



## Appeal Decision

Site visit made on 18 June 2021

**by J E Jolly BA (Hons) MA MSc CIH MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7<sup>th</sup> July 2021

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### **Appeal Ref: APP/Z3825/W/20/3264032**

### **Former B & W Building, Elm Grove Lane, Steyning BN44 3SA**

- 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 John Bacon (Perth Group) against the decision of Horsham District Council.
  - The application Ref DC/20/0789, dated 20 April 2020, was refused by notice dated 21 October 2020.
  - The development proposed is for the demolition of existing buildings and the erection of a new residential building comprising of 9 No houses and apartments, and a B1 commercial office building with associated vehicle parking, cycle parking, bin storage and landscaping.
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### **Decision**

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and the erection of a new residential building comprising of 9 No houses and apartments, and a B1 commercial office building with associated vehicle parking, cycle parking, bin storage and landscaping at the **former B & W Building, Elm Grove Lane, Steyning BN44 3SA** in accordance with the terms of the application, Ref DC/20/0789, dated 20 April 2020, and the plans submitted with it, subject to conditions set out in Annex A.

### **Procedural Matters**

2. I acknowledge that an interested party appears not to have received notification of the initial proposal, and a number of interested parties contend that the proposal was not subject to consultation. However, from the evidence before me I am satisfied that the Appellant and the Council carried out the normal activities associated with a planning application, including contacting Steyning Parish Council and the erection of a site notice, to which the latter a number of interested parties made written representations regarding the proposal. As such, it is likely that the proposal would have been common knowledge locally. Moreover, in the interests of certainty, following revisions to the submitted drawings, the Council carried out a further full consultation process.
3. Changes to the Town and Country Planning (Use Classes) Order 1987 from 1st September 2020, which includes a new Class E that provides for additional use classes including Class B1 (Business). However, planning applications which were submitted prior to 1st September 2020 must be determined by reference to the previous use classes. In this case the application was submitted prior to this date. Therefore, I have proceeded in accordance with, and reference to, the previous use classes.

## Main Issues

4. The main issues are:

- whether the proposal would preserve or enhance the character or appearance of the Steyning Conservation Area (CA), including the effect on the setting of the adjacent listed buildings, and;
- parking.

## Reasons

5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (Section 66(1)) which is supported by the *Planning Policy Guidance* (PPG), requires the decision maker to have special attention to the desirability of preserving or enhancing the character and appearance of designated conservation areas within which development may occur. The same Act also requires that special regard should be paid when assessing proposals for development that affect listed buildings and their setting. Moreover, Paragraph 193 of the *National Planning Policy Framework* (The Framework), states that great weight should be given to an asset's conservation and that this is irrespective of whether harm is substantial or less than substantial.

### a) Conservation area

6. Elm Grove Lane is a narrow road located in the CA that leads down from the High Street between dwellings on either side of the road to the junction with Tanyards Lane. Although there are more contemporary style two and a half storey dwellings on 'Borough Gate' that can be glimpsed to the rear of the rendered Elm Terrace, the special character and significance of this area is derived by two-storey cottages with flint rubble-course/red-brick elevations and 45 degree pitched slate roofs that face onto the lane behind rubble-course flint walls with red-brick dressings. For example, the Grade II listed buildings seen at Nos 3 and 4 Elm Grove Cottages opposite the appeal site. The lane is further characterised by a number of older industrial style buildings with flint rubble-course/red-brick, as well as dark timber weather-board, elevations.
7. The appeal site is found to the left-hand side of Elm Grove Lane when approached from Steyning High Street. The site houses the former commercial 'B&W' building that is within the CA, and its redundant car-park which is just outside the CA. The building is set back from Elm Grove Lane, and presents as a two-storey flint rubble-course/red-brick style cottage facing the lane on the left-hand side, which is attached to a longer single-storey red-brick section of the building on the right-hand side that faces down the lane towards the junction with Tanyard Lane. The elevation of the single-storey section of the building is adjacent to a private access road that divides the appeal site in two. The access road leads to a footway that connects with the two contemporary type buildings of Steyning Health Centre and 'Croft Meadow' care home, both of which lay outside the CA. On the right-hand side of the access road when viewed from the lane the elevated, tree-lined and flint-walled car-park associated with the former commercial building can be seen. Active car-parks in the nearby area include the High Street car-park, Newman's Gardens to the front of the health centre and care home, and a car-parking area beyond the front boundary of the appeal site which can be accessed directly from Elm Grove Lane.

