



Appeal Decision

Site visit made on 26 April 2022

by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 15 June 2022

Appeal Ref: APP/P1133/W/21/3283046

Land to the north of Indio House, Newton Road, Bovey Tracey TQ13 9DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Kach Developments against the decision of Teignbridge District Council.
 - The application Ref 20/00647/MAJ, dated 18 March 2020, sought approval of details pursuant to condition No 1 of a planning permission Ref 17/02118/MAJ, granted on 4 December 2018.
 - The application was refused by notice dated 27 July 2021.
 - The development proposed is approval of details for 22 dwellings and associated works (approval sought for appearance, scale, landscaping and layout).
 - The details for which approval is sought are: appearance, scale, landscaping and layout.
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Decision

1. The appeal is allowed and reserved matters are approved, namely appearance, scale, landscaping and layout details submitted in pursuance of condition No.1 attached to planning permission Ref: 17/02118/MAJ, subject to the conditions set out in the attached schedule.

Applications for costs

2. An application for costs was made by Kach Developments against Teignbridge District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The development plan comprises the Teignbridge Local Plan 2013-2033 (May 2014) (the Local Plan), and the Bovey Parish Neighbourhood Plan 2021-2033 (March 2022) (the NP). The NP was adopted during the course of the appeal.

Background and Main Issues

4. Outline planning permission (application reference 17/02118/MAJ) was granted on appeal¹ (the Previous Decision) for up to 30 dwellings and associated works, whilst reserving appearance, landscaping, layout and scale for future approval (the Reserved Matters). The site therefore benefits from planning permission for residential development and there is no scope to reconsider matters that were dealt with at outline stage. It is the Reserved Matters for which approval is now sought.

¹ Appeal Reference: APP/P1133/W/18/3207470

5. The main issues in this appeal are:

- The effect of the proposed development on biodiversity,
- The effect of the proposed development on the character and appearance of the site and surrounding area,
- The effect of the proposed development with regard to carbon emissions,
- Whether the proposed development makes adequate arrangements for refuse and recycling collection provision,
- Whether the proposed development makes adequate arrangements for bicycle storage provision; and,
- Whether the proposed development makes adequate arrangements for safe pedestrian and bicycle access.

Reasons

Biodiversity

6. The Council's first reason for refusal concerns the loss of grassland at the appeal site, which I am informed is classified as MG5 Lowland Meadow within the National Vegetation Classification and which would fall within the definition of Priority Habitats included within the National Planning Policy Framework (the Framework).
7. It is understood that the appeal scheme would result in approximately 64.1% of the existing grassland at site being lost to the development. The Council and interested parties have put it to me that compensation to offset the loss of this MG5 grassland, is not a consideration that is confined to outline planning permission. Furthermore, they contend that the Appellant has not considered alternative layouts of the scheme and which, it is maintained, would allow for retention of more of the MG5 grassland at the site.
8. Outline planning applications are used to gain an understanding as to whether the nature of a development is acceptable. Outline planning permission is a decision on the general principles of how a site should be developed, to bring some surety to the development process. It is well established that the reserved matters stage cannot be used to materially alter the nature of the development for which outline planning permission has been granted, and there is therefore no scope to reconsider matters which were dealt with, or should have been dealt with, at the outline stage.
9. The appeal site is allocated for delivery of at least 45 homes by Policy BT2A of the Local Plan. As noted above, the appeal site already benefits from outline planning permission for "up to 30 dwellings". Whilst it is acknowledged that "up to" authorises a lesser number of houses on the site, to seek a number of dwellings that is appreciably or significantly less would run contrary to the certainty the outline permission is intended to provide.
10. The submitted plans demonstrate that, whilst the appeal scheme is for a fewer number of dwellings, the form and site coverage of development is very similar to that as provided on the illustrative plan submitted in support of the outline planning application.

