

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	2020/44/94371/W
Site Address:	Land to rear of, 125, Helme Lane, Meltham, Holmfirth, HD9 5RJ
Description:	Discharge of conditions 3 (temporary drainage), 4 (temporary waste storage/collection), 5 (cycle parking), 6 (visitor parking), 12 (boundary treatments), 13 (external lighting), 14 (landscaping) and 15 (biodiversity) of previous Reserved Matters consent 2018/92309 (pursuant to outline permission 2016/93411) for residential development of 41 dwellings
Recommending Officer:	Victor Grayson

DECISION – Discharge of Conditions- Approved

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 21-Dec-2022

Officer Report

Discharge of conditions 3 (temporary drainage), 4 (temporary waste storage/collection), 5 (cycle parking), 6 (visitor parking), 12 (boundary treatments), 13 (external lighting), 14 (landscaping) and 15 (biodiversity) of previous Reserved Matters consent 2018/92309 (pursuant to outline permission 2016/93411) for residential development of 41 dwellings

Outline planning permission ref: 2016/93411 was granted on 13/12/2016. A Reserved Matters consent ref: 2018/92309 was granted on 14/12/2020.

An application (ref: 2018/93858) related to some of the outline conditions was the subject of decisions issued by the council on 23/12/2020 and 09/02/2021.

Under separate correspondence, the applicant has proposed to split the development into Phase 1 (comprising 34 units) and Phase 2 (comprising seven units), as one of the site's owners has retained land for the time being. This matter is being addressed under a separate Deed of Variation process. Where details (for approval under this Discharge of Conditions application) have only been submitted regarding Phase 1, this is clarified below.

Consultation

The comments of KC Highways Development Management, KC Highways Structures, KC Environmental Health, KC Ecology, KC Waste Strategy, the Lead Local Flood Authority, and the West Yorkshire Police Designing Out Crime Officer are referred to below where relevant.

Meltham Town Council were consulted, and on 04/01/2021 resolved: "That the Council noted the application".

Condition 3 (temporary drainage)

Condition 3 reads as follows:

3. Prior to the commencement of development (including ground works) details of temporary arrangements for the disposal of surface water from the development during the construction phase (including methods to manage silt) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

The Lead Local Flood Authority (LLFA) commented informally on 24/12/2020, and in formal comments dated 19/01/2021. Following the submission of information by the applicant, the LLFA commented further on 04/02/2021, confirming that condition 3 could be discharged.

Although the applicant's Temporary Run-Off Management document includes "Mean Lane" in its title, its contents actually refer to the Helme Lane site.

The submission documents relevant to condition 3 are:

- Temporary Run-Off Management document (Eastwood and Partners, ref: 001, January 2021).
- Temporary Surface Water Management Plan (001 rev A).
- Temporary Drainage Plan (18D33 FBA ZZ XX DR A 9201 rev P02).

In light of the above comment, it is recommended that the details be approved pursuant to condition 3. The condition has an ongoing requirement for the development to be carried out in strict accordance with the temporary drainage arrangements hereby approved.

Condition 4 (temporary waste storage/collection)

Condition 4 reads as follows:

4. Where implementation of the development hereby approved is to be phased, and/or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of those residential units. The temporary arrangements so approved shall be implemented prior to the first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

The applicant initially submitted a hand-amended site layout plan, with annotations.

On 11/01/2021, KC Waste Strategy provided the following initial comments:

I don't think what they have submitted goes far enough to allay fears in waste that the site could be a problem – but I also think it's premature to be trying to discharge [the condition] when the site isn't even underway yet. To my mind, the purpose of the condition is to give myself and waste colleagues chance to engage productively with the developer to ensure we are all on the same page with what happens on site when residents have moved in. The way waste is handled will depend on a number of factors – which plots get occupied first, what the road surface is actually like, raised manholes, frequency of construction traffic etc. It seems sensible, therefore, that we have discussions about what's appropriate for the site when its active and real problems can be identified and solutions discussed, rather than relying on a paper-based submission that we cannot guarantee will work in practice, and that might not get communicated to the site staff.

