

SCHEDULE A: Applications with Recommendation

21/0762

Item No: 08

Date of Committee: 25.02.2022

Appn Ref No:
21/0762

Applicant:
Mr Walker

Parish:
Stanwix Rural

Agent:
Summit Town Planning

Ward:
Stanwix & Houghton

Location: The Park, Rickerby, Carlisle, CA3 9AA

Proposal: Change Of Use Of Barns From Residential Use In Association With The Park To Provide 2no. Dwellings

Date of Receipt:
29/07/2021 13:00:42

Statutory Expiry Date
23/09/2021 13:00:42

26 Week Determination
06/12/2021

REPORT

Case Officer: Richard Maunsell

1. Recommendation

1.1 It is recommended that this application is approved with conditions.

2. Main Issues

2.1 Principle Of Development

2.2 Whether The Scale, Design And Impact On The Character Of The Area Is Acceptable

2.3 The Impact Of The Development On Heritage Assets

2.4 Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties

2.5 Impact On Highway Safety

2.6 Whether The Method of Disposal of Foul And Surface Water Are Appropriate

2.7 Development Within The Flood Zone

2.8 The Impact Of The Development On Hadrian's Wall Buffer Zone

2.9 Impact Of The Proposal On Biodiversity

2.10 Other Matters

3. Application Details

The Site

- 3.1 This application was deferred at the previous meeting of this committee to allow Members to undertake a site visit.
- 3.2 The application site comprises of an attached two and single storey building located at the southern end of Rickerby. The site is accessed from the Carlisle to Linstock Road via a privately owned road which serves the village.
- 3.3 The building is constructed from facing brick under a corrugated sheeted roof. Attached to the building to the west, is a two storey stone building under a slate roof. The application site is within Rickerby Conservation Area, adjacent to several listed buildings and within Flood Zones 2 and 3.

The Proposal

- 3.4 Planning permission is sought for the conversion of the buildings to form two dwellings. The two storey building would be converted to provide a hallway, utility, W.C., kitchen, living and dining area on the ground floor with 2no. bedrooms, a bathroom, bedroom/ study and an ensuite bedroom above. The front elevation would comprise largely of window and door openings that would be reinstated together with the insertion of one window and three roof lights. There are currently two door openings and a window in the rear elevation on the ground floor with narrow ventilation slits above. The ground floor openings would be enlarged with full-size window openings above. A roof light would also be inserted and the roof would be recovered with natural slate.
- 3.5 The single storey building would be converted to provide an ensuite bedroom, living room/ dining area, utility and W.C. The existing openings in the rear elevation would be reused with minor alteration to a door opening which would be converted to a window. On the front elevation, a new door opening and two roof lights would be inserted with additional windows being formed in the gable.
- 3.6 Four car parking spaces would be provided to the east of the site in front of Oak House and Croft House.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice, a press notice and direct notification to the occupiers of seven of the neighbouring properties. In response, six letters from the occupiers of five properties have been received and the main issues raised are summarised as follows:
 - 1. the village is a conservation area and contains a number of listed buildings. The right side is surrounded on three sides by listed structures;
 - 2. the application site is situated on the southern edge of the village with access available over an unadopted private road is maintained by the residents;

3. the barns are currently a positive feature of Rickerby Conservation Area. The proposed development would be over intensive for this site and would cause substantial harm to the character of the conservation area;
4. the barns appear to be structurally sound although no structural survey has been submitted with the application;
5. the proposed design of the conversion is not considered to be appropriate for the conservation area. The north elevation of the single storey unit which faces the road appears to have a new opening created in order to provide a front door. The larger two storey section has a number of old openings that could be reopened. Instead, however, the design appears to create new openings in order to suit the internal layout, in a manner that is entirely at odds with the traditional character of the building;
6. the design for the south elevation of the two storey structure is even more destructive in that it is proposed as a mainly glazed wall which takes no account of the building's original character. The south elevation of the single storey seems to pay attention to the old openings and may work, subject to detail;
7. the Historic Impact Statement recognises that the barns have some historical visual interest for the conservation area but suggest that developing the site with inappropriate design would have a positive impact. The design isn't appropriate and will have a strong negative impact on the area;
8. there are no plans demonstrating how the parking arrangements in front of Oak House and Croft House will work i.e. will they be allocated space, will there be a boundary, will there be a turning area? In the absence of this information, it is difficult to see how the land available can provide the required space;
9. service vehicles already have problems getting around the village so any more cars would result in further problems;
10. parking in the hamlet has always caused problems and there does not seem to be suitable plans for parking with two parking places opposite to the listed houses on the raised kerb being unworkable;
11. although the Planning Statement suggests that the parking has been carefully considered in the layout, this isn't evident from the submitted documents;
12. the Planning Statement also suggests that a further two parking spaces may be available on the paved area in front of the proposed units although that allocation is not shown on the submitted layout plan;
13. the provision of parking on the paved area to the front of the proposed houses will be particularly intrusive visually and is not a safe option given that the front doors of the houses will open over this area. It isn't clear who owns or controls this land and therefore what is actually available to the applicant;
14. there is already considerable parking congestion in this part of the village and the introduction of two new houses will exacerbate an existing problem and be detrimental to the character of the conservation area and the setting of the adjacent listed buildings;
15. the flood risk assessment has not been prepared by an appropriately qualified engineer but suggests that a new flood defence will be constructed to the south of the barns which will resolve the potential issue of flooding from the nearby river;

16. flooding has taken place in the past right up to the buildings and the wall referred to has not been constructed and is not in any current construction programme. The general flood relief scheme provided by the Environment Agency was completed last year and this matter clearly needs to be clarified and a proper FRA produced before a decision can be taken;
 17. a protected species survey was undertaken which does not raise any serious issues but suggest that any redevelopment scheme should include the provision of suitable bat habitats. As this could impact on the detailed design this should be incorporated into the current application'
 18. services in the area need to be upgraded and plans for this need to be brought forward;
 19. due to the layout of the development site it is almost certain that access to the properties opposite will be effected during development;
 20. the extra traffic in the area will also create more maintenance problems for the few residents that maintain the private road;
 21. the road is unadopted and the responsibility of all households in this small hamlet. The current owner of the barns in this proposal has not made any financial contribution to the maintenance of the road for the current properties he owns;
 22. there is no capacity for any further cars or parking on this site. It's anticipated that this development will increase car usage by at least a further 6 cars. Repeatedly the wall to the front of our property has been knocked down with cars and vans.
- 4.2 Following the receipt of amended plans showing the provision of a roof light, a further two letters of objection have been received which raise the following issues:
1. it is disappointing that only a few minor amendments have been made;
 2. the only difference appears to be the removal of one window in the rear elevation of the two storey house. No attempt has been made to address the objections or issues raised by the Conservation Officer.

5. Summary of Consultation Responses

Stanwix Rural Parish Council: - the Parish Council's original submitted response stated:

- *"The Parish Council recommends determination in accordance with local and national planning and conservation policy and guidance, provided that:*
- *Prior to determination, greater clarity is sought with regard to the disposal of foul sewage and surface water.*
- *If work has not commenced prior to mid-November a further Bat Survey be undertaken to determine the presence, or otherwise, of hibernating bats and that a condition be imposed to ensure that work is scheduled in accordance with the guidance provided in the Bat Survey – in particular its paragraph E 4.1.*
- *Clarity is sought regarding the composition of the existing corrugated roofing, which is to be replaced and may contain asbestos."*

However, local residents have since highlighted significant additional concerns in respect of the following:

1. issues relating to the increased number of vehicles and parking provision;
2. the effect of an increased number of vehicles and of construction traffic on the unadopted road;
3. foul sewage/surface water disposal is reliant on old systems ultimately discharging to the River Eden SSSI/SAC;
4. some property said not to have suffered from the effects of flooding has in fact been affected;
5. uncertainties relating to the final form and effect of the 'flood wall'.

As these issues relate to a lack of clarity in respect of important material planning considerations that may adversely impact neighbouring residents, the parish council is obliged to amend its earlier response and object to the proposal until such time as it is fully reassured in respect of the above matters.

Following the receipt of amended plans, the following response has been received:

The amendments appear to consist only of the replacement of a window with a roof light to the rear elevation, and the inclusion, on the Block Plan, of new unidentified circular feature to the north of Croft House.

The Parish Council reiterates its earlier comments and remains concerned regarding the lack of clarity in respect of the existing corrugated roof material, which may be asbestos;

Historic England - North West Office: - no comment;

Cumbria County Council - (Highways & Lead Local Flood Authority): - the following response has been received:

Local Highways Authority

It is noted the access track up to the site is privately maintained. However it should be noted that concerns have been raised regarding the existing and increase of parking proposed in relation to the proposal.

As this proposal is for a change of use, the existing and required parking for the dwellings that are referred to is outside the red line boundary.

The slight increase in vehicular use of the existing access is unlikely to have a significant material affect on existing highway conditions and the Highways Authority has no objection to the proposal.

Lead Local Flood Authority (LLFA)

The LLFA Surface Water Map shows that the site is in Flood Zone 3, the applicant should consult with the Environment Agency with regards to carrying out a Flood Risk Assessment.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/ 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 The Development Plan for the purposes of the determination of this application is The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (NPPG) are also material planning considerations in the determination of this application and the Carlisle District Local Plan 2015-2030 from which Policies SP2, SP6, SP7, HO2, IP2, IP3, IP4, CC4, CC5, CM5, HE1, HE2, HE3, HE7, GI3 and GI6 are of particular relevance. The Carlisle City Council's Supplementary Planning Document 'Achieving Well Designed Housing' (SPD) is also a material planning consideration. The proposals raise the following planning issues.

1. Principle Of Development

- 6.3 The NPPF seeks to promote sustainable development and in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 11 of the NPPF continues to support sustainable development stating that:

“Plans and decisions should apply a presumption in favour of sustainable development.”

- 6.4 This is reinforced in paragraph 11(c) which states that:

“approving development proposals that accord with an up-to-date development plan without delay”

- 6.5 Policy HO2 is equally transparent in its guidance relating to housing development and supported new housing development within villages in the rural area provided that the development will not prejudice the delivery of the spatial strategy of the local plan and subject to consideration of 5 criteria. Criterion 4 specifically requires that in the rural area, villages should either have services where the housing development is being proposed, or that there is good access to one or more villages with services, or to the larger settlements.
- 6.6 The land is within Rickerby which itself is sufficiently well related to the urban area of Carlisle both geographically and in terms of the road network and can therefore be considered a sustainable location for development in terms of the policies in the NPPF. This is further evidenced that the land at Tower Farm elsewhere in the village that is allocated for housing development in the current local plan.

6.7 Given these material considerations and the fact that the site is well-related to the built form of the village, the principle of development is acceptable in policy terms. The planning issues raised by the development are discussed in the following paragraphs.

2. Whether The Scale, Design And Impact On The Character Of The Area Is Acceptable

6.8 Paragraphs 126 to 136 of the NPPF which emphasises that the creation of high quality buildings and places is fundamental to what the planning system and development process should achieve. The Framework has a clear expectation for high quality design which is sympathetic to local character and distinctiveness as the starting point for the design process. Paragraph 130 outlines that:

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

6.9 It is further appropriate to be mindful of the requirements in paragraph 134 of the NPPF which states:

“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/ or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an*

area, so long as they fit in with the overall form and layout of their surroundings.”

- 6.10 Policies seek to ensure that development is appropriate in terms of quality to that of the surrounding area and that development proposals incorporate high standards of design including siting, scale, use of materials and landscaping which respect and, where possible, enhance the distinctive character of townscape and landscape. Developments should therefore harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and making use of appropriate materials and detailing.
- 6.11 This theme is identified in Policy SP6 of the local plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and make use of appropriate materials and detailing. Development of this site will have an impact on the character of the area.
- 6.12 It's proposed that the buildings would be converted with minimal alteration to the front elevations except to provide a reasonable means of access and window opening to make the use of the buildings viable. More extensive alterations are proposed to the rear elevations. The single storey building would largely retain and reuse the existing openings but would incorporate additional windows in the gable. The rear of the two storey building would involve greater alterations to the existing openings with the enlargement of the ground floor apertures and insertion of first floor windows in lieu of the existing ventilation slits. There is little in the way of architectural features in the rear elevation; however, any scheme for conversion must still be appropriate in terms of scale and design and impact on the character of the building. Notwithstanding the heritage issues associated with this site, the alterations are a modern addition but wouldn't adversely affect the character of the building to such a degree as to warrant refusal of the application on this basis. Additionally, there very limited public viewpoints of this elevation and the proposal wouldn't be detrimental to the character of the area.
- 6.13 The development would provide dedicated parking spaces and curtilage to the rear of the buildings which is adequate for the two dwellings of this scale. The converted building would therefore not form a discordant feature and is acceptable in this regard.

