



Appeal Decision

Site visit made on 17 October 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/D5120/W/25/3368657

Land to the Rear of 58-68 Lyndhurst Road, Bexleyheath DA7 6DF

- 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 Mr B Brading, Lyndhurst Road Developments Limited against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 24/03058/FULM.
 - The development is described as demolition of side extensions to 60 and 62 Lyndhurst Road and construction of 12 dwellings on the land to the rear of 58-68 Lyndhurst Road including access, parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of side extensions to 60 and 62 Lyndhurst Road and construction of 12 dwellings on the land to the rear of 58-68 Lyndhurst Road including access, parking and landscaping at Land to the Rear of 58-68 Lyndhurst Road, Bexleyheath, DA7 6DF in accordance with the terms of the application Ref 24/03058/FULM and the plans submitted with it, subject to the attached schedule of conditions.

Preliminary Matters

2. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.
3. Following the submission of the appeal, the appellant submitted a Unilateral Undertaking (UU) dated 20 October 2025 pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in relation to the provision of a financial contribution towards affordable housing, financial viability reviews, restrictions on residents obtaining car parking permits and measures relating to the protection, relocation and replacement of trees. The Council has been given the opportunity to comment on the UU.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers, with particular reference to outlook at 65 Rudland Road.

Reasons

5. The appeal site is primarily formed of the rear part of the long gardens to 58–68 Lyndhurst Road. The surrounding area is residential in nature and has a suburban character, being defined by a mixture of semi-detached houses on Lyndhurst Road and semi-detached bungalows on Rudland Road. Dwellings are generally set back from the highway behind front gardens and car parking areas.
6. The appeal site lies within a Primarily Residential Area and a Sustainable Development Location as identified within the Bexley Local Plan (2023) (Local Plan).
7. Immediately to the south of the appeal site are the semi-detached bungalows on Rudland Road. These have relatively short gardens, generally with close boarded wood panelled fencing between 1.8-2.0 metres in height marking the rear boundaries which adjoin the appeal site.
8. The rear windows and patio doors of 65 Rudland Road (No 65) serve habitable rooms. During my site visit, I inspected No 65's garden. I noted that at present, from this vantage point, there are no buildings visible within the appeal site, and the windows of No 65 provide relatively unrestricted views of the upper parts of trees within the appeal site.
9. The dwelling at Plot 12 would be a two storey semi-detached dwelling with a hipped roof. I have been directed to the guidance within the Bexley Design Guide: Supplementary Planning Document (SPD) (2025). The SPD states that, in order to protect living conditions of neighbouring occupiers, including their outlook, new development adjacent to existing buildings should generally meet the guideline illustrated within Figure 36 of the SPD. This identifies that new blank walls parallel to existing habitable windows should be at least 16 metres apart.
10. In this case, the orientation of Plot 12 means it would not introduce a new blank wall parallel to the rear elevation of No 65. Instead, the nearest element would be the dwelling's rear corner, from which its side and rear elevations angle away from the shared boundary. This oblique relationship would reduce the visual impact on No 65.
11. The Council indicate that this rear corner would sit approximately 14 metres from No. 65's rear elevation. Although this is less than the 16 metres referred to in the SPD, that guidance applies to parallel relationships and is therefore not directly relevant here. The SPD does not specify a recommended separation distance where habitable windows face a building corner, though paragraph 2.6 of the SPD notes that there may be more flexibility for separation distances between windows and blank walls for short lengths of facades.
12. The submitted evidence indicates that the distance between the mid-point of No 65's rear elevation and the side elevation of Plot 12 would be 20.7 metres, emphasising that the orientation of the new dwelling would angle away from the neighbouring property. This would not be a particularly unusual separation distance within a relatively built up area, such as this.
13. The separation would be more generous than the distances between a number of properties in the local area, which are highlighted within the appellant's Statement

of Case¹. In particular, I note the separation between 25 and 27 Rudland Road, the rear of 51 Barnehurst Road and 1 Appleton Close and the rear of 68 Barnehurst Road and the side of 70 Barnehurst Road. These separation distances are roughly 14.7 metres, 15 metres and 7 metres respectively. For these reasons, I do not consider that the proposed relationship would be atypical to the local area.

