
Appeal Decision

Hearing held on 20 November 2015

Site visit made on 20 November 2015

by Jacqueline Wilkinson Reg. Architect IHBC

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

Decision date: 22 December 2015

Appeal Ref: APP/Q3305/W/15/3051173

Frome Police Station, Oakfield Road, Frome, Somerset BA11 4JG.

- 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 Newland Homes Ltd against the decision of Mendip District Council.
 - The application Ref 2014/2211/FUL, dated 20 October 2014, was refused by notice dated 17 April 2015.
 - The development proposed is erection of 61 no. one, two, three and four bedroom dwellings. Access from Oakfield Road and associated works (re-submission of App. No. 2014/0174/FUL).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 61 no. one, two, three and four bedroom dwellings, access from Oakfield Road and associated works at Frome Police Station, Oakfield Road, Frome, Somerset BA11 4JG in accordance with the terms of the application, Ref 2014/2211/FUL, dated 20 October 2014, subject to conditions set out in the attached schedule.

Main Issues

2. The main issues are:
 - the effect of the proposal on the safety of highway users, in terms of the capacity of the network and school children arriving and departing from the adjacent school sites,
 - the effect on the character and appearance of the area in terms of design, layout and form of the proposed dwellings,
 - whether the proposal would deliver a sustainable and inclusive mixed community in terms of affordable housing, and if not, whether there are other material considerations to justify the proposal,
 - the effect on the education and recreation infrastructure of the town.

Reasons

Highway safety

3. The appeal site is opposite the Oakfield Academy First School. A large number of respondents have expressed concern about the impact of the traffic
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generated from the development on the safety of school children and on the workability of the surrounding narrow streets.

4. In addition to the original submission, the appellant has now carried out further manual traffic counts and capacity analyses at the junctions at either end of Oakfield Road¹. The streets in the area are narrow and in common with many streets in historic towns, operate on a voluntary give way protocol. I saw that this requires drivers to come to a halt and short queues form, especially at school start and end times, when the crossing patrol officers were operating. However, this accounts for a short period each day in term time. I am satisfied from the evidence put before me that the proposal would not lead to an unacceptable level of impact on the junctions or the wider highway network.
5. At the heart of many local concerns is the safety of the school children. The Council points out that the site has been empty for some time, so residents have been accustomed to a lower level of traffic in the nearby streets. The comparison made with the previous use of the site as the former police station and court is also disputed and the Council also points out that the pattern of use was different, reflecting the shift working of the police.
6. The appellants' Highway advisor obtained information from the Police Authority and made informed assumptions about the previous levels of traffic generation. By comparison with this previous use, the proposal would generate less traffic. Whilst these baseline figures are disputed, no alternative suggestions have been put before me and it is unrealistic to expect that this brownfield site should be assessed from the current position of little or no traffic generation. There is a large existing building on the site, 5 houses, and a large amount of open land. Whilst there is no "fallback" position for the site, if it was put to an alternative use, for example as employment land as suggested by the Town Council, there would inevitably be an increase in traffic locally, including larger vehicles.
7. There are three schools close to the site. I observed both an average school morning opening (08.00 to 09.30) and an afternoon closing (from 15.00 to 15.30 approx). The road has a 20mph speed restriction, with speed humps, and there are Keep Clear markings outside the first school. A crossing patrol operates in Nunney Road. Whilst it is apparent from the appellants' surveys that the 20mph speed limit is exceeded, the appellants explained at the Hearing that possible improvements to the existing traffic calming scheme were offered to the Highway Authority but not taken up. I was also told by the Head Teacher that a request for a pedestrian crossing had been rejected by the Highway Authority.
8. I saw that parents and staff of the Oakfield Academy and the other schools used the parking area on the former police station forecourt, which was at times nearly full. This land is outside the appellants' control. No change to this arrangement is currently proposed and parents would still be able to escort their children across the road, as I saw many doing. Some parents dropped children off on the Keep Clear markings, but I understand that the Highway Authority now has powers to enforce the traffic order.
9. Generally there was a short period of intense activity, with a build up of queuing particularly at the junction with Nunney Road. This was due in part to

¹ Manual Classified Counts. Technical Note 2 - Assessment of off-site traffic impact. Carl Tonks Consulting.

the effect of the school crossing patrol, which was in place for a relatively short period of time. I understand that this period of intense activity worries parents and residents, but traffic speeds are low and drivers and pedestrians interact in a generally safe manner.

