



Appeal Decision

Site visit made on 30 December 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Appeal Ref: APP/P2365/W/25/3374202

Land West of Red Cat Lane, Burscough L40 0RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Jones Homes (Lancashire) Ltd against the decision of West Lancashire Borough Council.
 - The application Ref is 2022/0958/FUL.
 - The development proposed is residential development.
-

Decision

1. The appeal is allowed and planning permission is granted for residential development at land West of Red Cat Lane, Burscough L40 0RB in accordance with the terms of the application, Ref 2022/0958/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Amended plans have been submitted with the appeal which change the design of the dwelling on plot 17 and repositions it further away from the boundary with Moss Nook. Such plans are materially different to those considered by the Council.
3. The 'Procedural Guide to Planning Appeals – England' is clear that the appeal process should not be used to evolve a scheme and that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority. In consideration of the Procedural Guide and in the interests of fairness, I have not had regard to the amended plans and have determined the appeal based only on those that were before the Council when it made its decision.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of adjoining residents, with particular regard to the proposed dormer bungalow on plot 17 and the living conditions of the occupants of 52 and 68 Moss Nook, with respect to light and outlook.

Reasons

5. The appeal site is an undeveloped parcel of land between Red Cat Lane and Moss Nook. Plot 17 comprises a gap in the otherwise built-up frontage of Moss Nook, between 52 (No 52) and 68 Moss Nook (No 68).
6. The proposed dormer bungalow on plot 17 (dormer bungalow) would be sited close to the shared boundary with No 69, broadly in line with its front elevation and

would project beyond its rear wall. The largely blank side gable of the proposed dormer bungalow would be near to the side wall of No 68 which contains a glazed door and two windows, all of which are obscured glazed.

7. As the dormer bungalow would be positioned to the south of No 68, the occupants of that property would experience some overshadowing and loss of light. However, the door and windows I have referred to serve non-principal rooms, namely a utility room and a study/bedroom. It is reasonable to consider that the utility room is used for short periods. Furthermore, the main source of light to the study/bedroom is from a larger window in the front elevation of that property, which would not be materially affected by the dormer bungalow and, as such, that room would continue to receive a significant amount of daylight. In such circumstances, I find that the amount of overshadowing and loss of light would not be to an extent which would unacceptably harm the living conditions of No 68.
8. The dormer bungalow would result in some overshadowing and loss of light to the nearest windows in the rear elevation of No 68 and to its rear garden. Nonetheless, the extent that the dwelling on plot 17 would project beyond the rear elevation of No 68 would not be excessive. In the absence of evidence that demonstrates otherwise, I find that the extent of the loss of light to the rear facing rooms of No 68, and the shadow cast by the proposed dwelling within its garden, would therefore not be excessive or unacceptable.
9. The dormer bungalow would be appreciable to the occupiers of No 68 in views through the openings in its side elevation. Nevertheless, given that all such openings are obscured glazed so do not provide any outlook, any enclosing effect and visual intrusion arising from the proposal would not be to an unacceptable extent. Furthermore, the dormer bungalow would be of a modest size and would extend along a limited proportion of the shared side boundary. In such circumstances, it would not form a dominant or unacceptable enclosing feature in views from the rear windows and garden of No 68.
10. Consequently, based on the evidence before me and for the above reasons, I find that the proposal would not result in overshadowing or loss of light inside of No 68 or to its rear garden, or create a visual intrusion or enclosing effect, to an extent where it would unacceptably harm the living conditions of the occupants of that property.
11. No 52 has a clear glazed bay window in its side elevation at ground floor level, which would look on to the side wall of the dormer bungalow, in addition to an obscured glazed door and small window at ground floor and a larger window at first floor. The dormer bungalow would be positioned to the north side of the dwelling at No 52 and would be separated from it by its driveway. Additionally, I note that the room served by the bay window has a reasonable outlook and source of light from an additional window in the rear elevation.
12. Taking these factors into consideration, as well as the modest height of the proposed bungalow, I find that, as regards to loss of light, it would not have an unacceptable effect on the living conditions of the occupiers of No 52.
13. The rear windows of the dormer bungalow would look towards the rear gardens of No 52 and 68. However, that is typical in residential areas, and the proposal would result in a level of overlooking that is comparable to that experienced by other properties along Moss Nook. In the absence of any compelling evidence to the

contrary, I consider that the impact of the dormer bungalow on the living conditions of the occupants of No 52 and No 68 would also be acceptable with regard to privacy.

