
Appeal Decision

Site visit made on 13 April 2016

by I Radcliffe BSc(Hons) MCIEH DMS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 July 2016

Appeal Ref: APP/D3125/W/16/3143881

Land adjacent to Newland Street, Eynsham, Oxfordshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Oxford Homes Residential Limited against the decision of West Oxfordshire District Council.
 - The application Ref 15/01184/FUL, dated 1 April 2015, was refused by notice dated 5 August 2015.
 - The development proposed is the erection of 13 dwellings with associated access, parking and open space.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 13 dwellings with associated access, parking and open space on land adjacent to Newland Street, Eynsham, Oxfordshire in accordance with the terms of the application, 15/01184/FUL, dated 1 April 2015, subject to the conditions in the schedule at the end of this decision.

Procedural matters

2. At appeal stage an amended plan (reference 14124 P102C) which altered the site access by increasing visibility splays and providing a footway at the site entrance was submitted by the appellant. This does not amount to a material change in the type of development, and the nature of concerns of those who would normally have been consulted are clear from consultation on the original set of plans. As a consequence, I consider that their interests would not be prejudiced if I was to take this amendment into account. My consideration of the case and decision therefore takes into account this amended plan.
3. The Examination in Public of a replacement West Oxfordshire Local Plan ('emerging Local Plan') has been adjourned to allow the Council to carry out further work, primarily in relation to housing land supply. As the emerging plan has been subject to public consultation and is well advanced the weight I attach to it and its policies, insofar as they relate to this appeal, varies according to the consistency of those policies with the National Planning Policy Framework.

Main Issue

4. The main issue in this appeal is whether the appeal scheme comprises sustainable development as defined in the National Planning Policy Framework ('the Framework'), having regard to;
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- the effect of the development on heritage assets including the Eynsham Conservation Area and nearby listed buildings; and,
- the effect of the proposed development on local services and infrastructure.

Reasons

Conservation Area

5. The appeal site is located within the Eynsham Conservation Area. The Framework is an important material consideration. It identifies that heritage assets are irreplaceable resources. Paragraph 132 advises that, when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation. In the exercising of planning functions the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Policy BE5 of the West Oxfordshire Local Plan adopted in 2006 ('Local Plan') which relates to development in Conservation Areas, and policy EH7 of the emerging Local Plan which seeks to conserve and enhance heritage assets, are consistent with this test and the Framework. As a result, I attach significant weight to policy EH7 of the emerging Local Plan.
6. In addition, policy BE4 of the Local Plan seeks to prevent the loss or erosion of open space within and adjoining settlements where, amongst other matters, it makes an important contribution to the character and appearance of a locality. The Framework, published after the Local Plan, states that local communities should identify for special protection green areas of special importance to them. The field in which the appeal site is located is not identified by the Council as such an area in the emerging Local Plan. As a result, the appellant states that limited weight should be attached to policy BE4. However, to my mind, not all areas of open space that make an important contribution to the character and appearance of an area will necessarily be formally identified in this way. Given that the appeal site is located within an area of open space within a Conservation Area, policy BE4 has the same overall thrust as policy BE5, namely to protect the character and appearance of an area and so, for the purposes of this appeal, the weight I give to policy BE4 has not been reduced.
7. In terms of assessing the significance of the Conservation Area, and in the absence of a Conservation Area Appraisal, I have relied upon the comments of the main parties and those who have written in, along with my own observations during the site visit. The Conservation Area is focussed on the village centre, where well designed older buildings, typically from the 17th through to the 19th centuries are to be found. The layout of this part of the village, and its streets, such as Newland Street, is medieval. The heritage significance of the Conservation Area is therefore architectural and historical.
8. Significant areas of open undeveloped land are included within the eastern and southern margins of the Conservation Area, which provide a rural setting for the buildings within it. However, the open land between the south eastern edge of the appeal site and the boundary of the Conservation Area has recently been developed for housing. This has resulted in the field in which the appeal site is located being isolated from the countryside that surrounds the village.
9. The field in which the appeal site is located is surrounded by residential development. It is separated from Newland Street and the houses opposite by a stone wall and grass verged highway. A band of mature trees behind the

wall screens the site from public view. Nevertheless, the combination of the stone wall, band of trees and openness of the site, visible in glimpsed views from the street, gives Newland Street a rural character and appearance close to the centre of the village.