10. Many children arrive by bus, but the majority arrive at the Academy unaccompanied, having walked or cycled there and having crossed other roads. These children are considered old enough to do this and from what I saw, most have a strong sense of road safety. The smaller children arrive and depart later and are accompanied by adults. The amount of traffic additionally generated from the proposed development at these short school peak times would be modest and would be subject to the same queuing and slow speeds which I saw occur. They are unlikely to cause a material impact on the safety of children or pedestrians.
11. I therefore conclude that the proposal would not have a material impact on the safety of other highway users, in particular school children. I also conclude that it would not have a material impact on the operation of the wider area or its environment.
12. Mendip District Local Plan Part 1 Strategy and Policies (Local Plan) policy DP10 (*Parking standards*) requires that proposals should broadly comply with the Somerset Countywide Parking Strategy. Concerns have been expressed about the proposed parking arrangements, especially in terms of the workability of the garages and the tandem parking. The appellant has submitted revised plans 690 – 40, 34A, 12D, 14D. These plans clarify the dimensions for the garages, with a minimum of 2.6m x 5.7m for the attached garages and 2.9 (with a pier) x 5.7 (with a pier) for the free standing garages. This would fall short of the Countywide standard of 6m x 3m, but it would nevertheless be suitable for a small to medium sized car, although I accept that there would be little space left over.
13. Garages can too easily become storage for household goods, but a condition can require them to be kept available for parking at all times. I have also taken into account that the garages would not be large enough for a car together with waste bins and/or cycles, but this would be possible to resolve through a condition requiring waste bin and secure cycle parking to be provided elsewhere on the plot. The garages can therefore be included in the parking totals. Tandem parking is less satisfactory, but occupiers usually work out a way of managing this type of parking, given the normally strong desire of car owners to park their vehicles securely off the street.
14. The appellants have submitted evidence that they have secured a right of access for them and their successors in title over the land adjacent to the parking spaces for plots 1, 2 and 3². I am satisfied that these spaces would be secure over the long term.
15. Parking for some of the proposed dwellings would not comply with the Countywide standards. The Town Council points out in Table 4 of its submission that a number of dwellings would have less parking than required, making the point that as the parking is all allocated, this cannot be offset by those with more than required amount of parking. It also points out that a high proportion of workers drive to work outside the town. However, it is

² Document 5.

difficult to see how a shortfall of half a car space could realistically be made up in a fully allocated parking layout. Moreover, most of the dwellings with this half a car space shortfall are three bedrooms with two parking spaces, which is a reasonable level of parking for that sized dwelling. Eight 4 bed dwellings do fall short of the requirement of three spaces by a whole space. However, in this location these larger homes are likely to be occupied by families with children and I do not find that this shortfall would significantly impact on the overall parking provision in the area.

16. The Countywide Parking Strategy makes it clear that the standards are optimum levels and that lower levels may be appropriate in areas which have good walking, cycling and public transport links. The site is near local shops and schools. There is a bus route in Oakfield Road and a cycle route. The main town centre is further than the accepted walking distance, but it is still within a reasonable walking distance, although I accept that the hills would be a deterrent coming back. That said, the site is still reasonably well located in terms of sustainability. The Highway Authority has not recommended refusal of the proposal on the grounds that the parking is inadequate, and I also note that funding for a sustainable Travel Plan has also been included in the appellants' Unilateral Undertaking.
17. Subject to a condition that requires the garages to be kept free for parking at all times and that secure cycle storage and waste bin storage is separately provided, I am satisfied that the parking arrangements would not cause problems elsewhere due to an increase in on-street parking, or have a material effect on the safety of other highway users. The broad aims of Local Plan policy DP10 would therefore be satisfied.
18. Overall, I conclude that the proposal would satisfy the requirements of Local Plan policy DP9 (*Transport impact of new development*) and similar aims set out in paragraph 35 of the National Planning Policy Framework (the Framework). These broadly require that development makes safe provision for vehicles and avoids causing traffic or other environmental problems in the area.

