

PLANNING AND DESIGN AND ACCESS STATEMENT



**May
2026**

**Cleeve Rocks, 46 Midford Lane, Limpley Stoke
BA2 7DF**

Demolition of existing dwelling, erection of a replacement dwelling and associated works.

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1. INTRODUCTION

- 1.1. Context Planning Ltd have been instructed by the applicants to prepare this full planning application for the demolition of an existing dwelling, erection of a replacement dwelling and associated works. This application follows on from an 'Acceptable in principle' pre-application enquiry (ENQ/2025/01139).
- 1.2. The application site is located on Midford Lane to the north-west of the village of Limpley Stoke. Please refer to the accompanying location plan for further details (Figure 1). The site is occupied by a detached bungalow as well as several other buildings scattered around the curtilage of the property including a garage, annex, PV canopy, boiler building, outbuilding, three sheds and a yurt.



Figure 1- Location plan extract.

- 1.3. The wider application site consists of woodlands surrounding the cleared area where the existing buildings are located. This clearing has been present since

at least the 1840s as shown on the historic map below (Figure 2). Further details about the historical development of the site can be found in the accompanying archaeological assessment on pages 14-19.



Figure 2- Extract from the Bradford on Avon Tithe Map (1840).

- 1.4. The existing house was built in the second half of the 20th century (W/76/00577/HIS) and comprises of a white rendered single storey bungalow. In 2018 a timber clad annex was erected to the west of the dwelling. Access to the dwelling is from Midford Lane, which leads to a parking area to the north-east of the property.
- 1.5. The site is located within the Cotswolds National Landscape (formerly known as Area of Outstanding Natural Beauty) and also falls within the Bristol and Bath Green Belt. The surrounding woodland on the wider application site forms part of the Midford Valley Woods Site of Special Scientific Interest (SSSI).

2. THE PROPOSED DEVELOPMENT

- 2.1. The proposal seeks to demolish the existing bungalow and erect a replacement 4-bedroom dwelling (Figure 3). The existing buildings on site are of poor quality, and the applicants wish to replace these with a highly energy efficient and sustainable dwelling. As part of the proposal all existing buildings on the site would be demolished.

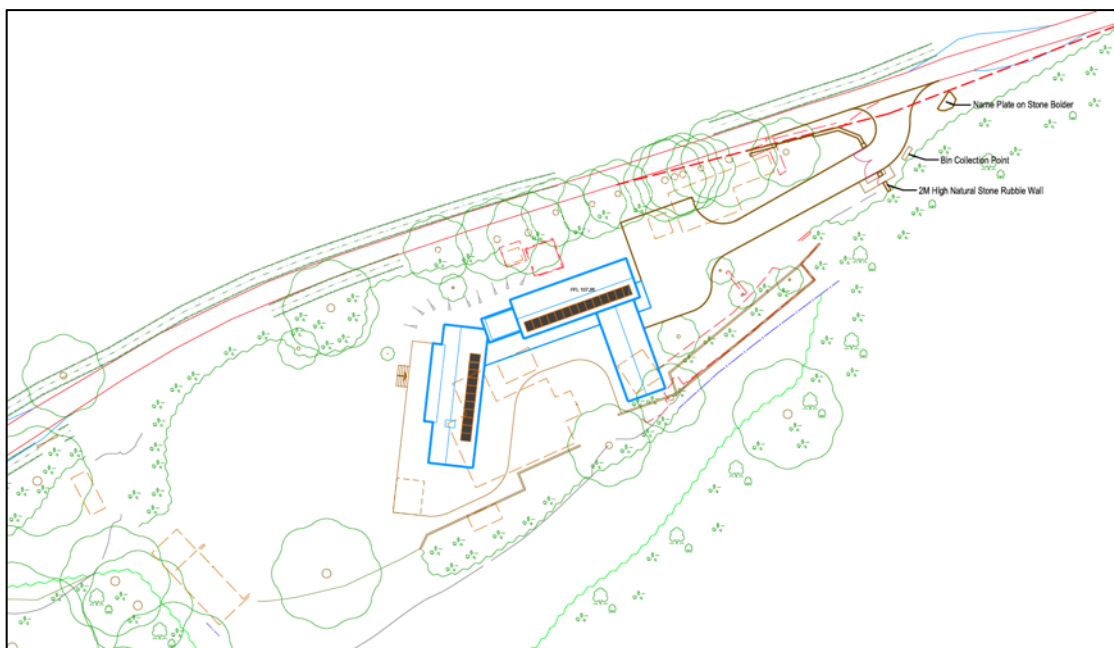


Figure 3- Proposed site plan extract.

- 2.2. As shown on the plan above, the replacement dwelling would be positioned further north-east, offering a number of benefits. The natural topography of the site slopes downwards towards the north, meaning the new location will be less prominent and helping to offset the increase in height. The new location will also move the dwelling further away from the nearby oak tree which will benefit its Root Protection Area (RPA). Finally, the positioning will maximise the sunlight received by the dwelling throughout the year, reducing the overshadowing of the nearby woodlands.

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- 2.3. The massing of the proposed dwelling would be read as three pavilions arranged around a southern facing sheltered courtyard, connected by a single storey glazed link that runs along the northern edge of the courtyard. The dwelling will feature a two-storey element on the bedroom pavilion which will house the master bedroom and bathroom. The occupants of the property would be provided with a large terrace accessed via steps to the west of the dwelling, as well as a courtyard to the rear. The plot will also retain a large lawn.
- 2.4. A new altered access is proposed approximately 13m east of the existing access point. This is being proposed to improve visibility and allow for easier manoeuvring of vehicles when turning to or from the west. A dedicated parking and turning area will be provided to the north-east of the dwelling.

3. RELEVANT PLANNING HISTORY

- 3.1. There have been three previous planning applications at the site, detailed below:

W/76/00577/HIS- *‘Demolish existing bungalow. Outline 1 dwelling’*- Approved 05.11.1976. It should be noted that this permission was never implemented.

W/79/00700/HIS- *‘Construction of outer skin to bungalow’*- Approved 31.07.1979.

W/90/00425/FUL- *‘Extension and plastic dome pool cover’*- Approved 24.04.1990.

- 3.2. In July of 2025 a pre-application enquiry (ENQ/2025/01139) was made to the Council for *“the demolition of existing dwelling, erection of a replacement dwelling and associated works”*. Drawings submitted alongside this application

can be seen below for reference (Figures 4-8).

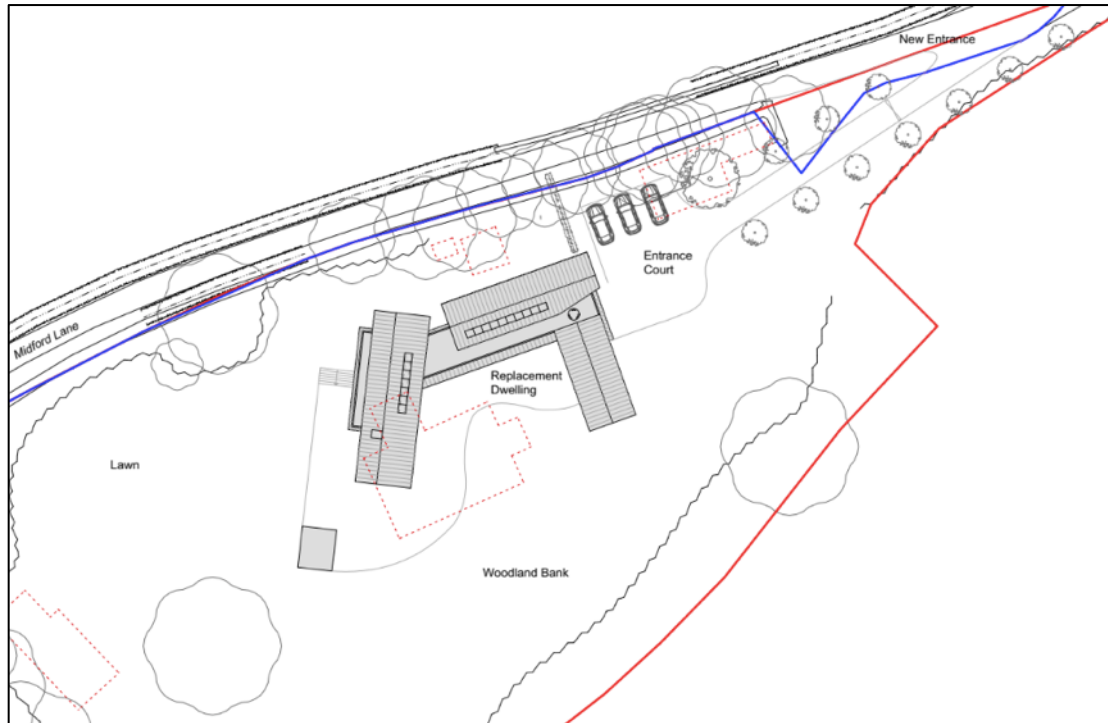


Figure 4- Proposed site plan (ENQ/2025/01139).



Figure 5- Proposed east elevation (ENQ/2025/01139).



Figure 6- Proposed west elevation (ENQ/2025/01139).



Figure 7- Proposed north elevation (ENQ/2025/01139).



Figure 8- Proposed south elevation (ENQ/2025/01139).

- 3.3. The pre-application advice received was favourable and deemed “*acceptable in principle*” by the case officer. Further details of their feedback will be given throughout this report. Whilst the current application features some changes in the design of the elevations, the premise of the current application remains the same as those proposed in the pre-app. As per the guidance set out in the Council’s response, additional supporting documentation has been provided with this application.

4. POLICY BACKGROUND

Wiltshire Core Strategy

- 4.1. Wiltshire Council formally adopted the Wiltshire Core Strategy Development Plan Document in January 2015. The Core Strategy replaced a number of policies from the West Wiltshire District Plan 1st Alteration (adopted June 2004).
- 4.2. **CP1 (Settlement strategy)** allows for modest development in small villages to respond to local needs and to contribute to the vitality of rural communities.
- 4.3. **CP45 (Meeting Wiltshire's housing needs)** states that *“new housing, both market and affordable, must be well designed to address local housing need incorporating a range of different types, tenures and sizes of homes”*.
- 4.4. **CP51 (Landscapes)** advises that developments should protect, conserve and where possible enhance landscape character. Within AONBs great weight will be afforded to conserving and enhancing landscapes and scenic beauty. It also guides that *‘Applications for development within the Green Belt will be determined in accordance with national planning policy.’*
- 4.5. **CP57 (Ensuring High Quality design and place shaping)** relates to design and advises that new development should enhance local distinctiveness relating positively to its setting. Green infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long-term future.

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- 4.6. **CP61 (Transport and new development)** requires new developments to be served by safe access to and from the highway.
- 4.7. In addition to the above Wiltshire Core Strategy policies, the saved policy **H20 (Replacement Dwellings)** from the West Wiltshire District Local Plan (1st Alteration) also applies. This policy guides that in the countryside and settlements without Village Policy Limits replacement dwellings will be permitted if they are not materially larger and would not perpetuate a serious traffic hazard, be an isolated development away from public services or adversely affect the rural scene.

National Planning Policy Framework (NPPF 2024)

- 4.8. Paragraph 10 advises ‘so that sustainable development is pursued in a positive way, *at the heart of the Framework is a presumption in favour of sustainable development*’.
- 4.9. Paragraph 11 outlines how the presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking is to be implemented. For decision taking this means ‘*approving development proposals which accord with an up-to-date Development plan without delay*’.
- 4.10. Paragraph 39 of the NPPF advises that ‘*Local Planning Authorities (LPA) should approach decisions on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible*’.

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- 4.11. Paragraph 78 explains that where LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing against their housing requirement set out in adopted policies, or against their local housing need where the strategic policies are more than 5 years old. The supply of deliverable sites, should also deliver a buffer as set out in the policy.
- 4.12. In rural areas paragraph 82 outlines that *'planning should be responsive to local circumstances and support housing developments that reflect local needs'*.
- 4.13. In respect of transport, paragraph 115 advises that it should be ensured that *'safe and suitable access to the site can be achieved for all users'*. Paragraph 116 advises that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.
- 4.14. Paragraph 135 guides that planning decisions should ensure that developments will *'function well and add to the overall quality of the area'*; *'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'*.
- 4.15. Paragraph 139 states that development that is not well designed should be refused, and, conversely, proposals that help to raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings, should be given significant weight.
- 4.16. Section 13 of the NPPF sets out national Green Belt policy, the fundamental aim of which is to *'prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*. As a rule, a local planning authority should regard the
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construction of new buildings as inappropriate in the Green Belt.