14. There is the potential, if glazed, for the window and door that would be in the side elevations of the dormer bungalow to result in some loss of privacy to the occupants of No 52 and No 68. However, this would be suitably addressed if such openings were obscured glazed, which could be secured by a planning condition.
15. Although not raised by the Council, concerns have been expressed by interested parties about the effects of other aspects of the proposal on the living conditions of the occupants of other neighbouring properties. These include disturbance from building works, loss of privacy, and noise and odour from the proposed pumping station. However, I have been presented with no substantive evidence that would lead me to determine that the proposal would result in material harm to the extent that it would justify dismissing this appeal.
16. I conclude that the proposal would not adversely affect the living conditions of adjacent residents, including the effect of the dormer bungalow on the occupiers of 52 and 68 Moss Nook in respect of light and outlook. As such, it would accord with Policy GN3 of the West Lancashire Local Plan (LP), adopted October 2013, or Policy BPD1 of the Burscough Parish Neighbourhood Plan (NP), made May 2019, which amongst other things, require development to retain reasonable levels of privacy and amenity for the occupiers of neighbouring properties, and seek to ensure that development is of a high quality and inclusive design that integrates into the existing area. It would also accord with the residential amenity aims of paragraph 135 of the National Planning Policy Framework (the Framework).

Planning Obligation

17. The appeal is supported by a planning obligation in the form of a signed unilateral undertaking, dated 2 October 2025, made pursuant to section 106 of the Town and Country Planning Act 1990 (the Planning Obligation). Consideration of planning obligations is to be undertaken having regard to paragraph 58 of the Framework and the statutory requirements contained in Regulation 122 and 123 of the Community Infrastructure Levy (CIL) Regulations, 2010 (the Regulations).
18. The Planning Obligation makes provision for 14 affordable housing units on specified plots within the appeal site, which would be delivered before 50% of the market dwellings have been completed and are ready for occupation. This accords with LP Policy RS2. I am therefore satisfied that the Planning Obligation meets the statutory tests set out in the Framework and the requirements of the Regulations.

Other Considerations

19. I acknowledge that interested parties consider, contrary to the position of the Council, that the proposed development should be refused as it conflicts with policies of the development plan regarding where housing should be built. However, the Council cannot demonstrate a five-year housing land supply, its latest position being that the supply amounts to 2.49 years. Therefore, in accordance with Paragraph 11 d) of the Framework, the policies which are most important for determining the application, ie those relating to the location of residential development, are out-of-date.

20. Even if I were to agree that the proposal would be contrary to the relevant policies relating to housing development, I find that the harm arising from such conflict would be outweighed by the benefits of the proposal, which are that it would deliver 38 dwellings, a meaningful contribution towards the shortfall in supply, and would further the Government's objective to significantly boost the supply of homes.
21. I have also had regard to the other matters raised by interested parties, including concerns regarding the adequacy of parking provision and highway safety; foul and surface water drainage; loss of best and most versatile agricultural land; loss of open land; loss of hedgerows and trees; impact on wildlife; and the adequacy of local infrastructure and services to accommodate additional residents. Nonetheless, there is nothing before me that would lead me to determine that the proposed development would result in material harm sufficient to justify dismissing this appeal.