Character and appearance

19. There are some good quality groups of terraces and semi-detached houses, dating from the 19th century, as well as some good examples of mid-twentieth century housing in the area. Interspersed with these, particularly in Oakfield Road itself, less inspiring examples of mid to late twentieth century development can also be seen, not the least the unattractive buildings on the appeal site. Whilst the streets within the Frome Conservation Area exhibit much more unity, Oakfield Road itself has a mixed architectural character. The *Frome Town Design Statement* 2012 was endorsed by the Council's Planning Board in January 2015 and it attracts significant weight. In this document, the broad characteristics of the area are described, highlighting the use of natural local stonework and high quality details.
20. In terms of building types, the proposed scheme would be made up of terraced, semi-detached and detached dwellings, all having 2½ storeys. There would be a taller 2½ storey block of six flats and two "mews" style buildings, with flats over garages. Generally the proposed designs, in terms of scale, particularly eaves heights, would be in keeping with the scale of the area.

21. Concerns have been expressed about the density of the scheme. Density as an indicator of design quality should be used with caution. Inevitably the scheme will have a higher density in comparison with older areas, due to smaller garden sizes. However, along the frontage with Oakfield Road, the proposed dwellings would reflect the mixed pattern of terraces, semi-detached and detached properties in the area and the building line would be set back to follow the established line. This would allow the planting of trees and would give the frontage a softer appearance, reflecting the small front gardens elsewhere. The eaves heights of these frontage dwellings would be comparable with other eaves heights nearby and the overall height of the roofs would not be excessive.
22. Preferences have been expressed for a terraced composition along this frontage, but the proposed arrangement of a mix of semi-detached and detached dwellings on part of the road frontage would be unified behind a low wall and would not be out of context, given the semi-detached properties adjacent to the site. The use of dormers has been raised, but there are dormers elsewhere in the locality and the proposed range of dormer types in this scheme would not be at odds with the local character. Whilst I agree that the bays could look somewhat plain compared to those to be seen in Nunnery Road for example, attempts to replicate period detail can result in pastiche.
23. The need for the use of locally distinctive materials has been identified in the Town Design Statement and I agree that this is an effective way to integrate new development into established street scenes. High quality materials in the key locations can be required by condition. The low stone wall along the appeal site frontage would create street enclosure, also a local feature, and the new front gardens can be kept planted and attractive, through a condition. This frontage would be an improvement over the large area of anonymous grass that exists at present. I have concerns about the unresolved detail of the layout in terms of plot enclosures and small "left over" spaces, but these matters can be resolved by condition.
24. Within the site, the development would have more of cul-de-sac feeling, but this is to a degree unavoidable as the layout is largely dictated by the need for access and parking into the depth of the site. This would not significantly affect the character of the wider area. Within this part of the site, it is important that motor vehicles do not dominate the street scene. There has been criticism of the parking layout and the size of the garages, a matter which I have discussed above in detail. However, in terms of street design, a number of dwellings would have open forecourt settings in front of them, with the garages and parking set to the rear or side. I find that this layout would not be unacceptable in design terms and would not have a harmful impact on the wider street scene.
25. I therefore conclude that proposal, subject to conditions which I discuss below and a revised layout plan showing the individual plot enclosures, would not harm the character or appearance of the area.
26. It would therefore comply with the requirements of Local Plan policies DP1 (*Local identity and distinctiveness*) and DP7 (*Design and amenity of new development*), which broadly require that proposals should enhance local identity and distinctiveness and similar aims set out in paragraph 17 of the Framework.

27. I have had special regard to the nearby Frome Conservation Area, whose boundary runs along the backs of the houses fronting Nunney Road. Given the degree of visual separation from the conservation area, I find that the proposed development would preserve its character and appearance. The proposal would therefore satisfy the requirements Local Plan policy DP3 (*Heritage conservation*) and of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Affordable housing.

