
Appeal Decision

Hearing held on 16 May 2023

Site visit made on 16 May 2023

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 June 2023

Appeal Ref: APP/M1710/W/21/3283536

Alton School, Anstey Lane, Alton, Hampshire GU34 2NG

- 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 Alton School and AronCorp Ltd against the decision of East Hampshire District Council.
 - The application Ref 21560/023, dated 10 March 2021, was refused by notice dated 25 June 2021.
 - The development proposed is an outdoor sports pitch, new convent accommodation for the Sisters, C2 use (residential institution for Convent accommodation), with part change of use of the Manor House to F.1 use (Learning and non-residential institutions), and the erection of 20 dwellings with associated external works including access, parking, hard and soft landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for an outdoor sports pitch, new convent accommodation for the Sisters, C2 use (residential institution for Convent accommodation), with part change of use of the Manor House to F.1 use (Learning and non-residential institutions), and the erection of 20 dwellings with associated external works including access, parking, hard and soft landscaping, at Alton School, Anstey Lane, Alton, Hampshire GU34 2NG, in accordance with the terms of the application Ref 21560/023, dated 10 March 2021, subject to the conditions set out in the schedule at the end of this decision.

Preliminary Matters

2. The Council did not provide the full 2 week notice period required in relation to the Hearing. However, having raised the matter at the Hearing, and having had regard to the broader submissions, I am satisfied that the interests of no party have been prejudiced.
3. Planning permission was partly refused on the basis that the scheme would provide substandard internal accommodation within some of the units. Upon further review of the evidence, the Council however withdrew its objection prior to the Hearing. I shall therefore consider the matter no further.
4. Planning permission was also partly refused on the basis that that the scheme would fail to provide a contribution towards the provision of off-site affordable housing. Though scheme viability was contested and given detailed coverage within the submissions, the appellant accepted the Council's position prior to

the Hearing. I shall therefore consider affordable housing below only to the extent that it remains relevant.

5. A revised arboricultural report and parking layout/surfacing plan dated May 2021 were submitted with the appeal, and revised elevation drawings were presented at the Hearing. Though the appellant stated that the report and plan were also submitted to the Council prior to the determination of the application, the Council claimed to have never seen them. The report, plan and drawings are each directly relevant to the matter in dispute, and indeed, seek to partly resolve it. The Council had the opportunity to study and comment on all at the Hearing. Insofar as they simply propose the retention of protected trees, minor modifications to the parking layout and surfacing, and to detailing I am satisfied that no prejudice would arise to any party by my taking them into account.
6. An application for costs was made by Alton School and AronCorp Ltd against East Hampshire District Council. Upon further consideration this application was however withdrawn at the Hearing.

Main Issue

7. The main issue is the effect the development would have on the character and appearance of the area including protected trees.

Reasons

8. The appeal proposals concern a number of parcels of land located within the broader site of Alton School. The Council's concerns centre on the 2 parcels within which new housing is proposed, which I shall refer to below as the Anstey Close parcel, and the Meadow Vale parcel. The 2 parcels are located within different parts of the school site and are clearly distinct from one another. Both however contain and/or are adjacent to trees covered by a Tree Preservation Order (TPO) designated across much the school site. I shall address each parcel and trees in turn below.

(a) Anstey Close parcel

9. Housing within the Anstey Close parcel would be located on what is currently the school car park, utilising the existing point of access off Anstey Lane. The frontage of the parcel forms a component of the school's much broader frontage on Anstey Lane, which is currently well screened by vegetation.
10. Aside from the school site and adjacent recreation grounds, Anstey Lane is for the most part lined either side by housing of varied age, type, size and style. Most dwellings both face and are set back from the road, albeit some side elevations are also apparent from the frontage, chiefly where dwellings are orientated towards adjoining streets.
11. The proposed dwellings would be laid out along a cul-de-sac onto which the front elevations of the proposed dwellings would face. As such, the side elevation of Unit 1 would prominently face towards Anstey Lane. In this regard its relationship with Anstey Lane would be little different from that of other examples noted above, whose primary relationship is likewise with a different street frontage. As the plans show that the side elevation of Unit 1 would be blank, with only 2 blind windows provided at first floor level, its secondary relationship with Anstey Lane would nonetheless be poor.