- 4.17. Paragraph 143 states Green Belt has five purposes: *'A. to check the unrestricted sprawl of large built-up areas; B. to prevent neighbouring towns merging into one another; C. to assist in safeguarding the countryside from encroachment; D. to preserve the setting and special character of historic towns; and E. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*
- 4.18. Paragraph 153 states the inappropriate development, is by definition harmful to the Green Belt. Paragraph 154 sets out the exceptions and forms of development that are appropriate in the Green Belt. These exceptions include, *'(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces and (g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.'*
- 4.19. Paragraph 155 states that *'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
 - b. There is a demonstrable unmet need for the type of development proposed;*
 - c. The development would be in a sustainable location, with particular reference*

to paragraphs 110 and 115 of this Framework; and

d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.’

Freshford and Limpley Stoke Neighbourhood Plan (2014-2039)

4.20. The ‘Planning and Development policy’ sets out that:

‘a) Any development requiring planning permission within the Neighbourhood Plan area should reflect the Guidance contained in the Villages Design Statement.

(b) Applicants must demonstrate to the relevant Local Planning Authority how any planning application conforms to that Statement.

(c) Villages Design Statement New developments: New developments must be mindful of and sensitive to the physical and environmental context of the site and its location. This includes the need for any development to be proportionate both to its site and in relation to its immediate neighbours.’

4.21. It also provides further guidance in relation to:

‘Design: The design, contemporary or traditional, must be a positive addition to the rural environment reflecting the character of its setting and acknowledging the local built heritage. It must sit well in the landscape and not dominate it.

Detailing: The detailing of new development and changes to existing buildings must reflect the quality of craftsmanship and materials both of the area and of the specific location. Where possible, local and durable materials should be

used which improve appearance with age. Any exterior lighting must minimise light pollution.

Car Parking: any development, whether for extensions or new housing, must provide for sufficient off-road car parking to avoid worsening on-road parking and congestion.'

5. PLANNING ASSESSMENT

The principle of development

- 5.1. The proposal seeks to provide a replacement dwelling on the site. As noted in the pre-application advice *“The proposed development comprises a replacement dwelling located wholly within an established residential curtilage on the footprint of an existing dwelling. The principle of a dwelling at this location is firmly established.”* The principle of residential use on site is already established and in this respect there will be no change from the current situation.
- 5.2. Saved policy H20 from the West Wiltshire District Council cites that *“Replacement of existing dwellings in the countryside and in settlements without Village Policy Limits will be permitted provided the new dwelling is not materially larger than the dwellings to be replaced and such a replacement does not perpetuate a serious traffic hazard, form as isolated development away from public services or adversely affect the rural scene.”* These matters will be dealt with in this statement. Whilst the replacement dwelling is not materially larger than the existing dwelling, it should be noted that policy H20 does not reflect the updated Green Belt policy in the NPPF (2024), and this now allows more flexibility with the size of replacement dwellings in some circumstances.

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- 5.3. Notwithstanding this, the development complies with policy H20 as outlined in the pre-application advice which noted that *“The proposal would utilise the existing access and would not create a serious traffic hazard. Whilst the proposed development benefits from a secluded position set off a narrow country lane, the proposed development would not be considered isolated given its location between the two villages of Limpley Stoke and Midford. A number of rural properties are positioned further down the lane towards Midford, and the proposal would not adversely affect the rural scene. Therefore, the principal of development would be supported if the proposal satisfies all other relevant policies of the development plan.”*. Whilst the current application seeks an amendment to the access, as will be outlined in the highways section of this report, this offers a betterment over the one previously proposed and would not amount to a serious traffic hazard. Therefore, similar support should be had regarding the principle of the development.
- 5.4. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Green Belt

- 5.5. The application site falls within the designated Green Belt. The NPPF (in Section 13) guides that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Wiltshire Core Strategy does not have a dedicated Green Belt policy, instead CP51 (Landscapes) guides that *‘Applications for development within the Green Belt will be determined in accordance with national planning policy.’*

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- 5.6. Paragraph 154 of the NPPF sets out the exceptions and forms of development that are appropriate in the Green Belt. These exceptions include *‘(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces’*. The existing building is currently in use as a residential dwellinghouse (Use Class C3) and the proposed building would also be the same, therefore satisfying the first requirement.
- 5.7. The second requirement outlines that the building must not be materially larger than the one it is replacing. As noted in the pre-application advice *“As far as the second test is concerned, planning judgement is required on a case-by-case basis, since the NPPF does not quantify what ‘materially larger’ means and the Council does not prescribe a volume/percentage maximum. Each case must therefore be assessed on its own merits.”* It should be noted that the 1976 permission for a replacement dwelling was never implemented on site and therefore the existing bungalow is considered to be the original.
- 5.8. As identified on the existing site plan, there are a number of other buildings that are located close to and are functionally related to the dwelling. These should be considered ‘extensions’ for the purpose of the Green Belt assessment. As concluded by High Court (Warwick District Council v Secretary of State for Levelling Up, Housing And Communities [2022 EWHC 2145 (Admin)]) *‘extension’* is not to be interpreted as being confined to physically attached structures and an extension for the purposes of the NPPF can include structures which are physically detached from the building of which they are an extension.
- 5.9. The footprint of the proposed dwelling (390m²) would represent a 17.66% decrease on the current footprint of the buildings on site (453m²). The existing volume of the buildings is 1454m³ compared to the proposed volume of 1655m³. Whilst there is a modest increase in volume (13.8%), it is more than offset by a 17.66 % reduction in footprint, with the consolidation of the existing
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scattered outbuildings into a single, well-designed dwelling. The volumetric increase is also justified by reference to the visual analysis and is not considered to render the proposed dwelling "materially larger" within the meaning of paragraph 154(d).

- 5.10. For reasons outlined in the following paragraph, including the relocation and the consolidation of development, the proposal would have a beneficial impact on the visual openness of the Green Belt. Overall, therefore, the proposal would comply with criterion d of paragraph 154 of the NPPF and this would not represent inappropriate development within the Green Belt.
- 5.11. In addition to exemption d, the development would also comply with paragraph 154 exception '*g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- 5.12. The December 2024 update to the NPPF amended the wording of the above exception. This previous version required the decision maker to assess whether the development had a '*materially*' greater impact on the openness of the Green Belt, whereas the revised version requires an assessment as to whether the development has a '*substantial*' impact upon the openness of the Green Belt. This represents a significant shift in policy.
- 5.13. Cleeve Rocks forms part of a small collection of dwellings (in a rural location) along Midford Lane. As the site is not located within a built-up area, and forms part of a residential garden, the site complies with the NPPF definition of previously developed land (as per Court of Appeal judge in Dartford Borough Council v The Secretary of State for Communities and Local Government & Ors
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[2017] EWCA Civ 141). The above exception is therefore relevant. This approach has been taken in several recent appeal decisions, two of which are attached in appendix 1. In these cases, even though the Inspector concluded that the dwelling was materially larger than the one it replaced, it was not considered to have substantially greater impact upon the Green Belt and was therefore not considered to be inappropriate development.

- 5.14. The National Planning Practice Guidance has been updated to reflect the findings in the case of ‘Turner v Secretary of State for Communities and Local Government [2016] EWCA Civ 466’. It advises that in assessing the impact of a proposed development on openness it is important to recognise that openness has both a visual and spatial aspect and that the degree of activity likely to be generated may also be a consideration. Indeed, the Court of Appeal in Turner recognised that the question of visual impact is implicitly part of the concept of openness of the Green Belt and the visual dimension of the Green Belt is an important part of the point of designating land as Green Belt.
- 5.15. The impact upon the Green Belt will be minimal and, in some respects, would offer an enhancement. Although the dwelling will in part be two storeys, on the bedroom pavilion, the proposed relocation on the plot and building into the slope will have a mitigating impact against this. The new location is in a less visibly prominent position, which coupled alongside the existing trees and hedgerows on site, will naturally screen the dwelling in views from the public realm. Please consult the accompanying visual impact assessment for further assessment of the site visibility.
- 5.16. Moreover, the demolition of the existing buildings scattered around the dwelling will have a positive effect on the perceived openness of the site. This would equate to a 17.66% decrease in footprint which represents a significant reduction. By concentrating the development in one central area, the remaining
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plot will be freed up, appearing more open. When looking at volume, the increase is only marginal the increase and cannot in any way be described as resulting in a substantial, particularly when considering the benefits of consolidating the buildings on the site.

5.17. Given the above, any impact upon the openness of the Green Belt cannot be seen to be substantial. Thus, the development also complies with paragraph 154 (g) of the NPPF and is not inappropriate development in the Green Belt.

5.18. Further to the exceptions outlined in paragraph 154, paragraph 155 explains that development is also not to be regarded as inappropriate where:

'a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b) there is a demonstrable unmet need for the type of development proposed (which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites);

c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF; and

d) where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 of the NPPF.'

5.19. 'Grey Belt' is defined in the glossary of the NPPF as 'land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the

areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development’.

5.20. Paragraph 143 outlines the five purposes that the Green Belt serves, including ‘a) to check the unrestricted sprawl of large built-up areas’, ‘b) to prevent neighbouring towns merging into one another’ and ‘d) to preserve the setting and special character of historic towns’. These will be assessed in turn below.

5.1. The policy text for Core Strategy Policy 51 (Landscapes) guides that *‘the extent of the Western Wiltshire Green Belt is shown on the policies map. The purpose of the Green Belt is to check the expansion of towns in the area, principally Bristol and Bath, and to safeguard surrounding countryside, and its particular objectives are to: maintain the open character of undeveloped land adjacent to Bath, Trowbridge and Bradford on Avon, prevent the coalescence of Bradford on Avon with Trowbridge or the villages to the east of Bath’.*

5.2. The site is located between Limpley Stoke and Midford, both of which are villages. The NPPG provides helpful guidance on how to assess whether a site strongly contributes to purposes a). The NPPG is clear that this purpose relates to the sprawl of large built-up areas, and it is explicit that villages should not be considered large built-up areas. In this context, the proposal would not result in any noticeable urban sprawl beyond that of the existing development on site and would not impact the undeveloped land adjacent to Bath identified in CP51. Consequently, the site cannot be considered to strongly contribute to purpose a) or b). Furthermore, the site is not close to a historic town and therefore the development does not conflict with purpose d). The application site can therefore be considered to be Grey Belt and can be considered under paragraph 155.

5.3. Paragraph 155 of the NPPF explains that development is not to be regarded as

inappropriate where:

'a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;'

- 5.4. The proposed development would be modest in scale and therefore would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The development therefore complies with criterion a) of paragraph 155.

'b) there is a demonstrable unmet need for the type of development proposed (which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites);'

- 5.1. The proposed development is for a dwelling and, as noted below, the Council cannot currently demonstrate a 5-year housing land supply. Therefore, there is a demonstrable unmet need for the type of development proposed and the development complies with criterion b) of paragraph 155.

'c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF;'

- 5.2. The NPPF does recognise that opportunities to maximise sustainable transport solutions will differ from urban areas to rural areas and the application must be considered in this context.

- 5.3. The application site is located in close proximity to the villages of Limpley Stoke and Midford which contain a number of amenities. The closest bus stop to the site is Midford Lane bus stop in Limpley Stoke located a 16-minute walk from

the site and is serviced by the number 94 bus that runs between Trowbridge and Bath. Additionally, the Hope and Anchor bus stop in Midford is an 18-minute walk and is serviced by the D2 and D2X bus that run between Frome and Bath. Onward travel connections, including via trains are available from these destinations. There is also the *‘Limpley Stoke and Freshford Transport Link’*.

5.4. The entrance to the Two Tunnels pathway can be found adjacent to the Hope and Anchor (in Midford) which allows for walking and cycling routes to the south of Bath city centre.

5.5. It is noteworthy that there is an existing dwelling at the application site that operates, there would be no change in this regard.

‘d) where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 of the NPPF.’