10. The proposed development would result in the loss to development along Newland Street of most of the width of the field and into the field approximately a third of its length. However, the band of mature trees would be retained and the housing would be set several metres back from the front site boundary. As a result, public views of the proposed development from Newland Street and Cassington Road to the east would be softened and filtered. When the trees are not in leaf during the colder months of the year, the density of the tree band and the extent to which the proposed buildings would be set back, would mean that the development would form part of the background to the streetscene, rather than a prominent part of it. As a consequence, it would not dominate the streetscene, or loom over the cottages on the opposite side of the road.
11. In public views from the road serving the new housing development enclosing the south eastern corner of the field, the majority of the field would remain open and undeveloped. Subject to sensitive landscaping and boundary treatment, which is a matter that could be controlled by condition, the scheme would fit in with the existing character and appearance of the area in these views.
12. The continuity of the front boundary wall would be broken by the creation of the site access and the urbanisation of the front part of this area of grassland would be apparent in public views along the access. However, the breach in the wall would be small in comparison to its long length. The resulting views would therefore be brief and insufficient to adversely affect the overall rural character and appearance of Newland Street and Cassington Road.
13. The proposed dwellings in terms of height, scale and form would reflect the varied built character of the Conservation Area. The architectural details that would be included, and the materials that would be used, would reflect the palette of features and materials that characterise the area. The refuse bin storage areas would be set some distance behind the relatively tall front boundary wall and the existing band of trees, along with the proposed hedges, would mean that domestic paraphernalia within the garden areas between the buildings and the street would not be apparent. With the control that could be exerted by condition requiring further details on landscaping, there is no reason why the development proposed, including its parking areas to the rear, would appear hard or unduly urban in public views. Similarly, the few trees that would be removed to allow the development to go ahead are either of poor quality, or are in decline. In my assessment, the good quality of the design of the buildings helps to offset the limited urbanisation that would occur.
14. Taking all these matters into account, I therefore conclude, that whilst the proposal would result in the erosion of an open space that contributes to the character of the area contrary to policy BE4 of the Local Plan, on balance, the proposal would not harm the character and appearance of Newland Street or the Conservation Area as a whole. There would be no harm, in this regard, to its heritage significance. As a result, the objective of preservation would be achieved. It would therefore comply with the statutory test, policy BE5 of the Local Plan and policy EH7 of the emerging Local Plan.

Listed buildings

15. In the exercise of planning functions, the statutory test in relation to a listed building is that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy BE8 of the Local Plan and policy EH7 of the emerging Local Plan are consistent with this test.
16. The Framework defines the setting of a heritage asset as the surroundings in which it is experienced. Setting embraces all of the surroundings from which an asset can be experienced, or that can be experienced from or within the asset. In essence, if the development proposed could be seen from, or in conjunction with, any of the heritage assets that surround the application site, then there would be an impact on their setting. There are three listed buildings that fall into this category. An assessment is therefore required as to whether the impact of the proposed development would harm the significance of these assets.