28. Local Plan policy DP11 (*Affordable housing*) sets out the Council's intention to seek contributions towards affordable housing provision in the District, at the rate of 30% of the number of homes. Section 6 of the Framework sets out the objectives of delivering a wide choice of high quality homes, including, where there is an identified need, being flexible over time to take account of changing market conditions³.
29. Concern was expressed by a number of respondents, including the Town Council, about the varying amounts of affordable housing that have been suggested. The Vacant Building Credit (no longer in force) skewed the figures, but I am now satisfied that the assumptions made, particularly about the purchase price and the profit levels, are reasonable. 30% would equate to 16 dwellings. At the Hearing the appellants reviewed the viability figures in conjunction with the Council and the Town Councils' advisers and the proposed number of affordable dwellings was changed from 8 to 12.
30. This was accepted by the parties as reasonable given the updated viability conclusions⁴. Notwithstanding this, the Council has commented on the final Unilateral Undertaking by stating that it continues to object to the level proposed, on the basis that should I find against them with respect to the other contributions, there would be scope for more affordable housing to be provided. This matter could have been raised at an early stage in the appeal process and neither the appellants nor other interested parties have had an opportunity to respond. Moreover, this would require a further set of viability figures to be submitted. I am satisfied that the price paid for the land reflected the need for contributions in force at the time. The baseline assumptions were reviewed in the light of current costs, including those contributions being sought by the Council, and the expected profit levels have been adjusted. I am required to assess this appeal in the light of the viability evidence and the final Unilateral Undertaking before me at the final deadline for evidence, which I have done.
31. I am therefore satisfied that these latest figures demonstrate that the proposed contribution towards affordable housing in the area, whilst not fully complying with the requirements of Local Plan policy DP11, would be justified in terms of viability.
32. I therefore conclude that the proposed contribution would make an acceptable contribution towards a sustainable and inclusive mixed community, in accordance with the broad aims of policy DP11 and the Framework.

³ Paragraph 50.

⁴ Document 6.

33. The submitted Unilateral Undertaking, with respect to the affordable housing contribution, would therefore satisfy the tests of paragraph 204 of the Framework and the Community Infrastructure Regulations (CIL).

Infrastructure

34. Local Plan policy DP19 (*Development contributions*) is an overarching policy stating that the Council will compensate for the effects of new development through contributions made by legal agreements.

Open space.

35. Local Plan policy DP16 (*Public open space*), states that all new residential development will make a contribution towards the provision of new open space to meet the needs of the growing population.
36. A small open space would be provided within the development. However, this space is would be too small for informal play and it would be too close to dwellings for a play space. Its main purpose would be to provide a landscape setting for the development.
37. The Council requires a contribution of £73,706 (based on £1,293 per dwelling). It points to a deficit of types of play space in the Oakfield ward identified in a study⁵. This study was based on 2008 population figures and has not been updated since it was published in June 2012. No specific projects have been identified within the area and the Council states that the contribution would go into a pool open to a bidding process. The Council has not therefore adequately demonstrated that this contribution would be necessary to directly mitigate the impact of the proposal on the open space infrastructure of the area, nor can I be satisfied that the contribution would not be pooled with more than five other contributions.
38. I therefore conclude that as it has not been demonstrated that the contribution sought would be directly related to the development and fairly and reasonably related to the development the tests set out in paragraph 204 of the Framework and the CIL Regulations have not been satisfied. I am therefore unable to take this contribution into account.

Education.

39. The Council requires a contribution of £110,313 towards the education infrastructure in the area. The Education Authority has set out the basis for its calculations, which show a need for nine additional primary school places arising from the development. It points out that neither the nearest school, Trinity C of E First School (Oakfield Academy) nor the next three nearest schools will have any capacity by the time the development is occupied. It explains that the contributions will be used to provide the extra nine places at the Trinity C of E First School and it confirms that this would not be pooled with more than five other contributions.
40. I am satisfied that this contribution is necessary, directly related to the development and fairly and reasonably related to the development. It would therefore satisfy the tests set out in paragraph 204 of the Framework and the CIL regulations.

⁵ Mendip District Open Space Study, June 2012.

Sustainable travel.

41. The Council requires a travel plan to be funded by the developer. This would not require the provision of physical infrastructure, but would support and encourage sustainable travel. I am satisfied that this contribution would satisfy the requirements of the Framework and the CIL Regulations.