5.6. The *‘Golden Rules’* requirement is not applicable due to the size of the development.

5.7. The development complies with paragraph 155 of the NPPF and thus the development is not inappropriate development in the Green Belt. Further consideration to the impact on the National Landscape will be outlined in the next section, however overall, the proposal can therefore be considered *‘not inappropriate’* development in the Green Belt, meeting exceptions d and g of paragraph 154 and paragraph 155.

Housing Land Supply

5.8. Wiltshire Council issued a briefing note to explain the implications of the December 2024 revisions to the NPPF which included amendments to the

deliverable housing land supply policies, the terms under which a buffer should be added to the housing requirement to be used in the housing land supply calculation, and the implications of not being able to meet a sufficient deliverable housing land supply. The briefing note also addresses the revisions to the Planning Practice Guidance (PPG) including the standard methodology for assessing and setting Local Housing Need.

- 5.1. The number of homes per annum required under the previous local housing need calculation was 1917, and this has increased to 3525 under the revised housing need calculation. This represents an 84% increase. Wiltshire Council must now demonstrate a five-year housing land supply, inclusive of a 5% buffer, and immediately apply the revised Local Housing Need for decision-making. According to the updated calculations, the Council is unable to demonstrate the required five-year housing land supply (plus buffer), with only a 2.03-year supply available.
- 5.2. The Council acknowledges this is a significant shortfall and emphasises that the weight given to the benefits of housing in planning decisions has now increased. The Council highlights that the presumption in favour of sustainable development should be viewed in the context of the national objective to boost the housing land supply.
- 5.3. Moreover, the NPPF directs that for authorities whose adopted housing requirement is substantially less than the revised Local Housing Need figure, they will be required to add a 20% buffer to their five-year housing requirement from 1 July 2026. The Council recognise that to meet this increased buffer, they will need to continue to approve planning applications to ensure a sufficient housing land supply can continue to be met. It is important therefore, that development such as that proposed are assessed in this context.

5.4. As a 5-year land supply cannot be established within the Local Plan area the Development Plan policies which are most important for determining the application are out-of-date and paragraph 11d) (the tilted balance) of the NPPF is engaged. This guides that planning permission should be granted unless either;

- i. the application of policies in this Framework that protect areas or assets of particular importance (footnote 7) provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.5. The NPPF clarifies that such policies, that protect areas or assets of particular importance, includes land designated as Green Belt and National Landscapes. The overall planning balance will be dealt with in the concluding part of this statement.

Character and appearance

5.6. Wiltshire Core Strategy policies CP51 and CP57 set out the relevant policy regarding the character and appearance of development. Developments are required to protect, conserve and where possible enhance landscape character and within National Landscapes CP51 also guides that great weight will be afforded to conserving and enhancing the landscape and scenic beauty. CP57 further requires that the development's design to enhance local distinctiveness and relate positively to its setting.

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- 5.7. The site falls within the Cotswolds National Landscape. The statement of significance details a long list of special qualities of the area, including the *‘ancient broadleaved woodland’, ‘the tranquillity of the area, away from major sources of inappropriate noise, development, visual clutter and pollution’* and *‘views from and to the national landscape’*. The Landscape Character Assessment (2016) identifies that the application site falls within the *‘Low Limestone Plateau’* Character Area, however it is noteworthy that it sits next to the border of the neighbouring *‘Enclosed Limestone Valley’* Character Area also.
- 5.8. The *‘Low Limestone Plateau’* Character Area is identified as *‘open in character, with expansive views to distant hills and into the surrounding valleys. Pastoral and arable fields exist in equal measure. Fields are generally medium-sized and mainly enclosed by hedgerows with mature hedgerow trees. A sparse woodland cover contributes to the overall sense of openness. Small settlements, scattered farmsteads and individual dwellings are connected by a network of minor roads.’*
- 5.9. The Character Assessment (2016) guides *‘The strong physical enclosure of the valleys results in a secluded character, the sense of which is heightened by significant areas of woodland, some of which is ancient and semi-natural. Areas of pastoral and arable use are interspersed with pasture and scrub. Fields vary in size, and are mainly enclosed with hedgerows with frequent hedgerow trees. Roads connecting settlements generally follow valley bottoms, with others serving isolated dwellings ascending the valley sides’* characterises the *‘Enclosed Limestone Valley’*.
- 5.10. The application site is located in a removed location sitting between the villages of Limpley Stoke and Midford. The site fits within the description of being an *‘isolated dwelling ascending the valley sides’*, with the nearest neighbour (number 47) being separated by a substantial distance and is not visible in any
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views to or from the site. The existing site comprises of a cleared area where the existing dwelling and associated buildings are positioned, surrounded by woodlands that form the wider site.

- 5.11. The existing dwelling is a single storey rendered bungalow located centrally in the clearing. To the north-east is a flat roof garage (located next to the site access) and one of three sheds on the site. One of the other two sheds is located to the north the dwelling. To the rear of the dwelling is a boiler building. To the south-west there is a small collection of sheds and a yurt. There is a timber clad annexe building directly to the east of the dwelling and a store to the north-west.
- 5.12. The quality of the existing buildings is poor and, in some respects, detract from the appearance of the site and wider area. The current location of the garage is visible from the road and public realm, and the locations of the many associated outbuildings results in the site having a cluttered appearance.
- 5.13. A visual analysis of the site has been conducted by WHLandscape and can be found in full in the accompanying LVA. Whilst the wider area has a high landscape value due to its inclusion within the Cotswolds National Landscape, they note that *“The site itself does not represent a specific feature or element defined as a key characteristic of the study area, nor will its development result in a change to the area’s prevailing rural character or have a significant effect on the area’s tranquillity”*.
- 5.14. Pages 38-41 of the LVA evidence the visibility of the existing buildings on site in short and long-range views. The analysis and photographs indicate that the site (due to surrounding woodlands and vegetation) is obscured in long and mid-range views. Regarding short range views along Midford lane, there are limited views into the site. The most prominent view point is of the garage by the site access when approaching from the west. As the garage is of poor quality, this
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offers an opportunity to reduce visibility through its demolition, as was noted in the pre-application advice. It should also be noted that there is an opportunity to improve the visibility of the site through sensitive material choice. The existing pale colouration of the materials of the bungalow and associated buildings are more readily apparent and likely to draw attention.

- 5.15. The proposed development seeks to demolish the existing dwelling (and associated outbuildings) and build a replacement dwelling on the site. There would be no change in the use class of the site (C3 residential), in this regard there would be no change in the character of the use of the site. Moreover, the existing site clearly has a residential appearance, and this would be maintained.
- 5.16. An extensive design process was undertaken for the pre-application and further design tweaks have been made as part of the preparations for this full application. The base premise of the design remains the same as in the pre-application. The dwelling is formed of three pavilions connected by a single storey glazed link. The different pavilions will create visual interest and break up the massing of the dwelling. The majority of the dwelling will be single storey (except for the main pavilion which will feature a first floor) and will use the sloping topography to minimise the visual impact of the proposed roofscape.
- 5.17. The dwelling has been designed to capitalise on the views towards Midford Castle and valley by aligning the living wing with this view. The design also takes note of the sloping topography of the site with some areas being built into the slope. Inspiration for the courtyard typology was taken directly from nearby farmsteads in the local area, and the pitched roof was chosen to reflect the local agricultural vernacular.
- 5.18. The dwelling remains in a repositioned location on the site to the north-east of the existing bungalow which avoids overshadowing from the surrounding
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woodlands. All the associated outbuildings will be demolished, and the resulting dwelling will consolidate development into one central place on the plot, having a beneficial impact on the visual appearance of the form and massing of the site. This would be consistent with a strong attribute of the area that dwellings are sat in generous plots. This character will be retained and improved with the new dwelling as a result of the demolitions.

- 5.19. The design of the dwelling features well-articulated proposed elevations (Figures 9-12), providing a clear enhancement upon the current appearance of the bungalow. These elevations feature some design tweaks from those submitted in the pre-application, side by side comparisons can be seen below. The main design changes have been the introduction of a first-floor terrace, glazing changes, further addition of solar panels and the extension of the single storey link. Whilst tweaks to the design have been made, the essence and form of the design largely remain unchanged and continues to provide a clear improvement.



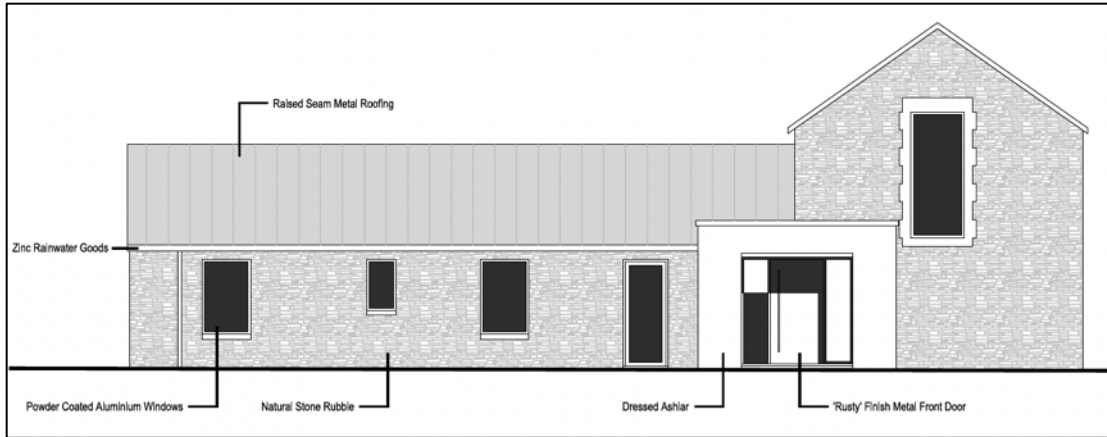


Figure 9- Pre-application and current proposed east elevation.



Figure 10- Pre-application and current proposed west elevation.



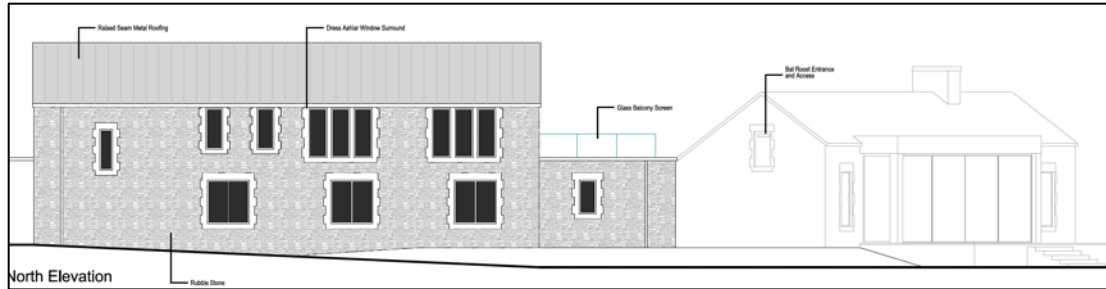


Figure 11- Pre-application and current proposed north elevation.

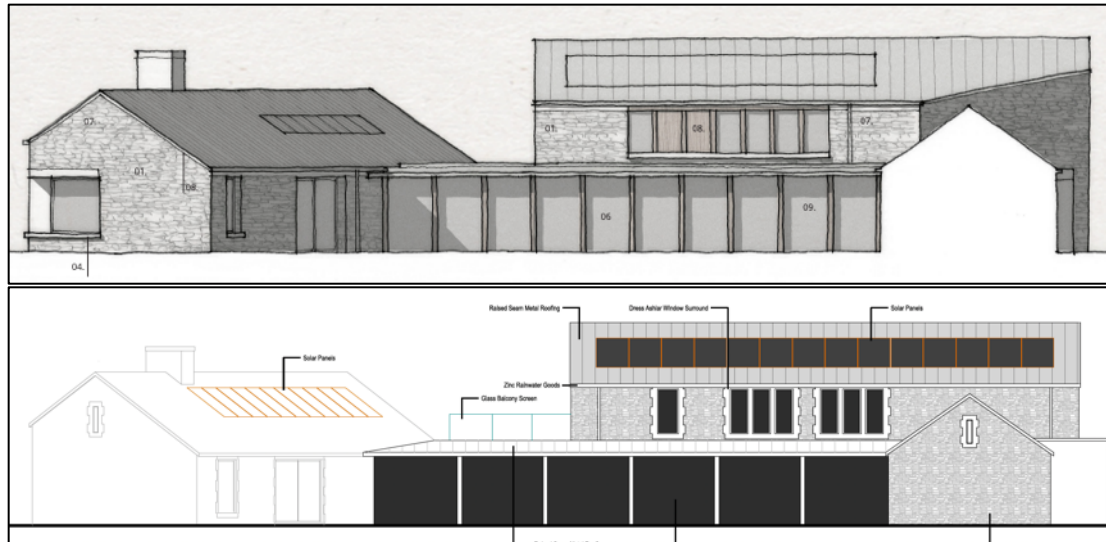


Figure 12- Pre-application and current proposed south elevation.