12. As noted above, revised elevation drawings were presented at the Hearing. These demonstrated that functional rather than blind windows could be simply provided within the side elevation of Unit 1, thus achieving a far more visually satisfactory result. Given that this modification would not change the development in any substantial way, it could be secured by condition.
13. More unusually, Unit 6 would back onto Anstey Lane. Ground levels however fall away from the frontage, and Unit 6 would be located at a reasonable distance, thus limiting its prominence. Moreover, given the relative orientation of Unit 1, and retention of a common boundary treatment across the Anstey Lane frontage, it is likely that that the rear garden of Unit 6 would be perceived as forming part of that attached to Unit 1. Unit 6 would not therefore appear visually discordant, despite its unusual positioning.
14. It otherwise remains the case that housing on the Anstey Close parcel would not be located adjacent to any existing housing. It would indeed be primarily viewed in relation to the block formed by the school and recreation centre and grounds. Even though housing is located opposite, the development would form a physically and visually distinct enclave. As such, scope for divergence in design could be comfortably accommodated. For this and the above reasons the design of the proposed housing on the Anstey Close parcel would not harm the character or appearance of the area.

(b) *Meadow Vale parcel*

15. The Meadow Vale parcel is allocated for housing by Policy HO3 of the Alton Neighbourhood Development Plan 2011 to 2028 As Modified April 2021 (the NP). Though the parcel would be accessed off Anstey Lane, it would be located a considerable distance from the frontage, beyond both the school buildings and the Sisters' accommodation. Though some of the dwellings would be partially visible from Manor Road towards the north, in the absence of any other form of interaction, they would be clearly perceived as belonging to a distinctly separate development. The housing would thus again form an enclave, but this time one well detached from any existing street scene. Given that ample scope therefore exists for design which differs from that of existing housing within the broader area, such differences would not cause harm. This point was conceded by the Council at the Hearing.
16. The Council additionally accepted that the appellant's revised parking layout/surfacing plan would help to resolve concerns raised in relation to hard surfacing. This could be secured by condition.
17. The Council however retained concerns related to the amount and arrangement of built form proposed, with the concern chiefly centred on the spacing of some of the units. In this regard most of the units would be arranged in 2 short rows containing a mix of terraces and semi-detached units. They would be closely spaced, albeit the spaces between would be sufficient to provide reasonably wide walkways. Why this should be considered harmful in itself is unclear. Indeed, the close spacing of housing is not inherently unacceptable in design terms, and indeed, this makes efficient use of land. Insofar as the 2 rows would effectively form 2 blocks, built form would otherwise be well balanced by a significant amount of open space provided within the layout. It is of some further relevance to note that the proposed layout would still fall below the indicative density identified within Policy HO3 of the NP. The above being so,

the design of the proposed housing on the Meadow Vale parcel would not be unacceptable.

(c) *Trees*

18. The Council's objection to the scheme on grounds of the loss of trees centred on 3 oaks within a mixed group of 7 trees adjacent to the Meadow Vale parcel. The trees in question are substantial in terms of both their size and in terms of the contribution they make to the visual presence of the group. As such they undoubtedly make a strong contribution to the visual amenity of their setting. The appellant's revised arboricultural report and parking layout/surfacing plan enables retention of the 3 trees in question. The Council confirmed that it was satisfied with the proposal at the Hearing, and the matter can thus again be resolved through the imposition of conditions.
19. At appeal the Council additionally raised objection to the loss of 2 larch trees which stand within a linear group adjacent to the Anstey Lane parcel. This was primarily on grounds of strict conflict with saved Policy C6 of the East Hampshire District Council Local Plan: Second Review 2006 (the LP), which restricts the removal of trees covered by a TPO except where this would be in the interests of good arboricultural practice. This somewhat dated policy is therefore far more restrictive than advice in relation to TPOs currently provided within the Planning Practice Guidance (PPG). Though this relates to TPO consents, the emphasis it places on the need to assess the contribution made by a tree to amenity, and thus the harm that would arise from its loss, provides a logical basis upon which to assess the effects of a planning application. In this regard the PPG confirms that there does not necessarily need to be any particular arboricultural need for work if the amenity value of the tree is low and the impact is likely to be negligible.
20. The Council acknowledged that any harm resulting from removal of the larch trees would be 'small' in nature. Indeed, whilst one of the trees is noticeable from the current entrance to the car park, they both otherwise have a limited visual presence viewed relative to the linear group of which they form part. This would be modestly thinned, but it is unlikely that the effect would be perceived viewed from outside the site, or that it would undermine the overall integrity of the group viewed from within. As the impact on the amenity value of the group would thus be negligible, loss of the 2 trees would not be unacceptable in itself.