The Gables, attached outbuilding and barn

17. This substantial attractive detached house is Grade II listed. It dates in part from the late medieval period with the rest of the house dating from the early C17 with mid C19 and later alterations. Accommodation is over two storeys with an attic, evidenced by windows in the four gables that make up its principal elevation which faces eastwards towards the appeal site. The outbuilding and barn, both of which date from the C18, are simple vernacular buildings of limestone with stone slate roofs. The special interest of these buildings lies mainly in their history and architecture.
18. The Gables does not form a prominent part of the streetscene as it is orientated at a right angle to Newland Street and a tall boundary stone wall separates it from the highway. As a result, there are limited public views of it from the north. The field, in which the appeal site is located, is separated from the front garden of the house by a 'ha-ha', a ditch feature used to keep animals out. Consequently, the field, which the house overlooks and which reflects the historic pattern of enclosure, forms an integral part of the setting of the house.
19. The house is orientated slightly away from the flank of the proposed development which would be located approximately 70 metres away from its principle elevation. The views south eastwards towards the far corner of the field and Wytham Wood in the distance, and in the opposite direction towards the house from the new residential development enclosing the south eastern corner of the field, would not be materially interfered with. However, the proposed development would still be visible in some views from within this heritage asset including its garden, and to a limited extent in views from the south east towards the house. This urbanising effect would have a small adverse effect on the historic rural setting of The Gables. I therefore find that the special interest and significance of this listed building would be harmed and thus would not be entirely preserved.

Highcroft House

20. This large house is Grade II listed and dates from the late C18. It was extended in the early part of the C20 by Clough William Ellis. Its special interest is, therefore, largely architectural and historical. Its principal elevation is south facing and its gardens are located on its southern and eastern sides. The rear north facing elevation of the house is located close to the boundary

wall separating it from the field in which the appeal site is located. There is nothing to indicate that the field had any historical connection with the house. Accordingly, I consider that the appeal site which is located on the opposite side of the field and is largely screened by trees along the rear boundary of Highcroft House contributes little to the heritage significance of this listed building. As a result, the ability to appreciate and understand the building's significance would not be materially affected by the development proposed. I therefore find that the special interest and thus significance of Highcroft House would therefore be preserved.

The Newlands Inn Public House

21. This gable ended end two storey terraced building is Grade II listed. It dates from the C18 and is constructed from limestone with a tiled roof and dormers. Its special significance is derived from its age, form, architecture and appearance. The elements of setting that contribute to its significance include its relationship with Newland Street and its immediate plot. In this context, given that the building is on the opposite side of the road to the appeal site and separated by a reasonable distance from it, I consider that the appeal site contributes little, if anything to the significance of this building or its setting. As such I consider that the development proposed would not cause any harm to the special interest or significance of this listed building.

Conclusion on the effect of the proposal on the Conservation Area and listed buildings

22. The character and appearance of the Conservation Area as a whole would be preserved by the proposal. The harm that would be caused to the to the heritage significance of The Gables, a Grade II listed building, would be less than substantial. In such circumstances, paragraph 134 of the Framework advises that the harm that would be caused should be weighed against the public benefits of the proposal.
23. In accordance with the statutory duty described, I attach considerable importance and weight to the harm, albeit limited, that would be caused to the setting of The Gables, a Grade II listed building. On the other side of the balance, the proposed development would provide thirteen dwellings in an accessible location and contribute towards affordable housing. This would help meet housing need in the District in the context of a five year housing land supply, as sought by the Framework, not having been clearly demonstrated. The construction of the development would also result in employment, generate economic activity and increase local spending power. For the reasons given in relation to the next main issue I attach limited weight to the benefits of the community orchard. Nevertheless, taken together in the context of the limited extent of the harm that would be caused to the setting of The Gables, these considerations are of considerable weight in favour of the development.
24. Taking all these matters into account, my overall conclusion on this issue is that the public benefits of the proposal would, on balance, outweigh the limited harm that would be caused to the setting of The Gables. Therefore, whilst the proposal would be contrary to policies BE4 and BE8 of the Local Plan and policy EH7 of the emerging Local Plan, it would comply with the Framework.

Local services and infrastructure

25. Policy BE1 of the Local Plan supports the use of planning obligations to mitigate the effect of development on local infrastructure. The submitted unilateral

undertakings have been properly completed. They include contributions towards affordable housing, education and local facilities sought respectively by the District, County and Parish Councils. A community based orchard is also offered by the appellant. I have assessed the provisions of these undertakings against the tests in paragraph 204 of the Framework and the requirements of Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended).