Overall conclusions

42. I have carefully read the many objections that were received and appreciate that concern for the safety of children is paramount in the minds of local residents. There is no absolutely safe amount of traffic generation except zero and an element of risk is unavoidable. Brownfield land such as the appeal site is a key priority for regeneration and whilst I accept that local residents have become accustomed to the present situation, it is not in the wider interests of town to leave such a large site unused or underused.
43. Based on the most up to date traffic surveys, it has been shown that the proposal would not have a materially adverse impact on the flow of traffic in the area. I have watched how the children arrive at and depart from the school and conclude that the proposal would not have a materially adverse effect on their safety. I have also found that the proposed parking arrangements, subject to conditions, would not cause unacceptable pressure on the surrounding streets or affect highway safety.
44. I have also found that the proposal in terms of its design and layout would, subject to conditions, be in keeping with the broad character and appearance of the area. As it would be well separated from the adjacent conservation area, I have found that it would preserve the character and appearance of that area.
45. I have taken into account the Town Council's detailed evidence. The Framework requires that housing applications should be considered in the context of sustainable development and that applications for change of use to residential should normally be approved, provided that there are no strong economic reasons why such development would be inappropriate.⁶ Whilst the site is proposed for employment uses in the emerging Frome Neighbourhood Plan, this plan has not been subject to examination, so attracts limited weight. However, I have found no strong evidence that this site should remain in an employment use or be put to other uses.
46. I have concluded that the contributions sought by the Council towards open space in the area have not been adequately justified, so would fail the tests set out in Framework. However, I have found that the contributions towards the education infrastructure of the area have been clearly justified and the contribution towards the provision of an additional nine places at the Academy school would mitigate the effect of the proposal on the educational infrastructure of the area.
47. I have found that the proposed provision of affordable housing on the site would comply with the aims of the Framework to provide a mixed and balanced community, given the need to ensure the viability of the scheme.

⁶ Paragraphs 50.51.

48. Finally, I give considerable weight to the contribution that would be made to the housing supply in Frome.
49. I therefore conclude that the proposal would be sustainable development in all its dimensions, and for the reasons given above I conclude that the appeal should be allowed.

Conditions

50. I have considered the Council's suggested conditions in the light of the advice given in the Framework, paragraph 206 and the Planning Practice Guidance (the Guidance). I have applied the standard time limits and a condition requiring compliance with the plans.
51. In order to protect existing species and incorporate measures to encourage wildlife within the development, I have required the development to proceed in accordance with an approved scheme of ecological mitigation.
52. I have required a construction method statement to be submitted to and approved by the Council before work commences. In particular I have specified that measures to protect the safety of pedestrians, including schoolchildren, be included.
53. I have applied a standard condition in relation to materials, with specific reference to the materials to be used in and details of boundary walls and fences. This is so the Council can require high quality materials and details.
54. I have required the details of finished floor levels in relation to existing site levels to be submitted. This is because an amount of fill is shown on the cross sections, so the Council will need to satisfy itself that the proposed levels in relation to the levels of existing surrounding properties are satisfactory.
55. I have required a hard and soft landscaping scheme to be submitted. Whilst the appellants have submitted landscaping details, these need to be reviewed. The review should include the plot enclosures of individual dwellings in order to provide the development with well defined "defensible spaces" enclosed by attractive low walls or fences, and to allow some minor adjustments needed to the layout. Examples are: in front of plots 46, 47 and 48 (to allow better pedestrian access), alongside plot 45 (to enclose left over space), in front of plot 57 (to protect the landscape setting to the entrance to the development) and between plots 4 and 5 (to provide secure access to alleyway). Within this condition, I have also required that the details of waste/recycling provision and secure cycling are to be shown, as these need to be integrated within the hard and soft landscaping layout.
56. I have also stipulated that these details are to be retained, in order to prevent the removal or unsympathetic alteration of front and side boundary walls/fences and the possible hard surfacing of green areas, for example in front of plot 57. The Council's suggested condition 7 (management of green spaces) has also been combined with this condition.
57. I have applied conditions to deal with surface water drainage and to prevent the dwellings being occupied until the approved drainage and access is provided.

58. I have not applied suggested conditions 12 or 13 (obscure glazing) as I saw at the site visit that this was not necessary to protect the living conditions of adjacent occupiers. I have not applied suggested condition 14 (visibility obstruction) as the approved plans show that this is not needed.
59. I have withdrawn permitted development rights to erect walls/fences forward of the frontage of the dwelling, and to construct additions or alterations to the roofs. This is order to protect the urban design quality of the scheme and the living conditions of adjacent occupiers.

