



Appeal Decision

Hearing held on 2 November 2022

Site visit made on 2 November 2022

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 DECEMBER 2022

Appeal Ref: APP/Y2430/W/22/3295437

Easthorpe Lodge, Manor Road, Easthorpe NG13 0DU

- 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 Gusto Homes Easthorpe LLP against the decision of Melton Borough Council.
 - The application Ref 20/00295/FUL, dated 9 March 2020, was refused by notice dated 20 September 2021.
 - The development proposed is described as 'proposed residential development comprising 36 no. houses and associated access, infrastructure, and landscaping.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'proposed residential development comprising 36 no. houses and associated access, infrastructure, and landscaping' at Easthorpe Lodge, Manor Road, Easthorpe NG13 0DU in accordance with the terms of the application, Ref 20/00295/FUL, dated 9 March 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. Since the number of dwellings was revised during the life of the planning application, I have taken the description of development from the appeal form. The main parties confirmed their agreement to my use of this description at the hearing. I have proceeded on this basis.

Main Issues

3. There are two main issues. These are a) the effect of the proposed development on the character and appearance of the area; and b) whether the proposed development would provide an acceptable mix of housing.

Reasons

Character and Appearance

4. There are three strands to the Council's concerns in regard to this main issue. Not necessarily in order of their importance, they relate to i) a designated Area of Separation (AoS) between Easthorpe and Bottesford; ii) designated heritage assets; and iii) the layout, density and design of the proposed dwellings. I shall take each matter in turn.

5. It was established at the hearing that the AoS does not have a specifically defined boundary and exists, essentially, in areas of largely open land that sit between the two settlements. Broadly speaking, it separates Easthorpe to the east and Bottesford to the west although there is some 'connection' further north through development along Easthorpe Road/Manor Road. At this point and in areas further north the differentiation between the settlements becomes a little more blurred and Bottesford extends north and partially around the edges of Easthorpe.
6. Despite this, the open and largely undeveloped fields that sit between the edge of Bottesford and extend east towards Easthorpe perform a clear and obvious function of retaining some degree of separation, allowing the two settlements to be read as their own entity. Not only is this clear from map base data, but also on the ground, courtesy of a number of public rights of way, literally, crossing it. In this respect, and to protect against unnecessary coalescence, the AoS contributes positively not only to individual settlement identity but also the high quality rural hinterland of the two settlements in character and appearance terms. Thus, it complies with the aims of Policy EN4 of the Local Plan¹.
7. EN4 doesn't rule out the development of land within a total of nine AoS designated by the Local Plan. It explains that such will actually be supported, but where they 'respect' the AoS. The policy doesn't say how this would be achieved, albeit it is reasonable to refer to the reasons that AoS have been designated which, according to EN4, is to a) avoid the coalescence of settlements by maintaining the principle of separation between them; b) retain highly tranquil parts of the landscape between settlements; and c) safeguard the individual character of settlements.
8. The two parcels of land either side of Green Lane that make up the appeal site are extant allocations in the adopted development plan. Whilst at a lesser overall number, there was always therefore some development envisaged thereon. There would thus be a presence of built form across both of the sites. The development of the two land parcels would be to the south and slightly further east of the westernmost extent of Easthorpe in relation to Bottesford. There is also intervening development between the westernmost parcel in the form of a yard of agrarian development of a not insignificant scale and thus presence in the local landscape. There would then, even as a result of the proposed development, be open and undeveloped space remaining to the west of the yard, leaving the intervening fields between the two settlements untouched. From the aforementioned public rights of way, the new development across the two sites would be read against the edge of, within and part of, Easthorpe as a settlement.
9. With this and the above in mind, the appeal scheme would avoid the coalescence of Easthorpe and Bottesford both in plan form and visual terms. It would retain the highly tranquil parts of the landscape between the settlements and safeguard their individual character. It would thus comply with Policy EN4 of the Local Plan. The aims of which I have set out.
10. The appeal site is located immediately south of the shifted medieval village earthworks and moat which is a scheduled monument. The western section of the Easthorpe Conservation Area (CA) also encroaches upon a small section of

