent residential development typical of this part of the village. Still, I do not consider the difference in layout to be harmful, particularly, given the wider context that the development would be experienced as part of. Notably, other parts of the village already display a somewhat nucleated built form, including examples of backland residential development.
13. It remains that the introduction of nine dwellings on the site, along with associated paraphernalia, would have an urbanising effect on the open greenfield site. Indeed, the site currently acts as a somewhat soft rural edge to the village, before transitioning to more expansive countryside beyond. Still, the harm arising would be rather limited given that the appeal scheme proposes to utilise a considerable

portion of the site for green infrastructure, including a landscape buffer between existing properties, that will help soften the proposal.

14. The introduction of additional landscaping (that can be secured via condition), together with the existing vegetation and enclosed setting of the appeal site, will also ensure that public views of the development are highly filtered and predominantly partial in nature. Where views of the development proposals would be available, these are likely to also be seen against existing residential built form.
15. Overall, I therefore find that the proposal would have a slight urbanising effect, such that it would cause harm to the character and appearance of the area. The level of harm though would be limited and localised due to the design of the appeal scheme and its specific site context. The appeal scheme, nevertheless, conflicts with Policy SWDP25 of the South Worcestershire Development Plan (adopted 2016) the (SWDP), which amongst other matters, seeks to protect the area's landscape setting.
16. In reaching the above view, I note the previous Inspector's findings in relation to the impacts of development at the site on the character and appearance of the area. However, that scheme was for an outline permission with all matters reserved except for access, as such, full details of how the development would ultimately appear were not available.

Suitable Location

17. The appeal site is located outside any development boundaries defined in the SWDP. It is therefore in the open countryside for planning policy purposes.
18. Policy SWDP2 of the SWDP outlines the development strategy for the area. It establishes that permission for development in the countryside, outside the development boundaries of settlements, will be strictly controlled to limited defined exceptions or to development that is specifically permitted by other SWDP policies. This is in part to safeguard the countryside from encroachment but also to contribute towards the delivery of sustainability objectives.
19. Policy SWDP2 takes a somewhat more restrictive approach to development in the countryside than the Framework, but I still find it to be broadly consistent with the aims of the Framework in respect of prioritising development to sustainable locations and seeking to protect the countryside.
20. The proposal conflicts with Policy SWDP2 as it does not meet any of the identified exceptions whereby development in the open countryside is considered appropriate.
21. Furthermore, Policy SWDP4 seeks to promote the use of sustainable modes of transport. Amongst other things, the policy requires proposals to demonstrate that the layout of development will minimise the demand for travel and that they will offer genuinely sustainable travel choices. This is largely consistent with the aim of the Framework in respect of promoting sustainable travel.
22. Church Lench contains a modest range of services, including a school, church, and village hall. On my site visit I observed that these were each within relatively easy walking distance of the appeal site, along gently undulating terrain. There is a lack of pavements and streetlighting within the immediate vicinity of the appeal site, which may act as a barrier to walking/cycling, particularly in periods of

darkness or inclement weather. Still, during my site visit (on a dry mid-morning), I witnessed several pedestrians walking routes throughout the village as well as a number of cyclists pass by.

23. Furthermore, from my observations, traffic throughout the village is fairly limited, whilst Low Road, is rather wide, with good forward visibility and is frequently lined by grass verges, that could provide refuge should pedestrians need to allow vehicles to pass. Consequently, I find walking to some facilities and services within the village to be a plausible and realistic option for future residents of the appeal site.
24. Despite the above, the village does not contain the range of facilities and services that would sustain day to day living. Residents of the development would therefore generally be dependent on journeys to larger centres to meet wider needs including employment opportunities. Notwithstanding, that the village is served by a bus stop, I consider that future residents of the proposal would remain largely reliant on the use of the private car given the rural context of the site. The proposal therefore also conflicts with Policy SWDP4.
25. Paragraph 83 of the Framework sets out that where there are groups of smaller settlements, development in one village may support services in a village nearby. In this respect, the appellant has demonstrated with reference to the location of other relatively nearby villages and towns that essential services and facilities for day-to-day living are available. Particularly in Evesham, which is a main town, described within the SWDP, as providing a comprehensive range of local services and employment opportunities.
26. Notably, due to the proximity of bus services to the appeal site, daily access to Evesham is available via sustainable transport. I therefore find that some realistic opportunities for the use of public transport to access facilities, services and employment opportunities would be available. Although the nearby bus services may not be highly frequent throughout the day, Paragraph 110 of the Framework also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
27. Bringing the above together, having regard to the local development strategy, the appeal site is not a suitable location for residential development. Taking account of the appeal site and its situation there are though material considerations that weigh in favour of the appeal scheme, which I shall return to as part of my planning balance.