11. The Previous Decision did not specifically mention the grassland. However, amongst other matters, it found that, "The ecological impact of the development can be adequately mitigated through conditions" and that "It is necessary to secure adequate open space and landscaping within the site and that this incorporates biodiversity enhancements". As a consequence, the Previous Decision imposed a planning condition to the outline permission which required the development to be carried out in accordance with an ecological report from September 2017.
12. The evidence before me indicates that the September 2017 report set out a mitigation strategy regarding a number of ecological matters, but that report did not mention that the MG5 grassland be retained, or that compensation for loss of such grassland be provided. As the approved September 2017 ecological report did not specifically raise the issue of requirements in respect of compensation for loss of the grassland and, given that the Previous Decision imposed the abovementioned planning condition, there was no requirement in the outline planning permission for the grassland to be retained, or to provide any form of compensation in respect of its loss.
13. In any event, to offset the loss of the MG5 grassland a planning obligation would be required to secure financial contributions for the delivery of an off-site compensatory habitat. No details in the form this would take have been provided, but in any event such a matter should have been considered at the outline stage. It is noted that the Previous Decision did not include this as a matter of dispute or for consideration, and it would not be appropriate to now revisit that point which could undermine the outline permission granted by the Inspector in the Previous Decision.
14. The appeal scheme would be for less than half of the number of dwellings anticipated within the Policy BT2A of the Local Plan allocation. A grassland retention and protection plan has been provided by the Appellant as part of the reserved matters scheme and which indicates that approximately 35.9% of the existing grassland at the site would be retained. The consultation from the Council's biodiversity officer confirms that they are content with the grass retention plan.
15. The retained grassland would be managed through a Landscape and Ecological Management Plan (LEMP), which could be secured by condition, and which would allow for areas to be left uncut whilst providing cut pathways which would provide access to natural play areas. Similarly, where grassland to be retained would be needed to be taken up in order to incorporate the proposed drainage attenuation tanks, the LEMP could also provide measures for how such turf could be immediately re-laid, thereby minimising adverse effects in that regard.
16. For the above reasons, I find that the appeal scheme has considered opportunities for a less harmful form of residential development which would retain as much of the affected grassland as reasonable in line with the outline planning permission for up to 30 dwellings.
17. I acknowledge the submissions from interested parties with regards to Policies EN8 and EN9 of the Local Plan which concern biodiversity, important habitats and features. However, in a reserved matters application those policies have to be weighed in the context of the outline planning permission.

18. As such, for the above reasons and by reason of the grant of outline planning permission, I conclude that the proposed development would not conflict with Policies S1, EN8, EN9 or BT2A of the Local Plan which, amongst other matters, requires that development should enhance and restore the biodiversity of the area. I further find no conflict with Policy LE4 of the NP which requires that developments protect and enhance the natural environment by ensuring that a net gain in priority habitats and species occur. The proposed development would also accord with the provisions of the Framework with regards to conserving and enhancing the natural environment and in respect of habitats and biodiversity.

Character and Appearance

19. Amongst other things, Criterion b) of Policy BT2A of the Local Plan provides that developments should include measures to address the site's built environment and landscape setting. Policy EN2A of the Local Plan provides that development will be sympathetic to, and help to conserve and enhance, the natural and cultural landscape character of Teignbridge. Criterion a) of Paragraph 174 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing, amongst other matters, sites of biodiversity value.
20. It appears from the Council's submissions that the concern relates to the loss of the grassland meadow described above, and it has been put to me that there are alternative ways the appeal site could be developed having regard to its ecological landscape as MG5 grassland. There is no suggestion within the submissions as to how the scheme could be amended, for example in terms of the numbers of units to be provided, to make it acceptable to the Council in that regard or how much grassland should be retained.
21. Inevitably, development of the site would result in the loss of a significant proportion of this grassland. However, as noted above under the first main issue, the site is allocated for residential development for at least 45 homes and has outline planning permission for up to 30 dwellings. Given the allocation of the site for housing within the Local Plan and the outline permission granted in the Previous Decision, with the appeal scheme being submitted on the basis of 22 dwellings, and with planning conditions imposed concerning landscaping and the delivery of a LEMP, it would be that as much of the grassland as reasonable would be retained within the context of this planning history.
22. The proposed layout of the appeal scheme is broadly similar to that as provided for in the illustrative plans which accompanied the outline planning application and, from observations made on my visit, the proposed density of housing would generally appear to reflect nearby development within Bovey Tracey.
23. In light of the above, and subject to conditions in respect of landscaping, the LEMP and a condition that requires the development be carried out in accordance with the approved materials schedule, consistent with the Council's Landscape Officer's consultation, I find that the scale, quantum and layout of the proposal is acceptable. Consequently, I conclude that the proposal would not conflict with the requirements of Policies BT2A or EN2A of the Local Plan and would accord with criterion a) of Paragraph 174 of the Framework.