¹ Melton Local Plan 2018

- the road frontage of the western part of the appeal site. Land to the north of the appeal site includes the grade II listed Manor Farm House and its curtilage.
11. There remains strong physical evidence of the moated settlement to the north, the shape of Manor Road roughly following its curvature. The scheduled monument also includes a medieval settlement, the occupation and operation of which would have historically been related to a wider rural hinterland as it expanded. In terms of the integrity and physical form of the monument, the proposed development would be distinct from it and thus not directly impinge on its surviving form and thus the significance of its historical fabric.
 12. There has been significant archaeological work on land to the south of the monument which has yielded evidence of historical agricultural activity and some Roman pottery. Some medieval finds were concentrated, as expected, closer to the northern part of the appeal site, as it sits closest to Manor Road. In this case, the majority of the appeal site, across the two parcels, seems indicative of the fringes of a settlement rather than the inner workings thereof. This is not to downplay its significance to the history of the settlement, but evidence nonetheless reinforces its supportive role thereto rather than the fabric thereof.
 13. The Council have expressed concern about proximity of the proposed development to the settlement, but proximity alone would not equate to harm. I appreciate the views of Historic England in that there would be some loss of land historically associated with the evolution of the settlement but in archaeological terms it has been reasonably demonstrated that the sites have yielded items of limited interest rather than major and have, in so being found, been able to contribute to part of the story of the wider area and how it related to the monument as it now is. The fabric of which would not be affected. The main parties agreed on a condition at the hearing which included further investigative works to the appeal site which would assist in further evidence gathering.
 14. In addition, the land surrounding the monument is not devoid of development. There remains some open land, but development already exists at close quarters on Manor Road both to the west and north. I am also mindful of the fact that both parcels of land are allocated for new housing in the adopted development plan and extant planning permission exists for development of the land to the eastern side of Green Lane. There was therefore always an expectation of development on the site in some form and in the case of the easternmost portion development could take place regardless of the outcome of this appeal. Such development would always have had a permanent fixture to the ground and thus being invasive thereto. Taking this and the above into account, I am satisfied that the proposed development would not have a harmful effect on the significance of the scheduled monument.
 15. The grade II listed Manor Farm House is located to the north of the appeal site, it is said have origins as a 17th Century building, with later 18th and 20th Century extensions. It has a traditional design, typical of the farmhouse type with its significance lying in its architectural form and surviving original elements. The scale of the building alludes to wealth and standing within the historic community, as well as being one of few examples of buildings of scale within the settlement.

16. The appeal scheme would not affect the fabric of the building but would nonetheless be development of a not insignificant amount close to it, on the opposite side of Manor Road. It is possible that, as a farmhouse, it may have had linkages with open agricultural land around it but there is nothing significant on the ground that shows it has an intrinsic link with the appeal site itself. It is contained within the moated site and appears as part of a clustered group. It is visible from the road, taking its place as something of a focal building of size in both the street scene and the village as a whole. There is dense tree planting to the northern boundary of the appeal site which, along with other intervening buildings, reinforces its visual and spatial distinction from the building. This planting also limits the appreciation of the building from the appeal site. The planting is a long established and prominent feature in the street scene and surrounding buildings are of some age in themselves.
17. A small corner of the westernmost land parcel sits inside a section of the CA. The evidence is inconclusive as to whether this was deliberate. As in effect the corner of a former agricultural field now laid to rough grass and enclosed from the road by tree planting it is difficult to see how it contributes to the significance of the CA which is principally derived from the surviving quality of the scheduled monument. Following as it roughly does its boundary. As well as some of the older dwellings following the northern expansion of the settlement along Manor Road/Easthorpe Road.
18. In terms of the setting of the CA, the proposed development would be in the form of a more modern estate of housing and thus buck the established trend of linear frontage development as is prevalent in both sections of the CA. That said, plots lean towards a spacious feel, reflective of the rurality of the CA's surroundings, and form a connection with some recently completed larger detached units to the south of the eastern site. They would be modern dwellings and unashamedly so. However, the CA taken as a whole is not a snapshot in time in architectural terms and thus such an approach would not appear 'out of place'. The trees to the road boundary are largely proposed to be retained, reinforcing the pleasant verdant quality of the street scene within the CA.
19. The adopted Local Plan clearly envisaged development across both sections of the appeal site and the extant planning permission on the eastern portion would in any case have a more urban feel to it due to the number of dwellings (9), their locations, sizes and plot dimensions. The appeal scheme would exceed the envisaged numbers for the extant allocations by some degree, but I am mindful of the evidence suggesting, and the Council not disputing, that these figures were never seen as a limit and each scheme should, as would normally be the case, be considered on its own merits.
20. I am also mindful of the concern that the layout and general feel of the proposed development would bear more of a relationship with Bottesford than it would Easthorpe given its density, scale and layout. There is some credence to this point of view. Nevertheless, I would question why that, in and of itself, would mean the proposals would be harmful. Taking into account the fact that the sites would have been developed in some way regardless of the outcome of this appeal and the manner of which, even taking into account the small numbers envisaged (as a guide it has to be borne in mind) by the extant allocations, would have always exuded more of an urban, less linear/frontage character, leaning towards something more of an estate feel. The design in

itself, being modern, would not be unduly harmful and would exist as an example of its type taking into account the planned 'green' approach to the development as a whole.