Affordable Housing

28. Policy SWDP15 seeks to secure the delivery of affordable housing as part of new residential development, to meet identified affordable housing needs. On sites of between 5 – 9 dwellings, the policy identifies that 20% of units should be affordable and provided on site. The policy though further establishes that where a robust justification exists, off-site contributions may be accepted in lieu of on-site provision.
29. Meanwhile, the Council's Affordable Housing Supplementary Planning Document (adopted 2016) (the SPD) provides additional guidance in relation to the thresholds and amount of affordable housing to be sought from new residential developments, as well as criteria surrounding their delivery.

30. Based on the above, the development of nine units, gives rise to an affordable housing contribution of 1.8 units, which the policy and guidance indicate should be delivered in the form of one unit on-site and a financial contribution towards the remaining provision.
31. There are however likely to be impracticalities of providing a single affordable unit on the site to meet identified needs. Notably, the necessary size of the affordable unit (to meet a First Homes Price Cap) would be at odds with the nature of other dwellings proposed on the site and in the immediate vicinity. As such, it would not meet the Council's aspirations for affordable housing units to be tenure blind as part of new developments. Consequently, the Council accepts that it would be pragmatic in this instance to instead allow a financial contribution for the entire affordable housing provision, in lieu of on-site delivery. I have no robust reason to reach an alternative view, while such an approach is not precluded by the Council's adopted policy or related guidance.
32. Having regard to the Council's policy and guidance, the level of financial contribution in lieu of 1.8 units on site has been calculated to be £143,966.25. Through the appeal, a Unilateral Undertaking (UU) has been provided by the appellant that would secure this level of financial contribution³ towards appropriate off-site delivery of affordable housing.
33. In these circumstances, I consider that the obligations in the UU are necessary to make the development acceptable in planning terms, while it would be directly relevant to the development, as well as fairly and reasonably related in scale and kind to the proposed development.
34. Accordingly, I find the appeal scheme would provide an appropriate affordable housing contribution and that it complies with the aims of Policy SWDP15 and the associated SPD.

Other Matters

35. The original application received many objections from local residents as well as the Parish Council, further representations have also been received to the appeal scheme, each of which have been taken into account.
36. Due to the scale of the proposed development, I am satisfied that there is sufficient capacity in the local highway network to accommodate the proposal, even accounting for potential nearby emerging developments. From the evidence before me, I am also content that the appeal scheme would not lead to any adverse impacts on highway safety.
37. There is no robust evidence before me to suggest that there is a lack of capacity in the area's existing infrastructure and services to accommodate the proposal. Similarly, no robust evidence has been presented that the proposal would lead to harmful impacts to biodiversity, historic assets, the area's tranquillity/dark skies, or drainage/flood risk.
38. I am satisfied that the scale and layout of the proposed dwellings, together with the distances they are set from existing neighbouring properties, would ensure that the proposal would not result in any significant harmful effects on the living conditions of neighbouring residents.

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39. Disruption during construction is inevitable with almost all development proposals. However, this should be a relatively short-term impact, while the use of a Construction Environmental Management Plan (CEMP) to be conditioned as part of any approval, should ensure that there are no significant harmful effects in respect of the living conditions of neighbouring residents or highway safety.
40. Residential development taking place in other nearby areas does not negate the need for additional housing. Meanwhile, any future planning applications in the area will still need to be determined on their own individual merits.
41. Reference has also been made to the emerging proposals in the South Lenches Neighbourhood Plan, but from the evidence before me, this remains at an early stage of preparation having not yet been submitted for examination. As such, my decision does not turn on this matter.

Conditions

42. The Council suggested draft conditions in the event of planning permission being granted. I have considered the conditions and where necessary have made minor amendments to their wording in the interests of precision and clarity, as well as to align with the tests of planning conditions outlined within the Framework.
43. In addition to a standard time limit condition, a condition specifying the approved plans is needed for clarity and certainty.
44. A condition requiring the delivery and subsequent maintenance of visibility splays at the vehicular access to the site is reasonable and necessary on highway safety grounds. This should be a pre-commencement condition to avoid risks associated with vehicle movements on/off the site from the outset of development.
45. Approval of a CEMP to be adhered to throughout the construction of the development is needed in the interests of the living conditions of neighbouring residents, as well as highway safety. Again, this needs to be a pre-commencement condition so that it can take effect from the outset of the development.
46. An archaeology condition is reasonable and necessary in the interests of protecting the historic environment. It is required to be a pre-commencement condition given the potential implications of construction activity on archaeology at the site.
47. A construction environmental management plan in relation to biodiversity, as well as conditions in relation to biodiversity enhancement, approval of a lighting strategy, and approval of a landscape ecology masterplan, are each necessary in the interests of biodiversity. The Biodiversity CEMP is required to be a pre-commencement condition to ensure that initial construction works do not cause harm to any habitats or species.
48. Conditions relating to the approval of external materials, tree protection measures, as well as landscaping and its future maintenance, are each necessary in relation to the character and appearance of the proposed development.
49. A condition requiring the approval of foul and surface water drainage is reasonable and necessary to ensure that appropriate drainage is provided and so that the proposal does not increase flood risk.

