



Appeal Decision

Hearing held on 22 November 2022

Site visits made on 22 November and 23 November 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2022

Appeal Ref: APP/J1535/W/22/3302594

73 Lindsey Street, Epping CM16 6RD

- 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 Lindsey Street Limited against the decision of Epping Forest District Council.
 - The application Ref EPF/2408/21, dated 1 September 2021, was refused by notice dated 22 February 2022.
 - The development proposed is the demolition of existing buildings and erection of 10 residential dwellings (Use Class C3) with associated refuse storage, car and cycle parking, landscaping and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and erection of 10 residential dwellings (Use Class C3) with associated refuse storage, car and cycle parking, landscaping and associated infrastructure at 73 Lindsey Street, Epping CM16 6RD in accordance with the terms of the application, Ref EPF/2408/21, dated 1 September 2021, subject to the attached schedule of conditions.

Procedural Matters

2. A petition signed by several local residents was received prior to the hearing opening. Given that the main parties had an opportunity to view this document before the hearing commenced, I do not believe that it would cause prejudice to determine the appeal with reference to this document.
3. The appellant submitted several items of late evidence. These included additional plans that highlight the relationship between the appeal site and neighbouring properties, and information in respect of biodiversity and housing delivery. The Council were able to view them before the hearing commenced and had the opportunity to comment on this information. Therefore, it would not cause prejudice to have regard to them in my decision.
4. At the hearing it was noted that the submitted Unilateral Undertaking, although signed, was not dated. A dated Unilateral Undertaking was submitted after the Hearing concluded. Given that the contents of this document are consistent with the Unilateral Undertaking discussed at the hearing, it would not disadvantage any party to have regard to the dated Unilateral Undertaking.
5. The Council's decision notice referred to various policies from the emerging Epping Forest District Local Plan Submission Version (2017) (the LPSV).

Although the Inspector's conclusions are awaited, I am not aware of any unresolved objections in respect of the cited policies. Therefore, given the relatively advanced stage in the preparation of the plan, I have given the cited policies a significant amount of weight.

Main Issues

6. The main issues relevant to this appeal are:

- the effect of the development on the character and appearance of the surrounding area;
- the effect of the development upon the living conditions of the occupiers of neighbouring properties, with particular reference to outlook;
- whether the effects of the development are such that a legal agreement to secure mitigation to the Epping Forest Special Area of Conservation and the highway system is required; and
- whether appropriate living conditions would be secured for the future occupiers of the development, with particular reference to privacy.

Reasons

Character and appearance

7. The appeal site forms previously developed land. Although it is located near to the edge of the settlement, the character of the surrounding area is defined by the presence of buildings with relatively limited amounts of space around them. In consequence the vicinity of the appeal site has a suburban character. In addition, the surrounding area features a large number of dwellings, constructed to differing designs.
8. The proposed development would include seven dwellings located in a terrace towards the rear of the site. Although many of the neighbouring dwellings are located closer to the highway, there are some exceptions to this in the nearby area. In particular, the appeal site is adjacent to two dwellings that are set much further back from the road. The proposed terrace of dwellings would be broadly in line with these existing houses. Therefore, the proposed development would not be incongruous in this regard.
9. This terrace of dwellings would have a height greater than other two-storey dwellings on the appeal site, and many of those located elsewhere in the surrounding area. Although the proposed dwellings are of a greater height, they are located further back into the site and would therefore not be a prominent edition to the wider surrounding area.
10. The terrace of dwellings, at least in part, would be viewable from Shaftesbury Road which is to the rear of the appeal site. Although visible, they would be screened to a degree by the presence of existing buildings within this road. In particular, I note that Shaftesbury Road contains several dwellings designed to differing proportions, including the presence of houses.
11. Furthermore, the proposed development would be viewable against a backdrop that includes at least partial views of buildings elsewhere in Lindsay Street. This means that these elements would not have a detrimental effect upon the

character of the surrounding area, for it would not result in a more developed appearance.