26. In relation to affordable housing, there is a shortage in the District. Policy H11 of the Local Plan only requires that such housing is provided on sites slightly larger than the appeal scheme, or when fifteen or more dwellings are proposed. However, policy H3 of the emerging Local Plan lowers the affordable housing threshold to schemes of eleven units, thereby including the proposed development. To my mind this approach is consistent with the emphasis of the Framework, which post dates the adoption of the existing Local Plan by some six years, on ensuring that the need for affordable housing is addressed. As a result, I attach significant weight to policy H3 of the emerging Local Plan. I therefore find that there is policy support for an affordable housing contribution in this instance. Taking into account financial viability and other matters, the undertaking provides for the sum calculated by the Council of £65,000. On the basis of the information submitted, I therefore find that the affordable housing contribution sought passes the relevant tests
27. In terms of education, the County Council has advised that, within the next year, Eynsham Primary School will be at capacity and that the proposed development would generate the need for additional places. The undertaking includes a contribution of £22,581 for the required additional primary school places, as calculated by the Council. Regulation 123(3) came into force last year. Other than in relation to certain exemptions, such as affordable housing, it prevents the pooling of more than five planning obligations made since 6 April 2010 towards a specific infrastructure project, or particular type of infrastructure. The County Council states, that in relation to education, less than five contributions have been made towards expanding Eynsham primary school. I therefore find that the contribution sought in relation to education meets the relevant tests.
28. With regards to local facilities in relation to sports, recreational and play facilities, street furniture and other public amenity sought by the Parish Council, no assessment of existing provision is before me. As a consequence, it has not been demonstrated that there is a shortage in the quantity or quality of local facilities, or that the proposed development would cause such a shortage, or would impact negatively on the quality of the existing facilities. As a result, it has not been demonstrated that the contribution sought by the Parish Council is necessary to make the development acceptable in planning terms. The Parish Infrastructure contribution sought therefore fails to satisfy all the tests in the Framework and Regulation 122.
29. The appellant proposes in one of the unilateral undertakings, via a lease or freehold, to create a community based orchard on the remainder of the field. It is argued that this will prevent further development of the field thereby safeguarding the setting of The Gables, whilst also having social and environmental benefits.
30. The Framework is supportive of the conservation of designated heritage assets such as The Gables and the enhancement of biodiversity. However, no

development plan policies have been brought to my attention that provide support for the creation of a community orchard to safeguard the setting of listed buildings, or for social reasons. In terms of biodiversity, the ecological survey of the appeal site has identified works that would safeguard protected species on the site. In the absence of further evidence as to the ecological enhancement that the orchard would bring I consider that the extent of its benefits in this regard have not been demonstrated. Whilst there is nothing to stop the appellant as a philanthropic gesture, creating a community orchard it is not 'necessary' in planning terms to make the development acceptable. The planning obligation in relation to the orchard therefore does not pass the tests set out in Regulation 122 and paragraph 204 of the Framework.

31. For all of these reasons, I have therefore only taken into account the affordable housing and education provisions of the submitted unilateral undertakings.

Other matters

32. In relation to the outlook enjoyed from the houses opposite the appeal site, whilst the presence of the development would be discernable through the tree band it would be sufficiently well set back for it not to have an overbearing effect. As a result, the standard of amenity experienced by the residents of these houses would not be lower than that sought by the Framework.
33. With regards to highway safety, the visibility that could be achieved along the road at the site access would allow vehicles to safely exit the appeal site. In terms of traffic generation, the Council has no objections to the effect that the proposal would have on the local highway network. On the basis of the relatively small size of development proposed, I have no reason to disagree with that position.