- 5.20. The proposed materials are appropriate to the character of the local area and rural contextual setting of the site. These include rubble stone, dressed ashlar window surrounds, zinc rainwater goods, raised seam metal roofing and powder-coated aluminium windows. The use of raised metal seam roofing was chosen with the intention of evoking the appearance of metal barns that characterise the local area. Unlike the existing materials, these provide a more natural appearance that will allow the dwelling to settle into the wooded surroundings more effectively, which will in turn lower external visibility.
- 5.21. These materials are largely consistent with those from the pre-application. Advice received regarding these materials noted that *“The use of bath stone and ashlar detailing is considered acceptable given the materials are local to*

the area and are the predominate materials within architecture in Bradford on Avon and Bath which are within short driving distances of the application site. The use of the standing seam zinc roof material would be a deviation from the materials used within the existing property, but officers acknowledge that the proposal seeks to deviate entirely from the architectural detail of the existing building to create a high-quality contemporary dwelling. The use of the zinc roofing with this rural setting would mirror the materials of local farmsteads within the valley with an agrarian style. The plans indicate that good quality sustainable materials would be utilised, and the development would also incorporate a number of energy saving sources.” Although the current design proposal does not specify zinc roofing, zinc rainwater goods will be still be incorporated.

- 5.22. The ‘*Low Limestone Plateau*’ Character Area lists ‘*intrusion of expanded settlement fringes into the landscape*’ and ‘*degredation of views from and across the Low Limestone Plateau*’ as potential negative implications of development in the area. Taking these in turn, the proposed dwelling would not expand the existing nearby settlements as the site is already in residential use and therefore there is no change in this regard. Moreover, the secluded and naturally screened nature of the site will not impact upon views from to or from Midford Castle, therefore protecting these views as identified in the LVA. Additionally, guidance in the Character Area Assessment (2016) details that developments should ‘*promote the use of local stone and building styles in the construction of new buildings and extensions to existing dwellings. (New buildings should, at least, respect local vernacular style)*’. The design of the dwelling has taken direct inspiration from buildings in the local area and incorporated these vernacular styles into the design as outlined above. It also offers an enhancement in terms of materials and design over the existing dwelling occupying the site. The proposed development would therefore protect the National Landscape.

5.23. The Cotswolds National Landscape Board adopted its current Management Plan in February 2025, covering the period 2025–2030. The Plan was endorsed by Wiltshire Council and is a material consideration in the determination of this application.

5.24. The Plan sets out a vision for the National Landscape supported by a series of Outcomes and Policies. The Outcomes most directly relevant to this proposal are:

Outcome 3 — Landscape: the evolving landscape and much-loved character of the Cotswolds is at the heart of decisions made within it.

Outcome 4 — Local distinctiveness: the local distinctiveness of the National Landscape is valued, conserved and enhanced.

Outcome 5 — Tranquillity: noise pollution and visual disturbance are minimised.

Outcome 6 — Dark skies: artificial light at night is reduced.

Outcome 7 — Historic environment and cultural heritage.

Outcome 8 — Nature recovery and biodiversity.

5.25. The proposal responds positively to each of these Outcomes. With regards to landscape and local distinctiveness (Outcomes 3 and 4), the design has drawn directly on the courtyard farmstead typology found in the local area, with materials chosen to reflect the local vernacular. The proposed materials palette represents a clear enhancement on the existing rendered bungalow and assorted timber outbuildings, both of which sit uncomfortably in the landscape.

The Landscape and Visual Appraisal accompanying this application confirms that the proposal does not result in a change to the prevailing rural character of the area.

- 5.26. With regards to tranquillity (Outcome 5), the proposal does not introduce any change of use, intensification of activity, or noise-generating plant. The existing residential character is maintained.
- 5.27. For dark skies (Outcome 6), the lighting strategy prepared by The Lighting Bee has been designed expressly to limit light spill at the woodland boundaries to less than 0.5 lux both horizontally and vertically. External lighting is restricted to wayfinding only, with downlighting throughout. This directly supports the Plan's dark skies objective and Policy CE6.
- 5.28. In relation to historic environment (Outcome 7), the Archaeological Impact Assessment confirms no archaeological constraints precluding development, with the existing dwelling itself being mid-20th century and of no heritage significance.
- 5.29. With regards to nature recovery and biodiversity (Outcome 8), the ecological enhancement measures, including the compensatory lesser horseshoe bat roost provision and the landscaping scheme, support nature recovery objectives. The proposal is also coincident with the West of England Local Nature Recovery Strategy, which the Plan identifies as a key delivery mechanism.
- 5.30. The proposal therefore actively contributes to the delivery of the Management Plan. The above confirms that the Council can meet their duty under section 85 of the Countryside and Rights of Way Act 2000 (as amended by section 245 of the Levelling-up and Regeneration Act 2023) to seek to further the purpose of
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conserving and enhancing the natural beauty of the Cotswolds National Landscape.

- 5.31. Regarding the visual amenities of the Green Belt, the proposed scheme would offer a clear enhancement. The demolition and consolidation of the current scattered outbuildings on site into one central massing offers a clear improvement in the perceived visual openness of the site as a whole.
- 5.32. Overall the design preserves and enhances the character and appearance of the area (particularly when compared to the existing dwelling), National Landscape and Green Belt and is compliant with the terms of policies CP51 and CP57. The pre-application advice noted favourable feedback regarding the design and given the changes are minor and retaining the proposed character of the previous design, similar support should be had.
- 5.33. For the same reasons the Green Belt and National Landscape designations do not provide a strong reason for refusing the development, within the meaning of NPPF paragraph 11(d)(i) and footnote 7. The tilted balance under paragraph 11(d)(ii) applies in the normal way as set out in the Housing Land Supply section above.

Residential amenity

- 5.34. Core Policy 57 guides that *'Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity.'*
- 5.35. The site is set in a secluded location with the closest neighbouring property being 47 Midford Lane, located to the west of the application site. The re-location of the building will not have a negative or overbearing impact on the neighbouring property due to the large separation distance between the two
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dwellings. Moreover, the introduction of a first storey and the additional massing would also not have any overbearing or overlooking implications as identified in the pre-application advice which wrote *“It is acknowledged that there would be the creation of any additional storey with first floor windows however given the separation distances involved to any neighbouring occupiers, officers are of the opinion that no adverse overlooking would be introduced”* and *“Similarly, whilst the proposal would introduce additional mass extending over the footprint of the existing dwelling, give the detached nature of the host dwelling and generous private residential curtilage, officers are satisfied that no adverse overbearing, or overshadowing impacts would be introduced, or any loss of light to neighbouring properties.”* Given these elements remain the same, similar support should be had.

- 5.36. The use of the land will remain in residential use and there would be no increase in the traffic going into or out of the site as a result of the proposal, therefore it is not anticipated that there would be any disturbance to neighbours by reason of traffic, noise or use of the property.
- 5.37. For the occupiers of the dwelling, the proposal represents a significant improvement for their amenity. The existing buildings on site are of poor quality, and the design of the new dwelling would provide a substantial improvement in the amenities and facilities of the dwelling (Figures 13 and 14). The repositioning of the dwelling on the site also offers significant benefits in terms of natural lighting. The new-build dwelling would also be able to achieve a higher energy performance which would be beneficial to the occupants.

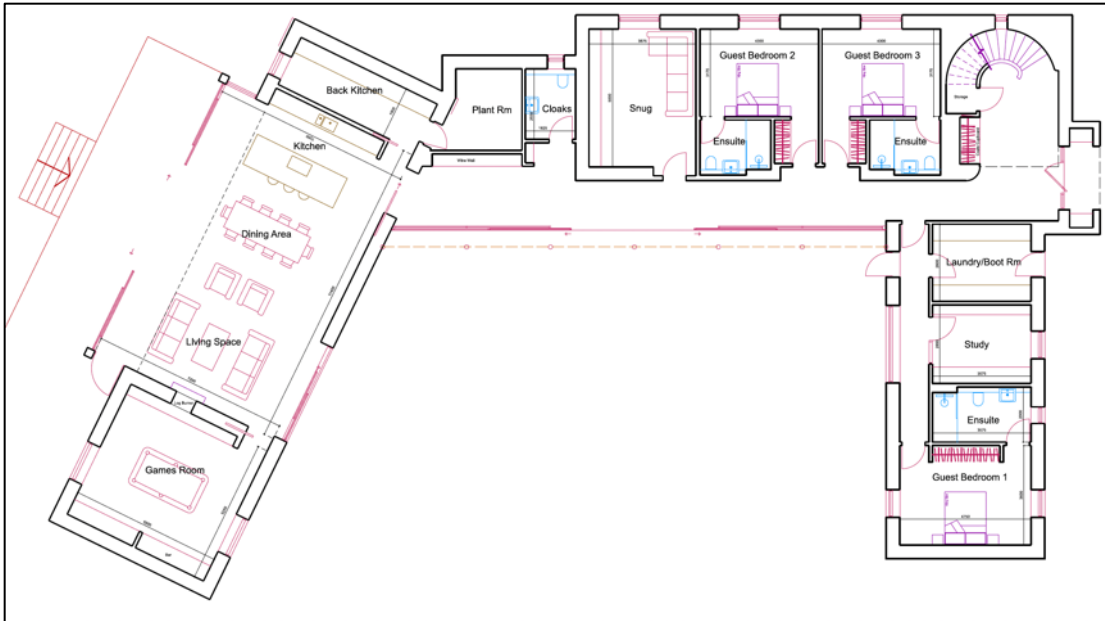


Figure 13- Proposed ground floor plan.

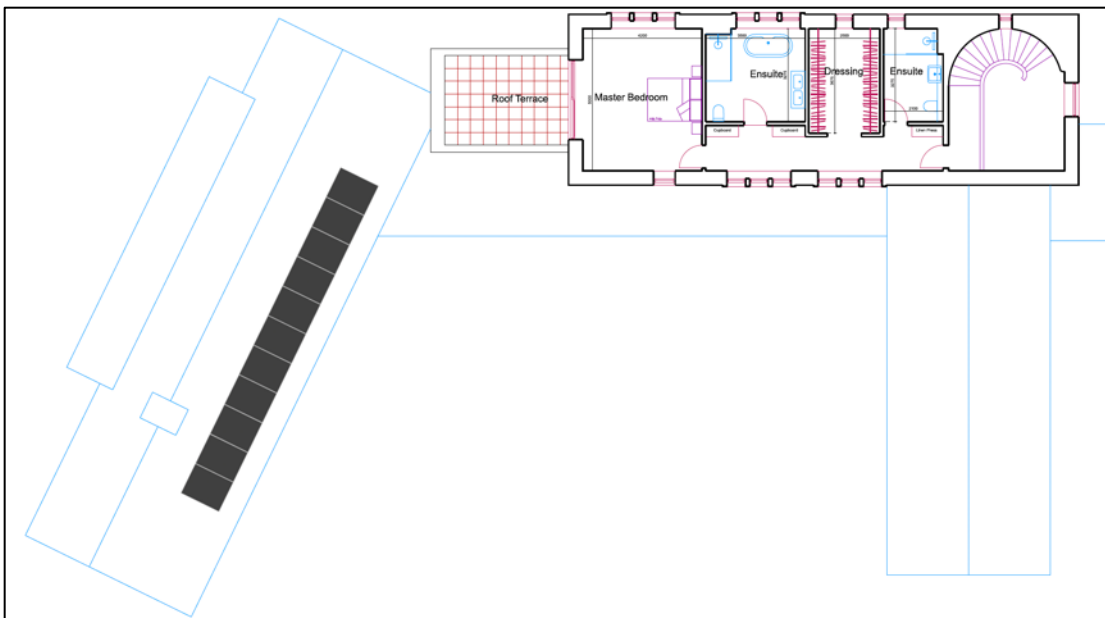


Figure 14- Proposed first floor plan.