14. As the site levels between the appeal site and No 65 are fairly uniform, the boundary fence which marks the shared site boundary would screen much of Plot 12's ground floor from view. While the first floor and roof would remain visible, the design incorporates a hipped roof pitching sharply away from the shared boundary, reducing its perceived bulk.
15. Furthermore, the proposed landscaping strategy indicates the introduction of a Hornbeam and Rowan tree along the boundary between No 65 and Plot 12. A soft landscaping condition will be imposed and can control the final size of the trees to be planted. Nonetheless, the trees would filter views of the proposal, softening its visual impact for the neighbouring occupiers.
16. Whilst there would clearly be an increase in built form experienced by the neighbouring residents, a generous proportion of the site would not have any buildings on. These remaining spaces provide car parking, turning areas and adequately sized external amenity areas which would help to visually break up the built form of the buildings on the site, providing clear physical separation between them. This would minimise the development's impact on neighbouring occupiers within No 65.
17. Overall, while the proposal would have a greater visual presence than the existing relatively open views from No 65, for the reasons outlined above, the development as a whole would not be overly oppressive or cause significant harm to the outlook of surrounding occupiers. In reaching this conclusion, I have taken into account the proposed height and elevational design of Plot 12.
18. Accordingly, I find no conflict with policies DP2 and DP11 of the Local Plan insofar as they seek development that protects the living conditions of occupiers of neighbouring properties.

Other Matters

19. A significant number of concerns from interested parties have been raised in relation to the proposal.
20. Many interested parties have expressed concerns regarding the potential impact of the proposal on the living conditions of neighbouring occupiers, specifically in relation to daylight, sunlight, overshadowing, outlook and overlooking. As part of my site visit, I viewed a number of nearby properties, including 74 Lyndhurst Road and 39, 61 and 65 Rudland Road.
21. The submitted daylight and sunlight assessment demonstrates that the development would not result in a harmful reduction in daylight or sunlight to neighbouring dwellings or their gardens. With regards to overlooking, the orientation of the proposed dwellings is such that views from upper-floor windows would generally be directed internally within the appeal site rather than directly into surrounding properties. Some windows within the proposal would allow angled

¹ Appellant's Statement of Case pages 15-19

views towards neighbouring gardens. However, these properties already experience a degree of mutual overlooking between properties and gardens, which is common within a residential area such as this. A planning condition can ensure that any side-facing windows are fitted with obscure glazing, thereby preventing unacceptable overlooking.

22. I recognise that the proposed buildings would be visible from neighbouring dwellings and gardens. While the proposal would introduce new built form, a substantial proportion of the site would remain undeveloped, and the layout of the dwellings would incorporate staggered positioning and varied building lines. This would break up the visual mass of the proposal from viewpoints within the neighbouring properties. Furthermore, the separation distances between the proposed built form and neighbouring boundaries, together with existing boundary treatments and landscaping, would provide an adequate degree of visual separation. I am therefore satisfied that the proposal would not unacceptably harm the outlook of nearby residents.
23. In relation to interested parties' concerns about crime, I note that the Metropolitan Police did not raise specific concerns regarding the design of the proposal. Furthermore, I have imposed the Council's suggested condition which requires the proposal to achieve Secure by Design accreditation. The introduction of dwellings is likely to increase active surveillance of the appeal site, and future lighting of the site, which can have security benefits, can also be controlled by planning condition. Therefore, I have no substantive evidence to demonstrate that crime would increase as a result of the proposal.
24. Detailed concerns have been raised in relation to flooding and drainage within and from the site. The Lead Local Flood Authority (LLFA) has not raised concerns in relation to the surface water and drainage strategy. The applicant has demonstrated that the surface water will be discharged to a surface water sewer located on Rudland Road via a pump. Consequently, a detailed drainage planning condition is imposed which requires the submission of confirmation of Thames Water's agreement to adopt the proposed pump. The applicant's groundwater investigation was reviewed and accepted by the LLFA, which found no significant risk to groundwater levels. Nevertheless, a planning condition is imposed which requires ongoing groundwater monitoring during construction, with any material changes to be reported to the LLFA and any necessary mitigation to be agreed with both the LLFA and the Local Planning Authority. Overall, I have been provided with no substantive evidence which would prompt me to disagree with the Council's conclusions on these matters which was that there would be no unacceptable harm in these respects.
25. Interested parties have raised concerns about the design and scale of the proposal and indicate that it would amount to overdevelopment. Two storey dwellings with hipped roofs would not appear out of character within the street. While the layout of dwellings positioned to the rear of properties on Lyndhurst Road would create a cul-de-sac, this form of development is not particularly uncommon within the local area, a notable nearby example being Lyndhurst Close. There would be sufficient spacing between the buildings on site to prevent overdevelopment, and the scheme density would fit with the aspirations of Policy D3 of the London Plan (2021) (LP) to optimise site capacity through a design-led approach. The proposed material palette of red brickwork, tiled hipped roofs, casement windows and decorative brick details, would also be appropriate within the local area.