21. Taking this and the above into account, I am satisfied that the proposed development would not harm the setting or integrity of either the scheduled monument or the grade II listed building and both ensure the character and appearance of the CA would be preserved and its setting not adversely affected. In addition, and for the same reasons, the appeal scheme would not harm the character and appearance of the area. As such, it would not conflict with Policies EN6 or EN13 of the Local Plan and the principles of section 16 of the Framework. Together, and amongst other things, these policies set out that development will be supported where it does not harm open areas that contribute positively to the character of a settlement, the setting of historic built form and conservations areas. They also seek to ensure appropriate, measured and balanced protection for the historic environment specifically.
22. In addition, the proposed development would comply with Policies 8, 18 and 19 of the Bottesford Neighbourhood Plan 2021 (NP) which, amongst other things, seek to ensure that development responds to local character and the qualities of the area, be of a scale and density that is sympathetic to the locality (including heritage assets), maximise opportunities to integrate with settlement patterns and reinforce the rural character of the area more generally.

Housing Mix

23. Policy C2 sets out the Local Plan's aims to ensure housing mix in new development. It states that the Council will seek to manage the delivery of a mix of types, tenures, and sizes to balance the current offer. It goes on to explain that regard will be had to market conditions, viability and site-specific circumstances as well as meeting the needs of current and future households in the borough.
24. The crux of the Council's concerns in regard to this main issue is that the proposals are weighted towards larger house types. They refer to a table in the explanatory text of Policy C2 which, whilst not part of the policy wording itself, identifies the optimum housing mix requirements for new developments, with which they allege the proposals would not align. At the hearing, the Council raised the findings of a recent study of housing need in Bottesford parish which found, amongst other things and in accordance with the Council's own waiting list records, a need that leant towards smaller units.
25. Perhaps the first thing to point out is that the table in C2 does not set either a minimum or even a defined regimentation to the housing mix of a given development. Putting aside that said table is part of the explanatory text and not the policy itself, optimum suggests ideal, best case scenario or perhaps the most conducive to a favourable outcome. It does not mean if a given scheme does not meet it, it would be unacceptable.
26. Secondly, it's fair to say that whilst being weighted towards larger units, the proposed development would actually provide a mix of types and sizes as per the ultimate aim of C2. The Policy also sets out that account will be taken of viability. In this case it was put to the Council at the time of the planning application, and accepted by officers, that the larger units were proposed due to the cost of the development and its environmental sustainability credentials

which, in addition, also led to an agreement between the main parties as to the provision of affordable housing. The viability assessments were, according to the Council's evidence, independently verified. With these factors in mind, I am satisfied that the proposed development would respond to the aims of Policy C2 as I have set them out.

Other Matters

27. The majority of the appeal site is within flood zone 1 and, for the most part, the development has been steered away from those areas at highest risk as per the approach of the Framework and the sequential test, taking into account also that both land parcels are allocated for housing in the Local Plan. Consideration has been given to the location of new housing relative to flood events, as well as the investigation and proposal of drainage solutions for the site. The appropriate method can be secured by conditions and the Environment Agency do not object.
28. The majority of the dwellings would be served by roads accessed from Manor Road and via Green Lane and improvements have been proposed through the scheme. Leicestershire County Council (LCC), as the Highways Authority, are content that the improvements would address turning and visibility issues and respond to the scale of the proposed development. I have no compelling reason to disagree nor is there detailed evidence to suggest that the proposed improvements would not be possible. There would be sufficient in curtilage and in development parking provided to meet the needs of the scheme as a whole. Said improvements can be secured by planning conditions.
29. In terms of education infrastructure, funds will be provided through a completed planning obligation that responds to the measured demands of the appeal scheme thereon. The level of contributions in this respect have been seen by LCC as the Local Education Authority (LEA) and they have raised no objections, subject to additional controls concerning the intended occupation of some of the development as it is aimed at persons approaching retirement age. I shall come onto this in more detail later.
30. I have alluded above to the fact that the appeal scheme as a whole would deliver more dwellings than the extant allocations refer to. It seemed sufficiently clear at the hearing and in the written evidence however that said numbers were indicative taking into account a number of factors at the time. Indeed, this was confirmed by the Inspector overseeing the examination to the Local Plan which includes the allocations. It is also perhaps important to point out that one land parcel has an extant planning permission for nine units and whilst lapsed, the western parcel benefitted from a planning permission for up to 18 units, making a total of 27 across the whole site. This was granted during the life of the current Local Plan. It seems clear therefore that the capability of the sites together to deliver a higher number of units than the allocations was not a contentious matter. I have no reason to disagree.
31. No lighting is proposed for the appeal site and the location and specification of any can be controlled by planning conditions. In terms of noise, there will be some during the construction phase, but this will be short lived, and hours can be controlled. There is also environmental health legislation to assist with any further problems in this regard. The operation of the proposed development would give rise to some additional noise, but of the type associated with