- 50. A condition in respect of the provision of broadband is necessary to ensure that the proposed dwellings are provided with appropriate infrastructure and to comply with related planning policy.
- 51. Conditions in respect of renewable/low carbon energy measures to be utilised in the development, as well as the provision of electric vehicle charging points are reasonable and necessary with the aim of promoting sustainable development.
- 52. A condition requiring the installation of obscure glazing to relevant first floor windows to Plots 1, 4 and 6 is needed to ensure that the development provides suitable living conditions in respect of privacy.
- 53. I have not imposed a condition restricting the hours of construction activity and deliveries as this can be suitably incorporated into the CEMP condition.

Planning Balance and Conclusion

- 54. The location of the proposed development would be contrary to the development strategy outlined under Policies SWDP2 and SWDP4, as such, it would conflict with the development plan as a whole. As indicated, these policies are broadly consistent with the relevant aims of the Framework.
- 55. The Council sets out that based on recent calculations, it can only demonstrate a 1.1 year housing land supply. Given this severe deficit of housing land supply, it is clear that the Council's development strategy is currently failing to deliver a sufficient number of homes. Therefore, whilst the conflict with the above detailed policies amounts to harm, I have prescribed only modest weight to these harms.
- 56. There would also be harm to the character and appearance of the area contrary to Policy SWDP25, albeit as set out the level of harm that would arise in this respect would be limited.
- 57. Due to the Council's housing land supply position, Paragraph 11d) of the Framework is engaged.
- 58. The provision of nine dwellings would make a small but nonetheless positive contribution towards housing supply. The appeal scheme would also make a small but valuable contribution to the provision of affordable dwellings. Additionally, the proposed development would provide socio-economic benefits associated with the construction and future occupation of the proposed dwellings. I have considered Paragraph 61 of the Framework which seeks to boost significantly the supply of housing. I have also considered Paragraph 73 of the Framework, which recognises the importance of small site's in meeting the housing requirement of the area. Given the Council's housing land supply position, I have given the benefits of the scheme moderate weight. The location and situation of the appeal site also has access to a modest range of facilities and finds some support from Paragraph 115 of the Framework as I have explained.
- 59. Bringing the above together, I find that the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 60. As such, material considerations, specifically those relating to the appeal site's situation and the approach of the Framework, indicate a decision should be taken

other than in accordance with the development plan. The appeal is therefore allowed.

Lewis Condé

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Unless where required and allowed by other conditions attached to this permission, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings:
 - 20234 001F – Site Layout Plan
 - 20234 0014B - Landscaping
 - 20234 0017B – Setting Out Plan
 - 20234 005 - Banbury Elevations
 - 20234 008 - Banbury Floorplans
 - 20234 004 - Barrington Elevations – Plots 5 & 7
 - 20234 009 - Barrington Floorplans – Plots 5 & 7
 - 20234 0015 - Barrington Elevations – Plot 3
 - 20234 0016 - Barrington Floorplans – Plot 3
 - 20234 002A - Bentley Elevations
 - 20234 0010A - Bentley Floorplans
 - 20234 006 - Blackwell Elevations
 - 20234 0011 - Blackwell Floorplans
 - 20234 003A - Hanbury Elevations
 - 20234 0012A - Hanbury Floorplans
 - 20234 007 - Hatton Elevations
 - 20234 0013 - Hatton Floorplans
 - 2021/032/001 Rev B - Proposed Layout & Access Arrangements
- 3) No development shall take place (including any ground works, demolition, or clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-
 - Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
 - The hours that demolition and construction activities, including deliveries, will take place between and arrangements for unloading and manoeuvring of vehicles.
 - Details of any temporary construction accesses and their reinstatement.
 - A highway condition survey, timescale for re-inspections, and details of any reinstatement.

The measures set out in the approved Plan shall be complied with in full during the construction of the development hereby approved.