26. Interested parties have raised concerns that the proposal does not provide sufficient affordable housing. I note that the appellant submitted a Financial Viability Assessment, which was independently reviewed by a specialist consultant on behalf of the Council. The independent specialist identified a surplus of £66,183, indicating that a financial contribution towards off-site affordable housing could be supported. This is secured within a Unilateral Undertaking submitted by the appellant, which also includes review mechanisms which would capture any planning gain beyond the forecasted levels. This approach complies with Local Plan and LP policies.
27. Interested parties also state that the proposed development would harm highway safety, with concerns raised about an increase in traffic, the level of parking provision, pedestrian safety, the safety of the vehicular access and issues with existing on-street parking locally. The appeal proposal provides twelve dwellings which would result in a limited increase in local traffic. Each dwelling would be provided with a parking space and sufficient turning areas would enable vehicles to enter and leave the site in a forward gear. The access road to the site would be narrow but straight, which ensures that there would be sufficient visibility for drivers using it. This would reduce the potential for conflict between pedestrians and vehicles. The UU would restrict future occupiers from obtaining on-street parking permits, thereby preventing additional on-street car parking.
28. Concerns in relation to construction traffic, inconvenience and noise have also been raised. I have sympathy for existing occupiers as development of this nature would inevitably give rise to some disruption. However, the works would be time limited and it would not be reasonable to withhold consent on this basis alone.
29. I note concerns in relation to the accuracy of the submitted drawings. However, from my review of the proposal on site, the submitted drawings appeared to be accurate. I have no reason to doubt therefore that the drawings are correct. I also note that the Council raise no issue in this respect.
30. In relation to concerns about the effect on wildlife, the Preliminary Ecological Appraisal identifies a series of precautionary measures to be implemented during construction, and these are secured by condition. Although the development would result in the loss of some green space, the scheme includes the planting of new trees, native hedgerows and shrubs, delivering a biodiversity net gain in excess of the statutory 10% requirement. With regard to trees, the Council confirms that 13 individual trees, 6 groups and part of a further group—largely of low to moderate quality—would be removed to facilitate the development. Given their limited arboricultural and public amenity value, these losses are acceptable. Conditions have been imposed requiring detailed planting and landscaping schemes, as well as measures to ensure the protection of trees to be retained both on and adjacent to the appeal site.
31. In regard to concerns about air quality, the proposal would employ an all-electric energy strategy utilising air source heat pumps to provide hot water and heating. Overall, the proposal would meet the requirement to be 'air quality neutral' in respect of building emissions.
32. Concerns have been raised that the proposal would fail to provide 10% of homes which meet the Building Regulations requirement M4 (3) 'wheelchair user' dwellings. However, I note that the supporting text to Policy D7 of the LP states

that this requirement can be applied flexibly for proposals within specific small-scale infill sites. In this instance the proposal would provide one M4(3) dwelling, equating to 8% of the homes delivered. As the site is a small-scale infill site, I consider it appropriate to apply flexibility in this regard.