Jacqueline Wilkinson

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Dan Weaver	Pegasus Planning
Carl Tonks	Carl Tonks Consulting – Highways witness.
James Mackay	Alder King – Viability witness.
Tom Sheppard	Newland Homes
Jeremy Drewe	Newland Homes

FOR THE LOCAL PLANNING AUTHORITY:

Oliver Marigold	Principal Planning Officer, Mendip District Council
Stephen Blake	Stephen Blake Consultancy - Viability Witness

INTERESTED PERSONS:

TOWN COUNCIL

Jane Llewellyn	Frome Town Council
Rob Gill	Viability Witness
Paul Greatwood	Highways Witness
Helen Sprawson-White	Ward Councillor
Emma Wilkes	Head Teacher, Oakfield Academy
Mr Cutting	School Governor

DOCUMENTS

- 1 Appellants - Plans 690 – 40, 34A, 12D
- 2 Council - County Parking Standards.
- 3 Council - Map of conservation area.
- 4 Appellants - Unilateral Undertaking

DOCUMENTS RECEIVED AFTER THE HEARING

- 5 Appellants - Evidence of rights of access over adjacent land.
- 6 Appellants - Revised viability studies, dated November 2015.
- 7 Appellants - Revised Unilateral Undertaking
- 8 Somerset County Council – letter dated 4 December 2015, Education contributions.
- 9 Mendip District Council – letter dated 7 December 2015, Contributions justifications.

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Frome Police Station, Oakfield Road, Frome, Somerset BA11 4JG.

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development shall be carried in accordance with the drawing numbers: 690-1A, 5I, 10B, 11B, 12D, 13B, 14D, 15B, 16B, 17B, 18C, 19C, 20B, 21C, 22C, 23C, 24D, 25D, 26D, 27E, 28B, 29B, 30C, 31C, 32B, 34A, 35, 36D, 39B, 40 and 288/3646/1, 001A/002A, 003A and 004A.
- 3) No development shall commence on site, including demolition and site clearance, until a scheme of ecological mitigation and biodiversity enhancement, to include measures to be provided within the design of the buildings and landscaping to accommodate bats and birds, with a programme of implementation, has been submitted to and approved by the local planning authority in writing. The scheme shall be carried out in accordance with the approved details and programme and retained as such thereafter.
- 4) No development shall commence on site, including any works of demolition, until a construction method statement has been submitted to and approved by the local planning authority in writing. The approved statement shall be adhered to throughout the construction period. The statement shall provide for: the hours of construction activity, the parking of vehicles of site operatives and visitors, loading and unloading of plant and materials, storage of plant and materials, the erection and maintenance of security hoardings, including decorative displays and facilities for public viewing where appropriate, wheel washing facilities, measures to control dust and emissions, a scheme of recycling/waste disposal of demolition, excavation and construction material, measures to minimise disturbance to the Oakfield Academy and to protect the safety of pedestrians, in particular school children.
- 5) No development shall commence on site, and notwithstanding the details submitted, until a schedule of materials and finishes to be used in the construction of the external surfaces, including manufacturers' details and samples, of the dwellings hereby approved and details of boundary walls and fences, has been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 6) No development shall commence on site until full details of finished floor levels in relation to the existing site levels are submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 7) No development shall commence on site, and notwithstanding the details submitted, until full details of a hard and soft landscaping scheme are submitted to and approved by the local planning in writing. The scheme shall include: the size, species and positions for new trees, shrubs and

plants, any retained planting, all boundary treatments, including the individual enclosure of forecourts and plots, all external surface materials, waste/recycle bin storage and secure cycling storage, measures to prevent vehicles overhanging access paths and forecourts, measures for the management of all areas of the green space and all incidental space not within the curtilage of plots, a timetable for implementation, and replacement of failed soft landscaping. The development shall be carried out in accordance with the approved scheme and timetable and retained as such thereafter.

- 8) No development shall commence on site until a scheme for surface water drainage is submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details and retained as such.
- 9) No dwelling hereby approved shall be occupied until the scheme for surface water drainage is implemented in full.
- 10) No dwelling hereby approved shall be occupied until the access to the public highway is provided.
- 11) The garages and car spaces to be provided shall be kept available for the parking of motor vehicles at all times. The garage/car spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.
- 12) The secure cycle storage shown on the hereby approved plans shall be permanently retained and kept available for that purpose thereafter.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling forward of any wall of that dwelling which fronts onto a road.
- 14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no addition or alteration to the roofs of any dwelling hereby approved shall be carried out.

End of schedule.