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## Appeal Decision

Site visit made on 3 August 2023

by **C Shearing BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 5<sup>th</sup> October 2023**

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**Appeal Ref: APP/V2255/W/22/3305059**

**Land east of Lynsted Lane, Teynham ME9 9QN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Eden Real Estate Group Ltd and FPC Income and Growth PLC against the decision of Swale Borough Council.
  - The application Ref 21/502609/OUT, dated 10 May 2021, was refused by notice dated 28 June 2022.
  - The development proposed is the erection of up to 10no. residential dwellings with associated landscaping, road layout and parking.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of up to 10no. residential dwellings with associated landscaping, road layout and parking at land east of Lynsted Lane, Teynham ME9 9QN in accordance with the terms of the application, Ref 21/502609/OUT, dated 10 May 2021, subject to the conditions set out in the schedule below.

### Preliminary Matters

2. The proposal seeks outline permission, with all matters reserved except for access. I have considered the appeal on this basis and have treated any plans in relation to other matters as illustrative.
3. The appellant has included an additional footway improvement plan with the appeal. As this is stated to be indicative, I do not consider any party would be prejudiced by my consideration of that plan as part of the appeal.
4. The appeal is accompanied by an agreement under Section 106 of the Town and Country Planning Act, dated 22 February 2023 (the S106). This has been taken into account in determining the appeal.
5. Reference is made to the Local Plan Review and associated Issues and Options documents. The Local Plan Review is evidently at an early stage and, given the uncertainty surrounding the final form it may take, I give it minimal weight.

### Main Issues

6. The main issues are: whether the development would be suitably located in terms of its accessibility to services and facilities, and, whether the proposal would comply with the Council's settlement strategy.

### Reasons

*Accessibility*

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7. The appeal site comprises part of a field of open grassland which sits outside, but adjacent to, the settlement boundary of Teynham. Teynham is a Rural Local Service Centre (RLSC) as identified by Bearing Fruits 2031: The Swale Borough Local Plan 2017 (the LP).
8. The LP acknowledges that RLSCs such as Teynham provide an array of facilities, in part serving surrounding populations and with some sharing of facilities with nearby smaller settlements. The appeal site is located close to a number of services and facilities within Teynham itself. I observed this to include both convenience and specialist retail stores, eating establishments including a pub and takeaways, and schools. These would be easily accessible from the appeal site, particularly given improvements to the pedestrian environment at the northern side of Lynsted Lane, as discussed below.
9. I also note the grant of another planning permission within the Teynham area referred to by the appellant, which would include employment uses and community facilities<sup>1</sup>. If implemented, this would deliver additional facilities which could be used by occupants of the site.
10. There are bus stops located a short distance from the appeal site on London Road, which provide reasonably frequent services towards larger nearby settlements. While there may be changes to their services in the short term, there remains the ability for a bus service to be utilised close to the appeal site. Teynham is also served by train services towards London and Dover and settlements between. While Teynham station is a greater walk to the north, I found this was a reasonably attractive route of footpaths through residential areas and was well lit. It may also be an attractive route for cyclists, given the short distance of London Road which would need to be navigated to reach the station. Together these public transport connections provide an attractive alternative to private car use.
11. While Teynham lacks certain facilities, including some health facilities and a secondary school, given the above public transport connections, attractive alternatives to car use exist to provide linkages to those facilities elsewhere. Indeed the LP acknowledges that populations in RLSCs will travel to other centres to meet some needs and includes Teynham within an indicative area with accessibility to most or all services. Furthermore, the proposal includes contributions to certain local infrastructure intended to mitigate its impacts, and these are discussed further below.
12. For these reasons taken together, the site is suitably located in terms of its accessibility to services and facilities, and to sustainable transport options to access facilities further afield. This would comply with the objectives of the National Planning Policy Framework (the Framework) relating to promotion of sustainable transport and availability of a choice of transport modes.