33. In relation to concerns about consultation on the planning application, I note that the Council indicate that it has followed its statutory requirements for consultation in accordance with the Development Management Procedure Order, including the display of site notices and the issuing of neighbour notification letters.
34. Concerns have been raised in relation to contamination. I have imposed a condition requiring a desktop study and site walkover to ensure that there are no unacceptable risks to humans or the wider environment.
35. In respect of potential noise, I acknowledge that noise levels in this residential area are generally low. However, the activities associated with twelve households, such as routine comings and goings, including by car, and normal day-to-day domestic activities would be typical of a residential area. It seems to me that this would not be of a scale or intensity that would result in unacceptable noise disturbance to neighbouring occupiers.
36. Concerns have been raised in relation to the proposal's effects on local infrastructure including in relation to access to health services, schools, and water supply. It has also been stated that the cumulative effects of other local developments on infrastructure should be considered. The planning system manages such matters at a strategic level. Mechanisms such as the Community Infrastructure Levy (CIL) are intended to ensure that new development contributes proportionately towards the infrastructure it relies upon. This proposal is CIL-liable, and the resulting contributions will help support the delivery of necessary local infrastructure.
37. Representations have also referred to issues such as potential impacts on neighbouring property values, the structure and commercial interests of the appellant's companies, loss of private views, and the future adoption of internal roads and lighting. These matters are addressed in the Council's Committee Report, which concluded that they did not justify refusal of the application. I have been provided with no substantive evidence which would prompt me to disagree with the Council's conclusions on these matters. Consequently, while I have considered the concerns raised by local residents, they do not alter my overall conclusion that the appeal should be allowed.
38. Some third parties have indicated the existence of restrictive covenants on the land that may limit residential development. The existence of restrictive covenants does not affect the acceptability of the appeal proposal in terms of its planning merits.
39. I acknowledge that neighbouring occupiers have reported experiencing stress, anxiety and distress arising from the planning process. I have considerable sympathy for those affected and recognise that such concerns can arise in response to proposals of this nature. However, for the reasons set out above, I am satisfied that the development would not result in unacceptable harm to the living conditions of neighbouring residents.

40. It is also stated that the noise and disruption associated with the development, and the positioning of the dwellings would have a detrimental impact on the health of elderly and disabled residents, and enjoyment of a private life. I have therefore had due regard to Articles 1 and 8 of the Human Rights Act 1998 and the Public Sector Equality Duty (PSED) under the Equality Act 2010. Disability and age are relevant protected characteristics to which the PSED applies. These rights are engaged in reaching my decision. However, they are qualified rights and interference may be justified where in the public interest. The concept of proportionality is key.
41. Any associated disruption through the construction process would be limited to a finite period of time. The occupation of dwellings is not likely to create long term disruption which would have a detrimental impact on the neighbouring parties health, private and family life. As above, the impacts on neighbouring living conditions are deemed acceptable. It is therefore proportionate in the circumstances to allow the appeal.

Unilateral Undertaking

42. A signed and dated UU has been submitted which provides for various obligations. In line with Regulation 122 of the CIL Regulations 2010 (as amended), the Framework explains in paragraph 58 that planning obligations must only be sought where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is therefore necessary for me to consider these obligations and reach a finding on them having regard to the above tests.
43. The UU secures the sum of £66,183 towards affordable housing within the Borough. It also includes early and late-stage viability review mechanisms, secured in accordance with the Mayor of London's Affordable Housing and Viability SPG (2017), allowing the Council to reassess viability and secure additional affordable housing contributions if the scheme generates a surplus beyond initial assumptions. I am satisfied that these would be necessary to make the proposal acceptable in planning terms, as it would strengthen the Council's ability to seek policy compliance over the lifetime of the project and to ensure that an appropriate affordable housing contribution is made.
44. Also included is an obligation related to the restriction of future occupiers from obtaining on-street parking permits. This is related to the development as it is necessary to ensure that the development does not exacerbate parking pressures within the surrounding streets.
45. Obligations relating to the replacement, protection and relocation of valued trees which may otherwise be lost are necessary to comply with policies DP20 and DP21 of the Local Plan which require the retention of trees and to ensure the integration of new native tree planting with provisions for long-term management and maintenance.
46. The parties agree that these contributions meet the requirements of CIL Regulation 122 and the tests for planning obligations set out in the Framework and I am satisfied that this is the case.