Carbon Emissions

24. Policy EN3 of the Local Plan requires proposals to seek to minimise their carbon footprint both during construction and in use, to achieve the carbon emissions target in Policy S7 of the Local Plan, that being about a 42% reduction from 2009 levels by 2030. Policy H5 of the NP provides that the design of sustainable new homes that are, in their construction and operational energy use, closer to net zero carbon than building regulations require, would be supported.
25. The appeal scheme proposes the inclusion of air source heat pumps, and it is maintained by the Appellant that a number of key considerations have been taken into account and in relation to the appeal scheme in respect of matters such as building orientation and placement, landscaping and building design.
26. With regards to measures to encourage the use of renewable energies in order to speed up the transition to a low-carbon and resilient economy and society, whilst I acknowledge the Council's concerns and note that a carbon reduction plan has not been provided, consistent with the conclusions of the Council Officer's report, such a requirement could be adequately addressed through the imposition of planning conditions. Whilst I shall return to discuss planning conditions below, by reason of the importance placed on such matters and given that it would be necessary to ensure that measures could be incorporated into the development without the potential need for redesign during construction, it would be reasonable and necessary that that matter be secured by a pre-commencement condition. Further details in relation to electric vehicle charging points could also be secured by a planning condition
27. For the above reasons, and subject to the inclusion conditions requiring the Local Planning Authority's approval of carbon reduction measures and electric vehicle charging points, I find no conflict with Policies EN3 or S7 of the Local Plan and conclude that the appeal scheme would accord with Policy H5 of the NP.

Refuse and Recycling

28. Policy S2 of the Local plan concerns quality development. That policy provides that designs will be specific to the place, based on a clear process which analyses and responds to the characteristics of the site, its wider context and the surrounding area, creating a place with a distinctive character and taking account of, amongst other matters, integrating with and, where possible, enhancing the character of the adjoining built and natural environment, and well defined and designed public and private spaces which are attractive, accessible and safe.
29. The Council maintains that insufficient information has been provided with regards to the discrete and suitable space for refuse collection. From close inspection of the Proposed Site Plan submitted in support of the reserved matters application, it does appear that provision of space for what looks like refuse and recycling has been included for each of the proposed plots. It appears from that plan that the proposed location of those storage spaces would be convenient for future occupiers and would be situated in discrete locations to the sides and rears of the proposed dwellings and away from the roads which would serve the development.

30. However, the abovementioned Proposed Site Plan does not include a key which identifies these features contained within the plan and there does not appear to be any other details provided in terms of design or appearance of such storage areas. Nonetheless, such matters could be satisfactorily addressed by planning condition.
31. Therefore, subject to a planning condition that full details of such storage areas are provided to, and agreed by, the Local Planning Authority, I find no conflict with Policy S2 of the Local Plan. Furthermore, and for the same reasons, I find that the scheme would accord with the aims and objectives of section H3 of the National Design Guide with regards to provision of refuse storage areas which are accessible and well-integrated, and which minimise visual impact and avoids clutter.