- residential uses which have been long established in the village and thus with which existing occupiers would be familiar.
32. Landscaping, tree protection and necessary removal have been assessed and agreed as part of the relevant documents. From my understanding, any tree removal has not been considered without an assessment of quality, condition and age. Adequate protection measures would be implemented as part of the suite of conditions imposed on this planning permission.
33. The appellant has provided a completed planning obligation for the provision of a number of contributions in response to both the development plan and the scale and impact of new housing. It is a bilateral agreement under Section 106 of the Town and Country Planning Act 1990 and seeks to provide funds for improved healthcare, the improvement of the village hall play area, the provision of travel packs and bus passes, libraries and education. The obligation also, in response to the agreement between the main parties that the appeal scheme does not provide affordable housing in favour of a zero carbon housing development, ties the owner to such works and specifications as set out in the approved documents.
34. In regard to the education payment, this is measured on an expected per dwelling, per likely school placement basis. There was concern from LCC in their capacity as the LEA that the calculation for the same was on the basis that 14 of the total 36 units would be directed towards older residents but there was no sufficiently robust mechanism to ensure this would be the case. There was a possibility that, in the absence of such, future occupiers of the 14 units could yield a demand for school places. To that end, the main parties have agreed an occupancy condition for the 14 units and that such should be so by residents over the age of 55. I am content that this is a reasonable solution which is necessary and enforceable.
35. In terms of the remaining contributions, I am satisfied that they pass the tests of the Framework in that they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. I have therefore taken the obligation into account in my decision.

Conditions

36. I have had regard to the suggested conditions as they have been set out by the Council's committee report. This list was subject of discussion at the hearing. I have imposed the following for the reasons I have given, making some changes to wording in the interests of clarity and enforceability.
37. I have set out the standard timescale for the commencement of works and identified the approved plans. In the interests of a high quality end result, I have required there to be agreement of external materials. It would be sufficient to agree them however prior to above ground works. The proposed tree protection measures shall be implemented and retained on site and a landscaping scheme should be agreed and managed reasonably and appropriately. Such details can be agreed prior to above ground works.
38. In order to satisfy the requirements of Policy IN4 of the Local Plan, I have imposed a condition requiring broadband to be provided. The Council's suggested wording in this regard is vague as to how this should be achieved

and does not take account of a phased development coming forwards. I have provided less ambiguous wording to that effect.

39. In the interests of the living conditions of neighbours, I have required bathroom and en suite windows to be obscure glazed and non-opening up to a widely accepted height within the room. For the same reasons, and taking into account a well-designed end result, I have required details of finished floor levels to be agreed. In both respects, it would be sufficient for them to be such prior to any above ground works.
40. I have imposed two conditions pertaining to the implementation of the approved access and creation/retention of the parking arrangements with the site for each unit. This is in the interests of proper functioning and highway safety. It would be reasonable for their controls to bite prior to occupation. In the interests of the living conditions of existing residents, I have included a requirement for a construction management plan along with minimum requirements thereof. Since this would include details of how vehicles will be brought onto the site, it would have to be agreed prior to the commencement of development. I have included a requirement for details of construction hours, for completeness.
41. In order for the proposed development to function correctly, I have required it to be carried out in accordance with the measures set out in the approved flood risk assessment. In addition, and since it may require ground investigation works it needs to be agreed prior to the commencement of development. I have set out a written scheme of investigation to be agreed and carried out given the level of archaeological interest in the wider area.
42. For protected species and ecology reasons, development shall be carried out in accordance with the recommendations of the approved ecology details. In the same respect and taking into account the concerns of third parties, details of any lighting proposed should be first agreed prior to being installed. For functioning purposes, details of waste and recycling storage and collection need to be agreed, as does a scheme for the surface water drainage of the site. In terms of the former, it would be sufficient for such detail to be agreed prior to occupation. In the case of the latter however, this may require ground investigation and as such it makes practical sense for it to be agreed prior to any development taking place. In regard to surface water specifically, and for practical ease, I have combined the requirements of three separate conditions into one.
43. As I have set out above, specifically in regard to the education contributions as they have been calculated and agreed between the appellant and the LEA, I have imposed a condition restricting the occupancy of the 14 dwellings that will be aimed at those over the age of 55. Given the construction of the condition and the wording of its limitations, it would not be necessary to state that the restriction remains in perpetuity.