Conditions

47. I have had regard to the various planning conditions that have been suggested. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance (PPG). I have made such amendments as necessary to comply with those documents and for clarity and consistency.
48. In addition to the standard time limit, I have imposed an approved plans condition in the interests of certainty.
49. Given the proximity of the appeal site to residential properties, conditions requiring the submission of a Demolition and Construction Management and Logistics Plan and controlling non-road mobile machinery are necessary in the interests of neighbouring occupiers' living conditions, air quality and highway safety. I have imposed a condition requiring a desktop study and site walk-over to minimise contamination risks to existing and future occupiers of the site and surroundings.
50. Conditions requiring details of external materials, boundary treatments and hard and soft landscaping are necessary to preserve the character and appearance of the area. A condition related to Biodiversity Net Gain is necessary to ensure ecological enhancements and urban greening are carried out. A Construction Environmental Management Plan (CEMP) is required by planning condition to ensure that ecological mitigation measures are incorporated during construction.
51. I have imposed a condition requiring the submission of a detailed Energy Strategy, and Passivhaus or BREEAM Home Quality Mark standards in order to ensure that the development achieves net-zero requirements. However, I have amended the condition as this information is not required prior to commencement. Likewise, whilst I have imposed the Council's suggested condition in relation to electric vehicle charging points I have amended that condition as these details are not required prior to commencement.
52. In the interests of neighbouring and future occupiers' living conditions I have imposed conditions requiring a lighting strategy, noise attenuation measures, and controlling fenestration in side facing windows. A condition requiring the dwellings to be constructed in accordance with Building Regulations M4(2) and M4(3) is necessary to ensure the provision of accessible and adaptable housing.
53. A condition requiring that the proposal meets Secure by Design accreditation is necessary in the interests of crime prevention. However, I have modified the condition as the details are not required prior to commencement. I have imposed conditions related to drainage, the provision of concrete upstands within the site boundary fencing and requiring groundwater level monitoring during construction to ensure surface water and groundwater conditions are managed.
54. Conditions related to cycle parking, refuse storage, the provision of car parking, turning head and internal roads are all necessary in the interests of highway safety and to promote active travel.
55. The Framework outlines that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. As a result, and in the absence of any specific justification, I have not imposed the suggested condition which would restrict future permitted development rights. I have also not imposed the suggested condition requiring the restriction of water usage as the PPG sets out that compliance with other regulatory requirements,

such as the Building Regulations, will not meet the test of necessity and may not be relevant to planning.

Conclusion

56. For the above reasons, and having had regard to all other matters raised, the proposed development would accord with the development plan and the Framework. The appeal is therefore allowed.