- 5.38. The proposal would therefore accord fully with the terms of CP57, protecting the amenity of neighbours and improving it for the future occupiers of the dwelling.

Archaeology

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- 5.39. An Archaeological Impact Assessment has been carried out by AH Heritage planning and full details can be found in the accompanying report. The findings note that the site has remained largely undeveloped since the early 19th century.
- 5.40. Whilst historic mapping and previous archaeological investigations have indicated a high potential for Romano-British remains associated with a possible villa, evidence for prehistoric, medieval and later activity within the site is considered to be of low local significance.
- 5.41. The AIA concludes that *“The Historic Landscape Character of the Site is considered to be of low to moderate significance and will experience no more than a minor effect as a result of the proposed development”* and *“Overall, this assessment has identified no archaeological constraints that would preclude the proposed development proceeding.”*

Drainage

- 5.42. An outline drainage report has been compiled by Structural Solutions. We would like to draw particular attention to pages 9-11 of their report which directly address comments raised by the Council in the pre-application regarding drainage.
- 5.43. The existing site has no known foul, surface or combined sewer connections. The survey carried out on site identified that the foul water from the house and the annex currently drains to an existing septic tank that is located under the lawn area to the north-west of the existing bungalow. No rainwater downpipes have been identified as discharging to the septic tank.
- 5.44. Infiltration testing was carried out on site and the results of this can be found in Appendix D of their report and the resulting drainage calculations are contained
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within Appendix E. As part of the proposed development the use of Sustainable Drainage Systems (SuDS) has been integrated into the design, in line with national and local requirements. A proposed drainage strategy plan can be seen in Figure 15.

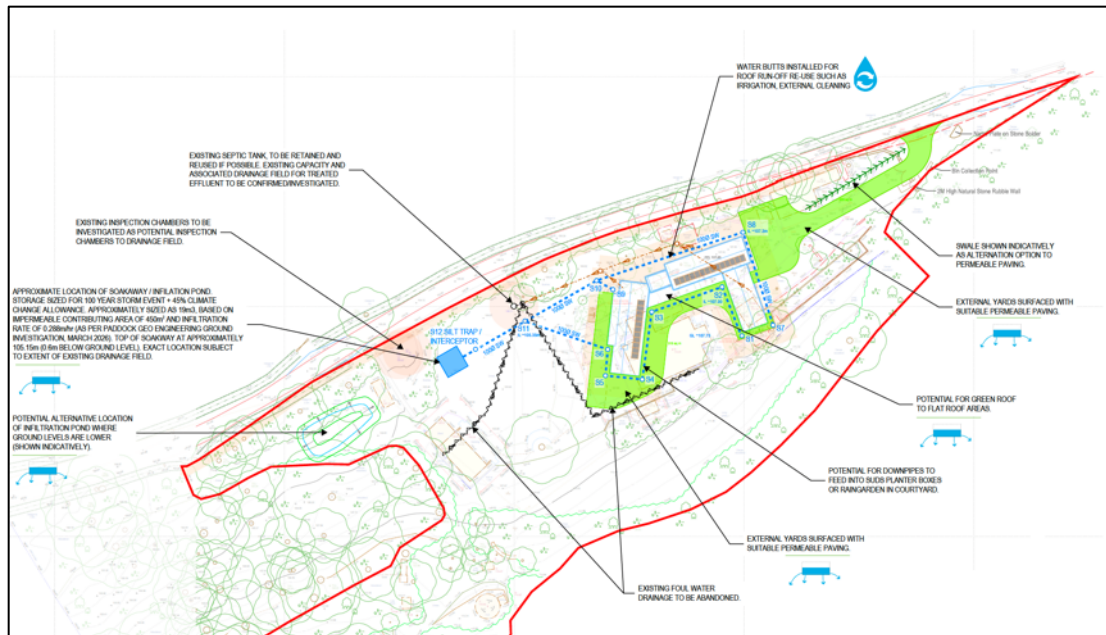


Figure 15- Proposed drainage strategy extract.

- 5.45. For foul drainage it is intended to re-use this existing septic tank, any pipework to the buildings being demolished will be removed and new connections made for the new-build dwelling.

Arboriculture

- 5.46. An arboricultural assessment was carried out by Atworth Arboriculture Ltd. A total of 11 single trees and 1 group of trees were assessed. The quality of these trees was as follows 4 category 'B', 32 category 'C', 1 category 'U2'. The location and RPAs of these can be seen below in Figure 16.

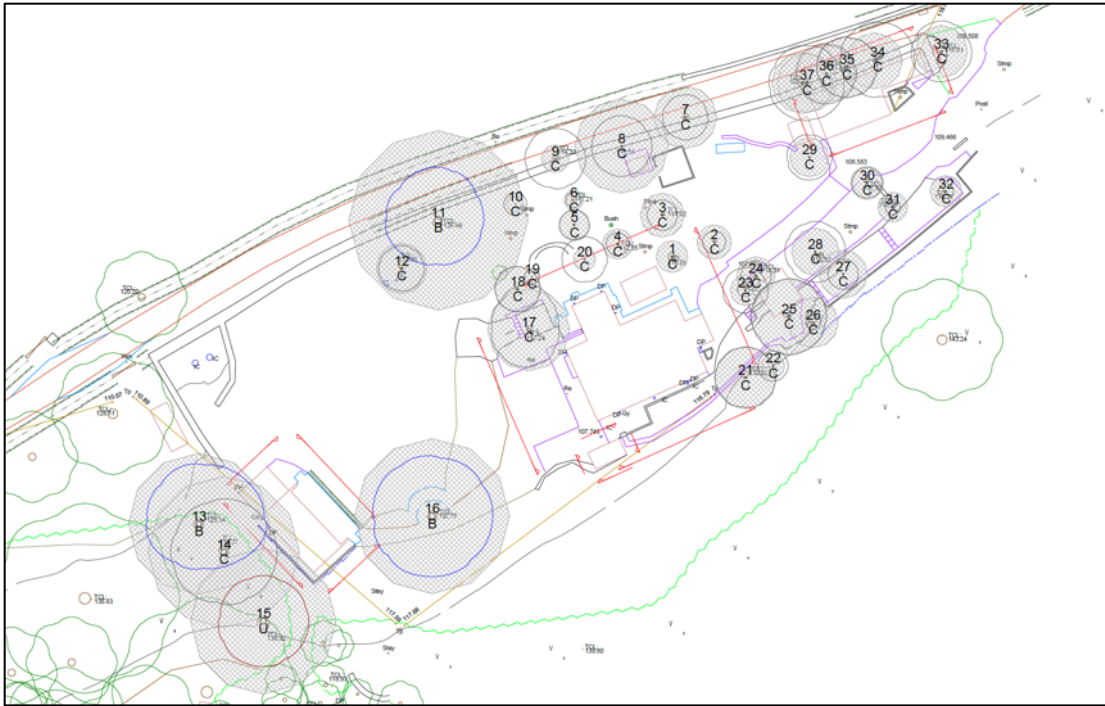


Figure 16- RPA plan.

- 5.47. The proposals will require the felling of 14 C grade trees, which are mixture of native and domestic species (including apple, silver birch, maple, holly, magnolia, gingko, pittosporum, and leylandii). It is important to note that none of these trees fall within the SSSI or the Ancient Woodland area and their removal will not affect the level of visual screening afforded to the site as they do not pertain to trees located on the site's boundaries. Trees in category C and U have been excluded from mitigation due to their poor quality and value.
- 5.48. An Arboricultural Methods Statement (AMS) has been prepared which outlines the measures and mitigation that will be employed on the site. An extract of the tree protection plan is provided in Figure 17. Please consult the AMS for further information.

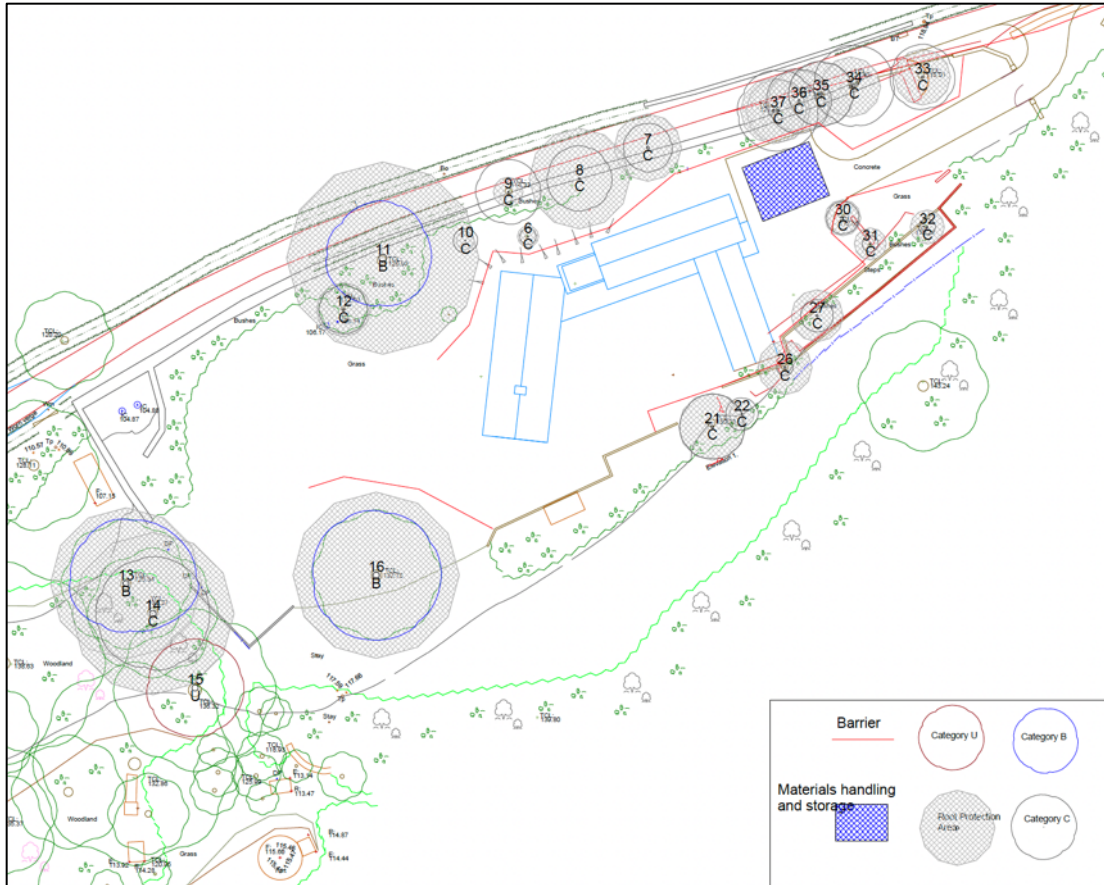


Figure 17- Tree protection plan extract.

- 5.49. The loss of trees and section of hedgerow (as a result of the relocated access point) will be offset through the proposed landscaping scheme (Figure 18). Further details can be found in the LVA on pages 45-47.