Conditions

22. The Council have suggested conditions in the event that I am minded to allow the appeal, which I have reviewed and amended in line with guidance and best practice, to ensure clarity and consistency, and to avoid duplication. I have also amended the order of the conditions so that it is in accordance with the structure set out in the PPG¹.
23. I have, in the interests of certainty, imposed a condition that specifies that the development is carried out in accordance with the approved plans.
24. To minimise risks for future occupiers, neighbouring occupiers and the environment, a condition is required to ensure that contamination is appropriately addressed. This is a pre-commencement condition so that appropriate investigation is carried out at a very early stage of the development.
25. I impose conditions to ensure that the construction process is suitably controlled and its effects on the living conditions of nearby residents are minimised, and, in respect of the condition securing a construction management plan, in the interests of highway safety. I have also imposed a condition requiring the implementation of tree protection measures in the interests of the character and appearance of the area. The construction management plan and tree protection conditions must be complied with pre-commencement of the proposed development to ensure that appropriate controls/protection is in place at an early stage.
26. To minimise the risks of surface water flooding I have imposed conditions to secure a surface water management plan for the construction phase and a sustainable surface water drainage scheme for the finished development. These are pre-commencement conditions so that the management plans are in place when development starts on site and because the satisfactory delivery of an appropriate drainage scheme could be prejudiced if resolved later. Conditions are also necessary to secure an Operation and Maintenance Manual relating to the surface water drainage system, and a verification report to ensure that the agreed drainage scheme is implemented and the site is suitably and correctly drained.

¹ Use of planning conditions - Paragraph: 024 Reference ID: 21a-024-20140306

27. Given the potential of the site to contain archaeological remains, as identified in the appellant's Heritage Statement, I am satisfied that a condition is required to secure archaeological investigations. This is also a pre-commencement condition as by their nature, such investigations would largely take place before construction works commence.
28. I have imposed, in the interests of highway safety, conditions requiring the approval of details of the site access, its construction to base course level and details for the management and maintenance of the roads within the site until long term arrangements are in place. However, no clear justification has been presented that demonstrates that such approval must be obtained before the proposed development is begun. Furthermore, there is no evidence before me that indicates off-site mitigation works are necessary to make the proposed development acceptable. It is the responsibility of the Council to consult the Highway Authority, as required, to assess the acceptability of the submitted details and, therefore, it is not necessary for this to be specified in this condition. I have amended the wording of the conditions accordingly.
29. In the interests of highway safety, I have imposed a condition requiring the provision of the associated driveways and parking areas prior to the occupation of each dwelling. It is also reasonable to require, through a condition, cycle storage to promote sustainable forms of transport and to ensure an appropriate level of provision.
30. To ensure the satisfactory appearance of the proposed development and to protect the character and appearance of the wider area, I have imposed conditions controlling the external construction materials, boundary treatments, and landscaping. As no clear justification has been presented to demonstrate that all boundary treatments must be in place across the entire site before any of the development is occupied, I have amended its wording to require that, prior to occupation of each dwelling, they are provided on that plot.
31. In the interests of nature conservation, conditions requiring the installation of bat and bird boxes and controlling external lighting are necessary. The Council's suggested condition to assist in the protection of nearby European designated sites is imposed in the interests of promoting and protecting the natural environment.
32. To protect the living conditions of the occupiers of adjacent residential properties, I have imposed conditions requiring that the side facing window of the dwelling on plot 17 and any glazing in the doors on the side elevations of the dwelling on plots 8 and 17 is obscured.
33. The Council has also suggested conditions that remove permitted development rights² (PD rights) relating to development within the curtilage of a dwellinghouse and to boundary treatments. In this case, the Council have justified the removal of such PD rights to protect trees in the interests of the character and appearance of the area, and to maintain adequate on-site parking in the interest of highway safety. In this instance, such reasons provide exceptional circumstances, as required by the Framework and Planning Practice Guidance, and supports the removal of PD rights in this case. I have, however, combined the two suggested conditions into one.

² As set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Conclusion

34. For the reasons given above, having regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed.

Elaine Moulton

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: REDCATLANE/LOC/011, REDCATLANE/SK/04 Rev V; REDCATLANE/PL/50; REDCATLANE/CHARGE/01; REDCATLANE/SURF/01; REDCATLANE/STREET/01 Rev F; LANCS-HOLLY-P-01; SDL 1800WF; SDL 1200PR; SF10; Planning House Type Booklet 2022; 2246-FOI; and Pumping Station Kiosk Sections and Layout Plan.
- 3) No development shall take place until:
 - a) A methodology for site investigation has been submitted to, and approved in writing by, the local planning authority.
 - b) A site investigation has been undertaken strictly in accordance with the approved methodology and a risk assessment of the findings has been submitted to, and approved in writing by, the local planning authority, together (where appropriate) with a detailed remediation strategy.
 - c) Remediation of the site has been undertaken strictly in accordance with the approved remediation strategy, and a validation report has been submitted to, and approved in writing by, the local planning authority, confirming full implementation of the agreed remediation scheme.