3. The Impact Of The Development On Heritage Assets

3a. Listed Buildings

- 6.14 Pursuing sustainable development involves seeking positive improvements in the quality of the historic environment (paragraph 8).

Impact Of The Proposal On The Character And Setting of the Grade II Listed Buildings

- 6.15 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of local planning authorities (lpa) whilst

exercising of their powers in respect of listed buildings. Accordingly, considerable importance and weight should be given to the desirability of preserving listed buildings and their settings when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).

6.16 Paragraph 201 of the NPPF states that local planning authorities should refuse consent for any development which would lead to substantial harm to or total loss of significance of designated heritage assets. However, in paragraph 202, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.17 Criteria 7 of Policy SP7 seeks to ensure that development proposals safeguard and enhance conservation areas across the District. Policy HE3 of the local plan also indicates that new development which adversely affects a listed building or its setting will not be permitted. Any harm to the significance of a listed building will only be justified where the public benefits of the proposal clearly outweighs the significance.

i) the significance of the heritage asset and the contribution made by its setting

6.18 There are several listed buildings in and around this site. The nearest buildings are Oak House and Croft House to the east and Tower Villa, Eden View and Barn View which are directly opposite the site. Wayside and Old School Cottage are listed and to the north-east of the application site. All these properties are Grade II listed and both individually and collectively, contribute to the historic character and appearance of the village.

ii) the effect of the proposed development on the settings of the Grade II listed buildings

6.19 Historic England has produced a document entitled 'Historic Environment Good Practice Advice in Planning Note 3 - The Setting of Heritage Assets' (TSHA).

6.20 The TSHA document and the NPPF make it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive and negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

6.21 The NPPF reiterates the importance of a setting of a listed building by outlining that its setting should be taken into account when considering the impact of a proposal on a heritage asset (paragraph 194). However, in paragraph 202, the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the

proposal.

6.22 Section 66 (1) requires that development proposals consider not only the potential impact of any proposal on a listed building but also on its setting. Considerable importance and weight needs to be given to the desirability of preserving the adjoining listed buildings and settings when assessing this application. If the harm is found to be less than substantial, then any assessment should not ignore the overarching statutory duty imposed by section 66(1).

6.23 The council's Conservation Officer has raised the following issues:

- the site is within the Rickerby Conservation Area, in close proximity to a number of listed buildings and is regarded as an undesignated heritage asset;
- the Heritage Statement it is not exhaustive and does not provide a great deal of contextual information;
- the Heritage Statement fails to establish context and neither the Heritage Statement, Design and Access Statement, or the submitted elevations set the barns in context with their attached neighbours, to which they have once been fully integrated;
- the exterior changes proposed are in clear contradiction of local plan Policy HO6. The character of the building is harmed across all visible elevations, with a layout which appears to be the driver for alterations to the external envelope, rather than the layout being informed by the constraints of the building, with alterations minimised;
- any works to fences or walls between the site and Holme Farm would be likely to require listed building consent and/or planning permission;
- the volume of accommodation desired is incompatible with the maintenance of the exterior envelope of the building. As such, it may be that a single dwelling would have a more acceptable impact. The necessity for windows should be reviewed, with inclusions such as a new large window to the north elevation, serving only a landing, as clearly being superfluous and capable of removal. While it may be acceptable for some additional openings to be created on the south facing elevation, these should be minimal and informed by the need to retain the character of the building. Existing ventilation slots could also be usefully glazed;
- in its present form the works are not compliant with the policy considerations and should be refused.

6.24 Historic England's document "Local Heritage Listing: Identifying and Conserving Local Heritage" states that:

"Non-designated heritage assets are locally-identified 'buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets' (PPG)."

6.25 It continues that:

"Non-designated heritage assets can be identified in a number of ways,

including:

- *Local heritage lists*
- *Local and Neighbourhood Plans*
- *Conservation area appraisals and reviews*
- *Decision-making on planning applications”*

6.26 Development proposals affecting an identified non-designated heritage asset will be subject to the requirements of the National Planning Policy Framework at Section 16: Conserving and enhancing the historic environment.

6.27 To be considered a non-designated heritage asset, the asset in question should have some qualifying credentials and many local planning authorities have produced guidance in respect of this identifying criteria against which an asset should be assessed. It's commonly found that such criteria can include:

Archaeological interest

- **Cumbria Historic Environment Record** - an above ground archaeological site or historic building recorded in the Cumbria Historic Environment Record.

Architectural interest

- **Aesthetic value** - the building or structure, through its intrinsic design value derived from local styles, materials, workmanship or any other distinctive local characteristic, will exhibit a positive external appearance in the streetscene, village or townscape or landscape.
- **Known architect** - the building or structure will be the work of an architect of local, regional or national noteworthiness.
- **Integrity** - the building or structure will retain a degree of intactness and lack of harmful external alteration and, if part of a group, will make a contribution to the surviving completeness of that group.
- **Landmark status** - the building or structure by virtue of its design, age, innovation, construction, position, use or communal associations contributes as a landmark within the local scene.
- **Group value** - the buildings or structures will have a coherent design or historic functional relationship as a group.

Artistic interest

- **Aesthetic value** - the building or structure, through its intrinsic design value derived from local styles, materials, workmanship or any other distinctive local characteristic, will exhibit a positive external appearance in the streetscene, village or townscape or landscape.
- **Known designer** - the building or structure will be the work of a designer of local, regional or national noteworthiness.

Historic interest

- **Association** - the building or structure will enjoy a significant historical association of local or national noteworthiness including links to important local figures or events.
- **Rarity** - the building or structure must represent a design, use or other quality that was always uncommon or has now become uncommon or exceptional to the locality, district or wider region.

- **Representativeness** - the building or structure will survive as a good quality representative of a particular historical or architectural trend or settlement pattern; or be part of the legacy of a particular individual, architect or designer, architectural or artistic movement, company or group in the past.
- **Social and communal value** - the building or structure will be perceived locally as a source of local identity (for example, commemorative or symbolic), distinctiveness, social interaction or contributing to the collective memory of a place.

6.28 There are various appeals decisions that have been issued by the Planning Inspectorate. The issue is addressed in appeal for the insertion of a window and door in a building in Worcester (appeal reference 3245468) where in paragraph 8 the Inspector states:

“Paragraph 197 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and harm or loss and the significance of the heritage asset. I have been presented with no cogent evidence from the Council that the appeal site has been identified as a non-designated heritage asset. In any event, even if the site were considered a non-designated heritage asset, I have identified that the proposal does not harm the character and appearance of the dwelling, and as such does not conflict with the requirements of paragraph 197 of the Framework.”

6.29 A further example is found in Haslemere (appeal reference 3247524 and others) with paragraphs 30 to 34 being of particular interest. Specifically, in paragraph 33 the Inspector comments:

“An application was made to Historic England (HE) for listing of the building. HE formally responded on 9 June 2021, following closing of the Inquiry. I provided both parties with the opportunity to comment on the HE decision. HE finds that the house is of architectural merit and that the architect is a figure of local repute. However, HE has not concluded that the building or the architect are of such merit as to warrant either listing or to be put forward for a full assessment. There is nothing in the response from HE that leads me to believe that the building is of sufficient heritage value to as to be considered a non-designated heritage asset.”

6.30 Copies of these appeal decisions are reproduced following this report. It's evident that in order for a building to be considered a non-designated heritage asset, it must be supported by evidence. Although the building is located in the conservation area adjacent to listed buildings and is a long-standing feature within the character of the locality, it doesn't accord with any of the aforementioned criteria and there is no further evidence to consider it as a non-designated heritage asset.

6.31 The proposal involves the conversion of existing buildings to form two

dwellings. There are listed buildings directly opposite the site and also to the east, adjacent to the proposed car parking area. The converted buildings and the development as a whole would be viewed in the context of these listed buildings but mainly from the front elevation and the streetscene to which there would be some but limited alteration. These alterations are considered acceptable in this regard. Additionally, the removal of the corrugated sheeted roof and replacement with natural slates would be an enhancement to the building in this setting.

6.32 Its accepted that the alterations to the rear of the building are more significant but this doesn't necessarily equate to unacceptable alterations. Its already been established that the building isn't considered to be a non-designated heritage asset, although its an important building within the locality and within and adjacent to the designated heritage assets. The rear elevation doesn't command any views from public vantage points, instead facing the curtilage of the proposed dwellings with the River Eden beyond. In determining planning applications, a preference for a scheme may be voiced; however, the applicant is aware of the concerns that have been raised and is keen to pursue the scheme as currently submitted. A balanced judged therefore has to be made as to whether the scheme in its entirety is detrimental to the listed buildings.

6.33 Based on the foregoing, it is considered that the proposal (in terms of its location, scale, materials and overall design) wouldn't be detrimental to the immediate context or outlook of the aforementioned adjacent listed buildings.

3b. Impact Of The Proposal On The Rickerby Conservation Area

6.34 The application site is located within the Rickerby Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF, NPPG, Policy HE7 of the local plan are relevant.

6.35 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect to any buildings or land in a conservation area. The aforementioned section states that:

"special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area".

6.36 The aim of the 1990 Act is reiterated in the NPPF, NPPG and policies within the local plan. Policies HE6 and HE7 of the local plan advise that proposals should preserve or enhance their character and appearance, protecting important views into and out of conservation areas.

6.37 Under the requirements of the NPPF, a *"balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."* Although some physical changes are proposed to the frontage of the building, the majority of the changes would occur to the rear elevation which isn't visible from outwith the site from public viewpoints. The replacement roof covering would be an enhancement to the conservation

area. On this basis, the proposal would preserve the character and appearance of the Rickerby Conservation Area and wouldn't prejudice important views into or out of the conservation area. Accordingly, the proposal would not be contrary to planning policies.

4. Impact On The Living Conditions Of The Occupiers Of Neighbouring Properties

6.38 Development should be appropriate in terms of quality to that of the surrounding area and should not have an adverse impact on the living conditions of the occupiers of adjacent residential properties. The SPD provides guidance as to minimum distances between primary windows in order to respect privacy and avoid overlooking. Any subsequent scheme would have to be mindful and have regard to the distances outlined in the SPD i. e. 12 metres between primary windows and blank gables and 21 metres between primary windows.

6.39 The City Council's Supplementary Planning Document "Achieving Well Designed Housing", on the matter of privacy, states that:

"Where a development faces or backs onto existing development, in order to respect privacy within rooms a minimum distance of 21 metres should usually be allowed between primary facing windows (and 12 metres between any wall of the building and a primary window). However, if a site is an infill, and there is a clear building line that the infill should respect, these distances need not strictly apply. (para. 5. 44) While it is important to protect the privacy of existing and future residents, the creation of varied development, including mews style streets, or areas where greater enclosure is desired, may require variations in the application of minimum distances. " (para. 5. 45)

6.40 Given the orientation of the proposed dwelling with neighbouring properties together with the separation distances and intervening boundary, it is not considered that there is any conflict with the council's requirements for minimum distances between windows and thus, would not result in an issue of overlooking or loss of privacy. It is inevitable that any development may lead to increased levels of traffic and noise; however, given that the size of the site the level of usage would not warrant refusal of the application on this basis.

6.41 Furthermore, to mitigate for any unacceptable noise and disturbance during construction works a condition could be imposed which would limit construction hours.

6.42 In overall terms, taking into consideration the scale and position of the proposed application site in relation to neighbouring properties, it is unlikely that the living conditions of the occupiers of the surrounding properties will be compromised through loss of light, loss of privacy or over dominance.

5. Impact On Highway Safety

6.43 Planning policies require that development proposals are served by an

appropriate access and provide adequate parking facilities. The site is served by an existing vehicular access and the development would incorporate four car parking spaces. The fact that the properties would be accessed from a private road isn't a material planning consideration as the developer should ensure that the relevant rights of access and maintenance issues are in place and agreed with the relevant parties. Cumbria County Council, as the Highway Authority has raised no objection and the proposal does not raise any highway issues. It would be appropriate, however, to impose a condition on any consent requiring the retention of these parking spaces. A condition is imposed in relation to the submission of details for the parking of vehicles engaged with the construction process.