(d) *Conclusion*

21. For the reasons outlined above I conclude that the effect of the development on the character and appearance of the area, including protected trees, would be acceptable. It would therefore comply with Policy CP29 of the East Hampshire District Council Local Plan: Joint Core Strategy (2014) (the JCS) which broadly seeks to secure development that respects the character, identity and context of the District's towns, and Policy DE2 of the NP which similarly requires development to respect the character of the town. Though conflict would still arise with saved Policy C6, in view of my findings above I place far greater weight on the scheme's compliance with Policies CP29 and DE2. I therefore conclude that the development would comply with the development plan taken as a whole. Though Policy DE1 of the NP was additionally cited in the decision notice, this relates to the landscape setting of the town and so is not directly relevant.

Other Matters

Ecology

22. Slow worms have been identified on site, as has a tree which contains a bat roost, together with others which provide potential. It was stated at the Hearing the tree supporting the roost would no longer be felled, thus removing the need for a license, though some others providing potential would be felled. In this regard, mitigation measures in respect of both bats and slow worms, alongside broader recommendations outlining scope for biodiversity enhancement, have been outlined within submitted ecological reports. In accordance with these recommendations, and given the above change, the overall strategy requires an update. I am satisfied that this can be appropriately secured through the imposition of a condition.

Housing supply

23. The Council lacks a demonstrable 5-year supply of deliverable housing sites, with the supply currently standing at 4.78 years. The Framework thus indicates that for the purposes of decision making the policies most important for determining the application are deemed 'out-of-date'. In this regard, whilst I have already established that saved Policy C6 is out of step with current national guidance, Policies CP29 and DE2 are for the most part broadly consistent with the Framework.
24. The scheme would provide 20 additional dwellings within a sustainable location, partly making use of brownfield land, and generating funds for the improvement of the school. Having particular regard to paragraphs 95 and 120 of the Framework, which set out the weight to be attached to the need to alter and expand schools, and use of brownfield land for homes, the collective weight of these benefits would be substantial. The negligible adverse effects of granting permission would therefore be significantly and demonstrably outweighed by the benefits. Given that I have already concluded that the scheme would comply with the development plan taken as a whole, the above provides an additional indication that the appeal should be allowed.

Planning obligations

25. A Unilateral Undertaking (UU) has been submitted securing a contribution towards the provision of off-site affordable housing in line with Policy CP13 of the JCS. The ability of the scheme to provide the contribution has been robustly demonstrated by the Council's viability consultants. Though the trigger point for payment has been questioned by the Council, the wording is sufficiently robust to ensure compliance. I am therefore satisfied that the obligation securing the contribution passes the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 57 of the Framework (the tests).
26. The UU contains a further obligation securing a community access agreement in relation to the sports pitch. The requirement for this was identified by Sports England as mitigation for the loss of the existing playing field, presumably in line with paragraph 99 of the Framework. As such, I am again satisfied that the obligation passes the tests.
27. The UU additionally secures payment of a monitoring contribution. Though the appellant raises no in principle objection to this, its justification has been

challenged. Indeed, no calculations which explain how the required sum was established have been provided. However, the PPG makes clear that such contributions can be sought, and they are ordinarily fixed on the basis that it outlines. As such I have no reason to question the legitimacy of the contribution sought. Again therefore, I am again satisfied that the obligation passes the tests.