Bicycle Storage

32. Policy S9 of the Local Plan provides that development will be located and designed to, amongst other things, minimise the negative impacts of transport including air and noise pollution through appropriate parking for bicycles. Policy H3 of the NP requires that development incorporate the provision of discrete storage for bicycles which is both secure and aesthetically pleasing.
33. The Appellant maintains that discrete and secure bicycle storage has been provided within the design of the appeal scheme, with such storage areas to be provided in garages or within garden sheds in respect of plots which do not include separate dedicated garages. In that regard, I would concur that additional full details of bicycle storage would need to be provided to ensure that those areas would be both secure and aesthetically pleasing in accordance with the requirements of Policy H3 of the NP.
34. Therefore, subject to a planning condition that full details of such storage areas are provided to, and agreed by, the Local Planning Authority, I find no conflict with the provisions of Policy S9 of the local Plan nor conflict with Policy H3 of the NP. I shall return to consider the application of planning conditions, in the relevant below section of this appeal decision.

Access

35. Criterion c) of Policy BT2A of the Local Plan confirms that a safe pedestrian and cycle access to the town centre is provided. Policy H4 of the NP concerns the provision of public green open space and requires that development be designed to maximise walking and cycling and to encourage the health benefits which arise from access to green space.
36. Article 2(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 (as amended) (the DMPO) contains definitions of the reserved matters and, in terms of access, provides that "access", in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made.

37. As such it is clear from the wording of the DMPO that access includes accessibility to and from the site not only for vehicles but also specifically in relation to cycles and pedestrians.
38. It is apparent that the Inspector in the Previous Decision considered access by vehicle, on foot and by bicycle and concluded that the proposed access via the private drive would be safe and pleasant and that there was nothing in the supporting text to Policy BT2A of the Local Plan to suggest that there is a single suitable access point or even a preferred option.
39. In light of the above and given the conclusions of the Previous Decision it is clear that access, including that on foot or by bicycle, has been considered at the outline stage and therefore cannot be considered further in respect of the reserved matters application.
40. I therefore find no conflict with criterion c) of Policy BT2A of the Local Plan. I further conclude that, given that convenient access to public open space at the appeal site would be available to residents, there would be no conflict with Policy H4 of the NP.

Other Matters

41. The appeal site is located within a strategic flyaway for Greater Horseshoe Bats associated with the South Hams Special Area of Conservation. Bat activity surveys were undertaken in 2013 and 2017. There does not appear to have been any major changes that would affect the use of the site by bats and, given the mitigation strategy measures such as those relating to external lighting, I can ascertain at the screening stage that likely significant effects on the integrity of the SAC can be ruled out. This is consistent with the expert advice of Natural England received by the Council.
42. Interested parties raise several additional objections to the proposal on the grounds of: the effect on the historic environment; the effect on the living conditions of nearby residents; flooding; highway safety; inadequate parking provision; the effect on existing infrastructure and the effect on archaeology. These are important matters, and I shall consider each in turn below.
43. In respect of the appeal scheme's effect on the historic environment, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. As noted in the Previous Decision, the site is allocated for housing in the development plan, and it was reasonable to assume that the effect of housing on the setting of Indio House was part of the considerations in preparation of that plan and which was confirmed by its adoption.
44. However, I accept that concerns have been raised regarding the design and layout of the appeal scheme. From the submission before me and from my site visit observations, whilst the appeal scheme would result in a change to setting of nearby listed buildings, the number of units is significantly less than that provided for under Policy BT2A of the Local Plan as described above, and the layout of the scheme would reflect nearby housing density. A condition

requiring samples of certain materials that are proposed, would ensure that the units reflect the appearance of nearby housing.