6. Whether The Method of Disposal of Foul And Surface Water Are Appropriate

- 6.44 In accordance with the NPPF and the NPPG, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy which should be considered in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
- 6.45 In order to protect against pollution, Policies IP6 and CC5 of the local plan seek to ensure that development proposals have adequate provision for the disposal of foul and surface water. The application form states that the surface water would be disposed of to an existing watercourse whilst the means of foul drainage is unknown. In the absence of any further details, it would be appropriate to require the submission of further details should be secured by means of a planning condition.
- 6.46 Cumbria County Council as the Lead Local Flood Authority has raised no issues in respect of the surface water drainage other than comments regarding the development within the Flood Zone.

7. Development Within The Flood Zone

- 6.47 This site lies within an area designated as Flood Zones 2 and 3 and as such there is potential for the site to flood and the proposed dwelling is referred to as a "more vulnerable" in flood risk terms.
- 6.48 Planning Practice Guidance states that "*The National Planning Policy Framework sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed*". This is an important consideration in the determination of this application.
- 6.49 The buildings are located within Flood Zone 2 whilst the adjoining land which

would be the curtilage of the properties is located within Flood Zone 3.

6.50 Paragraph 168 of the NPPF states:

“Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.”

6.51 Further guidance is found in the NPPG Paragraph: 048 Reference ID: 7-048-20140306 (Revision date: 06 03 2014) which states:

***“The flood risk issues raised by changes of use
What issues need to be considered and what does the applicant need to do?”***

A change in use may involve an increase in flood risk if the vulnerability classification of the development is changed. In such cases, the applicant will need to show in their flood risk assessment that future users of the development will not be placed in danger from flood hazards throughout its lifetime. Depending on the risk, mitigation measures may be needed. It is for the applicant to show that the change of use meets the objectives of the Framework’s policy on flood risk. For example, how the operation of any mitigation measures can be safeguarded and maintained effectively through the lifetime of the development.

The local planning authority may have a Local Plan policy on what changes of use will be acceptable in areas at risk of flooding.”

6.52 The gov.uk website requires that the Environment Agency is consulted for development proposals in Flood Zone 2 if the development (including change of use) is:

- within 20m of a main river on the Environment Agency flood map
- if the development’s flood risk vulnerability classification is:
- ‘essential infrastructure’
- ‘highly vulnerable’
- ‘more vulnerable’ and it’s a landfill, waste facility site, caravan or camping site
- ‘less vulnerable’ and it’s a waste treatment site, mineral processing site, water treatment plant, or sewage treatment plant.

6.53 The application is accompanied by a Flood Risk Assessment which confirms that:

“3.1 The barns are already positively drained in relation to their surface water and it is therefore considered that there would be no further increase in surface water run off. Garden areas will remain as grass and any additional hard standing for car parking will be permeable.

3.2 As several properties are currently draining into the foul systems on land owned by the applicant and in need of upgrading, discussions are

ongoing in this regard and it is anticipated that this will be covered by condition in order to allow for a holistic solution which will be of benefit to the River Eden.

3.3 The extension of The Park was subject to inundation, this lies approximately 0.5m lower than the FFL of the barn which are at a FFL of approx 17.00 AOD. A detailed topographical survey has been undertaken and accompanies the application. This ensures that the FFL is above the flood level of the most extreme event.

3.4 The floors are a solid construction and will remain so.

3.5 The walls are sandstone and will remain so.

3.6 External doors will be weather tight and flood gates can be attached if necessary, there are no air brick below flood levels.

3.7 Electrics will be fed from the top down with sockets 600mm above floor level.”

6.54 Planning permission was granted for flood defence works including the construction of a walled barrier. This was subsequently amended in 2019 and the approved drawings show a wall extending from the rear of The Park, adjacent to the site, whose alignment then is to the south before heading west to the rear of the application site and the adjacent properties, Oak House and Croft House. Notwithstanding this issue, it has been demonstrated in the preceding paragraphs that the proposal is compliant with the national planning policy requirements.

8. The Impact Of The Development On Hadrian's Wall Buffer Zone

6.55 The site is located wholly within the Hadrian's Wall Buffer Zone where policies require that development will not be permitted where there is an unacceptable impact on the Hadrian's Wall Military Zone World Heritage Site.

6.56 Development within or adjacent to existing settlements, established farmsteads and other groups of buildings will be permitted, where it is consistent with other policies of the local plan, providing that the proposal reflects the scale and character of the existing group of buildings and there is no unacceptable adverse effect on the character and/or appearance of the Hadrian's Wall Military Zone World Heritage Site.

6.57 The proposal involves the conversion of existing buildings to which Historic England has raised no objection. On this basis, the proposal doesn't raise any issues in respect of any impact on the character or appearance of the buffer zone.

9. Impact Of The Proposal On Biodiversity

6.58 Planning Authorities in exercising their planning and other functions must have regard to the requirements of the EC Habitats Directive (92/43/EEC)

when determining a planning application as prescribed by regulation 3 (4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Such due regard means that Planning Authorities must determine whether the proposed development meets the requirements of Article 16 of the Habitats Directive before planning permission is granted. Article 16 of the Directive indicates that if there is reasonable likelihood of a European protected species being present then derogation may be sought when there is no satisfactory alternative and that the proposal will not harm the favourable conservation of the protected species and their habitat.

- 6.59 The application is accompanied by a report assessing the potential presence and impact on bats, barn owls and breeding birds. The report concludes that:

“There were no signs of Barn Owls or bats in the building, starlings were nesting in the south eaves.

Brown Long Eared, Noctule, Myotis and Pipistrelle bat activity was observed along the road and around the buildings with the trees and buildings providing sheltered light sampling, feeding and commuting areas.

A single Pipistrelle was noted emerging from the eaves of a property to the north.

Extreme care must be taken when carrying out demolition of walls and opening up roof, crevices should be checked with a torch or endoscope, any bats found should be relocated by a Licensed Bat Worker and joints sleeved to allow egress but prevent re-access, or larger crevices provided with mortar tubes to allow bats to re-enter wall or roof cavities.

Bats to be encouraged on site by allowing them access to the buildings post-works and by providing bat boxes.

Provided works are carried out as recommended above, then it will not be necessary to apply for an EPS (European Protected Species) Licence for bats.”

- 6.60 Subject to the inclusion of conditions requiring the development to be undertaken in accordance with the report together with the submission of further details which would address the issue of enable bats to access the building and the siting of bat boxes, the proposal doesn't raise any issues in terms of protected species. Additionally, an Informative has been included within the decision notice ensuring that if a protected species is found all work must cease immediately and the local planning authority informed.

10. Other Matters

- 6.61 Policy IP2 requires that developments are encouraged to include sustainable vehicle technology with developments, as such, it is appropriate to impose a condition require the provision of a suitable charging point for electric vehicles.

- 6.62 To ensure that provision is made for the storage of waste, a condition is included requiring the supply of suitable waste receptacles.
- 6.63 Reference is made in the representations that no structural survey has been submitted. This isn't a mandatory requirement. The building appears to be in good condition and suitable conversion, only if this were in doubt would such a survey be requested.

Conclusion

- 6.64 In overall terms, the principle of residential development in Rickerby is acceptable. The proposal would seek to reuse existing buildings with limited alteration to the front of the building. The replacement of the roof covering with slate would be an improvement to the building and enhancement to the character of the locality.
- 6.65 The design and fenestration of the building would result in less than substantial harm to the adjacent listed buildings. The development of these buildings would preserve the character and appearance of the Rickerby Conservation Area. The development wouldn't be detrimental to the character or appearance of the surrounding designated area or the Hadrian's Wall Buffer Zone.
- 6.66 The residential accommodation would be provided wholly within Flood Zone 2 where the accompanying Flood Risk Assessment proposes mitigation measures within the development that would address potential flooding issues.
- 6.67 In the context of the site, the amenity of the occupiers of the neighbouring property would not be adversely affected. Adequate provision could be made for foul and surface water drainage (through the imposition of planning conditions) together with the access and parking arrangements.
- 6.68 Nevertheless, in overall terms, the proposal is considered to be contrary to the objectives of the relevant local plan policies and the NPPF.

7. Planning History

- 7.1 There is no planning history relating to this site.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development shall be undertaken in strict accordance with the approved documents for this Planning Permission which comprise:
 1. the Planning Application Form received 29th July 2021;
 2. the Site Location Plan received 29th July 2021;
 3. the Plans and Elevations received 11th October 2021 (Drawing no. 20-150-04A Rev A);
 4. the Survey for Bats, Barn Owls & Breeding Birds received 2nd August 2021;
 5. the Flood Risk Assessment received 29th July 2021;
 6. the Notice of Decision;
 7. any such variation as may subsequently be approved in writing by the local planning authority.

Reason: To define the permission.

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the local planning authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the local planning authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policies SP6 and CC5 of the Carlisle District Local Plan 2015-2030 and to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies within the National Planning Policy Framework and National Planning Practice Guidance.

4. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to has been submitted to and approved in writing by the local planning authority. The development shall then be undertaken in accordance with the approved details.

Reason: To prevent pollution of the water environment in accordance with Policy IP6 of the Carlisle District Local Plan 2015-2030.

5. Prior to the first occupation of any dwelling hereby approved, detailed bat mitigation measures shall be submitted to an agreed in writing by the local planning authority. The development shall then be undertaken and completed in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of adequate bat mitigation measures in accordance with Policy GI3 of the Carlisle District Local Plan 2015-2030.

6. Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason: The carrying out of this development without the provision of these facilities during the construction works is likely to lead to inconvenience and danger to road users and to support Policy SP6 and IP3 of the Carlisle District Local Plan 2015-2030.

7. Prior to their use on site, samples or full details of all materials to be used on the exterior have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies HO2 and CM5 of the Carlisle District Local Plan 2015-2030.

8. Prior to their use on site, full details of the proposed hard surface finishes to all external areas shall have been submitted to and approved in writing by the local planning authority. The hereby permitted development shall be carried out and completed in full accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies SP6 and HO2 of the Carlisle District Local Plan 2015-2030.

9. All boundary fences, walls, screens or other means of enclosure shall only be installed or erected in strict accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority, which shall include:

1. precise details of the item(s) including materials, location and height;
2. timescale for implementation;
3. any maintenance proposals identified as necessary within the first 5 years following provision.

Reason: To ensure that the appearance of the development will be in keeping with the locality and to protect visual amenity, in accordance with Policy SP6 of the Carlisle District Local Plan 2015-2030.

10. All new windows and doors to be installed in the dwellings shall strictly accord with detailed drawings and specifications that shall first have been submitted to and approved in writing by the local planning authority. Such details shall include the frames, means of affixing to the wall, the size and

opening arrangements of the window, the method of glazing, frames, cill and lintol arrangement.

Reason: To ensure that the works are appropriate to the building and the character of the Rickerby Conservation Area in accordance with Policies SP7 and HE7 of the Carlisle District Local Plan 2015-2030.

11. As part of the development hereby approved, adequate underground ducts shall be installed to enable telephone services, electricity services and television services to be connected to any premises within the application site.

Reason: To afford adequate service connection in accord with Policy IP4 of the Carlisle District Local Plan 2015-2030.

12. Prior to the occupation of any dwelling, a 32Amp single phase electrical supply shall be installed to allow future occupiers to incorporate an individual electric car charging point for the property. The approved works for any dwelling shall be implemented on site before that unit is first brought into use and retained thereafter for the lifetime of the development.

Reason: To ensure the provision of electric vehicle charging points for each dwelling, in accordance with Policy IP2 of the Carlisle District Local Plan 2015-2030.

13. No work associated with the construction of the residential units hereby approved shall be carried out before 0730 hours on weekdays and Saturdays nor after 1800 hours on weekdays and 1600 hours on Saturdays (nor at any times on Sundays or statutory holidays).

Reason: To prevent disturbance to nearby occupants in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

14. Prior to the occupation of any dwelling hereby permitted suitable receptacles shall be provided for the collection of waste and recycling in line with the schemes available in the Carlisle district.

Reason: In accordance with Policy IP5 of the Carlisle District Local Plan 2015-2030.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the local planning authority. Site investigations should follow the guidance in BS10175.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the

approval in writing of the local planning authority.

Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CM5 of the Carlisle District Local Plan 2015-2030.

16. Any parking area subsequently approved shall be constructed in accordance with the approved plans before any dwelling is occupied. The parking area shall be retained unaltered unless otherwise agreed in writing by the local planning authority.