B Pattison

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 23.11-140 Site Location Plan
 - 23.11-141 G Proposed Site Plan
 - 23.11-142 A Proposed Landscape Strategy
 - 23.11-143 A Proposed Refuse Management Plan
 - 23.11-144 Existing Site Plan
 - 23.11-145 B Site Section & Street Elevations
 - 23.11-146 B Site Sections
 - 23.11-150 A P1 P2 Plans
 - 23.11-151 A P1 P2 Plans
 - 23.11-152 A P1 P2 Elevations
 - 23.11-153 A P1 P2 Elevations
 - 23.11-154 A P3 P4 Plans
 - 23.11-155 A P3 P4 Plans
 - 23.11-156 A P3 P4 Elevations
 - 23.11-157 A P3 P4 Elevations
 - 23.11-158 A P5 P6 Plans
 - 23.11-159 A P5 P6 Plans
 - 23.11-160 A P5 P6 Elevations
 - 23.11-161 A P5 P6 Elevations
 - 23.11-162 A P7 P8 Plans
 - 23.11-163 A P7 P8 Plans
 - 23.11-164 A P7 P8 Elevations
 - 23.11-165 A P7 P8 Elevations
 - 23.11-166 C P9 P10 Plans
 - 23.11-167 A P9 P10 Plans
 - 23.11-168 A P9 P10 Elevations
 - 23.11-169 A P9 P10 Elevations
 - 23.11-170 A P11 P12 Plans
 - 23.11-171 A P11 P12 Plans
 - 23.11-172 A P11 P12 Elevations

23.11-173 A P11 P12 Elevations
23.11-175 No.60 Existing Plans
23.11-176 No.60 Existing Elevations
23.11-177 No.60 Proposed Plans
23.11-178 No.60 Proposed Elevations
23.11-179 No.62 Existing Plans
23.11-180 No.62 Existing Elevations
23.11-181 No.62 Proposed Plans
23.11-182 No.62 Proposed Elevations
23.11-183 A Refuse & Cycle Stores

- 3) No development shall take place (including any demolition or enabling works), until a Demolition and Construction Management and Logistics Plan (DCMLP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following details:
- a. The location of site notice boards, including contact details for the site manager (telephone, email, postal address), and an 'out of hours' emergency contact;
 - b. A strategy for the parking of vehicles for site operatives and visitors;
 - c. A strategy for the loading and unloading of plant and materials;
 - d. A strategy for the storage of plant and materials during the construction period;
 - e. Days and hours of work and deliveries of construction materials;
 - f. Measures to maintain the site in a tidy condition with regard to the storage of materials and disposal of waste;
 - g. Measures to ensure pedestrian access along adjoining public footpaths remains safe and not unduly obstructed;
 - h. Proposed construction site lighting, including location and mitigation to prevent light spill;
 - i. Reasonable measures to minimise any potential damage to adjacent streets by restricting the size/type of construction vehicles and machinery;
 - j. Location of construction vehicle/machinery access and identification of any temporary works to the public highway required for access;
 - k. Anticipated numbers and timing of truck movements per day, broken down by vehicle size and proposed routes;
 - l. Proposed vehicle holding areas;
 - m. Construction traffic routes to and from the site;
 - n. Measures for minimising noise and vibration, including piling methodology and compliance with BS 5228;
 - o. Procedures for controlling sediment runoff, including wheel washing and preventing deposition of mud, debris, or materials onto the public highway;
 - p. A Dust Management Plan, with mitigation and monitoring measures in accordance with the GLA's "Control of Dust and Emissions During Construction and Demolition" SPG (2014);
 - q. A Site Waste Management Plan, outlining demolition and construction waste management with reference to the waste hierarchy (prevention, reuse, recycling, recovery, disposal);
 - r. Location of welfare facilities for workers (e.g., toilets, showers);
 - s. Details of the proposed security hoarding, including maintenance, decorative displays, and public viewing facilities where appropriate.

The development shall thereafter be carried out strictly in accordance with the approved DCMLP.

- 4) No development above ground level shall take place until a detailed schedule and specification of the materials and finishes to be used has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Brickwork (including bonding and mortar);
- Cladding;
- Windows and doors (including reveals and frames);
- Soffits and fascias;
- External guttering;
- Roofing tiles;
- Boundary treatments throughout the site.

The development shall be carried out and retained in accordance with the approved details.