All works to be carried out in accordance with Land Contamination Risk Management (LCRM). Any changes to the agreed elements require the express consent of the local planning authority.
- 4) No development shall take place, including any preparatory work such as demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved CMP/CMS shall provide:
 - a) A 24-hour emergency contact number;
 - b) Details of the parking of vehicles of site operatives and visitors;
 - c) Details of loading and unloading of plant and materials;
 - d) Arrangements for turning of vehicles within the site;

- e) A swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- f) Measures to protect vulnerable road users (pedestrians and cyclists);
- g) The erection and maintenance of security hoarding/s including decorative displays and facilities for public viewing where appropriate;
- h) Wheel washing facilities;
- i) Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- j) Measures to control the emission of dust and dirt during construction;
- k) Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- l) Construction vehicle routing;
- m) Delivery, demolition and construction working hours; and
- n) Measures to minimise the risk of disturbance to qualifying species using functionally linked land.

The approved CMP/CMS shall be adhered to throughout the construction period of the development.

- 5) No development shall take place, including any preparatory work such as demolition or site clearance, until Tree Protection Measures have been implemented in accordance with the Arboricultural Impact Assessment & Method Statement dated May 2022 (Ref 22/A/A/WLANCS/12 Rev A). The measures contained in the approved Tree Protection Plan (drawing no 03 Rev A) shall be fully implemented during construction. Tree protection measures for Tree T11 shall also be implemented and shall comprise the same measures as for Tree T12, which are 1m high heras mounted on scaffold poles and secured with anti-tampering bolts.
- 6) No development shall take place until a Construction Surface Water Management Plan (Plan), detailing how surface water and stormwater will be managed on site during construction (including demolition and site clearance operations) has been submitted to, and approved in writing by, the local planning authority.

The details of the Plan shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals for each phase, which shall include as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from this site;
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The Plan shall be implemented and thereafter managed and maintained in accordance with the approved details for the duration of construction.

- 7) No development shall take place until a detailed final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable strategy submitted May 2022 (Ref 30550/FRA/SRG Ironside Farrar Limited) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The detailed surface water sustainable drainage strategy shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. A site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. A sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. A drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished floor levels (FFL) AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 50mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitable clean water to sustainable drainage components.
- c) Evidence of an assessment of the existing on-site culverted watercourse / highway drain to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

- 8) No development shall take place until a phased programme of archaeological investigation, recording and analysis, has been implemented in accordance with a written scheme of investigation which shall first have been submitted to, and approved in writing by, the local planning authority.

- 9) No above ground construction works shall take place until a scheme for the construction of the proposed vehicular access has been submitted to, and approved in writing by, the local planning authority.
- 10) No above ground construction works shall take place until the vehicular access, as approved pursuant to condition 9, and estate road has been constructed to at least base course level in accordance with Lancashire County Council's Specification for Construction of Estate Roads.
- 11) No above ground construction works shall take place until details of the arrangements for the future management and maintenance of the roads within the development have been submitted to, and approved in writing by, the local planning authority. The roads shall thereafter be maintained in accordance with the approved details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.
- 12) No above ground construction works shall take place until samples and / or full specification of materials to be used externally on all buildings has been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour, and texture of the materials. The development hereby permitted shall be carried out using only the agreed materials and method of construction.
- 13) No above ground construction works shall take place until full details of the position, height, design, materials and types of walls, fencing and gates to be erected have been submitted to, and approved in writing by, the local planning authority. No dwelling shall be occupied until the means of enclosure to that plot has been completed in accordance with the approved details.
- 14) No above ground construction works shall take place until full details of both hard and soft landscaping works have been submitted to, and approved in writing by, the local planning authority. The details shall include:
 - a) Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks;
 - b) Hard surfaced areas including the type, colour and texture of the materials;
 - c) Planting plans, specifications and schedules, planting size, species and numbers/densities, and a scheme for the timing/phasing of works; and
 - d) Existing plants / trees to be retained.