45. Whilst development of the site will inevitably lead to a change to the setting of nearby listed buildings, the harm to the significance and setting of those heritage assets would be less than substantial and, in my view, the public benefits of securing housing in line with the above development plan allocation would outweigh the adverse impact on the identified heritage assets. Consequently, I find that the proposal would accord with those sections of the Framework which concern conserving and enhancing the historic environment, and would not conflict with Policy EN5 of the Local Plan which requires that development takes account of the significance, character, setting and local distinctiveness of any affected heritage asset.
46. The impact of the appeal proposal on archaeology has been addressed in the Previous Decision, with a requirement that the proposed development shall not commence until such time as the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been approved by the Council. The evidence confirms that the Council has approved a scheme of archaeology works.
47. In terms of adequacy of parking provision, as noted above Policy S9 of the Local Plan requires that appropriate parking for vehicles be provided. I do not appear to have been provided with any policy requirement regarding numbers of spaces to be provided within developments. Based on the evidence, it is clear that each of the proposed units would be provided with parking spaces which, in my view, would be appropriate for the scale of development. In terms of highway safety, access via the junction with Newton Road was found to be acceptable in the Previous Decision and I find that the proposed internal road network would not have an adverse effect with regards to highway safety.
48. With regards to flooding and drainage concerns, the Previous Decision included a condition which required that full details of foul and surface water drainage be submitted and that the development carried out in accordance with approved details, thereby ensuring that such matters are considered, and that acceptable drainage solutions are incorporated within the development.
49. Demand on existing infrastructure is also raised as a concern. However, I have no substantive evidence before me which confirms that the development would have a significant adverse effect on such services and facilities, and housing at the site would contribute to the vitality of Bovey Tracey and to the viability of existing services therein.
50. In terms of the effect of the development on living conditions of nearby residents, the scheme includes adequate provision of landscaping including green buffers, and given the separation distances between nearby housing and the proposed scheme, I find no harm in relation to the living conditions of residents with regards to overlooking or unacceptable loss of outlook. Furthermore, a planning condition requiring the submission and approval of a construction management plan that was included within the outline planning permission, in addition to further details to be secured by condition described below, would ensure that impacts from construction noise and disturbance would be appropriately managed. I therefore conclude that, subject to certain planning conditions described below, the scheme would not have an unacceptable adverse effect on residents' living conditions.

Conditions

51. I have considered the suggested conditions put forward by the Council against the requirements of the Planning Practice Guidance and the Framework. It is necessary, in the interest of certainty and precision, to define the plans with which the appeal scheme should accord.
52. In the interests of protecting the character and appearance of the area, conditions requiring the development is carried out in accordance with the approved planting, landscaping, materials and boundary treatment schemes, are necessary and reasonable.
53. In order to safeguard the living conditions of residents, conditions requiring vehicle parking and bicycle storage are provided, and that details of refuse storage is approved by the Council, are necessary to ensure that adequate facilities are provided to serve the development. Furthermore, with regards to living conditions of residents, a condition requiring that the scheme be carried out in accordance with approved waste statements is reasonable and necessary.
54. In the interests of the environment, I have included conditions requiring that the development be carried out in accordance with the submitted ecology report, the grassland retention plan and tree survey, that details of proposed electric charging points for vehicles is submitted and approved prior to occupation, and that the approved drainage strategy is implemented, retained and maintained thereafter. It is also reasonable and necessary to include pre-commencement conditions requiring the submission and approval of a LEMP and a Construction Environment Management Plan (CEMP), albeit I have removed the suggested element of the CEMP which required submission of tree protection measures as this was included within a condition attached to the outline planning permission. For the reasons given above and in compliance with Policy EN3 of the Local Plan, it is also necessary to include a pre-commencement condition requiring full details of carbon reduction measures be submitted.
55. In addition to the above, the Council have suggested conditions which seek to restrict permitted development rights. In that regard and in the interests of the protection of heritage assets and ecology, I find such conditions are reasonable and justified in this instance.
56. The Council have further suggested the inclusion of a Construction Management Plan condition. However, it is noted that the Previous Decision included the requirement for a Construction Management Plan to be approved by the Council and, as such, a further planning condition of this nature would be unnecessary. Nonetheless, there are items included within the Council's suggested condition, such as the requirement for submission of details regarding construction worker parking and details of areas for unloading building materials, that were not included in the Construction Management Plan condition attached to the outline permission and I have therefore, in the interests of the environment, included a separate condition requiring submission and approval of those details.
57. Where necessary, and also in the interests of clarity and precision, I have altered the conditions to better reflect the relevant guidance.