- 5) No development shall take place until:

i) A desktop study and site walkover has been undertaken and submitted for written approval to the Local Planning Authority. This study shall include details on the site's history, potentially contaminative site uses and any other relevant information that can be used to identify all contaminant-pathway-receptor pollution linkages as part of a Conceptual Site Model.

ii) If the approved desk top study shows that further investigation is necessary, an Investigation and Risk Assessment, including relevant soil gas surface and groundwater sampling, shall be carried out by competent person(s). A written report of the findings shall be produced and submitted for written approval to the Local Planning Authority.

iii) If the approved Investigation and Risk Assessment shows that remediation is necessary, a detailed Remediation Scheme to bring the site to a condition suitable for the intended use shall be submitted to the Local Planning Authority for written approval. The Scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria, timetable and site management procedures.

v) The development shall only take place in accordance with the approved details (a-c), as necessary.

B. During the course of the development:

i) If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing. Before development restarts at that part of the site a Risk Assessment and Remediation Scheme shall be produced by a suitably qualified person and submitted for written approval to the Local Planning Authority.

ii) The development may only restart on that part of the site in accordance with the approved Remediation Scheme.

C: Prior to occupation/first use

i) A Verification Report that demonstrates the effectiveness of the works carried out pursuant to approved details in relation to Part A and B of this condition shall be submitted for written approval to the Local Planning Authority.

ii) No occupation or use of the development shall take place until the Report has been approved.

6) Notwithstanding condition 3 (DCMLP), no development shall take place until a Construction Environmental Management Plan (CEMP) incorporating ecological mitigation measures (e.g. protection of nesting birds, hedgehog-friendly fencing) shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved CEMP.

7) No development above ground level shall take place until a detailed Energy Strategy demonstrating how the development would achieve a minimum reduction in CO₂ emissions beyond Building Regulations 2021 has been submitted to and approved in writing by the Local Planning Authority.

The approved measures outlined within the Energy Strategy shall be implemented prior to occupation of the development and shall be permanently maintained and available for use thereafter. All dwellings shall be fitted with air source heat pumps and other energy efficiency measures as shown on 23-11-141 Rev G.

8) Prior to first occupation, details of electric vehicle charging point provision for 3 active and 9 passive, conveniently located charging points shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to occupation of the development and shall be permanently maintained and available for use thereafter.

9) Prior to first occupation, written evidence shall be submitted to and approved in writing by the Local Planning Authority confirming that each dwelling has achieved either Passivhaus certification, the BREEAM Home Quality Mark, or an equivalent independently verified sustainability standard.

10) Prior to first occupation of any part of the development hereby approved, a scheme for soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include:

i) A planting plan;

ii) A written specifications (including cultivation and other operations associated with trees, plants and grass);

iii) A Schedule of plants and trees, setting out the species, sizes, numbers/densities and soil volume and soil type/quality;

iv) A programme setting out how the plan will be put into practice including measures for protecting plants and trees for the operational phase of the development;

v) Detailed pit construction and planting methodology for all planting; vi) All Plants should adhere to Government biosecurity recommendations - as outlined in the Arboriculture Association's 'Biosecurity guidance: notes2' - or Government approved/ adopted documentation, which supersedes this; and,

vii) If an engineered solution (e.g. soil cells or structured soils) for planting is required, the detailed specification and methodology for the system to be used.

The new planting shall be carried out in the first planting and/or seeding season following the first occupation of the buildings or the practical completion of the development, whichever is the sooner. The new planting shall comply with the requirements specified in BS 3936 (1992) 'Specification of Nursery Stock Part 1 Trees and Shrubs', and in BS 4428 (1989) 'Recommendations for General Landscape Operations'. None of the new trees, plants or shrubs planted shall be lopped or topped within a period of five years from the completion of the development.

Any trees, plants or shrubs, which, within a period of five years from the practical completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species to those originally planted.

The approved landscaping scheme shall be maintained in accordance with the approved maintenance plan in perpetuity.