Overall conclusions: the planning balance

34. The proposal would be contrary to policies BE4 and BE8 of the Local Plan and policy EH7 of the emerging Local Plan. Schemes that conflict with the development plan should be refused unless material considerations indicate otherwise. As I have earlier noted the Framework is an important material consideration and I have found that in accordance with the Framework's policy on designated heritage assets the public benefits of the appeal scheme outweigh the limited harm that would be caused.
35. Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development, a concept that is at the heart of the Framework. The policies of the Framework as a whole constitute the Government's view of what sustainable development means in practice. There are three dimensions to sustainable development; environmental; social and economic.
36. The site is in an accessible location close to the village centre with the access to services, facilities and bus services this provides. It is therefore capable of meeting some of the day to day needs of its residents and has public transport links to other large settlements that can meet a wider range of needs.
37. In terms of the environment, a small amount of harm, contrary to the development plan would be caused to the setting of a listed building. In relation to the community orchard, for the reasons given earlier I attach little weight to its environmental and social benefits.

38. The appellant states that the Council has a 3.7 year housing land supply. The Council accepts that a five year housing land supply, as sought by the Framework, has not been clearly demonstrated. Socially, the proposed development would therefore make a contribution towards helping address the apparent shortage of housing in the District and lack of affordable housing. This is a noteworthy benefit of the proposal.
39. Economically, the construction of the houses proposed would generate employment. Post completion the spending of thirteen households would benefit the economy of the area, albeit to a limited extent given the scale of development proposed. These are benefits that weigh in favour of the proposal.
40. The social and economic benefits described are significant and of sufficient weight to clearly outweigh the limited harm that would be caused. As a result, the proposal would represent sustainable development as defined in the Framework. Taking all these matters into account, I therefore conclude that the material considerations in this appeal are such that the appeal should succeed. In reaching this decision the views of local residents and the Parish Council have been taken into account. However, important though they are, they do not lead me to a different view on the planning merits of the proposal.

Conditions

41. For the avoidance of doubt and in the interests of proper planning, otherwise than as set out in this decision and conditions, the development needs to be carried out in accordance with the approved plans.
42. In order to ensure that the development complements its surroundings, further details of site levels, external materials, architectural features, the repair of the drystone wall along the front boundary, the bin and cycle stores, and landscaping are required. For the same reason, existing trees need to be protected from damage during construction and a landscape management plan is required. Given the sensitive location of the site in relation to the setting of The Gables permitted development rights should also be removed. To ensure that any new planting becomes well established, it needs to be well maintained.
43. To minimise the risk of flooding elsewhere, further details on sustainable surface water drainage are necessary, including arrangements for ongoing management. In the interests of protecting the living conditions of nearby residents, maintaining the free flow of traffic and recycling of building waste, a Construction Method Statement is necessary.
44. In the interests of highway safety, the site access needs to be created with appropriate visibility splays. In the interest of ensuring satisfactory access within the site, vehicular and pedestrian access needs to be provided to each dwelling before it is occupied. To protect wildlife and enhance the environment, a method statement in relation to badgers and to control external lighting is required. Given the rich history of the area, an archaeological investigation is also necessary.
45. I have required all these matters by condition, revising the conditions suggested by the Council where necessary to reflect the advice contained within Planning Practice Guidance.

46. A condition requiring the provision of superfast broadband to each dwelling within the development has been proposed. However, there is no policy of the development plan to which I have been referred which requires such provision. Although a contaminated land condition has been suggested, the Heritage Impact Statement shows that the field in which the site is located has not been subject to development in recent centuries. As a result, both conditions are unnecessary.