Conclusion

44. The proposed development would, for the reasons I have set out, comply with the development plan. The appeal should therefore be allowed, subject to the conditions set out in the attached schedule.

John Morrison INSPECTOR

APPEARANCES

FOR THE APPELLANT:

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| • Mr Simon Betts MRTPI | DLP Planning |
| • Mr Roland G Bolton BSc (Hons) MRTPI | DLP Planning |
| • Ms Laura Garcia BA (Hons) MCifA) | Pegasus Group |
| • Mr Jonathan Goldby | Goldby and Luck |
| • Mr Samuel Pepper BA MSc MRTPI | DLP Planning |
| • Mr Joe Taylor BA (Hons) BArch MArch | Franklin Ellis |
| • Mr Steff Wright | Gusto Homes Easthorpe LLP |

FOR THE LOCAL PLANNING AUTHORITY:

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| • Ms Celia Brown | Melton Borough Council |
| • Cllr Mrs Pru Chandler | Local Ward Member |
| • Mr Howard Leithead | No 5 Chambers |
| • Mr Tom Pickwell | Melton Borough Council |
| • Cllr Mr Don Pritchett | Local Ward Member |
| • Mrs Helen White | Melton Borough Council |

THIRD PARTIES:

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| • Mr Robert Simkin | Local Resident |
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DOCUMENTS SUBMITTED:

- A Detailed Investigation into the Housing Needs of Bottesford Parish – May 2022
- Copy of Local Plan Policy C4 – Affordable Housing Provision

SCHEDULE OF CONDITIONS

- 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:
 - DP-A-1001 P1 Existing and Demolition Plan
 - DP-A-1203 P3 Proposed Site Plan
 - DP-A-1204 P3 Proposed Block Plan
 - DP-A-1510 P3 Proposed Boundary Treatment
 - DP-A-1513 P2 Unit Plot and Type Plan
 - PL040 A Revised Junction Sketch
 - PL042 D Illustrative Site Layout Commentary
 - PL044 B Tree Removal Plan
 - DE-A-3400 P2 Street Elevations 1 and 2
 - DE-A-3401 P3 Street Elevations 3-5
 - DE-A-3402 P2 Street Elevations 6 & 7
 - DE-A-3403 P2 Street Elevations 7a and 7b rear
 - DE-A-3404 P3 Street Elevations 8-10
 - DE-A-3405 P2 Street Elevations 11 & 12
 - DE-A-3406 P3 Street Elevations 13-15
 - DE-A-3407 P3 Street Elevations Street Elevation 16
 - PL020 F Illustrative Site Layout
 - PL021 C Public Open Space Strategy
 - PL022 C Garden Provision
 - PL024 E Mix Strategy
 - PL025 D Layout Design Strategy
 - PL027 A Site Analysis Plan
 - PL032 G Illustrative Layout showing Highway Information
 - DE-A-3703 P2 Elevations UT03
 - DE-A-3704 P2 Elevations UT04
 - DE-A-3707 P2 Elevations UT06
 - DE-A-3712 P2 Elevations UT08
 - DE-A-3715 P2 Elevations UT10
 - DE-A-3727 P1 Elevations UT10a
 - DE-A-3713 P2 Elevations UT8a
 - DE-A-3726 P1 Elevations UT8c
 - DE-A-3728 P1 Proposed Homeworking/Flexible Annex
 - DP-A-2207 P2 Floor Plans UT03
 - DP-A-2208 P2 Floor Plans UT04
 - DP-A-2211 P2 Floor Plans UT06
 - DP-A-2216 P2 Floor Plans UT08
 - DP-A-2217 P2 Floor Plans UT08a
 - DP-A-2218 P2 Floor Plans UT0ba
 - DP-A-2228 P1 Floor Plans UT08c
 - DP-A-2219 P1 Floor Plans UT09
 - DP-A-2220 P2 Floor Plans UT10
 - DP-A-2229 P1 Floor Plans UT10a
 - DP-A-2221 P1 Floor Plans UT11
 - DP-A 2225 P1 Floor Plans UT12
 - DP-A-2226 P1 Floor Plans UT14
 - DP-A-2222 P1 Floor Plans Garage Types A-C