On 21/09/2021 the case officer suggested to the applicant's agent that the best way to deal with temporary waste storage/collection arrangements would probably be via a series of approvals (pursuant to condition 4) that are issued as and when each part of the site becomes occupied and further stretches of estate road are completed. The case officer further advised that it may be easier for this to be dealt with under a separate Discharge of Conditions application that is kept alive (for a reasonable period) whilst arrangements for later phases are still being worked out, and whilst experience is learnt from arrangements made for earlier phases.

On 22/02/2022 the applicant confirmed an intention to allow occupation of 18 dwellings in a first tranche, as follows (in 2022):

- February – units 5, 6 and 7
- March – units 24, 25, 26 and 27
- April – units 17, 18, 19, 20 and 23
- May – 14, 15, 21 and 22
- June – units 16 and 28

This would not have affected the development's affordable units (social rent: units 1, 11, 12 and 13, intermediate: units 2 and 3), and would not have triggered the relevant Section 106 agreement's affordable housing obligations.

On 23/02/2022 the case officer advised the applicant that, with the estate road incomplete and unadopted, and with construction works continuing, the council's refuse collection crews will not enter the site (as confirmed in the council's Waste Management Design Guide for New Developments). Therefore, a temporary waste collection point would need to be provided at the site entrance (on the land where the new estate road meets Helme Lane). This would need to have a temporary hard, smooth, level and cleanable surface, and a dropped kerb to enable crews to drag bins (over a distance of no more than 10m) to the refuse collection vehicle waiting on Helme Lane.

The council would need to see details of this provision shown on a plan, as well as a written commitment from the applicant team, confirming that staff would move bins to and from the collection point on the appropriate day until the estate road is adopted and construction work has been completed. The council would also need confirmation that the temporary collection point would then be removed and the area soft landscaped. The case officer further advised that if the applicant team is not able to comply with any of the above, private refuse collections would need to be provided until the estate road is adopted and construction work has been completed.

On 24/03/2022 the applicant provided a drawing titled Temporary Waste Collection Point (BBH-(TWCP)-001), complying with the above advice.

On 11/11/2022 KC Waste Strategy advised that the proposed arrangements were acceptable.

In light of the above comment, it is recommended that the details be approved pursuant to condition 4. The condition has an ongoing requirement for the temporary arrangements to be implemented and retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Condition 5 (cycle parking)

Condition 5 reads as follows:

5. Prior to the first occupation of any specified dwelling hereby approved, details of secure, covered and conveniently-located cycle parking for use by residents of that dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and encouraging the use of sustainable transport modes, and to accord with Policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

The applicant initially submitted a one-page document titled Cycle Storage (18/D33). This included images of cycle racks (to be provided within garages) and a shiplap timber bike shed capable of accommodating two cycles. The document also referred to plastic bike sheds, however no details of these were submitted.

KC Highways Development Management and the West Yorkshire Police Designing Out Crime Officer raised no objection to the submitted details.

On 18/05/2021 the applicant submitted an amended version of the Cycle Storage document (18/D33 rev A). This replaced the image of a shiplap

timber bike shed with an image of a plastic bike shed, but still referred to both materials.

As both materials are considered acceptable for the bike sheds, both versions of the Cycle Storage document can be approved.

Condition 5 includes an ongoing requirement for the cycle parking provisions to be implemented and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 6 (visitor parking)

Condition 6 reads as follows:

6. Prior to the commencement of superstructure works, details of on-site visitor parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The details shall include swept path diagrams confirming that the visitor parking spaces would not inhibit the manoeuvring of a 11.85m refuse vehicle on the development's internal adoptable roads. The development shall be implemented in accordance with the details so approved and the visitor parking spaces shall be available for public use thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate visitor parking provision, to minimise risks of overspill parking on the adjacent highway, and to accord with Policy LP22 of the Kirklees Local Plan.

The details shown on drawing 18D33 FBA ZZ GF DR A 0101 rev P13 were considered acceptable in relation to on-site visitor parking, and were as per an earlier exchange of emails between the applicant and the case officer on 01/10/2020.

The case officer did, however, query whether there needed to be a short retaining wall around the visitor spaces outside unit 7, and whether the external works layout drawing (ELL-18051-CB-L-140 rev D) needed updating to show the visitor spaces. In response, the applicant's agent stated on 18/05/2021 that these matters were being looked into.