8. The proposal is to demolish the existing buildings and to construct a two and a half storey residential building on the appeal site, and a one and a half-storey, B1/commercial office building on the former car-park. The buildings would have dark weather-board timber and flint rubble-course type elevations with red-brick quoins and stringers, and slate roofs. The 3 houses and 6 apartments would have 12 parking spaces on the former car-parking area, including one marked disabled bay, and the office building would have 3 under-croft parking spaces. The proposal would have gardens for the houses, private amenity areas for 3 apartments and shared amenity spaces for the remaining 3 apartments. There would be landscaped set-backs as well as storage for cycles and refuse and re-cycling bins.
9. The Steyning Conservation Area Appraisal and Management Plan, 2018, ('SCAAMP'), requires that new developments must be sympathetic to its context in terms of its siting, scale, materials and details. As such, while the proposal is for a part two and a half storey and a part one and a half storey development, one section of the residential element would face Elm Grove Lane in a similar way to other residential dwellings in the surrounding area, and be of a similar height to the properties seen on 'Borough Gate'. I acknowledge that larger type properties are generally found on the nearby High Street. However, the elongated section of the proposed residential building would be set back from the access road behind new landscaping and would face towards Tanyards Lane. As such, the shorter elevation of the proposal would retain a sense of modest scale on the Elm Grove Lane. Moreover, my attention has been drawn to the fact that following discussions between the Appellant and the Council's Conservation Officer a number of elevational revisions have been made to an earlier version of the residential element of the proposed development. The revisions include; the replacement of dormers with rooflights, the removal of balconies at first floor level, and the removal of bay windows facing onto Elm Grove Lane. Furthermore, the front doors of the 'Secured by Design' proposal have been retained which would not only help to enliven the front elevation but provide natural surveillance along the lane, and reduce the perceived fear of crime in this location.
10. Indeed, in comparison to the single-storey element of the existing building, some care has been taken to ensure that the proposal accords with the appearance of the surrounding area by including; flint rubble-course/red-brick and dark timber weather-board elevations, gable-end 45 degree pitched slate roofs with leaded ridge details, as well as a 'hay-barn' window feature to both elements of the proposal. In addition, while I acknowledge concerns related to the orientation of the commercial building, the proposed dark timber weather-board elevations would not only accord with other commercial/industrial buildings along the lane, but also help to shield the proposed car-park spaces from the neighbouring properties. Moreover, the rooflights to the rear of the building would accord with the fenestration in the residential element of the proposal, add interest to the otherwise blank elevation, and reduce the risk of overlooking from the offices on to the properties on the other side of the road.
11. As such, while the Council's Conservation Officer highlights that enhancement of the site in isolation does not necessarily lead to enhancement of the CA, I find nonetheless, that the proposal would as a minimum preserve the character or appearance of the CA in accordance with Section 66(1).

*(b) Listed buildings*

12. Bearing in mind Section 66(1) and the 'SCAAMP' in respect of the setting of listed buildings, I noted at my site visit that the Grade II listed Nos 3 and 4 Elm Grove Cottages are two-storey dwellings that are typical of the character and appearance of the CA, and are likely to represent the type of dwellings that would have been available to workers/labourers in times gone by who were associated with nearby businesses, including those seen on the High Street. Indeed, while the proposal is for buildings of a larger scale than the 'B&W' building, the similar footprint of the development would be located adjacent to a relatively densely-packed and active village centre. As such, the relationship of the proposal to the listed buildings is not unusual in this specific location.
13. Moreover, a heritage asset's setting is not fixed and may change as the asset and its surroundings evolve. For example, elevational changes and additions of residential dwellings such as those seen at 'Borough Gate', and the more recent addition of industrial type units seen along Elm Grove Lane, including more recent changes to the single-storey section of the 'B&W' building. Therefore, notwithstanding any detail that might be found in the 'Sussex Extensive Urban Survey's Historic Character Assessment Report by Roland B. Harris (2004)', from the submitted evidence before me, the setting of the listed buildings at Nos 3 and 4 has visibly and undoubtedly changed over time. Nonetheless, I concur with the Council's Conservation Officer, in that the proposal would result in 'less than substantial harm' to the heritage asset.