Conclusion

58. For the reasons given I conclude that the appeal should succeed.

Mr A Spencer-Peet
INSPECTOR

Richborough Estates

Schedule of Conditions

1. Other than to accord with conditions of this permission, the works hereby permitted shall be carried out in accordance with the application form and the following approved plans/documents:

S1611 LP - Site Location Plan,
S1611 199 – Topographical Survey,
Design and Access Statement by Synergy dated 16 March 2020,
Heritage Statement by Cotswold Archaeology dated July 2017,
13 003 1 TCP – Tree Constraints Plan (north),
Synergy Design and Access Statement Addendum dated 28 January 2021,
Document Referenced 20023 Construction Management Plan by Trace
Design Transport and Civil Engineering dated January 2021,
S1611 CB01A Indicative Layout Custom Build Plots,
S1611 CB02A Custom Build Indicative Conveyance Plan,
S1611 CB03 Indicative Layout Custom Build Plots,
S1611 M01 Plot 8 Elevations
S1611 M16 Plot 8 Ground Floor Plan,
S1611 M17 Plot 8 First Floor Plan,
S1611 M18 Plot 8 Roof Plan,
S1611 M03 Plot 10 Elevations,
S1611 M22 Plot 10 Ground Floor Plan,
S1611 M23 Plot 10 First Floor Plan,
S1611 M24 Plot 10 Roof Plan,
S1611 M05 Plot 12 Elevations,
S1611 M28 Plot 12 Ground Floor Plan,
S1611 M29 Plot 12 First Floor Plan,
S1611 M30 Plot 12 Roof Plan,
S1611 M06 Plot 13 Elevations,
S1611 M31 Plot 13 Ground Floor Plan,
S1611 M32 Plot 13 First Floor Plan,
S1611 M33 Plot 13 Roof Plan,
S1611 M07 Plot 14 Elevations,
S1611 M34 Plot 14 Ground Floor Plan,
S1611 M35 Plot 14 First Floor Plan,
S1611 M36 Plot 14 Roof Plan,
S1611 M08 Plot 15 Elevations,
S1611 M37 Plot 15 Ground Floor Plan,
S1611 M38 Plot 15 First Floor Plan,
S1611 M39 Plot 15 Roof Plan,
S1611 M09 Plot 16 Elevations,
S1611 M40 Plot 16 Ground Floor Plan,
S1611 M41 Plot 16 First Floor Plan,
S1611 M42 Plot 16 Roof Plan,
S1611 M10 Plot 17 Elevations,
S1611 M43 Plot 17 Ground Floor Plan,
S1611 M44 Plot 17 First Floor Plan,
S1611 M45 Plot 17 Roof Plan,
S1611 M11 Plot 18 Elevations,