On 11/02/2022 the applicant submitted ELL-18051-CB-L-140 rev F, which addresses the case officer's queries.

KC Highways Structures had previously noted (on 07/01/2021) that the technical approval for the design of some retaining walls at this site was ongoing, and it is noted that such details would be (and have been) subject to assessment under the relevant Section 38 process.

Although the requirements of condition 6 regarding swept paths and the manoeuvring of a 11.85m refuse vehicle have not been met by the applicant's

submissions, KC Highways Development Management and KC Waste Strategy have not raised any objection on these grounds.

Given the above assessment, the details of visitor parking shown in drawings 18D33 FBA ZZ GF DR A 0101 rev P13 and ELL-18051-CB-L-140 rev F can be approved. Condition 6 includes an ongoing requirement for the visitor parking to be implemented and retained for public use thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 12 (boundary treatments)

Condition 12 reads as follows:

12. Prior to the commencement of superstructure works, details (including sections and details of levels) of all boundary treatments, and any retaining walls and gabions, shall be submitted to and approved in writing by the Local Planning Authority. The details shall correspond with measures relating to flood routing to be submitted pursuant to condition 16 of outline planning permission ref: 2016/93411 and shall be designed and specified so as to prevent and deter crime and anti-social behaviour. The development shall be implemented in accordance with the details so approved, and shall be retained thereafter.

Reason: In the interests of visual amenity, highways safety and biodiversity, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to accord with Policies LP21, LP24, LP27 and LP30 of the Kirklees Local Plan.

The applicant's initial submission included some details of retaining walls, but no other details of boundary treatments. The case officer requested the missing information on 30/03/2021.

On 18/05/2021 the applicant's agent provided a drawing of 1.8m fencing without clarifying where that boundary treatment was proposed, and what other boundary treatments would be used in this development. The case officer requested further information on 21/09/2021 and 10/02/2022.

A hand-amended layout drawing was submitted on 11/02/2022. On 23/02/2022 the case officer advised that this drawing was inadequate. It only illustrated locations of 1.8m fencing and it didn't clarify what was proposed for the site perimeter. The case officer also advised that 1.8m timber fences wouldn't be acceptable immediately adjacent to the estate road, and in some locations 1.8m fences were proposed unnecessarily and in locations that would endanger pedestrians (e.g., between units 16 and 17, where drivers would be prevented from seeing people using the footway).

A further drawing (BBH-(F)-001) was submitted on 24/03/2022, along with two retaining wall drawings (18051-EPW-00-F-DR-S-0003-GA-S4 rev A02 and 18051-EPW-00-F-DR-S-0004-GA-S4 rev A03). On 10/11/2022 the case

officer commented that, although there was still rather a lot of 1.8m timber fencing proposed immediately adjacent to the estate road, reductions had been made, and the proposed hit-and-miss design and adjacent planting should help to limit its impact. Two outstanding matters were, however, noted:

- The 1.8m wall around the parking spaces for units 27 and 28 would prevent drivers from seeing people using the footway. The case officer asked if the corners of this wall could be chamfered here to improve visibility. The applicant has not responded to this question.
- As some of the applicant's boundary treatment information only relates to (what is now) Phase 1 of the development, only a partial discharge could be issued at this stage pursuant to condition 12. A further submission would be necessary as and when Phase 2 comes forward for development.

Given the above assessment, the details of boundary treatments shown in drawings BBH-(F)-001, 18051-EPW-00-F-DR-S-0003-GA-S4 rev A02 and 18051-EPW-00-F-DR-S-0004-GA-S4 rev A03 can be approved for what is now Phase 1 of the development, subject to the corners of the 1.8m wall around the parking spaces for units 27 and 28 being chamfered to improve visibility. Condition 12 includes an ongoing requirement for the boundary treatments to be implemented and retained thereafter.