*Planning balance*

14. However, the courts have confirmed that 'less than substantial harm' does not equate to a 'less than substantial planning objection', and this is supported by the PPG which requires that whether a proposal causes 'less than substantial harm' will be a judgement for the decisionmaker, having regard to the circumstances of the case and the Framework. As such, Paragraph 196 of the Framework provides for a balancing exercise to be undertaken, between 'less than substantial harm' to the designated heritage asset on the one hand, and the public benefits of the proposal on the other.
15. In this case the public benefits include the addition of new 'windfall' dwellings to the Council's housing supply. As such, notwithstanding tenure, I afford substantial weight to the provision of 9 much needed new residential dwellings that meet nationally described space standards on a brownfield site in a sustainable location near to Steyning High Street.
16. Moreover, the principle of retaining a commercial element within the 'built-up area boundary' of Steyning, as part of this specific village centre location is accepted by the Council. As such, from the evidence before me, while the office facility would be smaller than the 'B&W' building it would nonetheless replace an outdated B1/B2/B8 use building that has not been occupied or sought after for some considerable time. Indeed, whether local businesses are forthcoming or not, the construction of a new office/commercial type facility with under-croft parking is likely to be attractive to a range of 'start-up' type businesses seeking affordable premises, and would provide employment for around 20 local people without the need to commute.

17. Furthermore, the noise and activity of the proposed B1 use experienced by nearby occupiers of the surrounding residential dwellings is likely to be reduced in comparison to the previous use of the 'B&W' building. My opinion is reinforced by the submitted 'TRICS' data contained within the 'Reeves Transport Planning' Transport Plan (TP), dated June 2020. Therefore, in combination with my findings above I give the proposal in this respect great weight.
18. Accordingly, I find that the public benefits demonstrably outweigh the 'less than substantial harm' to the heritage asset. Consequently, I conclude that the proposal accords with Policies 32, 33 and 34 of the Horsham District Planning Framework, 2015, (HDPF) which say, amongst other things that developments will be expected to complement locally distinctive characters and heritage of the district, and the Framework when considered as a whole, including Paragraph 196.

### *Parking*

19. The proposal is acceptable to the West Sussex County Council Highways department subject to, amongst other things, the conditioned provision of unallocated parking spaces. In addition, notwithstanding the loss of the redundant car-park associated with the former 'B&W' building, 'TRICS' data found in the TP shows that vehicular movements along the lane as a result of the proposal are likely to be reduced in comparison to the previous commercial use. Nonetheless, as future car ownership within the site cannot be precisely calculated, I note local concerns for parking 'overspill', and the 'under-provision' of parking spaces on the proposed development site when tested against the West Sussex County Council's Parking Guidance (Sept 2020).
20. However, while there are a number of relatively recent developments in the nearby area with limited parking spaces<sup>1</sup>, I noticed at my site visit that there are a number of relatively spacious car-parks within walking distance of the appeal site. Indeed, notwithstanding the effects of the Covid pandemic on vehicular activity generally, at the time of my morning site visit there were numerous parking spaces available within both Newman's Gardens and the High Street car-park. Moreover, the availability of overnight parking for local residents and returning commuters is likely to be increased at the end of the business day as customers of the nearby shops and visitors to the businesses depart. Furthermore, while off-plot parking may or may not lead to increased insurance premiums, up to date signage in the nearby car-parks promoted the uptake of annual parking permits, which appeared to be available to local residents at a reasonable cost.
21. Indeed, occupation of the proposed dwellings in this sustainable location, where there have been no recently recorded accidents along this narrow lane, which is used by vehicular traffic and pedestrians alike, is a matter of personal choice when thinking about the transportation of shopping or children and the activities associated with a residential dwelling, as well as the suitability of the location for a business premises.

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<sup>1</sup> DC/20/0622 and DC/18/0496

22. Accordingly, for the reasons given above, I conclude that the proposal meets the aims of Policy 41 of the HDPF, which require that adequate parking and facilities must be provided within developments to meet the needs of anticipated users.
23. Correspondingly, Paragraph 106 of the Framework says that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.