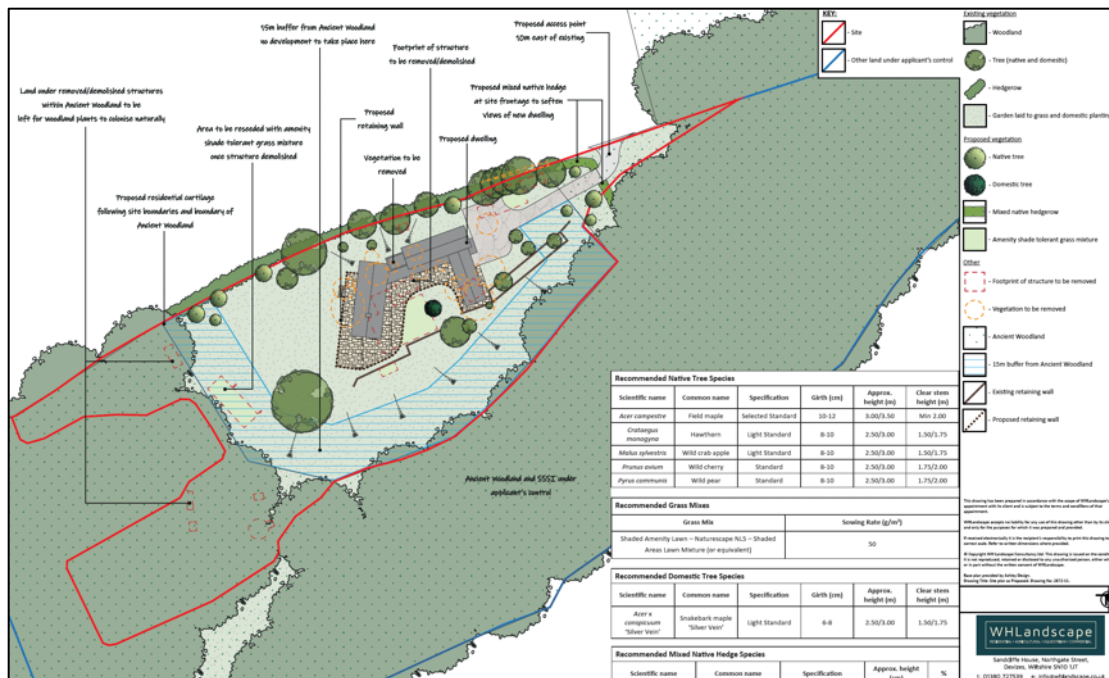


Figure 18- Landscaping plan extract.

Ecology

- 5.50. The site is within the core commuting and foraging zones for greater horseshoe and lesser horseshoe bats associated with the Bath and Bradford on Avon Bats Special Area of Conservation (SAC).
- 5.51. Stark Ecology carried out a Preliminary Ecological Assessment of the site. This identified no evidence of bats roosting in any of the buildings; however, the house and studio were identified as having a low potential to support a roost and therefore emergence surveys were undertaken. These identified that the existing pool house supports a lesser horseshoe bat roost. Accordingly, a fly in access needs to be provided to compensate for the loss of this when the building is demolished. This will be provided on the external wall of the back kitchen (Figure 19). Further details can be found in the accompanying report.

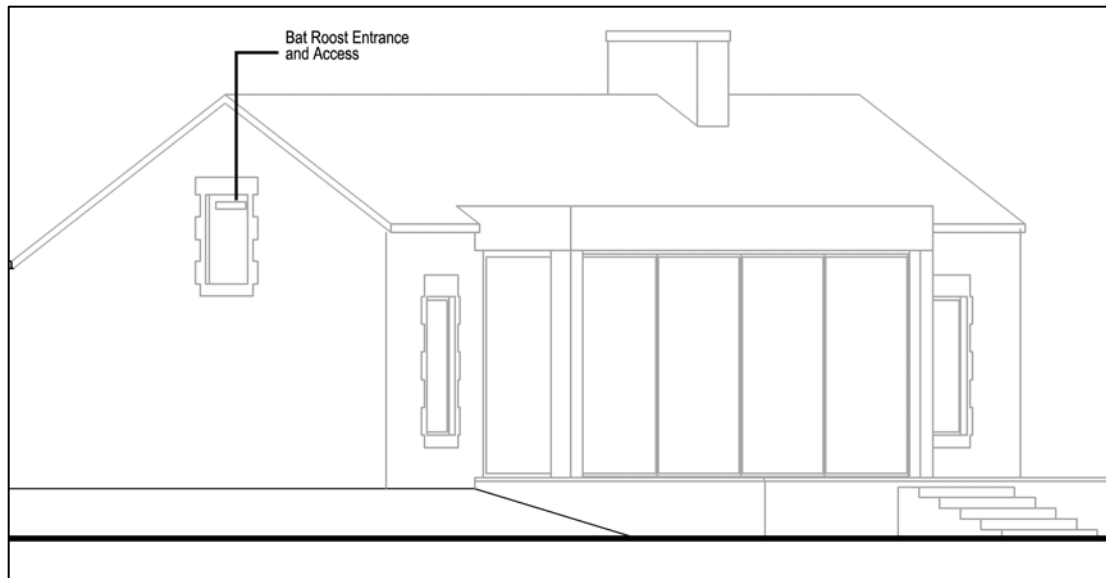


Figure 19- Proposed location of the compensatory bat roost.

- 5.52. The site was deemed unsuitable for Great Crested Newts due to the lack of pond network in the local area and A36 separating these. Whilst the site was identified as being suitable for reptile species, nesting birds, hedgehogs and badgers, all of these would be protected from accidental harm through careful timing of work and appropriate construction site management as outlined in the accompanying report.
- 5.53. A lighting assessment was undertaken by The Lighting Bee. The dwelling was modelled in 3D using Dialux Evo software, with 24 vertical calculation planes placed along sensitive boundaries. The results are that *“Light spill from the combined internal and external calculated at the woodland edges is predicted to be <0.5 lux both horizontally at ground level, and vertically on the calculation planes included at each point, with the mitigation measures included.”* Full numerical values and 3D model diagrams can be found in their report, alongside the proposed lighting and mitigation strategy. These measures, including the use of downlighting and external lighting only for wayfinding, will minimise the lighting impacts of the new dwelling on ecology.

Biodiversity Net Gain

- 5.54. The introduction of Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) now requires development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 5.55. However, there are a list of developments that are exempt from this regulation, including '*self-builds*'. The development, as a self-build, as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015, would fall under this exemption and as such, is not required to comply with the mandatory 10% biodiversity net gain (BNG). The applicant is submitting a unilateral undertaking agreement to the Council to secure the self-build BNG exemption.
- 5.56. Notwithstanding this position, the scheme would aim to deliver biodiversity enhancements onsite as outlined in the landscaping plan.

Parking and highways safety

- 5.57. Core Policy 61 of the Wiltshire Core Strategy requires new development to be served by a safe access to the highway. Paragraph 115 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.58. The existing access is located from Midford Lane and the current driveway meets Midford Lane at an acute angle, which combined with the mature vegetation severely restricts visibility on egress, particularly looking west. The available visibility splays to the nearside edge of carriageway have been

measured using at 2.4m by 13.5m to the left and 2.4m by 17.5m to the right. When measured to the centreline of the Midford Lane carriageway, the splays are 2.4m by 20m to the left and 2.4m by 27m to the right.

- 5.59. An ATC was carried out in January which showed that frequency of use of the lane was low at less than 350 two-way vehicles per day and less than 40 at peak hours. It also found that the average speed was 21mph and the 85th percentile despite the 60mph speed limit. The full results can be found in Appendix A or table 1 (page 3) of the accompanying document. Even with these low speeds, the current visibility splays are lower than those required.
- 5.60. Therefore, as part of this proposal an amended access point is proposed. The centreline would be relocated approximately 13m to the east of the existing access point. This realignment would result in a less acute angle than the present, making egress and manoeuvring to the west easier (Figure 20).

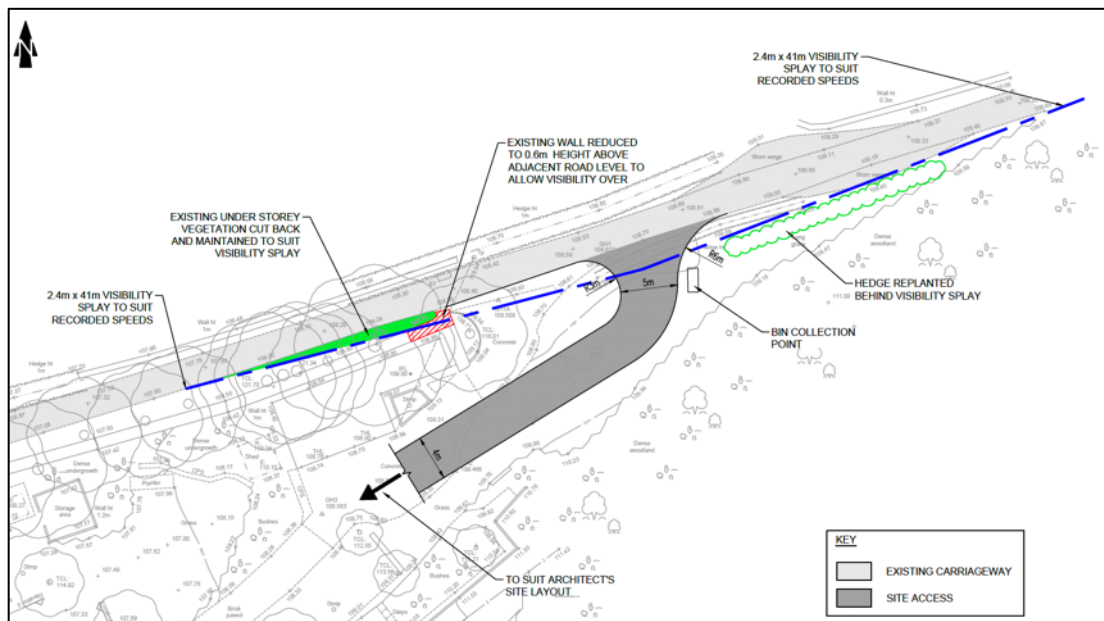


Figure 20- Proposed site access and visibility splays.

- 5.61. As outlined in Miles White Transport's accompanying technical note "*The*

driveway access will be provided at a 4m width with a 3m radius linking the access to the Midford Lane channel line to the west and a 6m radius linking to the Midford Lane channel line to the east. These dimensions will ensure ease of use of the access when turning in and out from both directions noting that the 3m radius to the west will represent an improvement on the 2m radius currently available.” This directly addresses the concern raised by the Council’s highway team in the pre-application which stated “the visibility splays remain the same, my concern is the western radius of the junction. The radius is a lot smaller than the existing, resulting in vehicles having difficulty making that manoeuvre when entering/exiting the access. In view of the above, I would advise that the access remains as existing, or is realigned in accordance with my comments”. This offers a betterment on the previously proposed access in the pre-application.

- 5.62. Figure 21, an extract from the Crashmap database, evidences that there have been no reported accidents along the lane in the past 25 years of records. The lane has operated safely throughout this period and there is no reason to expect that this development would change this. It is not expected, given the nature of the development, that it would cause any increase in vehicular movements in and out of the site.

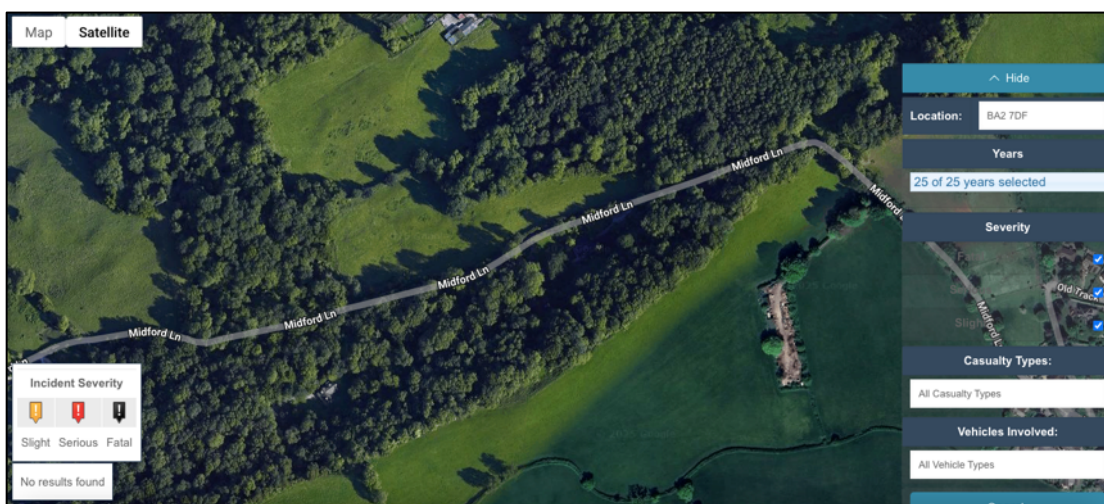


Figure 21- Crashmap extract.

- 5.63. In regard to parking, three parking spaces will be provided in accordance with the Wiltshire Local Transport Plan 2011-2026. This number of spaces was deemed acceptable in the pre-application. Turning space has been designed into the drive configuration to allow for vehicles to adequately turn within the site.
- 5.64. The proposed development would be compliant with all the relevant parking and highways safety standards in line with local (CP61) and national guidance and should therefore find support.