The approved landscaping works shall be completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the local planning authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

15) Prior to the commencement of any piling operations, a method statement shall be submitted to, and approved in writing by, the local planning authority which shall identify how such operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties, and shall include the following details:

- a) Details of the method of piling;
- b) Days / hours of work, which shall be between 9am to 5.30pm on Monday to Friday, 9am to 1pm on Saturday and at no times on Sundays or public / bank holidays;
- c) Duration of the pile driving operations (expected starting date and completion date);
- d) The method by which the occupiers of potentially affected properties will be notified of piling operations in advance; and
- e) Details of the responsible person (such as site manager) to be contacted in the event of a complaint, and their contact details.

The piling operations shall be undertaken in accordance with the approved method statement.

16) During construction, works audible at or beyond the site boundary shall not occur outside of, and no vehicular movements, loading or unloading of vehicles shall take place other than between:

- 9am to 6pm on Monday to Friday;
- 8.30am to 1.30pm on Saturday; and
- shall not occur on Sundays or public / bank holidays.

17) No dwelling hereby permitted shall be occupied until the parking area within the plot as shown on the approved plans has been completed. The parking area shall thereafter remain available for the parking of vehicles associated with the dwelling. All driveways and vehicle parking areas that are accessed from the highway must be properly consolidated and surfaced in bound, porous materials (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times for the lifetime of the development.

18) No dwelling hereby permitted shall be occupied until a secure cycle storage facility suitable for two bicycles (that holds accredited cycle security standard) has been provided within that plot.

19) No dwelling shall be occupied until details of the number, location and timing of installation of bird nesting boxes and bat boxes to be incorporated into the scheme have been submitted to, and approved in writing by, the local planning authority. The bird and bat boxes shall be installed in accordance with the agreed timing and shall be retained thereafter.

20) No dwelling hereby permitted shall be occupied until a site-specific Operation and Maintenance Manual (the Manual) for the lifetime of the development pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to, and approved in writing by, the local planning authority. The Manual shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operation and access requirements for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) A pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and the actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme for the lifetime of the development;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter, the drainage system shall be retained, managed, and maintained in accordance with the approved details.

- 21) No dwelling hereby permitted shall be occupied until a site-specific verification report, pertaining to the surface water sustainable drainage system and prepared by a suitably competent person has been submitted to and approved in writing by the local planning authority.

The verification report must, as a minimum, demonstrate that the surface water drainage system has been constructed in accordance with the approved details (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained for the lifetime of the development.

- 22) Prior to the publication of the sales particulars for the development hereby permitted, an advisory homeowner information pack in respect of nearby European designated sites shall be submitted to, and approved in writing by, the local planning authority. The pack shall include the following information as a minimum.

- a) An introduction section, setting out the issue;
- b) A description of the designated sites and their features, including a map identifying their boundaries;
- c) An explanation of the sensitivities to recreational disturbance and key sensitive times for the features of the designated sites;
- d) Details of any access restrictions in the local area (such as under the Countryside and Rights of Way Act 2000, Marine and Coastal Access Act 2009 or Byelaws);
- e) Suggestions of alternative recreational sites (such as parks, walking or cycling routes);
- f) A code of conduct (such as not disturbing flocks of feeding / roosting birds, suggested distances from birds); and
- g) Suggested areas for responsible bird watching and opportunities for people to get involved in the local natural environment (such as volunteering opportunities).

The approved information packs shall be distributed within the sales particulars for the development.

- 23) No external lighting shall be installed at the site until a scheme detailing the proposed lighting to be installed has been submitted to, and approved in writing by, the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme.
- 24) Unless it is of solid construction throughout, the door on the side elevation of the dwelling on plot 8 shall, prior to occupation, be fitted with obscured glass to a degree sufficient to conceal or hide features of all physical objects from view. Once installed the obscured glass shall be retained thereafter.
- 25) Unless it is of solid construction throughout, the door on the side elevation of the dwelling on plot 17, and the window on the other side elevation, shall, prior to occupation, be fitted with obscured glass to a degree sufficient to conceal or hide features of all physical objects from view. Once installed the obscured glass shall be retained thereafter.
- 26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no development permitted by virtue of Classes A, B, C, D and E of Part 1 and Class A of Part 2 of Schedule 2 to the Order shall be undertaken.