12. Although there would be an area of hard surfacing included for use as car parking, this would not be readily viewable from the surrounding area and would therefore not erode the character of the vicinity. The development would also include some landscaping, which would serve to diminish the effect of the built form.
13. The proposed development will also feature three dwellings that are located perpendicular to Lindsay Street. Although these dwellings would be located closer to the highway than many others in the vicinity, there is a variety of house types in the surrounding area
14. In particular there are dwellings on the junction of Shaftesbury Road with Lindsey Street that have a similar arrangement to that proposed in the appeal scheme. Furthermore, on the opposite side of Shaftesbury Road there is a pair of semi-detached houses located on a different alignment to many others nearby. In result, within the wider area, dwellings are typically constructed to a different designs and heights and also feature a variety of setbacks from the highway edge.
15. Although such setbacks are different to those contained within the appeal proposal, they do contribute to a varied character within the surrounding area. Within this context, the proposed development would not be unusual or incongruous. In addition, parts of the proposed development from various parts of Lindsay Street would be obscured by other nearby buildings. This would reduce the prominence of the appeal scheme. In addition, the proposed development would not erode any important views of the landscape.
16. Some of the nearby dwellings have larger gardens than the appeal proposal. However, the proposed density of the development would not be unusual and would therefore not be discordant with the surrounding area. In addition, the widths of the plots of development are consistent with those with the surrounding area. This means that the development would not be incongruous in this regard. Some gardens in the development would have shorter lengths, these would not be prominent when viewed from the surrounding area. The development would not be discordant in this regard.
17. I therefore conclude that the proposed development would not have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would comply with the requirements of Policies CP2, DBE1 and DBE3 of the Epping Forest Local Plan (2006) and Policies DM9 and DM10 of the LPSV. Amongst other matters, these require that the quality of the built environment be maintained; that developments respect their setting; that spaces around buildings are created to be functional and attractive; be of a high quality design; and include green infrastructure.

Living conditions of the occupiers of neighbouring properties

18. The appeal is sited adjacent to those dwellings in Shaftesbury Road. At the hearing, the council raised specific concerns regarding the effects of the proposal on the levels of outlook experienced by the occupiers of 2 and 4 Shaftesbury Road.

19. These two dwellings are located relatively close to the shared boundary. This is because the main part of the gardens of these dwellings are located towards the front of the property. In addition, these dwellings have been extended, at ground floor level, towards the rear boundary. This means that any potential enclosing effect would only be experienced on the first-floor rear windows only.
20. Although the proposed development would result in the erection of a dwelling in proximity to the shared boundary, it is necessary to have regards to the existing land use. There is currently an existing industrial building sited near to this boundary. The proposal would result in the mass of built form being moved further away from the shared boundary with Numbers 2 and 4.
21. In addition, the dwelling that will be sited on Plot 10 (as shown on the submitted plans) would have a footprint much smaller than the existing building. This means that there would be a general reduction in the overall level of built form in the vicinity of the shared boundary.
22. I note that the existing use of the appeal site allows for the undertaking of a variety of commercial activities. At the hearing, it was confirmed that this included the potential for outdoors storage. On my site visit, I noted a variety of vehicles parked close to the shared boundary. These items have the potential to also affect the outlook of the neighbouring properties. Should the proposed development proceed, this likelihood would be removed.
23. Therefore, given that the proposed development would be sited further away from the shared boundary, I do not find that it would lead to a greater effect on outlook than the existing scenario. In consequence, the proposed development would not result in an erosion of the level of outlook when compared with the existing form of development.
24. Although the proposed development would, at least in part be visible from other properties in Shaftesbury Road, any such views would generally be made at an oblique angle. The development would therefore not appear prominent when viewed in the context of the surrounding area. The proposal would therefore not erode the living conditions of the occupiers of these properties.
25. I therefore conclude that the development would not have an adverse effect on the living conditions of the occupiers of neighbouring properties. The development, in this regard would comply with the requirements of Local Plan Policy DBE9 and Policy DM9 of the LPSV. Amongst other matters, these seek to ensure that developments would not result in an excessive loss of amenity for neighbouring residents; and respond positively to their context.

Whether a legal agreement is required

26. The appeal site is within 3km of the Epping Forest Special Area of Conservation (SAC). The proposed development would, by reason of its nature, result in a greater number of people living in the surrounding area of the SAC. This would mean that there would be a greater demand for outdoors recreation as residents look to undertake leisure activities.
27. This is a potential concern given that increase in recreation in the SAC has the potential to diminish its significance. Therefore, the proposed development has potential to have an adverse effect on the SAC.