- 4) No development shall take place (including any ground works, demolition, or clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall be based on updated survey information and include the following:
- a. Risk assessment of potentially damaging construction activities;
 - b. Identification of "biodiversity protection zones";
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - 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;
 - f. Responsible persons and lines of communication;
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be implemented and adhered to throughout the construction period in accordance with the approved details.

- 5) No development shall take place (including any ground works, demolition, or clearance) until a scheme providing details of how the development will enhance biodiversity within the site, has been submitted to and approved in writing by the Local Planning authority. The scheme shall include the following:
- Metric calculations based on the detailed layout and landscape scheme, and calculated using the latest version of the Defra metric and up-to-date baseline habitat and condition assessments and justifications;
 - A Biodiversity Net Gain Assessment report, based on the Phase 1 Preliminary Ecological Appraisal by Reports4Planning dated January 2024;
 - A Biodiversity Enhancement Plan showing the enhancements on the proposed detailed layout;
 - A timetable for implementation.

Thereafter, the development shall be carried out in accordance with the approved details.

- 6) No development shall take place (including any ground works, demolition, or clearance) until a landscape and ecological management plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be based on the approved landscape scheme and shall be guided by the approved Biodiversity Net Gain Plan. The LEMP shall include the following:
- a. Details (type and location) of wildlife boxes, hibernacula and habitat piles;
 - b. Description and evaluation of the features to be managed;
 - c. Ecological trends and constraints on site that might influence management.

- d. Aims and objectives of management;
- e. Appropriate management options for achieving aims and objectives;
- f. Prescriptions for management actions;
- g. Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period and for a minimum of 30 years thereafter;
- h. Details of the body or organisation responsible for implementation of the plan;
- i. On-going monitoring and remedial measures.

Where the results of the monitoring show that conservation aims and objectives of the LEMP are not being achieved, the plan shall also set out approaches to be taken so that the development still delivers the biodiversity objectives of the originally approved scheme.

Thereafter, the development shall be carried out in accordance with the approved details.

- 7) (A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:
- 1) The programme and methodology of site investigation and recording.
 - 2) The programme for post investigation assessment.
 - 3) Provision to be made for analysis of the site investigation and recording.
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
 - 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- (B) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 8) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details / samples.
- 9) Prior to the first occupation of any of the dwellings hereby permitted, a lighting design strategy for biodiversity, including a timetable for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) Identify those areas / features that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) Show how and where external lighting will be installed and impacts of internal light spill (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to their breeding sites and resting places.

All lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

- 10) All planting and seeding/turfing comprised in the submitted landscaping scheme, hereby approved, shall be carried out in the first planting season following the first occupation/use of the development. All planting shall be watered as necessary and competitive weed growth controlled to ensure successful establishment. Any trees or plants that die, or are removed; or become seriously damaged or diseased within a period of five years from the completion of the planting, shall be replaced in the next planting season with others of similar size and species.
- 11) Details of all foul and surface water drainage systems to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in accordance with the approved details prior to the first occupation of the dwellings hereby permitted and shall be retained thereafter.
- 12) Prior to the first occupation of any of the dwellings hereby permitted, each dwelling shall be fitted with an electric vehicle charging point in accordance with a specification that has been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced, in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.
- 13) Prior to the first occupation of any of the dwellings hereby permitted, sheltered, secure and accessible cycle parking shall be provided on the site in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved cycle parking shall be kept available for the parking of bicycles.
- 14) The development hereby approved shall not be brought into use until visibility splays are provided from a vertical point 1.05m above carriageway level at the centre of the application site and 2.4m back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 59m in each direction measured along the nearside edge of the adjoining carriageway (vertical off set of 0.6m). The visibility splays shall thereafter be retained and kept free of any obstruction exceeding 0.6m in height.
- 15) Prior to the first occupation of any of the dwellings hereby permitted, renewable or low carbon energy generating facilities shall be incorporated into the development in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities.

- 16) The development hereby approved shall be undertaken in strict accordance with the 'Tree Protection', 'Ground Protection' and 'Mitigation and Compensation' measures set out within Section 4 of the Reports4Planning 'Tree Survey' (Dated January 2024).
- 17) Prior to the first occupation of any of the dwellings hereby permitted, details of superfast broadband facilities or alternative solutions to serve the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include an implementation programme. The facilities shall be provided in accordance with the approved details.
- 18) Prior to the first occupation of any of the dwellings hereby permitted, the following windows shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter:
 - The first-floor windows in the gable elevation of plot 4 serving the bathroom and en-suite.
 - The first-floor windows in the gable elevation of plots 1 and 6 serving the en-suite and bedroom 2.