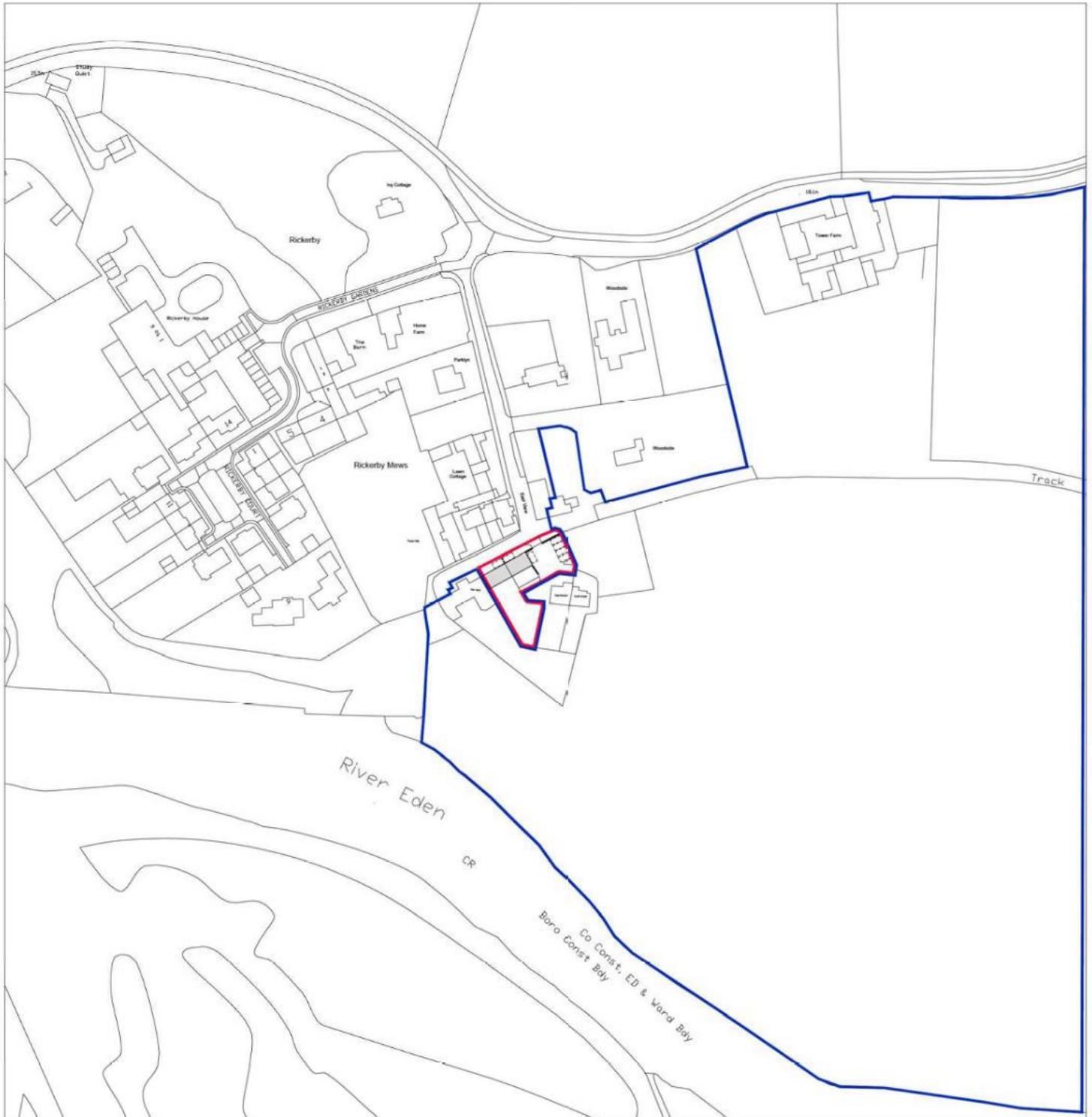
Reason: To ensure adequate access is available for each occupier in accordance with Policies SP6, HO2 and IP3 of the Carlisle District Local Plan 2015-2030.



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www.blackboxarchitects.com

mail @ blackboxarchitects.com



Location Plan 1:2500



0 metres 100 metres

Project	The Park Barn, Rickerby			Black Box Architects Limited. 1 Devonshire Chambers 8 Devonshire Street Carlisle, Cumbria. CA3 8AD	
Drawing	Planning	Revision		Scale	1:2500
Detail	Location Plan	Job.no.	20-150-05	Date	Jul-21
				Tel:	01228 402 200

Appeal Decision

Site visit made on 7 July 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 21 July 2020

Appeal Ref: APP/J1860/D/20/3245468

Granary House, Upton Road, Callow End, Worcester WR2 4TE

- 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 Mr Bryan Ratcliff against the decision of Malvern Hills District Council.
 - The application Ref: 19/01414/HP, dated 15 September 2019, was refused by notice dated 26 November 2019.
 - The development proposed is additional door and window to rear elevation.
-

Decision

1. The appeal is allowed and planning permission is granted for additional door and window to rear elevation at Granary House, Upton Road, Callow End, Worcester WR2 4TE and the following plans: Drawing No. ARS002 Location Plan and Drawing No. RS001 Rear Elevation.

Procedural Matter

2. I observed that the development described above has already been carried out, and the application is retrospective. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling.

Reasons

4. The appeal site comprises a former agricultural barn which has been converted to residential use. The appeal relates to two new openings on the rear elevation, including a glazed door and a new window. The Council have confirmed that given the size and position of the proposed window they do not consider that this harms the character of the building. Based on my assessment and observations during the site visit I have no reason to disagree. Therefore, the remainder of the appeal decision will focus on the impact of the new door.
5. The appeal building is constructed of red brick with a plain clay tiled roof. Currently there are a number of fenestrations on the rear of the property, and it was apparent from my site visit that these form no uniform or regulated pattern. The Council have raised concerns that the proposed glazed door is out of keeping with the agricultural character of the building, by introducing an additional element of domesticity. Furthermore, its location adjacent to an

existing doorway makes the new door appear unnecessary and awkward in its positioning on the rear elevation.

6. I do not find this to be the case. The overall character of the building has retained its overall agrarian nature, although its conversion has clearly altered its character and appearance to one more akin to a residential dwelling. The new doorway has been finished in a timber frame which matches the other fenestrations on the rear of the building and as such I find that it integrates well on the rear elevation. Furthermore, given the irregularity of the fenestrations on the rear elevation, its location next to an existing doorway does not detract nor harm the character of the building. Accordingly, I find that the proposal does not harm the character and appearance of the dwelling.
7. I note that the Council considers that the appeal site merits consideration as a non-designated heritage asset. Paragraph 040¹ of the National Planning Policy Guidance (NPPG) states that local planning authorities may identify non-designated heritage assets as part of the decision-making process on planning applications. It further states it is important that the decision to identify them as non-designated heritage assets are based on sound evidence. I note that **the Council's Conservation Officer was consulted as part of the application.**
8. Paragraph 197 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and harm or loss and the significance of the heritage asset. I have been presented with no cogent evidence from the Council that the appeal site has been identified as a non-designated heritage asset. In any event, even if the site were considered a non-designated heritage asset, I have identified that the proposal does not harm the character and appearance of the dwelling, and as such does not conflict with the requirements of paragraph 197 of the Framework.
9. The appeal site is located within the setting of the Listed Building known as 'No.9 Upton Road'. As such I have had regard to my statutory duties under S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. I find that the proposal is well screened from this listed building and there is limited visibility due to existing built development and therefore the proposal does not harm the setting of the listed building. Consequently, I find that it has a neutral effect on the significance of the designated heritage asset. I note that the Council raised no concerns in this regard
10. Consequently, I find that the proposal does not harm the character and appearance of the host dwelling. I find no conflict with policies SWDP6 and SWDP24 of the South Worcestershire Development Plan 2016. Together these policies seek, amongst other things, that development conserves and enhances heritage assets. I also find no conflict with the South Worcestershire Design Guide Supplementary Planning Document: Overarching Design Principles, which seeks, amongst other things, that development is of a high standard of design. I find no conflict with paragraph 197 of the Framework, which seeks, amongst other things that development does not harm non-designated heritage assets.

¹ Reference ID 18a-040-20190723 Revision date 23 07 2019

Conclusions

11. Having regard to all matters raised, it is concluded that the appeal should be allowed and planning permission granted.

S Shapland

INSPECTOR



Appeal Decisions

Inquiry held on 27 to 30 April 2021

Site visit made on 30 April 2021

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2021

Appeal A: APP/R3650/W/21/3266933

The Heights, 5 Hill Road, Haslemere GU27 2JP

- 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 Twist Heights Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2020/0029, dated 29 November 2019, was refused by notice dated 27 August 2020.
 - The development proposed is the erection of 22 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works.
-

Appeal B: APP/R3650/W/19/3225899

The Heights, 5 Hill Road, Haslemere GU27 2JP

- 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 Twist Heights Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2018/1771, dated 31 August 2018, was refused by notice dated 4 February 2019.
 - The development proposed is the erection of 25 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works.
-

Appeal C: APP/R3650/W/19/3242532

The Heights, 5 Hill Road, Haslemere GU27 2JP

- 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 Twist Heights Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1026, dated 22 May 2019, was refused by notice dated 17 October 2019.
 - The development proposed is the erection of 20 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works.
-

Appeal D: APP/R3650/W/19/3242615

Land forming the frontage of the Haslemere Preparatory School, Hill Road, Haslemere GU27 2JP

- 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 Twist Heights Ltd against the decision of Waverley Borough Council.
- The application Ref WA/2019/1135, dated 31 May 2019, was refused by notice dated

11 November 2019.

- The development proposed is the erection of 4 dwellings, provision of new vehicular access and associated works.
-

Appeal E: APP/R3650/H/20/3247524

The Heights, 5 Hill Road, Haslemere GU27 2JP

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant advertisement consent.
 - The appeal is made by Twist Heights Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2019/1837, dated 31 May 2019, was refused by notice dated 28 October 2019.
 - The advertisement proposed is the display of non-illuminated signs on hoardings and gates.
-

Decisions

1. Appeal A is allowed and planning permission is granted for the erection of 22 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works at The Heights, 5 Hill Road, Haslemere GU27 2JP, in accordance with the terms of the application Ref WA/2020/0029, dated 29 November 2019, subject to the conditions set out at Annex C(a).
2. Appeal B is allowed and planning permission is granted for the erection of 25 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works at The Heights, 5 Hill Road, Haslemere GU27 2JP, in accordance with the terms of the application Ref WA/2018/1771, dated 31 August 2018, subject to the conditions set out at Annex C(b).
3. Appeal C is allowed and planning permission is granted for the erection of 20 dwellings following demolition of former school buildings and dwelling, provision of new vehicular access and associated works at The Heights, 5 Hill Road, Haslemere GU27 2JP, in accordance with the terms of the application Ref WA/2019/1026, dated 22 May 2019, subject to the conditions set out at Annex C(c).
4. Appeal D is allowed and planning permission is granted for the erection of 4 dwellings, provision of new vehicular access and associated works at Land forming the frontage of the Haslemere Preparatory School, Hill Road, Haslemere GU27 2JP, in accordance with the terms of the application Ref WA/2019/1135, dated 31 May 2019, subject to the conditions set out at Annex C(d).
5. Appeal E is allowed and advertisement consent is granted for the display of non-illuminated signs on hoardings and gates at The Heights, 5 Hill Road, Haslemere GU27 2JP, in accordance with the terms of the application Ref WA/2019/1837, dated 31 May 2019. The consent is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and also to the conditions set out at Annex C(e).

Applications for Costs

6. At the Inquiry, applications for costs were made by Twist Heights Ltd against Waverley Borough Council in relation to Appeals C and D. Those applications are the subject of a separate Decision.

Preliminary Matters

7. Ahead of the Inquiry, the Council agreed with the appellant that none of the four residential schemes could viably provide affordable housing or contributions towards local infrastructure. In light of that, the corresponding reasons for refusal in relation Appeals B and C were not pursued.
8. I have made minor changes to the descriptions of development in the headers and decisions above for clarity and consistency.
9. Appeal A is for a 22-dwelling scheme incorporating two rows of proposed dwellings on the main site, a semi-detached pair of dwellings to the Hill Road frontage and a block of four flats in the location of the existing former **headmaster's** house. Appeal B proposes the same layout on the main site and the block of flats but introduces two semi-detached pairs of dwellings and one detached dwelling to the Hill Road frontage. This would provide a total of 25 homes. Appeal C is for the same layout on the main site and the block of flats but with no dwellings proposed to the Hill Road frontage and with a different roof profile to the block of flats. This would provide a total of 20 homes. Appeal D is for two semi-detached pairs of dwellings on the Hill Road frontage only.
10. The development the subject of Appeal D could, in theory, be implemented alongside the Appeal C scheme, because the appeal sites do not overlap. Both schemes have been designed to allow for this and a Unilateral Undertaking binding both proposals together has been submitted to cover this eventuality. Equally, both schemes, and indeed any of the developments proposed, could alternatively be implemented on their own. I take account of this as appropriate throughout my decision letter.