Condition 13 (external lighting)

Condition 13 reads as follows:

13. Prior to the first occupation of any part of the development hereby approved, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, and disturbance to wildlife, and shall be designed and specified so as to prevent and deter crime and anti-social behaviour. The details shall identify areas or features within or adjacent to the development that are visited by bats, and where external lighting may cause disturbance to bat breeding, resting or foraging places or to important routes used by bats to access key areas of their territory. The details shall correspond with details to be submitted pursuant to condition 17 of outline planning permission ref: 2016/93411. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to safeguard habitat and to accord with Policies LP21, LP24 and LP30 of the Kirklees Local Plan.

Limited external lighting information was initially submitted by the applicant.

On 06/01/2021 KC Environmental Health noted that limited information had been submitted, but nonetheless advised that the proposed external lighting was unlikely to have any significant adverse impact on residential amenity, and that there were no Environmental Health objections to the proposed lighting.

On 22/01/2021 the West Yorkshire Police Designing Out Crime Officer commented:

The external light shown on the application is... not recommended, as this is PIR activated. West Yorkshire Police advise that external plot lighting is the dusk to dawn type that conforms to Secured by Design standards. As there are several "Private Drives" shown on this application. I require a full lighting plan for the site that covers these private un-adopted drives. The above lighting engineer will be able to provide you with a suitable plan to the required specifications.

The case officer did not share the above concerns regarding passive infrared (PIR) activation, as constant illumination should be avoided at this site where bats are known to be present nearby. The case officer did, however (on 30/03/2022) request clarification as to where on the dwellings the proposed Saxby light fittings would be installed, and queried whether the applicant's ecological consultant had advised on the specification, light spread, number and locations of the light fittings. The case officer also requested details of street and private drive lighting.

On 18/05/2021 the applicant explained where on the dwellings the Saxby light fittings would be installed (one adjacent to the front door of every dwelling, and two to the rear elevation at ground floor level).

Regarding street (and private drive) lighting, on 18/05/2021 the applicant advised that details would not become available until an approval under Section 38 had been issued. On 11/02/2022 the applicant submitted a drawing (6685) which showed street lighting for the adoptable estate road, but no details for the development private drives. On 03/05/2022 the applicant submitted a drawing titled Light Pollution Assessment (900-CDL-ZZ-XX-SU-LG-63100) which included lighting (on 6m high columns) to the private drives. Amended proposals were then submitted on 18/08/2022, indicating six 5m high columns were proposed for the private drives.

On 10/11/2022 the case officer advised that the amended details submitted on 18/08/2022 was acceptable. The information was considered adequate to address the West Yorkshire Police Designing Out Crime Officer's comments of 22/01/2021. On 07/12/2022 KC Ecology advised that the information submitted in support of condition 13 provided sufficient detail to ensure that the scheme will not bring about negative impacts on biodiversity.

One of the “Solar Street Light” documents submitted on 18/08/2022 was not openable, and the applicant has not resubmitted this document. Cost information submitted on 18/08/2022 is not relevant to the council’s assessment of the lighting proposals. Also, the applicant’s more recent information contradicts drawing 900-CDL-ZZ-XX-SU-LG-63100, therefore that earlier drawing (received 03/05/2022) is to be disregarded. The drawings and documents to be approved under condition 13 are:

- Drawing 6685
- Lighting Schedule 18/D33 rev A
- Prolectric Lighting Design Booklet
- AE3 Solar Street Lighting product sheet
- Prolectric Solar Street Light column product sheet

Given the above assessment, the information included in the five documents listed above can be approved. Condition 13 includes an ongoing requirement for the approved lighting to be installed and maintained thereafter.

Condition 14 (landscaping)

Condition 14 reads as follows:

14. Prior to the commencement of superstructure works, the following details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of existing and proposed levels, and regrading;
- b) Details (including samples, if requested), of any paving and other hard surface materials;
- c) Details of any on-site open space and of any areas for designated, informal, incidental and/or doorstep play; and
- d) Designs and specifications intended to prevent and deter crime and anti-social behaviour.

No part of the development hereby approved shall be occupied until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value and visual amenity, and to accord with Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan, and chapters 12 and 15 of the National Planning Policy Framework.

The applicant submitted drawings 14296_LD_01 and 14296_LD_02, a five-year maintenance schedule (14296_LD_04), a Landscape Management Plan (V4.0, November 2020) and a Planting Schedule and Outline Planting Specification (14296_LD_03).