- DP-A-2224 P1 Floor Plans Garage Types D & E
 - DE-A-3718 P1 Proposed Elevations Garage Type A
 - DE-A-3719 P1 Proposed Elevations Garage Type B
 - DE-A-3720 P1 Proposed Elevations Garage Type C
 - DE-A-3721 P1 Proposed Elevations Garage Type D
 - DE-A-3722 P1 Proposed Elevations Garage Type E
 - DP-A-2230 P1 Floor Plans Proposed Home Work
 - N070 (08) 001 Rev A Landscape Strategy Plan
- 3) Notwithstanding the plans and documents hereby approved, no above ground works shall take place until details of all external materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development, including demolition, shall take place until all existing trees and hedges that are to be retained have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the local planning authority, to comply with BS5837. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5cm or more shall be left unsevered. Tree and hedge protection measures shall be adhered to for the duration of the construction phase.
- 5) No above ground works shall take place until a scheme for landscaping has been submitted to and approved in writing by the local planning authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours.
- 6) 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 first occupation of the dwellings 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.
- 7) Prior to the first occupation of the development hereby permitted, broadband internet access shall be provided in accordance with a scheme to be first approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 8) All bathroom and en suite bathroom windows in dwellings hereby permitted shall be fitted with obscure glazing and non opening up to 1.7 metres above the internal floor level to which the windows relate and retained as such thereafter.
- 9) No above ground works shall take place until details of existing site levels and proposed finished floor levels of each dwelling hereby permitted in relation to adjoining buildings have been submitted to and approved in

writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 10) Prior to the first occupation of the first dwelling hereby permitted, the access arrangements shown on York Skills Drawing No. 6250/301 Rev P1 shall be implemented in full. Visibility splays once provided shall thereafter be retained and maintained with nothing within them higher than 0.6 metres above the level of the adjacent footway/verge/highway
- 11) The parking and turning facilities for each dwelling as they are shown on Drawing No. 19-0001/PL032 Rev G shall be implemented in full prior to their first occupation. They shall be retained for such thereafter.
- 12) No development, including demolition, shall take place until a construction management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, a timetable for their provision and construction hours has been submitted to and approved in writing by the local planning authority. The approved plan shall be adhered to for the duration of the construction phase of the development hereby permitted.
- 13) Development shall be carried out in accordance with the Flood Risk Assessment (*Supplement to the previous Flood Risk Assessment Reports for the Proposed Development at Green Lane, Easthorpe, Bottesford, Leicestershire, York Sills Ltd, Issue 01, July 2020, George Shuttleworth Ltd Consulting Engineers*). Specifically, the following measures shall be incorporated into the development hereby permitted:
 - Finished floor levels West of Green Lane shall be set no lower than 33.3 metres above Ordnance Datum (AOD)
 - Finished floor levels East of Green Lane shall be set no lower than 33.5 metres above AOD
 - Compensatory storage shall be provided in accordance with the plan in Appendix 1(f) of the FRA "Drawing 701-002 – SW Corner of the Site, Existing Contours and Extreme Flood Zone".These mitigation measures shall be implemented in full prior to the first occupation of the development hereby permitted in accordance with its timing/phasing arrangements. The measures shall be adhered to, retained and maintained thereafter.
- 14) No development shall take place until a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

- 15) Development shall be carried out in accordance with the construction and operations phase recommendations and enhancement measures at 6.2 of the DeltaSimons Ecology Appraisal September 2019.
- 16) No external lighting shall be installed without details of such being first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.
- 17) Prior to the first occupation of the first dwelling hereby permitted, a scheme for the storage and collection of waste and recycling shall be submitted to and approved in writing by the local planning authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. Development shall be carried out in accordance with the approved details and retained thereafter.
- 18) No development shall take place until a scheme for the drainage, management and long term maintenance of surface water at the site has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained and maintained thereafter.
- 19) The occupation of 14 of the 36 dwellings hereby permitted being those dwellings labelled 03, 04, 04A and 04B on approved drawing number 9-0001/PL024/D shall be limited to a person or persons over the age of 55 or a person or persons living as part of a single household with such a person or persons.

-END-