Main Issues

11. The main issues are:
 - the effect of the proposed developments on the character and appearance of the area, with particular regard to layout, the streetscene of Hill Road, architectural design, quantum, and the wooded character of the site and Haslemere Hillside (Appeals A to D);
 - the heritage significance of the school buildings to be demolished and the weight to be applied (Appeals A to C); and,
 - the effect of the proposed advertisements on public amenity (Appeal E).

Reasons

Character and appearance (Appeals A to D)

Layout, the streetscene of Hill Road, architectural design, and quantum

12. The appeal site for Appeals A and B is a former school and its grounds. Appeals C and D have split out the site, with Appeal C covering the main part of the site

- including all of the existing buildings and Appeal D the area of the grounds by Hill Road.
13. The main school building is a large, prominent building which has been extensively extended. There are also several outbuildings and the former **headmaster's house**. **Car parking**, access roads and hard standing former playgrounds make-up the majority of the landscaping. There are some low level and incidental trees and bushes throughout the site. A mature and tall hedgerow marks the boundary to the rear of the site, with a recreation ground behind. To the eastern boundary is a line of mature trees with a footpath behind and beyond that detached residential properties set in generous plots. To the western boundary are some further mature trees with houses beyond. The site rises steeply from Hill Road, with the existing buildings and playgrounds set on distinct terraces which run horizontally, east-west, across the site. The built form is all towards the middle and rear of the site, set away from Hill Road. There are two existing vehicular access points from Hill Road.
 14. Apart from the appeal site, Hill Road is lined on both sides by detached houses. Those on the opposite side of Hill Road are set close to the road, and sit slightly below the road, due to the slope. The houses on the south side of Hill Road, the same side as the appeal site, are generally set back from the road, built higher up the slope. Having said this, within this general pattern, the set back and precise orientation of the existing properties is varied. There is also a notable exception to the general pattern with the property on the corner with Old Haslemere Road, which lies nearer to Hill Road. The predominant boundary treatments on both sides of the road are hedgerows, with particularly tall and imposing hedgerows along a fair proportion of Hill Road either side of the appeal site. On both sides of the road the hedgerows are punctuated by several access points for driveways and garages.
 15. Each of the Appeals A to C schemes propose two rows of properties along the middle of the site and to the rear of the site. This approach is more regimented than the more informal layouts of the surrounding houses. However, both proposed rows would be in logical locations, related well to the topography of the site which has two distinct levels along both of the proposed rows, and reflecting the location of the existing school buildings which also sit on two parallel horizontal lines. In addition, the row along the middle of the site would be along a similar line to the existing properties to the east. The proposed layout would also create a cul-de-sac set behind Hill Road, a feature found in several locations in the surrounding area, including Hill Road itself. Therefore, the layout of this part of the appeal site would be in-keeping with the character and appearance of the area.
 16. The schemes the subject of Appeals A to D each take a different approach to the frontage with Hill Road. The Appeal C scheme would have no properties along this part of the site and would instead retain the existing grass bank and hedgerow. The two existing vehicular access points would be retained albeit that the westerly entrance would be altered to run more directly up the hill away from Hill Road. The Appeal A scheme would introduce one pair of semi-detached dwellings to the road frontage and would extend the rear gardens to two other plots to the east of these. It would also introduce new hedgerows a driveway and pedestrian access. The Appeal B scheme would introduce a further three houses along this boundary, all of which would have driveway

access directly to Hill Road. The scheme the subject of Appeal D is only for two semi-detached pairs of properties along Hill Road, with new hedgerows, driveways and the same proposed alteration to the main access point to the west as with Appeals A to C.

17. Appeals A, B and D would all introduce dwellings closer to the boundary than is common along this part of Hill Road. However, they would be at a similar set back to the existing property on the corner of Old Haslemere Road to the west. I acknowledge that this is a property set on a corner plot, but it nevertheless contributes to the character of this part of Hill Road. Importantly, the key defining character of the south side of this part of Hill Road is the prominence of the hedgerows, which partially screen the properties behind, even allowing for the hill, albeit with several gaps for driveways and entrance paths. All three relevant appeals propose a similar appearance, with extensive hedgerows and planting to Hill Road punctuated with driveways and access points. The proposed housing behind would be closer to the road than the majority of the existing properties but the key characteristic of extensive hedgerow screening and glimpsed views of properties behind would be retained.
18. The large rear gardens to Plots 6 and 7 in the Appeal A scheme would result in rear gardens leading up to Hill Road, which would be an unconventional layout. However, the existing properties to the east also have extensive gardens to the road. That these are front, as opposed to rear, gardens does not present a fundamentally different character, given their size, and this element of the proposed layout is therefore successful. The visibility splays for the main entrance for Appeals A to C (which could be controlled by condition were the appeals to succeed), would not affect the proposed hedgerows, as demonstrated on the submitted drawings.
19. If the Appeal C scheme were built-out in isolation, then there would be no properties to the Hill Road frontage and the landscaping would remain largely as existing. I acknowledge that this would represent a departure from the existing linear pattern of development along the wider road, but it would reflect the existing situation on that part of the appeal site. I find no material harm in this regard.
20. In the schemes the subject of Appeals A to C, a block of flats is proposed in a similar location to the **existing headmaster's house**. It would be larger than the existing building, but not excessively so, and it would be set away from the existing neighbouring houses to either side, namely High Green and No 7 Hill Road. There is also extensive screening to the neighbouring houses through the existing trees and hedgerows to the boundaries. Due to being located higher than the proposed block of flats, it would be possible to see the building from part of the garden of High Green. However, even with the more prominent roof form for this block proposed in the Appeals A and B schemes, the proposed building would only be marginally more bulky than the existing house, and the distance and intervening boundary screening would mitigate the visual effect it would have on High Green.
21. I acknowledge that the screening from the intervening hedgerows and trees to both High Green and No 7 cannot be relied upon in perpetuity. However, given their maturity and the screening benefits they provide to the occupants of those two properties it is unlikely that there would be any significant actions by the occupants of High Green or No7 to reduce these boundary treatments on

- their own land. An element of screening is also proposed through hedgerow and tree planting within the appeal site, which could be controlled by condition if the appeals were to succeed.
22. Two different roof forms are proposed for this block of flats. A lower and more simply designed slate roof, or a clay-tiled roof with greater articulation and variety of hips and slopes. The clay-tiled approach is more consistent with the roof forms proposed for the other buildings on the site and the articulation of the roof form more in-keeping with the surrounding built-form. However, the slate roof would also be an acceptable approach, because the block of flats would be set away from the other buildings in a different character area of the site, and because its simple form and design would be unobtrusive and well-balanced. Either approach is of acceptable appearance and there would be no harm in this regard.
23. Crown pitched roofs are proposed to the rearmost row of properties for Appeals A to C. The roofscape in the area generally comprises fully pitched roofs. However, there are a variety of precise roof forms, pitch angles, and gable designs in the surrounding area, including some instances of small elements of flat roofs. In addition, the flat element of the crown pitched roofs would largely not be visible due to the design of the pitched elements of the roofs obscuring the crown behind, and because of the location at the highest point of the site. There would be some oblique views afforded, but the effect of this on the character of the buildings and the wider area would be limited. In this context, I consider that the proposed crown pitched roofs would not be seen as out of keeping with the established character and appearance of the area.
24. Whilst the proposed density of development would be greater than the prevailing character of the surrounding area, it would be acceptable in the context of the significant existing built form across the site. This also applies to the block of flats which would largely replace and only be slightly bulkier than **the existing headmaster's house**. In addition, as set out above, I have found that the proposed layout and the effect on the Hill Road streetscene, for Appeals A to D, would be acceptable and in-keeping with the character of the area. This applies equally if Appeals C and D were both constructed, because they have been designed specifically to allow for this and the overall density and effect on the streetscene would actually be less than for Appeal B on its own. In this context, the quantum of proposed development for Appeals A to D individually, or Appeals C and D combined, would be acceptable.
25. Consequently, the proposals for Appeals A to D individually, or C and D together, would preserve the character and appearance of the area. They therefore comply with the relevant parts of Policies D1 and D4 of the Waverley Borough Local Plan 2002 (the LP), Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 (the Part 1 LP), and chapter 12 of the National Planning Policy Framework (the Framework), all of which require high quality design. They also comply with the Haslemere Design Statement which requires design to be sympathetic to local character.

The wooded character of the site and Haslemere Hillside

26. The appeal site contains relatively limited planting and does not significantly contribute to the wooded character of Haslemere Hillside. There are extensive hedgerows and some mature trees to the boundaries of the site but these are

- all to be retained. This is now common ground between the Council and the appellant. Appeals A to C all propose extensive new tree planting that would increase tree coverage and increase the wooded character of the site. This would both be as appreciated from within the site, or from nearby views, and also at distance, where the horizontal and vertical lines of proposed trees would extensively screen the proposed new houses.
27. The proposed species have been selected to minimise the likelihood of pressure from future occupiers to lop or fell the trees on their land, particularly with the use of Silver Birch which have a relatively light canopy. There might still be some pressure in the future for felling and lopping of some of the trees, particularly given the proximity of them to the proposed houses, but even if this were to occur there would still be fairly extensive planting from the communal trees, which would be of high amenity value in themselves and would be maintained through a management plan as secured by the relevant Unilateral Undertakings. This would compare favourably to the minimal existing planting on the site.
28. There was discussion at the Inquiry regarding whether the Council could impose Tree Preservation Order(s) on the proposed trees and the desirability of this measure. That would be a matter for the Council to consider outwith these appeals. However, as set out above, I do not believe that this is necessary to secure and maintain an improvement on the wooded character of the site, given the management plan secured through the Unilateral Undertakings and by condition.
29. Consequently, the schemes the subject of Appeals A to C would not diminish the wooded appearance of the hillside or result in a loss of tree cover, either now or in the future. They therefore comply with the relevant parts of Policy BE4 of the LP which, amongst other criteria, requires that development would not diminish the wooded appearance of the hillside. The proposals comply with Policy D4 of the LP which requires landscape design suitable to the site and with adequate safeguards for long-term management. They comply with Policy TD1 of the Part 1 LP which, amongst other criteria, requires high quality landscaping. They also comply with emerging Policy DS05 of the Local Plan Part 2: Site Allocations and Development Management Policies Pre-Submission Document, November 2020 which, amongst other criteria, requires the retention or provision of trees to maintain the wooded character of the Haslemere Hillsides.

Heritage (Appeals A to C)

30. Appeals A to C would involve the demolition of the existing school building. The building is in the Arts and Crafts style, designed by Herbert Hutchinson who was a local architect. The building itself is not of particularly high quality. It is relatively attractive and well-proportioned but is largely unremarkable. Extensions and alterations have also significantly undermined its original architectural integrity and setting, in particular the large extension to the east which has encroached onto the former garden area. The interior was extensively altered from its original state when the use changed from a house to a school and there has been subsequent partial dereliction since the school closed. My attention was drawn to internal features such as original fireplaces and the timber staircase but no evidence has been provided of any particularly noteworthy value to these elements. The building is a local landmark of sorts,

but that is primarily due to its size and prominence on the hillside rather than innate architectural quality.

31. Evidence has been provided that Mr Hutchinson was a relatively important local architect. However, no convincing evidence is before me to demonstrate that he was a particularly skilled architect or that the school building is a particularly fine example of his work.
32. Objectors have emphasised the quality of Mr **Hutchinson's drawings as being** outstanding, with a competence that would be hard to meet today. Whether or not this is the case, the proposals would only demolish the building, not the drawings, which would be retained. I have considered the request that a condition be imposed to require a further paper record be made of the building, for prosperity. However, this is not necessary because the building is not of sufficient heritage value to require such a record to be made.
33. An application was made to Historic England (HE) for listing of the building. HE formally responded on 9 June 2021, following closing of the Inquiry. I provided both parties with the opportunity to comment on the HE decision. HE finds that the house is of architectural merit and that the architect is a figure of local repute. However, HE has not concluded that the building or the architect are of such merit as to warrant either listing or to be put forward for a full assessment. There is nothing in the response from HE that leads me to believe that the building is of sufficient heritage value to as to be considered a non-designated heritage asset.
34. It is uncontested that, by demolishing the entire building, any effect on the building's heritage significance would be substantial, or total. However, for the reasons set out above, the building does not have anything other than limited heritage significance and I do not consider it to be a non-designated heritage asset. Moreover, although not necessarily determinative of such, there was no **indication that it features on the Council's Historic Environment Record**. Paragraphs 192 and 197 of the Framework, Policy H1 of the LP and Policy HA1 of the Part 1 LP are therefore not relevant to Appeals A to C in this regard.