### **Other Matters**

24. My attention has been drawn to the Steyning Neighbourhood Plan 2019. However, while published, it is yet to be adopted. Therefore, I can give this document and its Policies very limited weight in consideration of this appeal.
25. I note concerns related to light pollution and the provision of community space. Nevertheless, I have found no justification to dismiss the appeal or the benefits associated with the provision of nine new dwellings.

### **Conditions**

26. I have considered the Council's suggested conditions against Paragraph 55 of the Framework and the PPG, and imposed the following conditions; for certainty a standard time limit condition and a condition requiring that the development is carried out in accordance with the approved plans.
27. There is also a condition related to a Construction Method Statement including demolition, and while private rights of access have no bearing on the consideration of planning applications, as concerns were raised by an interested party about the privately owned service road which bisects the appeal site, in the interests of certainty, highway safety and amenity generally during construction, I have required details of access through the site during the construction period as part of the Construction Method Statement condition. Similarly, access to the new site will be secured by condition in the interests of highway safety.
28. I have imposed conditions for materials, details, windows, roof-lights, rainwater goods and external fixings to secure the appearance and quality of the development. Finished floor levels and site levels will be surveyed as a matter of condition to ensure the character and appearance of the area is maintained.
29. There are conditions for asbestos and contamination remediation to prevent pollution and risk to human health. In the interests of amenity of neighbouring occupiers there are conditions for the removal of debris and construction waste including asbestos,
30. To protect trees, biodiversity, ecology, bats and amenity generally conditions have been imposed, including one for a lighting design scheme.
31. Car parking conditions have been included in the interests of highway safety. To encourage the use of electric vehicles there is a car-charging installation condition. To promote sustainable transport a cycle storage condition is necessary.
32. A refuse and recycling condition has been added to uphold the living conditions of future and neighbouring occupiers.

33. Soft and hard landscaping conditions have been imposed to ensure the character and appearance of the area is maintained.
34. Conditions are included for SuDS, and foul and surface water drainage, to prevent flood and pollution on the site.
35. The site is located within an Archaeological Notification Area. As such, specialist archaeological advice has been provided by the Council's Historic Environment Advisor, including a number of suggested conditions which are imposed to preserve any items or areas of archaeological significance.
36. Conditions that restricts future extensions or alterations have been imposed to prevent over development of the area, including the CA.
37. I have not imposed the suggested condition related to water usage as in respect of the purposes of the 'six tests' set out in Paragraph 55 I have no evidence to suggest such a condition would be enforceable or that it is relevant to planning, rather a matter for other primary legislation such as building regulations.

### **Conclusions**

38. For the reasons given above I conclude that the appeal should succeed subject to the conditions set out in Annex A.

*J E JOLLY*

INSPECTOR

**Annex A – Conditions:**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Proposed Block Plan - 6869 001 P3, dated 27 August 2020
  - Existing North and West Elevations - 19108-02-E GA1, dated November 2019
  - Existing South and East Elevations - 19108-02-E GA2, dated November 2019
  - Existing Ground Floor Plan – 19108-02 BG, dated November 2019
  - Existing First Floor Plan – 19108-02-B1, dated November 2019
  - Proposed Site Plan - 6869 002 P7, dated 6 August 2020
  - Proposed Contextual Elevations along Elm Grove Lane - 6869 007 P4, dated 25 August 2020
  - Proposed Commercial Building, Floor Plans, Elevations and Sections - 6869 006 P3, dated 5 August 2020
  - Residential Building Proposed Elevations and Sections - 6869 005 P4, dated 17 July 2020
  - Residential Building Proposed Floorplans - 6869 003 P4, dated 17 July 2020
  - Residential Building Proposed Roof Plan - 6869 004 P2, dated 27 August 2020
  - Proposed Cycle and Bin Store - 6869 010 P2, dated 27 August 2020
  - Proposed Drainage Strategy - D1895-201, dated 16 August 2020
  - Planning, Heritage, Design and Access Statement, dated 17 April 2020
- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
  - i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - v) wheel washing facilities; and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);



- vi) details of public engagement both prior to and during construction works.
- vii) measures to control the emission of dust and dirt during construction;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix) details of access through the site during the construction period
- x) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 4) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:
- i) a survey of the extent, scale and nature of contamination;
  - ii) the potential risks to:
    - human health;
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
    - adjoining land;
    - ground waters and surface waters;
    - ecological systems; and
    - archaeological sites and ancient monuments.
- 5) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development or relevant phase of development is occupied.