28. However, there is a completed legal agreement before me that includes the provision of a financial payment to the Council in order to fund alternative recreation areas within the wider area. At the hearing, it was confirmed that the Council has an ongoing programme of works in order to provide such alternative recreation facilities and that the financial figure, following discussions with Natural England, listed within the Unilateral Undertaking was sufficient in order to mitigate the impacts arising from the proposed development.
29. Therefore, any adverse effects can be mitigated as there is a strong likelihood that alternative facilities outside of the SAC would be provided. This would mean that recreation activities are directed to areas outside of the SAC.
30. In addition, the completed legal agreement includes a payment to the County Council, as the local highway authority, which would allow for the funding of highway improvement works within the surrounding area. This would ensure that the proposed development will not impact the operation of the highway system.
31. Given that the appeal site is within the existing urban area, such a financial position would be necessary and reasonable in order to ensure that the highway system is not unduly impacted. I am conscious that the National Planning Policy Framework (the Framework) is clear that development should not have a significant adverse effect upon the highway system or erode highway safety.
32. In addition, the submitted Unilateral Undertaking would ensure that measures to encourage travel by means other than private car are implemented within the development. This is likely to reduce the reliance upon cars as a means for travel and therefore reduce the effect of the development upon the highway system and wider environment.
33. Therefore, the legal agreement would prevent any such adverse effects from occurring. I therefore conclude that the proposed development would not have an adverse effect on the SAC, or the highway system and that the legal agreement is required. The development, in this regard, would conform with the requirements of Local Plan Policy NC1; Policies DM2 and DM22 of the LPSV; and the Framework. Amongst other matters, these seek to ensure that all developments for new homes in Epping make a financial contribution towards access management in the SAC; that the district is protected from air pollution; and avoid a significant adverse effect upon the highway system.

Living conditions of future occupiers of the development

34. The proposed development includes 10 dwellings. Of these, one is shown on the submitted plans as being Plot 10. This is near the shared boundary with Numbers 2 and 4. Adjacent to this boundary is the garden that would serve the dwelling on Plot 10.
35. By reason of the proximity to the dwellings at Numbers 2 and 4, there is the potential for views from the existing windows at first-floor level from the existing dwellings. However, the submitted details show that the boundary treatment would prevent any direct views into the rear garden of the proposed dwellings. It would be possible to impose a planning condition to any permission requiring the installation of the boundary treatments at an

appropriate stage of the development process. Such a condition would also ensure the boundary treatments would be retained throughout the life of the development.

36. However, from the area of the garden nearest the proposed dwelling, there is a likelihood that at least the upper part of the existing rear elevation windows would be visible. This would mean that there would be a perception of being overlooked in the proposed dwelling's garden.
37. Such an arrangement has the potential to erode the living conditions of the occupiers of the proposed dwelling. Although such adverse effects would be very limited in nature, they would nonetheless prevent the ideal living conditions from being secured for the future occupants of the dwelling for, at times, there would be a limited perception of a lack of privacy to parts of the proposed garden.
38. In reaching this view, I am mindful that the other nine dwellings within the development would provide their future occupiers with appropriate living conditions. Although, taken as a whole, this reduces the harm from this relationship it does not overcome its adverse effects.
39. Although the gardens of some of the proposed dwellings would be adjacent to Lindsey Street, the nature of the road is such that the levels of noise that would be generated are unlikely to prevent appropriate living conditions from being secured for the future occupiers of the development. In reaching this view, I have had regard to the fact that various other existing gardens in the surrounding area are also near to Lindsey Street. Whilst this is a matter of note, it does not overcome my previous concerns.
40. I therefore conclude that the proposed development would not provide appropriate living conditions for all future occupiers of the development. The development, in this regard, would conflict with the requirements of Policy DM10 of the LPSV. Amongst other matters, this seeks to ensure that residents have access to outdoor space, with an appropriate level of amenity.

Other Matters

41. Concerns have been raised regarding the effect of the development upon the surrounding highway system and, in particular, potential adverse effects arising from the parking provision on site.
42. Although I acknowledge that the number of spaces is limited, the appeal site is relatively close to the town centre and there is access to public transport provision within the vicinity. Furthermore, I note that there is a pedestrian route into the town centre via pavements which feature street lighting. Therefore, occupiers of the proposed development would have a ready alternative for travel without relying upon private cars.
43. In result, I do not believe that the proposed parking provision would result in harm to the highway system or highway safety.
44. The proposed development would have sufficient visibility over the car parking area and residents would also have access to cycle storage. This would encourage the usage of these facilities.

45. My attention has been drawn to appeal decisions elsewhere. I do not have the full information regarding the planning circumstances of these, which means that I can only give them a limited amount of weight. Nonetheless, I note that the relevant sites are in different locations to the appeal site. In result, they would have differing effects on the character of the respective surrounding areas and have different relationships with neighbouring properties. In result, they do not require me to disregard my previous conclusions.