Sustainable Construction

- 5.65. The dwelling has been designed using 'Fabric First' principles comprising of a main structure constructed as a highly insulated airtight timber frame. An air source heat pump will be used for heating, with a mechanical ventilation and heat recovery system that would comply with passive house principles. The relocation of the dwelling has been designed to maximise passive solar gains and natural daylight. The dwelling would also utilise high performance glazing and bio-based insulation products to optimise its thermal performance.
- 5.66. Photovoltaic panels will be added to two of the roof planes to generate onsite renewable energy. This is in line with paragraph 4.1.05 of the Freshford and Limpley Stoke Neighbourhood Plan which states an intention to '*encourage renewable energy that is sensitive to the heritage, natural environment and character in line with all relevant guidelines from the CAONB and English Heritage's guidance on Renewable Energy*'. Additionally, attenuation tanks will also be fitted to the dwelling for rainwater harvesting and irrigation.

6. CONCLUSION

- 6.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2. The proposal meets the exception of paragraph 154 and 155 of the Framework and the development does not represent inappropriate development in the Green Belt.
- 6.3. As highlighted above, the Council cannot demonstrate the required housing land supply. NPPF Paragraph 11d(ii) presumption in favour of sustainable development is engaged in this case. This explains that planning permission should be granted unless, the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies as a whole.
- 6.4. No harm results from this proposal and there are clear benefits associated with the development particularly in light of the chronic shortage of housing land supply. The development therefore represents sustainable development.
- 6.5. The Council is therefore respectfully encouraged to approve this planning application.



Appeal Decision

Site visit made on 4 March 2025

by **K Savage BA(Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st April 2025

Appeal Ref: APP/P3040/W/24/3352111

The Woodlands, Bunny Hill, Bunny, Nottinghamshire NG11 6QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Narinder and Parminder Bhupal against the decision of Rushcliffe Borough Council.
 - The application reference is 23/02243/FUL.
 - The development proposed is demolition of existing dwelling and erection of a replacement dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing dwelling and erection of a replacement dwelling, at The Woodlands, Bunny Hill, Bunny, Nottinghamshire NG11 6QQ in accordance with the terms of the application, Ref 23/02243/FUL, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. On 12 December 2024, an updated National Planning Policy Framework (the Framework) was published. The main parties have had the opportunity to comment on the revised Framework and I have taken the responses into consideration.

Main Issues

3. The appeal site lies within an area of Green Belt. The main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to relevant development plan policies, the provisions of the Framework and the effect on the openness of the Green Belt;
 - If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

4. Paragraph 154 of the Framework states that development within the Green Belt is inappropriate unless certain exceptions apply. Based on the evidence before me, the relevant criteria in this case are (d) and (g). Policy 21 of the Local Plan Part 2: Land and Planning Policies (October 2019) (the LPP2) sets out that applications within the Green Belt will be determined in line with the approach of the Framework.

5. Criterion (d) permits the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The existing dwelling occupies a large, U-shaped footprint on a site with varying ground levels. The dwelling is mostly single storey, including the two deep wings projecting rearwards, except for a projection to the front that appears two storeys in height, but contains a single level of accommodation internally in what is a split level floorplan. The volume of the existing building is given at 1323m³.
6. The proposal seeks to demolish the existing building and rebuild it on largely the same U-shaped footprint, but at two storeys in height. The proposed volume is stated to be 2171m³, an increase of 848m³ or some 64%. The Framework does not define 'materially larger' and I am not provided with any development plan policy or other Council guidance that establishes a definition. It is therefore a matter of planning judgment.
7. The replacement dwelling would retain the same general footprint and shape, with a broad front elevation and two rear wings. It would also replicate the gabled front projection. However, the volumetric increase of nearly two thirds would be considerable and would be located to the upper parts of the building where the difference in scale would be apparent. Thus, I find that the proposed replacement dwelling would be materially larger than the dwelling it would replace, and so would not meet with the exception at Paragraph 154(d).
8. Separately, criterion (g) permits limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. The site is previously developed, and is not otherwise excluded from the definition of PDL in the Framework.
9. The Council initially assessed the proposal against the previous version of the Framework, where the test at criterion (g) was that development would not have a greater impact on the openness of the Green Belt than the existing development. As such, the Framework test now sets a higher threshold of harm to openness before development on PDL is considered inappropriate in the Green Belt. In response to this, the Council states that the proposal would result in substantial harm to openness and that the exception at criterion (g) would not apply.
10. The dwelling is located on high ground within a spacious plot in the open countryside next to the A60 road. The grounds are surrounded by woodland to the north and east, with a further band of trees on the western side screening the site from the road. The southern (rear) boundary is more open, but adjoins an agricultural field on rising ground, which restricts longer distance views. On approach along the road from the north, and from the road at the site entrance, the house is glimpsed through the tree cover and along the driveway, but does not stand out as a conspicuous feature, despite its elevated position. The dwelling is more screened during the summer months when trees are in leaf.
11. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. Given the above context, the visual effect on openness would be modest, as despite the enlarged size of the replacement dwelling, it would be seen for the most part in long range, glimpsed views, from where the difference in massing would not appear significant. The Council suggests that the tree cover could be

removed, but I am not persuaded this is likely given it provides privacy for the occupants and is sufficiently distant from the dwelling so as not to pose an issue in terms of blocking light.

12. In spatial terms, while I have found that the replacement dwelling would be materially larger in size, it would not extend over any larger of a footprint, and the additional volume would be contained within a building of similar overall shape and position. This would serve to temper the overall spatial effect of the proposal.
13. Taken together, I find that the proposal would result in a moderate adverse effect on openness. This would not reach the threshold of 'substantial harm' under criterion (g) and the proposal would not amount to inappropriate development in the Green Belt. Consequently, the proposal would not conflict with Policy 21 of the LPP2 or the provisions of the Framework.
14. Given my findings, it is not necessary to consider whether the proposal would meet the exception at Paragraph 155 relating to 'grey belt' land. Moreover, as the proposal does not amount to inappropriate development in the Green Belt, there is no requirement to assess if there are other considerations that amount to very special circumstances needed to justify the development.

Other Matters

15. The appellant has produced evidence in respect of various extensions which could be undertaken to the existing dwelling in the alternative to the appeal scheme that it is argued would have a cumulatively greater impact on openness. I have also noted various appeal decisions cited. However, whilst I have had regard to this evidence, and have noted the comparative size of the alternative proposals, my findings above in respect of the Green Belt mean this evidence is ultimately not determinative and it is not necessary to address it further.
16. The Council did not refuse permission in respect of the effect of the proposal on the character and appearance of the area. The replacement dwelling would largely replicate the design principles of the existing dwelling and despite being larger in size would not represent overdevelopment of what is a very spacious plot. As set out above, the proposal would be well screened from the road and the nearest dwellings on the opposite side of the A60. Consequently, the proposal would have limited visual impact on the wider surroundings and the character and appearance of the area would be preserved.
17. A Protected Species Survey undertaken by the appellant has indicated the presence of a bat roost within the existing dwelling. The Council in assessing the proposal considered the likelihood of a licence being issued by Natural England and the three derogation tests of the Conservation of Habitats and Species Regulations 2017 being satisfied. The Borough Ecologist confirmed that no nationally or locally designated sites are likely to be directly impacted by the works and the Council concluded that the tests would be satisfied, subject to the recommended mitigation measures within Section 5 of the appellant's survey. I have no reasons to reach a different view. Therefore, subject to a suitably detailed licence application being made, I am content that such a licence would be granted.
18. The Council did not refuse permission in terms of neighbours' living conditions. Given the distance to the nearest dwellings and intervening tree cover, I agree that no harm would arise in these respects. Neither have I any firm reasons to find

against the Council's conclusions that no harm would arise in respect of trees or highway safety.

Conditions

19. A condition setting out the approved plans is necessary to provide certainty. Details of the external materials to be used are required to ensure a satisfactory appearance. For the same reason, it is necessary to secure details and implementation of a landscaping scheme.
20. It is further necessary to require implementation of mitigation measures contained within the appellant's Protected Species Survey, and the installation of swift bricks, to safeguard protected species, ecology and biodiversity. A condition is also required to ensure the dwelling meets required water efficiency standards.
21. The Council's Landscape Officer has suggested a condition to secure tree protection in accordance with BS5837 during the construction period. However, there is no indication that any trees are protected, and I saw on site that sufficient space exists around the dwelling to ensure works can be undertaken without undue harm to trees. As such, it is not necessary to impose a condition to this effect.
22. Details of electric vehicle charging facilities are sought by the Council. However, since June 2022, the requirement to provide electric vehicle charging points has become part of the Building Regulations. The development plan policies referred to by the Council do not explicitly require a more stringent approach compared to the Building Regulations. Thus, I find no basis for imposing the condition, which would duplicate the provisions of other legislation and fail the test of necessity.
23. Finally, the Council seeks by condition a restriction on permitted development (PD) rights for extensions, roof alterations, porches and outbuildings. The Planning Practice Guidance states that conditions restricting the future use of PD rights may not pass the test of reasonableness or necessity and should be precisely defined. The Council's reason for the imposition of the condition is to protect the Green Belt, the character and appearance of the area and neighbours' living conditions. However, given my findings that the dwelling would not be inappropriate development to the Green Belt, and having regard to the particular form of the dwelling and site layout, I am not persuaded that there would be a demonstrable risk to the character of the surrounding area, or to the purposes of the Green Belt, from works under PD in this case. Therefore, I have not imposed the condition.

Conclusion

24. I have found above that the proposal would not be inappropriate development in the Green Belt, nor would there be material harm in any other respect. Consequently, there is no conflict with the development plan or the Framework and so the appeal should be allowed.

K Savage

INSPECTOR

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 drawing numbers: 616.31 Rev B (Landscape Strategy); 616.32 Rev A (Block Plan); 616.34 Rev A (Replacement Dwelling – Plans as Proposed); 616.35 Rev A (Topographical Survey and Site Location Plan); 616.35 Rev A (Replacement Dwelling – Elevations and Sections as Proposed).
 - 3) The development hereby permitted must not proceed above the damp proof course level until details of the type, texture and colour of the materials to be used in the construction of the exterior of the development in addition to any architectural detailing have been submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved materials.
 - 4) Notwithstanding the approved plans, and prior to the commencement of works beyond damp proof course level, a landscaping scheme detailing the hard and soft landscaping of the site (including the location, number, size and species of any new trees/shrubs to be planted and existing and proposed site levels and finished floor level), shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.
 - 5) The development shall be completed in strict accordance with the recommendations for reasonable avoidance and enhancement measures outlined within Section 5 of the Stage 1 and 2 Protected Species Survey by C.B.E Consulting dated 30th October 2023.
 - 6) The residential dwelling hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.
 - 7) Prior to first occupation of the dwelling, a scheme incorporating at least two swift bricks into the built fabric shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved scheme and the swift bricks shall be retained and maintained for the lifetime of the development.
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Appeal Decision

Site visit made on 18 March 2025

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2025

Appeal Ref: APP/T0355/W/24/3356463

8 Bell Weir Close, Wraysbury, Staines, Windsor and Maidenhead TW19 6HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Natasha Raja against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application reference is 24/02301/FULL.
 - The development proposed is replacement dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for replacement dwelling at 8 Bell Weir Close, Wraysbury, Staines, Windsor and Maidenhead TW19 6HF in accordance with the terms of the application, reference 24/02301/FULL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of the development is taken from the application form, as this formed the basis upon which the Council consulted upon and considered the proposal. I am satisfied that the description accurately reflects the proposed development. Therefore, it would not be appropriate to alter the description of the development through the appeal process.
3. The appeal documents include an Energy Statement and a signed Unilateral Undertaking (UU), dated 21 January 2025, which makes provision for a financial contribution to offset carbon emissions. These documents were not before the Council when it determined the application. However, the Council has been provided with the opportunity to comment on the documents, and I have taken the comments received into account.
4. The National Planning Policy Framework (the Framework) was revised in December 2024. The parties have had the opportunity to comment on the revised Framework as part of the appeal process and I have had regard to the comments received.

Main Issues

5. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies; and

- whether the proposal complies with relevant development plan policies in respect of climate change.