Advertisements and public amenity (Appeal E)

35. It was common ground between the parties that the proposed advertisements would be acceptable in the event that Appeals A to D were to succeed, subject to a condition for a time limit of three years or occupation of the development, whichever comes sooner, before they be removed. This is because the effects of the proposed hoardings and advertisements on the visual amenity of the area would be lessened by the linking of the advertisement works to the construction works within the appeal site. I acknowledge that it is not possible to control the timing of construction and to formally link that to the erection of the advertisements but in reality the purpose of the advertisements is linked to construction so it is unlikely that they would be erected independently. In addition, the time limit of three years provides additional reassurance of the limited length of time the advertisements could be displayed for. A further condition is necessary to ensure the proposed advertisements would not be illuminated to minimise their visual effect on the character and appearance of the surrounding area.

36. Therefore, subject to control by the proposed conditions, the proposed advertisements would not have an unacceptable effect on public amenity and would comply with Policy D10 of the LP, which requires that advertisements be appropriate to their setting. There would be no conflict either with paragraph 132 of the Framework, which states the quality and character of places can suffer when advertisements are poorly sited and designed, which would not be the case for this appeal.

Other Matters

37. Several letters of objection have been provided, including from the **Haslemere Society, Haslemere Town Council, Save Britain's Heritage, the Victorian Society**, the Society for The Arts and Crafts Movement in Surrey, and a petition against the proposed Construction Environment Management Plan. Several local residents also spoke against the scheme at the Inquiry, including a representative of the Haslemere Society. The objections raised various concerns in addition to those addressed above. I have taken all of these factors into consideration as I set out below.

38. The distance and angle between the proposed dwellings and existing neighbouring properties, coupled with the significant screening from planting to the east and west boundaries, prevents any unacceptable overlooking or loss of light to neighbouring occupiers, or vice versa to future occupiers of the proposed homes. In addition, conditions could prevent additional windows from being installed in the future at first floor level or above on the elevations facing the nearest neighbouring houses, i.e. plots 6 and 11, and at roof level of any proposed property. Overlooking across Hill Road would be acceptable due to the distance, the intervening screening provided by the proposed and existing hedgerows, and noting that Hill Road itself is a public road. The more substantial roof form proposed to the block of flats in Appeals A and B would only be of marginally greater bulk than that proposed for Appeal C. In either form, the proposed building would not unduly harm the living conditions of neighbouring occupiers, due to the distance, angle, and intervening screening from the existing boundary planting.

39. The proposed gardens to the proposed block of flats would be adequately sized and are not contested by the Council. In addition, all of the appeals which propose the block of flats also include the creation of a new footpath link directly to the recreation ground and tennis courts behind the appeal site, so providing ease of access to extensive recreation and other sports facilities.

40. The proposals would reduce the amount of surface water flooding onto Hill Road compared with the existing situation, through the proposed surface water drainage measures. The Lead Local Flood Authority support the proposed surface water drainage solutions, subject to control of the detail of the measures by condition and planning obligations.

41. All of Appeals A to D provide sufficient car parking to meet planning policy standards and I have not been provided with any convincing evidence that they would lead to overspill parking on the surrounding roads.

42. For Appeals A to D, the first 23 metres of the proposed access road could be controlled by condition to be of a gradient no greater than 1:20 and also to use an anti-skid surface. The proposed access road would also not be entirely

perpendicular to Hill Road and incorporates bends, driveways and fairly substantial planting, all of which would naturally control the speed of traffic on the access road approaching the junction with Hill Road. I particularly note in this regard, that the Highways Authority has considered the proposals and is content with them in terms of highway safety. The conclusion is that there would be no unacceptable risk of loss of control or to highway safety as a result of the gradient, geometry or design of the road. This applies both to the operation of the proposed junction and also to the likelihood of vehicles crashing into the property on the opposite side of Hill Road. No convincing evidence has been submitted that would lead me to come to a different conclusion on these factors from that of the Highways Authority.

43. The proposed advertisements along Old Haslemere Road would not protrude any further into the road than existing hedgerows and verges to either side and would not unacceptably affect highway safety.
44. There would inevitably be some disruption during construction. However, no convincing evidence has been provided that the effects on parking for residents **or for facilities such as the Bowl's Club would be disrupted to such a degree as** to be unduly harmful to either the living conditions of neighbours or the operation of the club. Importantly, all of these effects could be minimised by a Construction Traffic Management Plan, which could be secured by condition. Subject to this, I am satisfied that any of the proposals could be constructed without causing unacceptable levels of harm.

Conditions

45. In addition to the standard time limit condition, a condition specifying the relevant drawings provides certainty. An agreed condition list was submitted and discussed at the Inquiry. I have considered this and have amended some conditions, and amalgamated others, in the light of government guidance on the use of conditions in planning permissions.
46. The access road and Construction Traffic Management Plan (CTMP) conditions are necessary to ensure highway safety and to protect the living conditions of nearby occupiers. I have not included the vehicle routing and highways repairs elements of the suggested CTMP condition because these relate to land outside of the appellants control and are unreasonable. However, I have added additional wording to advise drivers of preferred routes through signage in mitigation.
47. The Tree Protection Plan condition is necessary to ensure that the proposals would protect existing trees to be retained, which are required to preserve the character and appearance of the area and the wooded appearance of Haslemere Hillside.
48. The Construction Environment Management Plan condition is necessary to control and mitigate the effect of the proposals, and their construction, on ecology. This also captures the relevant elements of the proposed Landscape and Ecological Management Plan condition.
49. The drainage conditions, and the condition restricting permitted development rights to require porous materials, are necessary to ensure that surface water

- run-off is controlled and managed appropriately to minimise the risk of flooding.
50. The materials, landscaping, and making good of existing accesses conditions are necessary to preserve the character and appearance of the area and the wooded appearance of Haslemere Hillside. The maintenance of the landscaping is necessary because it would ensure that suitable replacement planting is made and because it relates to the entire site. The Unilateral Undertakings have similar provisions but these only relate to the communal areas.
 51. The visibility splays, access road gradient and materials, and parking and turning areas conditions are necessary to ensure highway safety.
 52. The cycle parking, Sustainable Travel Information Pack, and electric vehicle charging point conditions are necessary to encourage modes of transport other than the private car, in accordance with the requirements of Policy ST1 of the LP.
 53. The water use condition is necessary to secure sustainable use of water and to mitigate the effect on water infrastructure in the area, in accordance with the requirements of Policy CC2 of the Part 1 LP.
 54. The broadband internet condition is necessary to ensure that suitable broadband is provided to each of the dwellings, in accordance with the requirements of Policy CC2 of the Part 1 LP.
 55. The conditions restricting permitted development rights are necessary to protect the privacy of neighbouring occupiers, and in the interest of visual amenity.
 56. The tree protection, drainage, ecology, and construction related conditions are necessarily worded as pre-commencement conditions, because a later trigger for their submission and/or implementation would not allow for the appropriate controls to be agreed prior to the relevant works being undertaken.

Planning Obligations

57. A total of four Unilateral Undertakings (UU) have been completed, dated 12 April 2021 for Appeal B by itself, one dated 12 April 2021 for Appeals C and D together, another dated 12 May 2021 for Appeal D alone, and one dated 12 May 2021 for Appeal C alone.
58. The Appeal B and C UUs secure a management plan with regard to communal landscaping, estate roads and footpaths. They also secure the ongoing management and maintenance of this land and landscaping, together with the provision and subsequent maintenance and repair of Sustainable Urban Drainage Systems. The Appeal D UU secures the same elements as they apply to that appeal site. The joint Appeal C and D UU secures the same matters as the individual UUs for each appeal but treats the two proposals as one development.
59. The obligations are necessary to ensure the long-term maintenance of the communal areas of the site, in the interests of the character and appearance of the area and the wooded character of the Haslemere Hillside, and to maintain

a functional and appropriate sustainable drainage system. The joint UU legally binds the two relevant planning permissions to create one development, to ensure that the same controls are maintained in the event that Appeals C and D are pursued in tandem.

Conclusion

60. For the reasons set out above, the proposals for Appeals A to D individually, or C and D together, would preserve the character and appearance of the area. The schemes the subject of Appeals A to C would not diminish the wooded appearance of the hillside nor would they result in a loss of tree cover, either now or in the future. The school building does not have anything other than limited heritage significance and I do not consider it to be a non-designated heritage asset. The proposed advertisements would not have an unacceptable effect on public amenity. The proposals therefore accord with the development plan, taken as a whole, and the Framework.
61. It was uncontested that the Council cannot demonstrate a 5-year housing land supply. However, in this instance I have found no conflict with the development plan as a whole, or with the Framework. There is therefore no need for me to come to a conclusion on the housing land supply position.
62. For the reasons above, I conclude that Appeal A be allowed.
63. For the reasons above, I conclude that Appeal B be allowed.
64. For the reasons above, I conclude that Appeal C be allowed.
65. For the reasons above, I conclude that Appeal D be allowed.
66. For the reasons above, I conclude that Appeal E be allowed.

O S Woodward

INSPECTOR

ANNEX A: APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY

John Fitzsimons, of Counsel. He called:

Rachel Lawrence MRTPI	Principal Planning Officer, Waverley Borough Council
Chris Turner MRTPI	Principal Planning Officer, Waverley Borough Council
Russell Morris MRTPI MIHBC	Historic Buildings Officer, Waverley Borough Council
Stephen Tester	Arboricultural Consultant, Jeremy Benn Associates Limited
Barry Devlin	Solicitor, Waverley Borough Council

FOR THE APPELLANT

Guy Williams of Counsel. He called:

Alistair Grant MRTPI	Grant Consultancy
Guy La Costa	Director, Twist Heights Ltd
Dr Jonathan Edis MCIfA MIHBC	Founding Director of Heritage Collective UK Limited
Stephen Wadsworth CMLI	Director and Principal of Briarwood Landscape

INTERESTED PERSONS

Chris Harrison	Chairman, The Haslemere Society
Peter Hampson	Local resident
Louise Cronk	Local resident
Sarah Sullivan	Local resident
Marek Roguski	Former local resident

ANNEX B: DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY

- DOC 1 **Officer's Report for Ref PA/2017/0719**
- DOC 2 Email from Louise Cronk, dated 28 April 2021 at 20: 23
- DOC 3 Email from Louise Cronk, dated 28 April 2021 at 12: 25
- DOC 4 Road Safety Audit Report, dated September 2019
- DOC 5 Photograph of Haslemere Hillside
- DOC 6 The Arts and Crafts Movement in Surrey extracts regarding Herbert Hutchinson
- DOC 7 Cover letter for section drawing ref 25/SECT7a, dated 23 April 2021
- DOC 8 Section through Plots 22-25 Ref 25/SECT7a
- DOC 9 **Independent Examiner's Clarification Note regarding the Haslemere Neighbourhood Development Plan**, dated 21 April 2021
- DOC 10 Unilateral Undertaking (Appeal D), dated 12 May 2021
- DOC 11 Unilateral Undertaking (Appeal C), dated 12 May 2021
- DOC 12 Speaking note by Peter Hampson
- DOC 13 Site visit walkabout plan
- DOC 14 Bat Surveys for Professional Ecologists Good Practice Guidelines 3rd Edition, by the Bat Conservation Trust
- DOC 15 Boundary Survey Report, by Sterling Surveys, and associated Title Plans
- DOC 16 Historic England Letter and Initial Assessment Report, dated 9 June 2021
- DOC 17 Waverley Borough Council Letter, dated 22 June 2021

ANNEX C(a): SCHEDULE OF PLANNING CONDITIONS
APPEAL A - APP/R3650/W/21/3266933

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Drawings 220743 (x9), AEO1, 01K, 02G, 02H, 004D, 07C, 08D, 09D, 09D (Coloured), 09E, 03041A (Colour), 03041A, 03042B, 03043B, 03044B, 671A, 672B, 672C, 673B, 673D, 674C, 675C, 891A, 892B, 893B, 894B, 895B, 10111C, 10112A, 10112B, 10113C, 10114B, 10115B, 12151C, 12152B, 12153C, 12154B, 12155B, 12156B, 16171B, 16172C, 16173B, 16174C, 18211A, 18212A, 18213C, 18214B, 18215C, 18216C, 22251A, 22252A, 22253A, 22254, 22255A, GH03, SK501B, 5295/008, PP100B, 925-07-508, 9476-KC-XX-YTREE REV A, 925-07-508, 9476-KC-XX-YTREE REV 0, 25R01, 25R02, 25R03, 25R04, 25R05, 25R06.
3. No development shall commence, including demolition and/or groundworks, until a new access road has been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road, to a standard suitable for construction vehicles, and with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
4. No development shall commence, including demolition and/or groundworks, until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to, the following details:
 - (a) parking for vehicles of site personnel, operatives and visitors within the site;
 - (b) provision for loading and unloading of plant and materials within the site;
 - (c) storage of plant and materials within the site;
 - (d) programme of works (including measures for traffic management);
 - (e) provision of boundary hoarding behind any visibility splays;
 - (f) HGV deliveries and hours of operation;
 - (g) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site;
 - (h) measures to prevent the deposit of materials on the highway;
 - (i) no HGV movements to or from the site shall take place between the hours of 8am and 9am or after 3pm; and
 - (j) on-site turning for construction vehicles.