Ian Radcliffe

Inspector

Schedule

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans: S1.01, S1.02, SK2.04, P1.02 Rev C, P1.03 Rev A, P2.02, P2.03, P2.04, P2.05, P2.06
- 3) Prior to the commencement of any development works on site, including site clearance, a full method statement for the protection of badgers during construction shall be submitted to and approved in writing by the Local Planning Authority. All works must be carried out as per the approved method statement and in accordance with the recommendations in Section 7 of the "Tree Assessment for Bats and Badger Survey" by 4 acre ecology dated 27 May 15.
- 4) Notwithstanding the submitted details, prior to commencement of the development, a scheme for the landscaping of the site, including the retention of any existing trees and shrubs and planting of additional trees and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: retention and repair of the existing natural dry stone boundary wall to Newland Street/Cassington Road (except for the removal of the section of frontage to facilitate the means of access); details of all planting areas and plant species, numbers and sizes; all proposed boundary treatments and means of enclosure; surfacing materials; and any mounding. The scheme shall have been fully implemented as approved by the end of planting season immediately following completion of the development or the development first being brought into use, whichever is the sooner. In the event of any of the trees or shrubs so planted dying, being removed or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub of equivalent number and species, shall be planted as a replacement and thereafter properly maintained.
- 5) No development (including site clearance and demolition) shall commence until all existing trees shown to be retained within the submitted "Tree Survey Report" by Venners Arboriculture dated March 2015 have been protected in accordance with a tree protection plan which complies with BS 5837:2012: 'Trees in Relation to design, demolition and construction'. The tree protection plan shall have first been submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be kept in place during the entire course of development. No work, including the excavation of service

- trenches, or the storage of any materials, or the lighting of bonfires shall be carried out within any tree protection area.
- 6) Prior to commencement of the development, including site clearance and demolition, an Archaeological Written Scheme of Investigation relating to the application site area shall be submitted to and approved in writing by the Local Planning Authority.
 - 7) Following the approval of the Written Scheme of Investigation referred to in condition 6, and prior to any site clearance, demolition and commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.
 - 8) No development shall take place until details of a sustainable surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable. The submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
 - 9) No development, including any works of site clearance and demolition, shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
 - i.) The parking of vehicles for site operatives and visitors
 - ii.) The loading and unloading of plant and materials
 - iii.) The storage of plant and materials used in constructing the development
 - iv.) The erection and maintenance of security hoarding including decorative displays
 - v.) Wheel washing facilities
 - vi.) Measures to control the emission of dust and dirt during demolition and construction.
 - vii.) A scheme for recycling/disposing of waste resulting from

demolition and construction works.

- viii.) Working hours during site clearance/demolition and construction
- 10) No development shall take place until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. These levels shall be shown in relation to a fixed and known datum point. The development shall then be carried out in accordance with the approved details.
 - 11) Before above ground building work commences, samples and sample panels of the stone and brick walling (including details and junctions) to be used in the elevations of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials and panels.
 - 12) Before above ground building work commences, samples of all roofing materials to be used throughout the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 13) Notwithstanding details contained in the application, detailed specifications and drawings of all dormers, porches, canopies, chimneys, flues, eaves, verge, ridge and full joinery details for windows, roof lights and external doors at a scale of not less than 1:20, including details of external finishes and colours, shall be submitted to and approved in writing by the Local Planning Authority before that architectural feature is commissioned/erected on site. The development shall be carried out in accordance with the approved details.
 - 14) Prior to their installation, details of the siting and external appearance of the bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to first occupation of any of the dwellings they serve.
 - 15) No dwelling shall be occupied until all the roads, driveways, parking and footpaths serving that dwelling have been drained, constructed and surfaced in accordance with plans and specifications that have been first submitted to and approved in writing by the Local Planning Authority.
 - 16) The means of access between the site and the highway shall be constructed, laid out, surfaced, lit and drained in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority and all ancillary works therein specified shall be undertaken in accordance with the said specification before first occupation of any of the dwellings hereby approved.
 - 17) Before occupation of any dwelling a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

- 18) Prior to the first occupation of the development the visibility splays shown on plan reference 14124 P102C shall be constructed in accordance with the approved details and the land, boundary treatment and vegetation within the visibility splays shall not be raised or allowed to grow above a maximum height of 0.6m above the adjacent carriageway level.
- 19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development permitted under Schedule 2, Part 1, Classes A, B, C, D, E, and G, and Schedule 2, Part 2, Classes A and B shall be carried out other than that expressly authorised by this permission.
- 20) No floodlighting or other form of external lighting, including street lighting, to the buildings, amenity space and parking areas hereby permitted, shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

- END OF CONDITIONS -

Richborough Estates