The proposed soft planting includes native, flowering and fruiting species, and species of amenity, screening and biodiversity value, including species attractive to pollinators. The proposals do, however, include the following non-native species which are considered to be at risk of becoming invasive:

- Euphorbia amygdaloides robbiae
- Lonicera nitida
- Pyracantha coccinea

Regarding requirement b) of condition 14, no hard surfacing is proposed (other than gravel).

Sufficient detail of the on-site open space has been provided, in accordance with requirement c) of condition 14.

Requirement d) of condition 14 refers to the prevention and deterrence of crime and anti-social behaviour, however the West Yorkshire Police Designing Out Crime Officer did not comment on the proposed landscaping.

KC Landscape did not comment on the proposals.

Given the above assessment, it is recommended that the submitted details be approved, subject to the three above-listed species not being planted. Condition 14 includes an ongoing requirement for the approved landscaping to be implemented and maintained.

Condition 15 (biodiversity)

Condition 15 reads as follows:

15. Notwithstanding the requirements of condition 17 of outline planning permission ref: 2016/93411, prior to the commencement of superstructure works, details of enhancement and mitigation measures to secure a biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be informed by biodiversity metric calculations. The details shall be set out in an Ecological Design Strategy or other appropriate document, and shall correspond with details to be submitted pursuant to condition 17 of outline planning permission ref: 2016/93411 and condition 13 of this Reserved Matters approval. The development shall be implemented in accordance with the approved details and all measures and features shall be retained in that manner thereafter.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

On 21/09/2021 the case officer advised that insufficient information had been submitted to discharge this condition. A Biodiversity Habitat Enhancement

Scheme document and a biodiversity metric spreadsheet (using the Biodiversity Metric 2.0) had been submitted.

The submitted Biodiversity Habitat Enhancement Scheme document included details of bird and bat boxes, and provisions for hedgehogs. These details are considered acceptable. The same document, however, includes references to a superseded iteration of the proposed development, and includes out-of-date landscaping proposals (unimplementable tree planting over easements etc) at appendix 1. The document also makes no mention of biodiversity net gain. Similar concerns were raised in the delegated report (dated 23/12/2020) relating to Discharge of Conditions application ref: 2018/93858.

The applicant's biodiversity metric spreadsheet suggested that on-site habitat units would decrease from 5.03 to 1.44 units, representing a 71.29% net loss. This is regrettable, and fails to comply with the "mitigation measures to secure a biodiversity net gain" requirement of condition 15.

Notwithstanding the above, on 07/12/2022 KC Ecology advised that the information submitted in support of condition 15 provided sufficient detail to ensure that the scheme will not bring about negative impacts on biodiversity and that opportunities for ecological receptors exist and are enhanced post development. KC Ecology therefore raised no objection to the submitted information, and supported the discharge of condition 15.

Given the above assessment, it is considered that elements of the submitted Biodiversity Habitat Enhancement Scheme document (specifically relating to bird and bat boxes, and provisions for hedgehogs) can be approved, however the document (including its appendix 1) is otherwise out-of-date and has been disregarded. Furthermore, condition 15's requirement relating to biodiversity net gain remains outstanding. Condition 15 can therefore only be partially discharged.

Condition 15 includes an ongoing requirement for the approved details to be implemented and retained.

Other matters

Drawings submitted under this Discharge of Conditions application suggest that unit 34 has been moved closer to the adjacent trees (which potentially raises concerns regarding impacts on TPO-protected trees), show a new building adjacent to unit 7 (which intrudes into the development's open space, such that an additional off-site open space contribution would need to be secured) and omit units 8-13 and 41. For the avoidance of doubt, these amendments are not hereby approved (and cannot be approved, procedurally) under this Discharge of Conditions application.

Recommendation – Approve details, subject to implementation, retention and maintenance (where required by the relevant condition),

deletion of specified species from the soft landscaping scheme, and further submissions pursuant to conditions 12 and 15

Report Dated: 15/12/2022

Decision Notice Text

Condition 3 (temporary drainage)

You have submitted the following document pursuant to condition 3:

- Temporary Run-Off Management document (Eastwood and Partners, ref: 001, January 2021).
- Temporary Surface Water Management Plan (001 rev A).
- Temporary Drainage Plan (18D33 FBA ZZ XX DR A 9201 rev P02).