5. No development shall commence, including demolition and/or groundworks, until Tree Protection Plans (TPPs) for all phases of development and the related Arboricultural Method Statement (AMS) are submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved TPPs and AMS. The details to be submitted shall include, but not be limited to:
 - a) details of the specification, location and phasing of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas (RPAs) of trees shown to scale on the TPPs, including the installation of service routings;
 - b) an agreed scheme of supervision for the arboricultural protection measures; and
 - c) cross sections and details indicating the proposed finished ground levels, surface materials including sub-base, and depth of construction and method/materials used for edging, within the RPAs of retained trees.

6. No development shall commence, including demolition and/or groundworks, until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to:
 - a) a plan for the avoidance of the killing or injuring of any individual reptiles that may be identified during development;
 - b) confirmation that, should any common reptiles be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
 - c) description and evaluation of landscape features to be managed and created, including measures to compensate for loss of proposed tree and hedge removal;
 - d) confirmation that any external lighting shall comply with the **recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series"**;
 - e) confirmation that works shall proceed in line with the precautionary approach set out within the Recommendations section (table 4.2) of **the submitted "Bat Mitigation Strategy" of the "Preliminary Ecological Appraisal (v.2)"** report;
 - f) **prior to any works affecting the former headmaster's house building, the continued absence of bats from this property shall be confirmed in writing by a suitably qualified ecologist;**
 - g) confirmation that, should any bats be discovered during construction which are likely to be affected by the development, works will cease

- immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
- h) numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
 - i) preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - j) details of the body or organisation responsible for implementation of the CEMP; and
 - k) ongoing monitoring and remedial measures.
7. No development shall commence, including demolition and/or groundworks, until details of the design of a surface water drainage scheme based on sustainable drainage principles, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The details to be submitted shall include, but are not to be limited to:
- a) ground investigations including confirmation of groundwater levels;
 - b) evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and During);
 - c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk;
 - d) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
 - e) details of any services to be provided or repaired including drains and soakaways, on or to the site;
 - f) a fully labelled cross section drawing of the hard surfacing hereby approved and confirmation that the materials to be used in the construction of the hard surfacing shall be made of a porous/permeable material;
 - g) a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;
 - h) a timetable and construction method statement for its implementation (including phased implementation where applicable); and
 - i) a management and maintenance plan for the lifetime of the development, which shall include arrangements for adoption by any public body or statutory undertaker or management company and any

other arrangements to secure the operation of the scheme throughout its lifetime.

8. No above ground development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved sample details.
9. No above ground development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include, but not be limited to:
 - a) a statement setting out the design objectives and how these will be delivered;
 - b) earthworks showing existing and proposed finished levels or contours;
 - c) means of enclosure and retaining structures;
 - d) boundary treatments;
 - e) planting plans, including trees;
 - f) hard surfacing materials;
 - g) an implementation programme, including phasing of work where relevant; and
 - h) a scheme of management and/or maintenance for a period of at least 10 years from the implementation of the approved scheme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

10. Prior to the first occupation of the development, the vehicular access to Hill Road shall have been constructed and provided with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
11. Prior to the first occupation of the development, the new access road shall have been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road and provided with an anti-skid surface. The remaining length of new access road shall be constructed with a maximum gradient of 1:9.8, in accordance with Drawing Ref 5295/008.
12. Prior to the first occupation of the development, the existing accesses from the site to Hill Road made redundant as a result of the development shall have been permanently closed and any kerbs, verge, footway, fully reinstated.
13. No dwelling shall be occupied until space has been laid out within the site in accordance with Drawing Ref 1531 004D for the car parking associated with that dwelling, and/or, where internal garaging is shown on the approved plans (Plots 12 to 21), that has also been provided and made available for use. The spaces and garages shall thereafter be kept available at all times for the parking of vehicles. No dwelling shall be occupied until space has

been laid out in the site for vehicles to turn so that they may enter and leave the site in forward gear, with the exception of the driveway to Plot 3.

14. Prior to the first occupation of the development, facilities for the secure parking of bicycles within the development site shall have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The cycle parking spaces provided pursuant to this condition shall be retained thereafter for the intended purpose.
15. Prior to the first occupation of the development, a Sustainable Travel Information Pack shall be submitted for the written approval of the local planning authority. The approved Sustainable Travel Information Pack shall be issued to the first-time occupier of each dwelling, prior to first occupation. The pack shall include:
 - a) details of local public transport services and location of the rail station and local bus stops;
 - b) details of local lift sharing schemes; and
 - c) maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities information to promote the take-up of sustainable travel.
16. No dwelling shall be occupied unless and until an electric vehicle (EV) fast charge point for that dwelling has been installed and is operational in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. Once provided, the EV charging points shall be retained thereafter.
17. Prior to the first occupation of the development, a signed verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the local planning authority to confirm that the surface water drainage system has been constructed in accordance with the approved details. The report shall include details and locations of critical drainage infrastructure, including the national grid reference and an operation and maintenance manual for the unadopted parts of the scheme as constructed.
18. Prior to the first occupation of the development, details shall be submitted to and be approved in writing by the local planning authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.
19. Prior to the first occupation of the development, the highest available speed broadband infrastructure shall be installed to each dwelling and made available for use.
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed in the west elevation of Plot 11 or east elevation of Plot 6 at first floor level or above without the written permission of the local planning authority.

21. Notwithstanding the provisions of Class B of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additions to the roof or any other alterations to the roof of any of the residential accommodation hereby permitted shall be erected without the written permission of the local planning authority.
22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) any hard surface situated on land between a wall forming the principal elevation of the dwellinghouse and the internal access road or Hill Road, shall be made of porous materials.

====End of Schedule=====

ANNEX C(b): SCHEDULE OF PLANNING CONDITIONS
APPEAL B - APP/R3650/W/19/3225899

1. The development hereby permitted shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Drawings 220743 (x9), AE01,02B, 04F, 05A, 06C, 07C, 08D, 09A, 121C, 122A, 123A, 214A, 125A, 341A, 342A, 343, 344A, 345, 51A, 052B, 053A, 054A, 671A, 672B, 673B, 674A, 675A, 891A, 892A, 893A, 894A, 895A, 10111A, 10112A, 10112B, 10114A, 10115A, 12151C, 12152B, 12153B, 12154A, 12155A, 12156A, 16171B, 16172B, 16173A, 16174A, 18211A, 18212A, 18213B, 18214B, 18215B, 18216B, 22251A, 22252B, 22253A, 22254, 22255A, 5295/008, PP100B, 925-07-01, 925-07-02, 9476-KC-XX-YTREE REV A, 925-07-508, 9476-KC-XX-YTREE REV 0, 25R01, 25R02, 25R03, 25R04, 25R05, 25R06.
3. No development shall commence, including demolition and/or groundworks, until a new access road has been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road, to a standard suitable for construction vehicles, and with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
4. No development shall commence, including demolition and/or groundworks, until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to, the following details:
 - a) parking for vehicles of site personnel, operatives and visitors within the site;
 - b) provision for loading and unloading of plant and materials within the site;
 - c) storage of plant and materials within the site;
 - d) programme of works (including measures for traffic management);
 - e) provision of boundary hoarding behind any visibility splays;
 - f) HGV deliveries and hours of operation;
 - g) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site;
 - h) measures to prevent the deposit of materials on the highway;
 - i) no HGV movements to or from the site shall take place between the hours of 8am and 9am or after 3pm; and
 - j) on-site turning for construction vehicles.
5. No development shall commence, including demolition and/or groundworks, until Tree Protection Plans (TPPs) for all phases of development and the

related Arboricultural Method Statement (AMS) are submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved TPPs and AMS. The details to be submitted shall include, but not be limited to:

- a) details of the specification, location and phasing of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas (RPAs) of trees shown to scale on the TPPs, including the installation of service routings;
 - b) an agreed scheme of supervision for the arboricultural protection measures; and
 - c) cross sections and details indicating the proposed finished ground levels, surface materials including sub-base, and depth of construction and method/materials used for edging, within the RPAs of retained trees.
6. No development shall commence, including demolition and/or groundworks, until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to:
- a) a plan for the avoidance of the killing or injuring of any individual reptiles that may be identified during development;
 - b) confirmation that, should any common reptiles be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
 - c) description and evaluation of landscape features to be managed and created, including measures to compensate for loss of proposed tree and hedge removal;
 - d) confirmation that any external lighting shall comply with the **recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series"**;
 - e) confirmation that works shall proceed in line with the precautionary approach set out within the Recommendations section (table 4.2) of **the submitted "Bat Mitigation Strategy" of the "Preliminary Ecological Appraisal (v.2)" report**;
 - f) **prior to any works affecting the former headmaster's house building**, the continued absence of bats from this property shall be confirmed in writing by a suitably qualified ecologist;
 - g) confirmation that, should any bats be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;

- h) numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
 - i) preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - j) details of the body or organisation responsible for implementation of the CEMP; and
 - k) ongoing monitoring and remedial measures.
7. No development shall commence, including demolition and/or groundworks, until details of the design of a surface water drainage scheme based on sustainable drainage principles, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The details to be submitted shall include, but are not to be limited to:
- a) ground investigations including confirmation of groundwater levels;
 - b) evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during);
 - c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk;
 - d) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
 - e) details of any services to be provided or repaired including drains and soakaways, on or to the site;
 - f) a fully labelled cross section drawing of the hard surfacing hereby approved and confirmation that the materials to be used in the construction of the hard surfacing shall be made of a porous/permeable material;
 - g) a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;
 - h) a timetable and construction method statement for its implementation (including phased implementation where applicable); and
 - i) a management and maintenance plan for the lifetime of the development, which shall include arrangements for adoption by any public body or statutory undertaker or management company and any other arrangements to secure the operation of the scheme throughout its lifetime.

8. No above ground development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved sample details.
9. No above ground development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include, but not be limited to:
 - a) a statement setting out the design objectives and how these will be delivered;
 - b) earthworks showing existing and proposed finished levels or contours;
 - c) means of enclosure and retaining structures;
 - d) boundary treatments;
 - e) planting plans, including trees;
 - f) hard surfacing materials;
 - g) an implementation programme, including phasing of work where relevant; and
 - h) a scheme of management and/or maintenance for a period of at least 10 years from the implementation of the approved scheme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

10. Prior to the first occupation of the development, the vehicular access to Hill Road shall have been constructed and provided with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
11. Prior to the first occupation of the development, the new access road shall have been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road and provided with an anti-skid surface. The remaining length of new access road shall be constructed with a maximum gradient of 1:9.8, in accordance with Drawing Ref 5295/008.
12. Prior to the first occupation of the development, the existing accesses from the site to Hill Road made redundant as a result of the development shall have been permanently closed and any kerbs, verge, footway, fully reinstated.
13. No dwelling shall be occupied until space has been laid out within the site in accordance with Drawing Ref 1531 004D for the car parking associated with that dwelling, and/or, where internal garaging is shown on the approved plans (Plots 1 to 5 and 12 to 21), that has also been provided and made available for use. The spaces and garages shall thereafter be kept available at all times for the parking of vehicles. No dwelling shall be occupied until space has been laid out in the site for vehicles to turn so that they may enter and leave the site in forward gear, with the exception of the driveways to Plots 1 to 5.