Planning Balance

46. The Council cannot currently demonstrate a five-year housing land supply. This means that the provisions of Paragraph 11(d) of the Framework are invoked. This states that planning permission should be granted, unless any adverse impacts from doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework, taken as a whole. This is referred to as the 'tilted balance'.
47. The Statement of Common Ground submitted as part of the appeal documentation states that the level of supply is currently 1.43 years. However, at the hearing the council suggested that the actual housing supply within the district could be measured at 2.43 years.
48. Whilst I have noted this position, I am also conscious that there is limited evidence before me to substantiate this view regarding the housing land supply that is currently available within the Council's area.
49. Nonetheless even if I were to agree with the council and conclude that the level of housing land supply was 2.43 years, I would still find the amount of shortfall would be significant. In result, the proposed development which would provide 10 dwellings would be a significant benefit. I therefore ascribe this matter a substantial amount of weight.
50. In reaching this view I am conscious that the evidence before me indicates that the appellant is in control of the land and also has a track record in the delivery of residential developments. Therefore, I have no reason to believe that the proposed development is not, for any reason undeliverable within a reasonable timeframe.
51. The occupiers of the proposed development would support community and business facilities in the surrounding area. In addition, the construction process would also generate some economic benefits. These are relatively small and, in some instances would be time limited. Therefore, they can still be ascribed a limited amount of weight.
52. The proposed development would also result in some biodiversity improvements. whilst the percentage increase would appear to be a sizable amount, the appeal site currently predominantly comprises areas for hardstanding and some buildings. In result the overall level of biodiversity on site is currently likely to be limited. Therefore, such percentage increases would not necessarily arise from a significant amount of additional biodiversity. In result, I give this a limited amount of weight.
53. The proposed development would result in the re-use of previously developed land. I understand that although the site is currently in use, this is on a short-term basis. Therefore, the redevelopment of a site in the urban area carries some benefits, to which I attribute a moderate amount of weight.

54. Given that I have found that the harm arising from the proposed development to be limited in scope and as I have established that the benefits that can be ascribed to the development carry a limited to significant amount of weight, I do not find that the adverse impacts from granting planning permission would significantly and demonstrably outweigh the benefits. In consequence, planning permission should be granted.

Conditions

55. In addition to the standard implementation condition, a condition specifying the approved plans is necessary and reasonable in order to confirm the extent of the approved development. In order to ensure that the proposed development harmonises with its surroundings, a condition allowing the Council to approve the building materials is necessary and reasonable. However, I do not believe that such details need to be agreed before construction works commence. Instead, I have amended the condition to be agreed prior to any above ground construction works from taking place. I have also amended the condition to remove details, such as the scale of drawings and plan sizes as I do not believe that such specific details are reasonable in all instances.
56. In order to ensure a satisfactory visual impact and to encourage transport by means other than private cars or by more environmentally sustainable means, conditions are necessary to secure the implementation of landscaping, and details of tree protection, water usage, any boilers that might be required, electric car charging, the submitted carbon assessment, cycle storage and contamination investigation
57. A condition requiring the agreement and implementation of drainage systems is necessary to prevent an adverse effect on flood risk. However, I have amended the condition to ensure that these are provided at an appropriate stage of the development process.
58. In order to maintain highway safety, a condition in respect of the provision of car parking, access and manoeuvring space is necessary. For the same reason, a condition requiring the removal of a redundant vehicle crossing and reinstatement of pavement is required.
59. The development process has the potential to affect the living conditions of existing residents. Therefore, a condition requiring the agreement and implementation of a Construction Environment Management Plan is necessary. I have changed the wording suggested by the Council to remove references to decorative hoardings as the scale of the development renders this unreasonable. For similar reasons, conditions covering the hours in which construction works take place, boundary treatments and site levels are necessary.
60. Given the arrangement of the appeal site and the neighbouring properties, conditions removing permitted development rights for a variety of works such as extensions and additional windows are necessary to maintain the living conditions of the occupiers of neighbouring properties. Whilst this condition would reduce the works that can be undertaken without requiring a future application for planning permission, there is clear justification to do so.
61. The Council has suggested conditions requiring the provision of broadband access, travel plans and removing permitted development rights for air

conditioning units. I am unpersuaded that, given the nature of the surrounding area, there is a clear justification for removing permitted development rights and that there is sufficient policy to ensure broadband provision. Travel plan provision has also been covered in the submitted Unilateral Undertaking. Therefore, such a condition would represent an unnecessary duplication.

62. Where appropriate, I have amended the wording of conditions to remove tail pieces by which alternative details might be agreed outside of the planning application process. I have also included retention clauses. Some of the conditions require details to be agreed prior to the commencement of development, in order to ensure that the matters secured within them are provided at an appropriate stage of the construction process.

Conclusion

63. For the preceding reasons, I conclude that the appeal should be allowed and planning permission be granted, subject to conditions.