Conditions

28. Conditions (1) and (2) are standard conditions setting out the time period for commencement of the development and identifying the approved plans for sake of certainty. The wording of Condition (2) allows for minor modifications to be made in accordance with other conditions and my reasons above.
29. Condition (3), which combines 2 proposed conditions, secures provision of a revised Arboricultural Method Statement and Tree Protection Plan. This is to ensure that a fully up to date scheme is provided in the interests of safeguarding the trees on site. The condition is required pre-commencement given the extent and distribution of trees across the site.
30. Condition (4) requires the provision of a site-wide Ecological Mitigation and Enhancement Strategy. This is necessary in order to provide a coherent and up to date single source of information in line with the requirements of the previously submitted evidence. This is again necessarily required pre-commencement given that protected species have been identified on site.
31. Condition (5) addresses the potential for contamination within parts of the site currently used for car parking, and secures mitigation in the interests of health and safety. Condition (6) is imposed to cover all other eventualities.
32. Condition (7) secures provision of a revised parking, surfacing and drainage plan within the Meadow Vale part of the site. This is in the interests of safeguarding adjacent trees.
33. Condition (8) secures a programme of archaeological work and covers the provisions of 3 proposed conditions. It is limited to the part of the site where the sports pitch will be constructed, and where, notwithstanding significant previous reprofiling, potential has been identified.
34. Condition (9) secures compliance with the submitted drainage strategy, taking account of modifications required in relation to Condition (7). This is in the interests of ensuring that the site is properly drained.
35. Condition (10) combines 4 proposed conditions within a single requirement to provide a landscaping scheme, together with an implementation and management plan. This will help to secure a high quality of amenity, as well as biodiversity value.
36. Condition (11) secures a specification of the materials to be used in the external construction of the dwellings and Sisters' accommodation. This is in the interests of securing high quality design. There is no need for a further condition relating to the sports pitch as its construction will clearly be driven by function with little scope for variation. The pitch will otherwise be largely screened from external view.

37. Condition (12) sets out a requirement for 10% of the future energy needs of the dwellings to be met by decentralised, renewable or low carbon energy. This requirement is set out in Policy CS24 of the JCS, and required in order to secure a high level of environmental sustainability. I have not however imposed a condition requiring the Sisters' accommodation to comply with BREEAM standards. Whilst this is also covered by Policy CP24, the Written Ministerial Statement of 2015 curtailed the range and scope of technical standards which should be applied to housing. Though the Sisters' accommodation would fall within Use Class C2, it would nonetheless provide a form of specialist housing.
38. Condition (13) secures revised elevation details in relation to Unit 1 within the Anstey Close parcel, the requirement for which is outlined in my reasons above.
39. Condition (14) secures details of lighting. This is in the absence of detailed information on the plans, the amenity of occupants of existing and approved dwellings, and biodiversity.
40. Condition (15) secures the provision of suitable access to the development and maintenance of splays in the interests of highway safety.
41. Condition (16) requires windows in the northwest elevation of the Sisters' accommodation to be obscure glazed and to have restricted opening. This is to safeguard the privacy of occupants of existing dwellings immediately to the northwest.
42. Condition (17) combines 2 proposed conditions covering the provision of cycle storage, vehicular parking spaces, and refuse storage facilities. This is in the interests of ensuring that the development caters for the parking demand that it will generate, supports sustainable modes of travel, and general amenity.
43. I have not imposed a condition requiring a construction method statement. This is given the relatively small scale of the various components of the scheme, and the level of containment of most parts of the site. This provides limited scope for undue disturbance of neighbours or disruption of traffic. Whilst it may otherwise be reasonably assumed that activities on site will be closely managed in order to limit disruption to the school, any obstruction of the footpath or highway would be an offense subject of enforcement under separate legislation.
44. I have also not imposed a condition requiring details of finished floor levels. Though there is scope for external levels to be addressed within the context of Condition (3), the containment of the site is such that identifying relative scale in any greater detail than already shown on the site sections would serve little useful purpose.
45. Several conditions have also been proposed which seek to restrict permitted development (PD) rights and changes of use, some of which overlap. The PPG notes that such conditions may not pass the test of reasonableness or necessity, and otherwise need to be precisely defined. In this regard there is no need to restrict installation of windows at first and second floor level in the side elevations of the dwellings on grounds of neighbour privacy. This is because the matter is addressed within the conditions attached to the PD right in question. Insofar as the proposed condition also references doors, I have no

reason to believe that a door would be inserted above ground level. There is similarly no need for a matching condition, or another restricting extension/alteration of the Sisters' accommodation, as such works would be likely to require planning permission.