- 11) Prior to the first occupation of any units a lighting strategy, including a Maintenance Plan, shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall demonstrate compliance with the Institute of Lighting Professionals' guidance for environmental zones, including light spill controls and mitigation for ecological impacts. The approved lighting strategy and associated measures shall be implemented in full prior to the first occupation of any units and retained in perpetuity thereafter.
- 12) The development hereby approved shall be carried out in full accordance with the approved drainage strategy as detailed in drawing no. 24254-DRC-0101 Rev P7. No development, excluding demolition, shall commence until written confirmation has been submitted to and approved in writing by the Local Planning Authority from Thames Water confirming agreement to adopt the proposed pump station. Until such time as the pump station is formally adopted by Thames Water, the surface water drainage shall be managed in accordance with the approved Surface Water Drainage Maintenance and Management Schedule, including discharge via the pump system to Rudland Road.
- 13) Prior to first occupation of the development, the bicycle storage arrangements shall be installed in accordance with the details shown on drawing No. 23.11-183 Rev A and the siting shown on Drawing No. 23.11- 141 Rev G. The bicycle storage shall be permanently maintained thereafter.
- 14) The internal access roads and car park area shall be maintained in accordance with a management plan to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The development may not be occupied until the internal access road and car parking is constructed. The internal access roads and car park area shall be maintained thereafter in accordance with the approved details.

- 15) Prior to first occupation of the development, the refuse arrangements shall be installed in accordance with the approved details shown on drawing No. 23.11-183 Rev A and the siting shown on Drawing No. 23.11-141 Rev G. The refuse arrangement shall be permanently maintained thereafter.
- 16) Prior to first occupation of the development, details of noise attenuation measures (acoustic glazing and ventilation) shall be submitted to and agreed in writing by the Local Planning Authority. The level of protection shall be sufficient to achieve the levels specified in BS8233:2014 and in accordance with the configurations specified in the Noise Assessment produced by NRG Consulting Reference: PP2462/NA/LRLR/202408-RK dated 16/12/24. The noise attenuation measures shall be installed prior to occupation of the development in accordance with the approved details.
- 17) Prior to first occupation of the development, the access road and turning head shall be constructed in accordance with the approved plans, and made available for use by residents, emergency, and service vehicles.
- 18) The development shall be constructed in accordance with Building Regulations M4(2) for Plots 1–11 (inclusive) and M4(3) for Plot 12, as shown on the approved plans. Written confirmation of compliance shall be submitted to the Local Planning Authority prior to first occupation.
- 19) All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLAs supplementary planning guidance Control of Dust and Emissions During Construction and Demolition dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>
- 20) During construction, groundwater levels shall be monitored in accordance with the approved strategy. Any significant changes shall be reported within one week to the Local Planning Authority and LLFA, with mitigation agreed in writing prior to continuation.
- 21) The development shall be carried out in full accordance with the submitted Biodiversity Net Gain Report (December 2024), achieving a minimum 10% net gain in biodiversity. The ecological enhancements, including tree planting, hedgerows, bird and bat boxes, shall be installed prior to first occupation and maintained thereafter in accordance with approved report: Biodiversity Net Gain and Urban Greening Factor Report December 2024.
- 22) Any window to a flank elevation above ground floor level of the development hereby approved shall be fitted with glass that has been obscured in the manufacturing process to Pilkington level 3 or higher (or equivalent) and shall be permanently fixed non-openable below a height of 1.7m above the finished floor level of the room(s) they serve, and shall thereafter be maintained as such. The

obscured glazing shall be an integral part of the manufacturing process and not a modification or addition made at a later time, such as a film adhered to the glass. The windows shall thereafter be retained as such.

- 23) The car parking spaces shown on the approved plans shall be provided prior to occupation and shall be permanently retained for vehicle parking only.
- 24) Prior to first occupation of the development, the 300mm concrete gravel board upstand forming part of the boundary fencing of the whole site shall be installed in full accordance with the approved Flood Exceedance Plan referenced "24254-DR-C-0101", revision P7, dated Oct 2024 and retained in perpetuity.
- 25) No development above ground level shall take place until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the development will achieve Secured by Design accreditation.

Within three months of first occupation, evidence that Secure by Design Accreditation has been achieved shall be provided in writing to the Local Planning Authority.

The development shall be carried out and retained in accordance with the approved details.

END OF SCHEDULE