Benjamin Clarke

INSPECTOR

APPEARANCES

For the appellant:

Ashley Bowes KC	of Counsel
William Breislin	Stephen Davy Peter Smith Architects
Ignus Froneman	Cogent Heritage
Barry Murphy	DWP
Adam Shafron	Appellant
Andy Trowbridge	Ardent

For the Local Planning Authority:

Caroline Brown	Epping Forest District Council
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Interested Parties:

Cllr. Barbara Scruton	Epping Town Council
David Stratford	Local Resident

Items submitted after the Hearing closed:

Signed, and dated, Unilateral Undertaking

Schedule of Conditions

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
2. The development hereby permitted will be completed and retained strictly in accordance with the approved drawings numbers: Site Location Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P001); Site Block Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P002); Existing Block Plan (ref: CLS20166001 Rev. 0); Existing Floor Plan (ref: CLS20166002 Rev. 0); Existing Roof Plan (ref: CLS20166003 Rev. 0); Existing Elevations/Streetscene (ref: CLS20166004 Rev. 0); Proposed Ground Floor Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P100 rev. P1); Proposed First Floor Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P101 rev. P1); Proposed Second Floor Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P102 rev. P1); Proposed Roof Plan (ref: 2029 - DS - ZZ - 00 -DR- A - P103 rev. P1); Proposed Elevations Sheet 1 (ref: 2029 - DS - 01 - ZZ - D - A - P200); Proposed Elevations Sheet 2 (ref: 2029 - DS - 01 - ZZ - D - A - P201); Proposed Sections Sheet 1 (ref: 2029 - DS - 01 - ZZ - D - A - P300, P0); and Landscape Proposals (ref: JKD013P01, Rev 01 dated 29th July 2021).
3. Prior to any above ground building works, details of materials and products of all external facing materials to be used in the construction of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of each dwelling and shall be retained thereafter.
4. Prior to any above ground works, full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place.
5. Prior to the commencement of development, full details of surface water disposal shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be provided on site prior to the first occupation of the development and shall be retained thereafter.

6. The development shall be carried out in accordance with the sustainable drainage strategy (Flood Risk & Drainage Strategy, ref 10-9987, dated May 2021).
7. No development shall take place, including any works of demolition, 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. The Statement shall provide for:
 - i. The parking of vehicles of site operatives and visitors
 - ii. Loading and unloading of plant and materials
 - iii. Storage of plant and materials used in constructing the development
 - iv. The erection and maintenance of security hoarding
 - v. Measures to control the emission of dust and dirt during construction, including wheel washing.
 - vi. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - vii. Tree protection measures.
 - viii. Measures to control noise to nearby sensitive receptors.
8. All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays.
9. No ground works shall take place until details of levels have been submitted to and approved by the Local Planning Authority showing cross-sections and elevations of the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
10. The cycle store hereby approved shall be retained so that it is capable of allowing the storage of bikes and shall at no time be converted into a room or used for any other purpose.
11. Tree protection shall be installed as shown on Tim Moya Associates 'Tree Protection Plan' drawing number 210367-PD-11a, dated June 2021, prior to the commencement of development activities (including any demolition). The methodology for development (including Arboricultural supervision) shall be undertaken in accordance with the submitted Tree Survey/Arboricultural Method Statement reports.
12. Prior to any above groundworks, details and location of the parking spaces equipped with active and/or passive Electric Vehicle Charging Point(s) shall have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully provided prior to the first occupation of each dwelling, and shall be retained thereafter.
13. Prior to the first occupation of the development, full details of any boilers shall be submitted to, and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details, be fully provided prior to the first occupation of each dwelling and shall be retained thereafter.

14. No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 21 days of the report being completed and approved in writing by the Local Planning Authority.
15. Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on drawing reference: 2029 - DS - ZZ - 00 -DR- A - P002 shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.
16. Prior to the first occupation of the development hereby approved, the redundant dropped kerb along the frontage of the site shall be fully reinstated, including full footway construction with full height kerbing.
17. Prior to first occupation of the development, measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other order revoking and re-enacting that order) no development permitted by virtue of Classes A, AA, B, C, E and F of Part 1 to schedule 2 shall be undertaken.
19. The development hereby approved shall be carried out in accordance with the measures outlined in the approved Whole Lifecycle Carbon Assessment by Bluesky Unlimited dated 30th May 2022. The development shall be carried out only in accordance with the approved Whole Lifecycle Carbon Assessment.

20. Prior to the first occupation of the development hereby permitted, the approved boundary treatments as indicated on drawing ref: 2029-P003-S0-P0 (Proposed Boundary Details) shall be installed at the Site and shall be retained thereafter.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan), shall be formed in the flank walls of the dwellings hereby permitted.

Richborough Estates