The details set out in the above documents are hereby approved for the purposes of condition 3. Please be reminded that the condition includes an ongoing requirement for the development to be carried out in strict accordance with the temporary drainage arrangements hereby approved.

Condition 4 (temporary waste storage/collection)

The details set out in the drawing titled Temporary Waste Collection Point (BBH-(TWCP)-001) are hereby approved for the purposes of condition 4. Please be reminded that condition 4 includes an ongoing requirement for the temporary arrangements to be implemented and retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Condition 5 (cycle parking)

The details set out in the document titled Cycle Storage (18/D33) and its later revision A are hereby approved for the purposes of condition 5. Please be reminded that condition 5 includes an ongoing requirement for the cycle parking provisions to be implemented and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 6 (visitor parking)

The details set out in drawings 18D33 FBA ZZ GF DR A 0101 rev P13 and ELL-18051-CB-L-140 rev F are hereby approved for the purposes of condition 6. Please be reminded that condition 6 includes an ongoing requirement for the visitor parking to be implemented and retained for public use thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 12 (boundary treatments)

The details set out in drawings BBH-(F)-001, 18051-EPW-00-F-DR-S-0003-GA-S4 rev A02 and 18051-EPW-00-F-DR-S-0004-GA-S4 rev A03 are hereby approved for the purposes of condition 12 in respect of Phase 1 of the development, subject to the corners of the 1.8m wall around the parking spaces for units 27 and 28 being chamfered to improve visibility. Please be reminded that condition 12 includes an ongoing requirement for the boundary treatments to be implemented and retained thereafter. A further submission will be necessary in relation to Phase 2 of the development.

Condition 13 (external lighting)

You have submitted the following documents pursuant to condition 13:

- Drawing 6685
- Lighting Schedule 18/D33 rev A
- Prolectric Lighting Design Booklet
- AE3 Solar Street Lighting product sheet
- Prolectric Solar Street Light column product sheet

The details set out in these documents are hereby approved for the purposes of condition 13. Please be reminded that condition 13 includes an ongoing requirement for the approved lighting to be installed and maintained thereafter.

Condition 14 (landscaping)

You have submitted the following documents pursuant to condition 14:

- Drawing 14296_LD_01
- Drawing 14296_LD_02
- Planting Schedule and Outline Planting Specification (14296_LD_03)
- Five-year maintenance schedule (14296_LD_04)
- Landscape Management Plan (V4.0, November 2020)

The details set out in the above documents are hereby approved for the purposes of condition 14, subject to the following species (which are considered to be at risk of becoming invasive) not being planted:

- *Euphorbia amygdaloides robbiae*
- *Lonicera nitida*
- *Pyracantha coccinea*

Please be reminded that condition 14 includes an ongoing requirement for the approved landscaping to be implemented and maintained.

Condition 15 (biodiversity)

You have submitted a Biodiversity Habitat Enhancement Scheme document (dated 01/07/2018) pursuant to condition 15. Only elements of that document (specifically relating to bird and bat boxes, and provisions for hedgehogs) are hereby approved for the purposes of condition 15. The remainder of the document (including its appendix 1) is out-of-date and has been disregarded. Furthermore, condition 15's requirement relating to biodiversity net gain remains outstanding. Condition 15 can therefore only be partially discharged at this stage, and a further submission pursuant to the condition will be necessary. Please also be reminded that – in connection with the details that are hereby approved – condition 15 includes an ongoing requirement for the approved details to be implemented and retained.

Other matters

As noted in earlier correspondence, drawings submitted under this Discharge of Conditions application suggest that unit 34 has been moved closer to the adjacent trees (which potentially raises concerns regarding impacts on TPO-protected trees), show a new building adjacent to unit 7 (which intrudes into the development's open space, such that an additional off-site open space contribution would need to be secured) and omit units 8-13 and 41. For the avoidance of doubt, these amendments are not hereby approved (and cannot be approved, procedurally) under this Discharge of Conditions application.