- 6) No development (including demolition) shall commence until the following components of a scheme to deal with the risks associated with asbestos, have been submitted to and approved in writing by the Local Planning Authority: (a) an intrusive pre-demolition and refurbishment asbestos survey (in accordance with HSG264); (b) a verification report prepared by a competent person which confirms all asbestos or suspected asbestos containing materials have been removed.
- 7) All site clearance debris and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste.
- 8) No development above ground floor slab level of any part of the development shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development shall conform to those approved.
- 9) No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details: a) drawings to a scale not smaller than 1:5 fully describing: i) roof details including sections through: roof ridge, eaves, verges, verges and barge-boards, dormer roof perimeters and cheeks, ii) porches, iii) samples or specifications of external materials and surface finishes, iv) a sample panel of masonry, not less than 0.8 sqm, constructed on site. Before any further masonry is undertaken, the panel must be inspected and approved in writing by the local planning authority. All masonry must be executed in accordance with the sample panel, which shall remain on site until the works are complete and the condition discharged.
- 10) The windows of the development shall have casements flush fitted with their frames if manufactured in timber or plastic.
- 11) The roof lights of the development shall be metal framed and sit flush with the roof slope.
- 12) All new and replacement rainwater goods of the development shall be cast iron or cast aluminium or cast effect plastic.
- 13) No new plumbing, pipes, soil stacks, flues, vents, ductwork or the like, shall be fixed to any external face of the building other than those approved in writing by the Local Planning Authority.
- 14) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- 15) No development shall commence until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

- 16) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
- 17) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 18) All the trees and hedges shown on plan 'Proposed Site Plan - 6869 002 P7, dated 6 August 2020' to be retained and/or any trees whose canopies overhang the site shall be protected by strong fencing, the location and type to be previously approved in writing by the local planning authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 19) No equipment, machinery or structure shall be attached to or supported by a retained tree. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 20) No mixing of cement or use of other contaminating materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.
- 21) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted, in accordance with condition 17, at such time as may be specified in writing by the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 22) The use of the building shall not commence until works for the disposal of foul and surface water drainage have been provided on the site to serve the development, in accordance with details to be submitted to and approved by the Local Planning Authority.

- 23) Prior to the first occupation (or use) of any part of the development, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.
- 24) No development above ground floor slab level of any part of the development shall take place until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Walkover and Bat Assessment (The Ecology Partnership, July 2020) and the Bat Emergence Survey (The Ecology Partnership, September 2020) shall be submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
- 25) Prior to the first occupation (or use) of any part of the development hereby permitted, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority.
- 26) All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Walkover and Bat Assessment (The Ecology Partnership, July 2020) and the Bat Emergence Survey (The Ecology Partnership, September 2020).
- 27) No development shall not commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.
- 28) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 29) No part of the development shall be occupied until provision for the storage of refuse and recycling has been made in accordance with approved drawings. These facilities shall thereafter be retained for use at all times.
- 30) No dwelling shall be occupied until space has been laid out within the site in accordance with drawing Proposed Site Plan - 6869 002 P7, dated 6 August 2020 for 15 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for the parking of vehicles. Details to be shown shall include hatching around the disabled bay, and details of signage to indicate the availability of office bays to non-offices uses between 7pm and 7am daily. The residential bays shall be marked as unallocated at all times. The areas of land so provided shall thereafter be retained for the parking of vehicles.
- 31) The buildings shall not be occupied until a means of access for vehicles shall have been constructed in accordance with the approved plans. The access shall be retained thereafter.

- 32) No part of the development shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector.
- 33) Prior to the first occupation of any part of the development details of cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority.
- 34) No dwelling shall be occupied until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.
- 35) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the commercial premises hereby permitted shall be used for office use only (Class B1a) and for no other purposes whatsoever, (including other uses falling within the B use class) as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.
- 36) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Class F of Part 7 of Schedule 2 (extensions to offices) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

\*\*\*\*\*End of Conditions\*\*\*\*\*