46. There is furthermore no necessity to restrict the use of the Manor House or Sisters' accommodation to Use Classes F1(a) and C2 respectively. This is because of the limited scope that would exist for change of use without planning permission, and lack of evidence that such change would be either likely or harmful. Insofar as it is suggested, it is also unreasonable to seek to restrict the sale, disposal or severance of the Sisters' accommodation.
47. Lastly, and insofar as blanket restrictions have been proposed for the dwellings covering Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the General Permitted Development Order 2015 (as amended), the measure lacks necessary precision, and is unreasonably restrictive. To the extent that justification has been provided, the simple application of PD rights should not result in substandard outdoor space, however this might be defined. I have not therefore imposed the restriction.

Conclusion

48. For the reasons outlined above I conclude that the appeal should allowed.

Benjamin Webb

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) Unless modified in compliance with the conditions below the development hereby permitted shall be carried out in accordance with the following approved plans: L705_P(0)010 C; L705_P(0)100; L705_P(0)101; L705_P(0)102; L705_P(0)103; L705_P(0)107; L705_P(0)108; L705_P(0)110; L705_P(0)114; L705_P(0)115; L705_P(0)116; L705_P(0)120; L705_P(0)131; L705_P(0)141; L705_P(0)200; L705_P(0)201; L705_P(0)202; L705_P(0)210; L705_P(0)220; L705_P(0)221; L705_P(0)222; L705_P(0)223; L705_P(0)300; L705_P(0)301; L705_P(0)302; L705_P(0)310; L705_P(0)320; L705_P(0)321; L705_P(0)322; L705_P(0)323; L705_P(0)400; L705_P(0)401; L705_P(0)402; L705_P(0)403; L705_P(0)410; L705_P(0)420; L705_P(0)421; L705_P(0)422; L705_P(0)423; L705_P(0)500; L705_P(0)501; L705_P(0)502; L705_P(0)503; L705_P(0)510; L705_P(0)520; L705_P(0)521; L705_P(0)522; L705_P(0)523; L705_P(0)600; L705_P(0)601; L705_P(0)602; L705_P(0)603; L705_P(0)610; L705_P(0)620; L705_P(0)621; L705_P(0)622; L705_P(0)623; L705_L(0)700; L705_L(0)701; L705_L(0)702; L705_L(0)703; L705_L(0)710; L705_L(0)720; L705_L(0)721; L705_L(0)722; L705_L(0)723; L705_P(0)800; L705_P(0)801; L705_P(0)802; L705_P(0)803; L705_P(0)810; L705_P(0)820; L705_P(0)821; L705_P(0)822; L705_P(0)823; L-1498-42 F; L-1498-43 E; L-1498-44 E; L-1498-45 E; L-1498-46 E.

- 3) The development hereby permitted shall not be commenced until a revised Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) which have been produced in accordance with British Standard 5837:2012 (or equivalent British Standard if replaced), have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the identification and consideration of foundations and above and below ground services, and shall make provision for the monitoring throughout construction by a suitably qualified arborist. The development shall be implemented in accordance with the approved AMS and TPP.
- 4) The development hereby permitted shall not be commenced until an Ecological Mitigation and Enhancement Strategy covering the whole of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall be informed by the recommendations of the submitted Ecological Appraisal and Ecological Appraisal Addendum, with revisions as required. The development shall then be carried out in accordance with the approved strategy.
- 5) The development hereby permitted shall not commence within the Anstey Close parcel until a scheme addressing potential risks associated with contamination has been carried out by a competent person in accordance with relevant British Standards and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR11) (or equivalent British Standards and Model Procedures if replaced), submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise:
 - a) a preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources; pathways and receptors; and potentially unacceptable risks arising from contamination at the site;
 - b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - c) the results of the site investigation and detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken; and
 - d) a verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.The scheme shall then be implemented as approved.
- 6) Any unexpected contamination that is found during the implementation of the development hereby permitted shall be reported immediately to the Local Planning Authority. Development on that part of the site affected shall be suspended and a risk assessment carried out by a competent person and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.
- 7) The development hereby permitted shall not commence within the Meadow Vale parcel until a revised parking, surfacing and drainage plan, to be informed by the coloured version of plan L705_P(0)102 provided with the

appeal, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented as approved.