S1611 M46 Plot 18 Ground Floor Plan,
S1611 M47 Plot 18 First Floor Plan,
S1611 M48 Plot 18 Roof Plan,
S1611 M12 Plot 19 Elevations,
S1611 M49 Plot 19 Ground Floor Plan,
S1611 M50 Plot 19 First Floor Plan,
S1611 M51 Plot 19 Roof Plan,
S1611 M13 Plot 20 Elevations,
S1611 M52 Plot 20 Ground Floor Plan,
S1611 M53 Plot 20 First Floor Plan,
S1611 M54 Plot 20 Roof Plan,
S1611 M61 Typical Cross Section 4 Bed House,
S1611 R01 Plots 1 and 2 Elevations,
S1611 R03 Plot 1 Ground Floor,
S1611 R04 Plot 1 First Floor,
S1611 R05 Plots 2 and 3 Ground Floor,
S1611 R06 Plots 2 and 3 First Floor,
S1611 R07 Plot 4 Ground Floor Plan,
S1611 R08 Plot 5 First Floor Plan,
S1611 R09 Plots 1 to 5 Roof Plan,
S1611 R02 Plots 3 to 5 Elevation,
Waste Audit Statement by PCL Planning received by the Local Planning
Authority on 27 May 2021,
S1611/201N Proposed Site Plan,
S1611/200E Proposed Block Plan,
Indio Accommodation Schedule by Synergy dated 2 June 2021,
730/04D Details and Notes,
730/01D Planting Plan (west),
730/02D Planting Plan (east),
17.08/AIA/D BS5837:2012 Arboricultural Impact Assessment
dated 2 June 2021,
20023-A-FRAA Flood Risk Assessment Addendum dated June 2021,
20023-202A Proposed Drainage Layout,
20023-210A-Proposed Impermeable Areas and Flood Exceedance Routes
Plan,
S1611/203C Site Cross Section AA,
S1611/204C 205A Site Cross Sections BB CC,
S1611 M02A Plot 9 Revised Elevations,
S1611 M19A Plot 9 Revised Ground Floor Plan,
S1611 M20A Plot 9 Revised First Floor Plan,
S1611 M21A Plot 9 Revised Roof Plan,
S1611 M04A Plot 11 Elevations,
S1611 M25A Plot 11 Ground Floor,
S1611 M26A Plot 11 First Floor,
S1611 M27A Plot 11 Roof Plan,
730/03A Play Area,
S1611 206 Rev E - Retained grassland.

2. Other than to accord with conditions of this permission, the development carried out in strict accordance with the approved planting scheme.
3. Other than to accord with conditions of this permission and any subsequently approved Landscape and Ecological Management Plan (LEMP) all hard and soft landscape works shall be undertaken in accordance with the approved plans and planting plan.

During the course of the development, should any conflict between services and existing or proposed tree planting be identified, the developer shall submit a plan to show where the affected trees will be relocated for written approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

4. Prior to the commencement of any development on the site, a Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall demonstrate how the recommendations set out in the submitted Ecology Report by George Bemment Associates dated 6 September 2017 will be achieved to ensure impacts on protected species are appropriately mitigated, the long term management and maintenance of all approved landscaping and communal areas (i.e. boundaries, buffer area, formal and informal open space, retained MG5 grassland) including details of the responsible management body. The development shall thereafter be carried out in accordance with the approved LEMP and the approved details for the ongoing maintenance and management.
5. All MG5 grassland identified shaded green in Areas A, B, C and D in drawing number: 206 Rev E (Retained Grassland) shall be protected during the construction period, in accordance with the details shown on this drawing and thereafter retained and maintained in accordance with the approved Landscape Ecological Management Plan (LEMP). The lifting and storing the existing grassland turf for relaying over the attenuation system and service runs shall also be undertaken in strict accordance with the details set out this drawing.
6. Other than to accord with conditions of this permission or any subsequently approved Landscape and Ecological management Plan (LEMP) the works, including site clearance, shall proceed in strict accordance with the precautions, avoidance, mitigation, compensation and enhancement measures described in the Ecological Report undertaken by George Bemment Associates dated 6 September 2017.
7. All hard boundary treatments shall be undertaken in accordance with the approved plans and materials schedule unless otherwise agreed in writing by the Local Planning Authority. A sample shall be provided for the approved brick and limestone wall. All boundary treatments shall be installed in accordance with the approved details, prior to the initial occupation of the relevant dwelling and thereafter be retained in accordance with the approved

details and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no means of enclosure shall be constructed on site (other than those expressly authorised by this permission).

8. The development hereby approved shall be undertaken in accordance with the approved external materials schedule, unless alternative material is first submitted to an agreed in writing by the Local Planning Authority. Prior to their use in the development, samples for the tile hanging, slate, ridge tile and external brick shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
9. Notwithstanding the submitted plans, prior to their use in the development, details of the following shall be submitted to and approved by the Local Planning Authority:
 - a) Windows and doors including design, materials, depth of reveals, cills and lintels (details);
 - b) Eaves and rainwater goods (details);
 - c) Meter box design and locations (details);
 - d) Design and location of any external ducting, flues or vents (details).