14. Prior to the first occupation of the development, facilities for the secure parking of bicycles within the development site shall have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The cycle parking spaces provided pursuant to this condition shall be retained thereafter for the intended purpose.
15. Prior to the first occupation of the development, a Sustainable Travel Information Pack shall be submitted for the written approval of the local planning authority. The approved Sustainable Travel Information Pack shall be issued to the first-time occupier of each dwelling, prior to first occupation. The pack shall include:
 - a) details of local public transport services and location of the rail station and local bus stops;
 - b) details of local lift sharing schemes; and
 - c) maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities Information to promote the take-up of sustainable travel.
16. No dwelling shall be occupied unless and until an electric vehicle (EV) fast charge point for that dwelling has been installed and is operational in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. Once provided, the EV charging points shall be retained thereafter.
17. Prior to the first occupation of the development, a signed verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the local planning authority to confirm that the surface water drainage system has been constructed in accordance with the approved details. The report shall include details and locations of critical drainage infrastructure, including the national grid reference and an operation and maintenance manual for the unadopted parts of the scheme as constructed.
18. Prior to the first occupation of the development, details shall be submitted to and be approved in writing by the local planning authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.
19. Prior to the first occupation of the development, the highest available speed broadband infrastructure shall be installed to each dwelling and made available for use.
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed in the west elevation of Plot 11 or east elevation of Plot 6 at first floor level or above without the written permission of the local planning authority.
21. Notwithstanding the provisions of Class B of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any

ANNEX C(c): SCHEDULE OF PLANNING CONDITIONS
APPEAL C - APP/R3650/W/19/3242532

1. The development hereby permitted shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Drawings 220743 (x9) 01D, 01H, 01J, 02F, 004A, 004B, 004D, 07D, 08D, 671A, 672C, 673B, 674B, 675B, 891A, 892B, 893B, 894B, 895B, 10111A, 10111C, 10112B, 10113C, 10114B, 10115B, 12151C, 12152B, 12153C, 12154B, 12155B, 12156B, 16171C, 16172C, 16173B, 16174C, 18211A, 18212A, 18213C, 18214B, 18215C, 18216C, 22251A, 22252A, 22253A, 22254B, 22255A, 5295/008, 925-07-20, 925-07-21.
3. No development shall commence, including demolition and/or groundworks, until a new access road has been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road, to a standard suitable for construction vehicles, and with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
4. No development shall commence, including demolition and/or groundworks, until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to, the following details:
 - a) parking for vehicles of site personnel, operatives and visitors within the site;
 - b) provision for loading and unloading of plant and materials within the site;
 - c) storage of plant and materials within the site;
 - d) programme of works (including measures for traffic management);
 - e) provision of boundary hoarding behind any visibility splays;
 - f) HGV deliveries and hours of operation;
 - g) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site;
 - h) measures to prevent the deposit of materials on the highway;
 - i) no HGV movements to or from the site shall take place between the hours of 8am and 9am or after 3pm; and
 - j) on-site turning for construction vehicles.
5. No development shall commence, including demolition and/or groundworks, until Tree Protection Plans (TPPs) for all phases of development and the related Arboricultural Method Statement (AMS) are submitted to and approved in writing by the local planning authority. Development shall be

carried out in accordance with the approved TPPs and AMS. The details to be submitted shall include, but not be limited to:

- a) details of the specification, location and phasing of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas (RPAs) of trees shown to scale on the TPPs, including the installation of service routings;
 - b) an agreed scheme of supervision for the arboricultural protection measures; and
 - c) cross sections and details indicating the proposed finished ground levels, surface materials including sub-base, and depth of construction and method/materials used for edging, within the RPAs of retained trees.
6. No development shall commence, including demolition and/or groundworks, until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to:
- a) a plan for the avoidance of the killing or injuring of any individual reptiles that may be identified during development;
 - b) confirmation that, should any common reptiles be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
 - c) description and evaluation of landscape features to be managed and created, including measures to compensate for loss of proposed tree and hedge removal;
 - d) confirmation that any external lighting shall comply with the **recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series"**;
 - e) confirmation that works shall proceed in line with the precautionary approach set out within the Recommendations section (table 4.2) of **the submitted "Bat Mitigation Strategy" of the "Preliminary Ecological Appraisal (v.2)" report**;
 - f) **prior to any works affecting the former headmaster's house building**, the continued absence of bats from this property shall be confirmed in writing by a suitably qualified ecologist;
 - g) confirmation that, should any bats be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
 - h) numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;

- i) preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - j) details of the body or organisation responsible for implementation of the CEMP; and
 - k) ongoing monitoring and remedial measures.
7. No development shall commence, including demolition and/or groundworks, until details of the design of a surface water drainage scheme based on sustainable drainage principles, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The details to be submitted shall include, but are not to be limited to:
- a) ground investigations including confirmation of groundwater levels;
 - b) evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during);
 - c) detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk;
 - d) details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational;
 - e) details of any services to be provided or repaired including drains and soakaways, on or to the site;
 - f) a fully labelled cross section drawing of the hard surfacing hereby approved and confirmation that the materials to be used in the construction of the hard surfacing shall be made of a porous/permeable material;
 - g) a plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;
 - h) a timetable and construction method statement for its implementation (including phased implementation where applicable); and
 - i) a management and maintenance plan for the lifetime of the development, which shall include arrangements for adoption by any public body or statutory undertaker or management company and any other arrangements to secure the operation of the scheme throughout its lifetime.
8. No above ground development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local

planning authority. Development shall be carried out in accordance with the approved sample details.

9. No above ground development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include, but not be limited to:
 - a) a statement setting out the design objectives and how these will be delivered;
 - b) earthworks showing existing and proposed finished levels or contours;
 - c) means of enclosure and retaining structures;
 - d) boundary treatments;
 - e) planting plans, including trees;
 - f) hard surfacing materials;
 - g) an implementation programme, including phasing of work where relevant; and
 - h) a scheme of management and/or maintenance for a period of at least 10 years from the implementation of the approved scheme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

10. Prior to the first occupation of the development, the vehicular access to Hill Road shall have been constructed and provided with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
11. Prior to the first occupation of the development, the new access road shall have been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road and provided with an anti-skid surface. The remaining length of new access road shall be constructed with a maximum gradient of 1:9.8, in accordance with Drawing Ref 5295/008.
12. Prior to the first occupation of the development, the existing accesses from the site to Hill Road made redundant as a result of the development shall have been permanently closed and any kerbs, verge, footway, fully reinstated.
13. No dwelling shall be occupied until space has been laid out within the site in accordance with Drawing Ref 1531 004D for the car parking associated with that dwelling, and/or, where internal garaging is shown on the approved plans (Plots 12 to 21), that has also been provided and made available for use. The spaces and garages shall thereafter be kept available at all times for the parking of vehicles. No dwelling shall be occupied until space has been laid out in the site for vehicles to turn so that they may enter and leave the site in forward gear.
14. Prior to the first occupation of the development, facilities for the secure parking of bicycles within the development site shall have been provided in accordance with a scheme to be submitted to and approved in writing by the

local planning authority. The cycle parking spaces provided pursuant to this condition shall be retained thereafter for the intended purpose.

15. Prior to the first occupation of the development, a Sustainable Travel Information Pack shall be submitted for the written approval of the local planning authority. The approved Sustainable Travel Information Pack shall be issued to the first-time occupier of each dwelling, prior to first occupation. The pack shall include:
 - a) details of local public transport services and location of the rail station and local bus stops;
 - b) details of local lift sharing schemes; and
 - c) maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities Information to promote the take-up of sustainable travel.
16. No dwelling shall be occupied unless and until an electric vehicle (EV) fast charge point for that dwelling has been installed and is operational in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. Once provided, the EV charging points shall be retained thereafter.
17. Prior to the first occupation of the development, a signed verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the local planning authority to confirm that the surface water drainage system has been constructed in accordance with the approved details. The report shall include details and locations of critical drainage infrastructure, including the national grid reference and an operation and maintenance manual for the unadopted parts of the scheme as constructed.
18. Prior to the first occupation of the development, details shall be submitted to and be approved in writing by the local planning authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.
19. Prior to the first occupation of the development, the highest available speed broadband infrastructure shall be installed to each dwelling and made available for use.
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed in the west elevation of Plot 11 or east elevation of Plot 6 at first floor level or above without the written permission of the local planning authority.
21. Notwithstanding the provisions of Class B of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additions to the roof or any other alterations to the roof of any of the

ANNEX C(d): SCHEDULE OF PLANNING CONDITIONS
APPEAL D - APP/R3650/W/19/3242615

1. The development hereby permitted shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 01G, 004A, 004A (Colour), 056, 010203041, 09D, 121E, 01021A, 01022A, 01023A, 01024, 03041A, 03042A, 03043A, 03044A, 341B, 5295/008, PP102, 925-07- 30, 925-07-31.
3. No development shall commence, including groundworks, until a new access road has been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road, to a standard suitable for construction vehicles, and with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
4. No development shall commence, including demolition and/or groundworks, until a Construction Transport Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to, the following details:
 - a) parking for vehicles of site personnel, operatives and visitors within the site;
 - b) provision for loading and unloading of plant and materials within the site;
 - c) storage of plant and materials within the site;
 - d) programme of works (including measures for traffic management);
 - e) provision of boundary hoarding behind any visibility splays;
 - f) HGV deliveries and hours of operation;
 - g) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site;
 - h) measures to prevent the deposit of materials on the highway;
 - i) no HGV movements to or from the site shall take place between the hours of 8am and 9am or after 3pm; and
 - j) on-site turning for construction vehicles.

5. No development shall commence, including demolition and/or groundworks, until Tree Protection Plans (TPPs) for all phases of development and the related Arboricultural Method Statement (AMS) are submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved TPPs and AMS. The details to be submitted shall include, but not be limited to:
 - a) details of the specification, location and phasing of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Areas (RPAs) of trees shown to scale on the TPPs, including the installation of service routings;
 - b) an agreed scheme of supervision for the arboricultural protection measures; and
 - c) cross sections and details indicating the proposed finished ground levels, surface materials including sub-base, and depth of construction and method/materials used for edging, within the RPAs of retained trees.

6. No development shall commence, including demolition and/or groundworks, until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved Plan. The Plan is to include, but not be limited to:
 - a) a plan for the avoidance of the killing or injuring of any individual reptiles that may be identified during development;
 - b) confirmation that, should any common reptiles be discovered during construction which are likely to be affected by the development, works will cease immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
 - c) description and evaluation of landscape features to be managed and created, including measures to compensate for loss of proposed tree and hedge removal;
 - d) confirmation that any external lighting shall comply with the **recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK – Bats and The Built Environment Series"**;
 - e) confirmation that works shall proceed in line with the precautionary approach set out within the Recommendations section (table 4.2) of **the submitted "Bat Mitigation Strategy" of the "Preliminary Ecological Appraisal (v.2)" report**;
 - f) **prior to any works affecting the former headmaster's house building, it shall be confirmed in writing from a suitably qualified ecologist the continued absence of bats from this property;**
 - g) confirmation that, should any bats be discovered during construction which are likely to be affected by the development, works will cease

- immediately, subject to agreement to proceed being obtained from a suitably qualified and experienced ecologist;
- h) numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
 - i) preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - j) details of the body or organisation responsible for implementation of the CEMP; and
 - k) ongoing monitoring and remedial measures.
7. No above ground development shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved sample details.
8. No above ground development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include, but not be limited to:
- a) a statement setting out the design objectives and how these will be delivered;
 - b) earthworks showing existing and proposed finished levels or contours;
 - c) means of enclosure and retaining structures;
 - d) boundary treatments;
 - e) planting plans, including trees;
 - f) hard surfacing materials;
 - g) an implementation programme, including phasing of work where relevant; and
 - h) a scheme of management and/or maintenance for a period of at least 10 years from the implementation of the approved scheme.
- The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.
9. Prior to the first occupation of the development, the vehicular access to Hill Road shall have been constructed and provided with 2.4m x 20m visibility splays in accordance with Drawing Ref 5021/004 Rev C, and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m.
10. Prior to the first occupation of the development, the new access road shall have been constructed with a maximum gradient of 1:20 for the first 23m from Hill Road and provided with an anti-skid surface. The remaining length of new access road shall be constructed with a maximum gradient of 1:9.8, in accordance with Drawing Ref 5295/008.
11. Prior to the first occupation of the development, the existing accesses from the site to Hill Road made redundant as a result of the development shall