- 8) Prior to the commencement of works in relation to the sports pitch hereby permitted, a Written Scheme of Investigation (WSI) setting out a timetabled programme of archaeological work applicable to that part of the site, and including arrangements for post-excavation analysis, publication and archiving, has been submitted to and approved in writing by the Local Planning Authority. The WSI shall then be implemented as approved.
- 9) The development hereby permitted shall be implemented in accordance with the Flood Risk Assessment and Drainage Strategy ref. 47474/FRA rev A, as modified by the revised details to be approved under Condition (7).
- 10) Prior to commencement of construction above ground level of the development hereby permitted, a detailed landscaping scheme which shall be informed by the submitted Landscape Strategy Plan, and shall demonstrate the incorporation of measures recommended within the Ecological Mitigation and Enhancement Strategy approved under Condition (4), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall cover/include:
 - a) identification of retained hedging and trees;
 - b) a detailed scheme of planting;
 - c) hard and soft surfacing materials;
 - d) boundary treatments;
 - e) a timetable for implementation; and
 - f) a management plan relating to all areas of communal landscaping within the Meadow Vale and Anstey Close parcels which sets out a maintenance schedule, and identifies the parties responsible for its ongoing implementation.The approved landscaping scheme shall then be implemented in accordance with the approved timetable, and, where applicable, shall thereafter be managed in accordance with the approved management plan. Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years following planting shall be replaced in the next planting season with others of a similar size and species.
- 11) Prior to commencement of construction above slab level of the dwellings and Sisters' accommodation hereby permitted, a specification of the materials to be used in the construction of all external building surfaces, together with details of the location/design of any in-built features to support nesting/roosting by bats and birds as may be required by the Ecological Mitigation and Enhancement Strategy approved under Condition (4), shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved specification.
- 12) Prior to the commencement of construction above slab level of the dwellings hereby permitted, an Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall provide details of measures that will provide at least 10% of the dwellings' projected future energy needs from decentralised, renewable and/or low carbon sources. The development shall then be implemented in accordance with the approved strategy, with all applicable measures fully functional prior to the first occupation of each dwelling.

- 13) Prior to commencement of construction of Unit 1 within the Anstey Close parcel, revised plan and elevation drawings showing functional windows within the west elevation shall be submitted to and in writing by the Local Planning Authority. Unit 1 shall then be constructed in accordance with the approved plans.
- 14) No external lighting shall be installed in relation to the development hereby permitted until a finalised lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall provide technical details and locations of the lighting to be installed, and shall specify the way in which it will be operated, taking into account sensitivity required in relation to bats, and the occupants of nearby dwellings, both existing and approved. The lighting shall then be installed, and thereafter operated in accordance with the approved strategy.
- 15) The dwellings and Sisters' accommodation hereby permitted shall not be occupied until the accesses and related visibility splays onto Anstey Lane have been constructed in accordance with the details contained within Appendix C of the submitted Transport Statement Ref. 8401. The visibility splays shall thereafter at all times be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway.
- 16) Prior to the first occupation of the Sisters' accommodation hereby permitted, the first floor windows in the northwest elevation shall be fitted with obscure glazing to Pilkington level 5 (or equivalent) and shall be made non-opening below 1.7 metres from the finished floor level of the room within which the windows are installed. The windows shall thereafter be retained.
- 17) Prior to the first occupation of the dwellings hereby permitted, the related cycle stores, vehicular parking spaces, and refuse storage facilities shown on the approved plans, as partly modified by the revised layout to be approved under Condition (7), shall be provided and made available for the storage of cycles, the parking of vehicles, and storage of refuse respectively. The cycle storage, vehicular parking spaces, and refuse storage facilities shall thereafter be retained and kept available for such uses at all times.

APPEARANCES

For the Appellant

James Bardy	Aspect Arboriculture
Nick Colwyn Foulkes	Studio Cf
John Pugh-Smith	Counsel for the Appellant, 39 Essex Chambers
Emily Temple	ET Planning
Gavin Thomas	AronCorp

For the Council

Stewart Garside	Arboricultural Officer
Sabah Halli	Principal Planning Officer
Heather Sargent	Counsel for the LPA, Landmark Chambers

Interested parties

Jennifer Charles	Alton School Governor
Maxine Doulton	Local resident
Caroline Grinham	Alton School Governor
Helen Samuel	Sisters of Our Lady of Providence

Documents presented at the Hearing

Revised side elevation and plan drawings of Unit 1, Anstey Close.