The development shall be undertaken in accordance with the approved details.

10. Prior to the initial occupation of each dwelling, the relevant parking provision for that plot as shown on the approved Site Planning Layout shall have been provided and shall thereafter be retained and maintained as approved for the parking of vehicles for that plot.
11. All dwellings without a garage shall be provided with cycle parking storage. Prior to the initial occupation of each dwelling, the relevant cycle parking provision for that plot shall have been provided and shall thereafter be retained as approved for the parking of cycles for that plot.
12. Prior to any part of the development being first occupied, details for bin storage and collection points for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The associated bin storage areas and collection points for each dwelling shall then be provided prior to initial occupation of each dwelling and thereafter be retained and maintained.
13. No dwelling hereby permitted shall be occupied until the approved drainage strategy has been fully implemented. The surface water drainage system shall thereafter be retained and maintained in accordance with approved details.

14. Prior to the commencement of any development on the site, full details of carbon reduction measures, including a Carbon Reduction Statement and Carbon Offsetting Calculator, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate how the development will minimise its carbon footprint and achieve a reduction in CO2 emissions of at least 48% over the Building Regulations 2006 Part L2A, which translates to a 24% reduction in emissions over Part L2A 2013; a fabric first approach should be taken. The submitted details shall demonstrate how energy, water, soil and materials will be minimised and shall make provisions for, where possible, the reuse of materials on site and the use of locally sourced materials. The development shall thereafter be carried out in accordance with the approved details.
15. Prior to the construction of any dwelling hereby permitted above damp proof course level, full details of the type, number and location of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed prior to the initial occupation of the relevant dwelling and shall thereafter be retained.
16. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the types described in Classes A (extensions/alterations), AA (Upward extensions) B (roof additions), C (roof alterations) of Part 1 of Schedule 2 shall be undertaken unless the prior consent of the Local Planning Authority has been obtained.
17. Notwithstanding the provisions of Part 14, Class H (installation or alteration etc of wind turbine on domestic premises) & I (installation or alteration etc of stand-alone wind turbine on domestic premises) of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no wind turbines shall be installed at the dwellings hereby approved shall be carried out without the grant of further specific planning permission from the Local Planning Authority.
18. The development shall be undertaken in strict accordance with tree protection measures set out in the approved Tree Survey and Arboricultural Method Statements.
19. Notwithstanding the submitted Waste Audit Statement, prior to the commencement of any part of the development the submitted Waste Audit Statement shall be updated to include:
 - a) evidence that all alternative methods of waste disposal have been considered;
 - b) evidence that the distance travelled when transporting waste material to its final disposal point has been kept to a minimum.

The development shall be carried out in accordance with the approved statement.

20. No development shall commence until a Construction Environmental Management Plan (CEMP) covering the works in that phase and all affected areas of the site has been first submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall specify details of:
- a) Risk assessment of potentially damaging construction activities that may affect identified biodiversity features;
 - b) Identification of measures for protecting biodiversity during construction operations e.g. use of protective barriers and warning signs around or near sensitive features;
 - c) The timing of sensitive works to avoid harm to biodiversity features;
 - d) The times during construction when a specialist ecologist needs to be present on site to oversee works;
 - e) Details of a scheme for the recycling/disposal of waste resulting from the construction works; and
 - f) Details of hedge protection measures.

No development, site clearance or tree felling in pursuance of the approval shall take place unless in accordance with the respective Construction Environmental Management Plan so approved.

21. No development shall commence until the following details have been first submitted to and approved in writing by the Local Planning Authority:
- a) Areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
 - b) Details of the amount and location of construction worker parking; and,
 - c) Hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted Mondays to Fridays to between 08:00 and 18:00; 09:00 to 13:00 Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Local Planning Authority in advance.

The development shall not be carried out unless in strict accordance with the approved details, unless the Local Planning Authority grants its prior written approval to any variation.