Reasons

Whether inappropriate development

6. The appeal site lies within the Metropolitan Green Belt. The Framework states that development in the Green Belt is inappropriate other than in a few exceptions. Policy QP5 of the Borough Local Plan 2013-2033 (LP) also seeks to protect the Green Belt from inappropriate development as defined by the Framework, unless very special circumstances are demonstrated.
7. The Council assessed the scheme against the exception listed in paragraph 154 d) of the Framework, which refers to replacement buildings. However, the application was advanced on the basis that it would comprise the redevelopment of previously developed land (PDL). Paragraph 154 g) of the revised Framework states that development in the Green Belt is not inappropriate where it comprises: *“limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt”*.
8. The Council states that the site is not PDL because the previous bungalow has been demolished and only remnants of the foundations remain. However, the definition of PDL in the Framework does not preclude sites where permanent structures have been removed. I observed that some structures, including boundary walls, access gates, and a garage are retained on the site and are in good condition. When combined with the foundations, which remain clearly apparent, the site has the character of a residential plot that has been partially cleared. Moreover, the evidence suggests the bungalow was removed less than 5 years ago, and I did not observe unmanaged vegetation growth or other features of the site that would indicate the permanent structures have blended into the landscape. The site therefore comprises PDL.
9. Given the new building would be raised above ground level, and due to its width and length, the proposed dwelling would be larger and taller than the demolished bungalow, and it would have a greater volume and floor area. Therefore, there would inevitably be a loss of openness in spatial terms. Due to its increased height, bulk and mass, the new dwelling would partially inhibit views across the wider area from neighbouring properties, and there would be a reduction in the upward views towards the sky that can currently be gained from Bell Weir Close. Therefore, the loss of openness would also occur in visual terms.
10. Nonetheless, the site lies within an established residential area with no through traffic, and the proposed dwelling would be surrounded by existing buildings on three of its sides. Consequently, whilst there would be some loss of openness resulting from this single replacement dwelling, it would be of a moderate scale and localised in nature. It follows that the harm caused to the openness of the Green Belt would be less than substantial.
11. I conclude that the proposal would not be inappropriate development in the Green Belt, by virtue of paragraph 154 g) of the Framework. Therefore, it is not necessary

for very special circumstances to be present to outweigh the harm to the Green Belt by way of inappropriateness, or any other harm and there would be no conflict with Policy QP5 of the LP.

Climate Change

12. Policy SP2 of the LP expects proposals to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. Guidance on how to comply with Policy SP2 is provided in the Sustainability Supplementary Planning Document (July 2024) (the SPD) which, as a successor document, is cross-referenced in Policy SP2. The SPD includes a requirement for a Sustainability and Energy Statement to be submitted, which sets out the measures to minimise emissions as well as a requirement for development to provide a net-zero carbon outcome.
13. An Energy Statement was submitted with the appeal, which sets out a range of design measures that would reduce the carbon emissions associated with the development, and the Council has not raised any concerns in relation to the measures proposed. In addition, the UU provides for a Building Emissions contribution of £2752, which would be payable to the Council's Carbon Offset Fund. The financial contribution is based on the criteria set out in the SPD, and I am therefore satisfied that it would meet the tests for planning obligations set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and the Framework.
14. Not all of the details referred to in the SPD are included within the Energy Statement. Therefore, the proposal does not fully accord with the SPD. However, the omissions are minor in nature and, overall, the proposal would incorporate a range of measures to adapt to and mitigate climate change. Therefore, there would be no conflict with Policy SP2 of the LP.

Other Matters

15. Schedule 7A of the Town and Country Planning Act 1990 (as amended) (the Act) introduced a statutory framework for biodiversity net gain (BNG), and it applies to all planning applications for non-major development submitted on or after 2 April 2024. Under the statutory framework, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC), which requires that at least a 10% increase in biodiversity value is met.
16. As a replacement dwelling, the proposal would not fall within the exemption for householder development. Furthermore, there is no enforceable mechanism before me through which matters relating to the ownership and occupation of the dwelling could be secured. Therefore, there is no guarantee that the proposal would be built and occupied as a self-build dwelling and, consequently, I cannot be certain it would be exempt from the mandatory BNG for that reason. It follows that the proposal is subject to the general BGC, as set out in the Act.
17. It is proposed that the BGC would be met through a range of on-site and off-site measures, and the Council has not raised any concerns with this approach. Based on the evidence before me, I have no reason to conclude that the BGC could not be achieved.

Conditions

18. The Council provided a list of suggested conditions, which I have considered with regard to the tests set out in the Framework and the Planning Practice Guidance. Where appropriate, I have adjusted the wording of the conditions to improve precision and enforceability.
19. In addition to the standard time limit condition, I have attached a condition to define the permitted plan to provide certainty.
20. Conditions requiring the submission of a construction environmental management plan and the implementation of tree protection measures are necessary, with a pre-commencement trigger, to ensure that biodiversity features and trees are protected during the construction works.
21. I have included a condition, requiring the submission of a surface water drainage scheme, to reduce the risk of surface water flooding. This is a pre-commencement condition to ensure that other development works would not impede the implementation of the scheme.
22. The Council requested a condition preventing any raising of ground levels. However, this condition would be unenforceable without details of the existing and proposed ground levels being agreed. I have therefore altered the wording of this condition to require details of the ground levels to be submitted.
23. I have imposed conditions requiring the submission of details of external materials and landscaping in the interests of protecting local character. Conditions requiring details of biodiversity enhancements and the control of external lighting are necessary to protect local character and to enhance biodiversity.
24. It is necessary to include a condition requiring the installation of a privacy screen, in order to protect the living conditions of neighbouring residents.
25. A condition to secure the implementation of measures to reduce carbon emissions is required to ensure compliance with Policy SP2 of the LP.
26. I have included conditions requiring details of car parking and bicycle parking to be submitted. These conditions are necessary to protect highway safety and to encourage sustainable modes of transport. Details of bin storage are required to be submitted in the interests of safeguarding the character of the area.
27. It is necessary to secure the implementation of proposed flood mitigation and management measures to reduce the risk of harm through flooding. For the same reason, and also to safeguard the openness of the Green Belt, I have included conditions which restrict some permitted development rights so as to allow the Council to assess the impact of other structures that could be erected at the site.
28. I have not included the suggested condition requiring all remnants of the former bungalow to be removed prior to the commencement of the development, because the evidence does not lead me to conclude it would be necessary or reasonable. Furthermore, because I have concluded that the proposal is in accordance with Policy SP2 of the LP, it is not necessary to secure further sustainability measures through condition as has been suggested by the Council.

29. The general BGC has a separate statutory basis as a planning condition under Paragraph 13 of Schedule 7A of the Act. On this basis, the Planning Practice Guidance strongly encourages decision makers to not include the BCG, or the reasons for applying it, in the list of conditions imposed in the written notice when granting planning permission¹. For this reason, I have not included the Councils suggested conditions relating to a biodiversity net gain plan and offsetting.

Conclusion

30. For the reasons given above the appeal should be allowed.

E Catcheside

INSPECTOR

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 drawing number MH/8/2024/C Revision 2.
- 3) No development shall take place (including demolition, ground works and vegetation clearance), until a Biodiversity Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the measures to be taken to mitigate the risk of harm to biodiversity during the construction period, including:
 - A biodiversity risk assessment of potentially damaging construction activities.
 - The identification of biodiversity protection zones.
 - Practical measures, including physical measures and working practices, to be taken to avoid or reduce impacts on species, including protected species, to include those measures set out in the Preliminary Ecological Appraisal and Roost Assessment, dated 19 August 2024.
 - The location and timing of works that may cause harm to biodiversity.
 - The identification of an Ecological Clerk of Works (ECoW).
 - Details of construction activities that would be overseen by the ECoW.
 - Roles, responsibilities and necessary lines of communication to avoid harm to biodiversity.

The construction of the development shall thereafter be undertaken in accordance with the approved CEMP.

¹ Planning Practice Guidance Paragraph: 024 Reference ID: 74-024-20240214

- 4) No development shall take place, and no equipment, machinery, or materials shall be brought to the site until tree protection measures have been installed in accordance with the details set out in the Arboricultural Method Statement (dated 5 September 2024) (AMS) and the Tree Protection Plan, numbered Arbtech TPP 01 (dated September 2024) (TPP). The development shall thereafter be constructed in complete accordance with the AMS, TPP and the details shown on drawing number Arbtech AIA 01. The tree protection measures shall be retained for the duration of the construction process and until all construction equipment, machinery, and materials have been permanently removed from the site.
- 5) No development shall take place until a surface water drainage scheme, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The submitted details shall include:
 - (i) Full details of all components of the surface water drainage system, including dimensions, locations, gradients, invert levels, cover levels, and construction details,
 - (ii) Supporting calculations demonstrating compliance with DEFRA's Sustainable Drainage Systems: Non-Statutory technical standards for sustainable drainage systems (March 2015) (or any subsequent version),
 - (iii) A management and maintenance regime for the surface water drainage system, including details of who has responsibility for implementing the management and maintenance regime.

The approved surface water drainage scheme shall thereafter be implemented, retained, managed and maintained in accordance with the approved details.

- 6) No development shall take place until details of the existing and final ground levels, demonstrating that the ground level would not be raised, have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in complete accordance with the approved final ground levels.
- 7) No development shall take place above ground floor level until details of the materials to be used on the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in complete accordance with the approved details.
- 8) No development shall take place above ground floor level until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be implemented in its entirety in the first planting season following the completion of the development, or the occupation of the dwelling, whichever is sooner. Any trees or plants which, within a period of 5 years from planting, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

- 9) No development shall take place above ground floor level until details of biodiversity enhancement measures to include, but not be limited to, hedgehog friendly boundary treatments, wildlife-friendly planting, log piles, bird and bat roosting opportunities, and other enhancement measures set out in the Preliminary Ecological Appraisal and Roost Assessment, dated 19 August 2024 have been submitted to and approved in writing by the local planning authority. The approved biodiversity enhancement measures shall thereafter be implemented prior to the occupation of the development.
- 10) No external lighting shall be erected at the site unless and until details of the external lighting have been submitted to and approved in writing by the local planning authority. The submitted details shall include:
 - (i) A lighting layout plan with beam orientation.
 - (ii) A schedule of lighting equipment.
 - (iii) Measures proposed to reduce glare.
 - (iv) An isolux contour map showing light spillage to 1 lux both vertically and horizontally, along with details of areas of importance for commuting and foraging bats and the locations of any bird and bat boxes.

External lighting shall thereafter only be installed in accordance with the approved details.

- 11) The development shall not be occupied until a permanently fixed 1.8-metre high privacy screen has been erected on the covered veranda shown on the approved drawing in accordance with details, to include its proposed siting, that have first been submitted to and approved in writing by the local planning authority. The privacy screen shall be retained as approved thereafter.
- 12) The development shall not be occupied until the 'Be Lean' and 'Be Green' measures set out in sections 3.0 and 5.0 of the Energy Statement, dated 7 January 2025 have been implemented. The 'Be Lean' and 'Be Green' measures shall thereafter be retained.
- 13) The development shall not be occupied until car parking spaces have been provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The car parking spaces shall thereafter be retained for car parking.
- 14) The development shall not be occupied until covered and secure bicycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The bicycle parking facilities shall thereafter be retained for bicycle parking.
- 15) The development shall not be occupied until details of refuse bin storage and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The facilities shall thereafter be retained in accordance with the approved details.
- 16) The development shall be carried out in complete accordance with the measures set out in the Flood Risk Assessment (Report Reference: C18739, dated July 2024), including the finished floor level set at 17.00AOD, the flood resilience and resistance measures set out in sections 6.1.1 and 6.1.2 of the

report, and the Flood Evacuation Plan set out in sections 6.2 and 6.3 of the report. The void beneath the raised ground floor of the building shall remain permanently open, unenclosed, and unobstructed at all times.

- 17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no boundary treatments, access gates, or other means of enclosure shall be erected or installed at the site other than in complete accordance with details that have first been submitted to and approved in writing by the local planning authority. The submitted details shall demonstrate how the boundary treatments shall not impede the flow of flood water across the site.
- 18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement, or other alteration to the dwellinghouse, including the erection of buildings incidental to the enjoyment of the dwellinghouse, as permitted by Classes A, B and E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.

END OF SCHEDULE