#### *Settlement Strategy*

13. The reason for refusal refers to conflict with policies ST1 and ST3 of the LP. Policy ST3 refers to the use of previously developed land within defined built up area boundaries, and the use of sites allocated by the LP to achieve the settlement strategy set out. It states that RLSCs will provide the tertiary focus for growth in the Borough and the primary focus for the rural area. It states

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<sup>1</sup> Swale Borough Council reference 16/507689/OUT

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that in the open countryside, outside the built-up area boundaries, development will not be permitted unless supported by national planning policy and able to demonstrate that it would contribute to protection and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities. Policy ST1 requires, among other things, development proposals to accord to the Local Plan settlement strategy.

14. The proposal would not use previously developed land within the built up area boundary nor be on an allocated site, which are the opening points of ST3 which underlie its settlement strategy. As such there is conflict with policies ST3 and ST1 and the proposal would be in conflict with the Council's settlement strategy.

### **Other Matters**

#### *Planning Obligations*

15. A Section 106 Agreement has been completed in conjunction with Swale Borough Council. This includes a number of obligations to come into effect if planning permission is granted. I have considered these in light of the statutory tests contained in Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010 and in the Framework. Regulation 122 states that an obligation may only constitute a reason for granting planning permission if it meets the tests.
16. Contributions towards community learning, libraries, primary and secondary school education, social care and youth services, bins and waste have been adequately demonstrated to be necessary to mitigate the effects of the development. These sums are not in dispute and, based on the evidence including the County Council's Developer Contributions Guide 2023, I am satisfied that they meet the required tests for obligations. This is similarly the case for the formal sports and play equipment contributions, for which the need has been evidenced by the Open Spaces and Play Strategy 2018-2022, and which also meet the required tests.
17. The proposal would create the need for the obligations to be monitored, which would not otherwise have existed if not for the development. As such, and based on the evidence before me, this would also be an acceptable obligation.
18. A contribution towards the acquisition of a site for a new secondary school off Quinton Road, Sittingbourne is included at £2635.73 per applicable house, or £658.93 per applicable flat. It is stated only that the contribution reflects local land prices without further supporting information relating to this particular site or how the amount has been calculated to be fairly and reasonably related in scale and kind to the appeal scheme, particularly as a separate secondary school contribution is also secured. In the absence of narrative on this matter I have not taken this contribution into account as a reason for granting planning permission.
19. Overall, from the information submitted with the appeal and the subsequent representations, I am content that with the exception of the Secondary Land Contribution, all the monies requested meet the necessary tests and can be taken into account.

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#### *Protected Sites*

20. The appeal site lies within the zone of influence of the Swale Special Protection Area (SPA) and Ramsar Site, being a Wetland of International Importance. These are afforded protection under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). The qualifying features of the SPA include supporting an important assemblage of birds including Brent geese, Dunlin and gadwall, and the Ramsar provides a complex of brackish and freshwater, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflats. This supports internationally important numbers of wintering waterfowl including breeding wetland birds and diverse wetland plants and invertebrates.
21. The proposal, through introducing new permanent residents to the area, would create additional recreational disturbance to the sites. As such the proposal is likely to have a significant adverse effect on the internationally important interest features of the site either alone or in combination with other plans and projects. The Council have adopted a strategic approach to mitigation, in the form of a Strategic Access Management and Monitoring Strategy (SAMMS). The mitigation measures this contains includes provision of wardens, visitor access management, education and signage. I note that Natural England consider the agreed strategic solution to be ecologically sound and are satisfied that the measures would mitigate against the potential recreational impacts of the development. I have no strong reason to reach a different conclusion.
22. The S106 submitted with the appeal includes a financial contribution per dwelling towards the mitigation measures contained in the SAMMS. Based on the evidence before me, I am satisfied that compliance with this requirement would ensure that the proposal would not adversely affect the integrity of the sites.

#### *Heritage Assets*

23. The main parties find the site to form part of the setting of several listed buildings which front onto London Road to the north. Based on the evidence, those closest to the appeal site include numbers 70, 72 and 74 London Road and The George Inn, which are grade II listed. Their setting comprises the historic linear development which lines both sides of London Road and which formed part of a trade route between London and Kent towns. Historically the appeal site has been an orchard and agricultural land. While the appeal site contributes to the rural backdrop of the settlement, I find its contribution to the setting of the listed buildings and their significance to be limited. This is particularly given the gaps and intervening structures between the listed buildings and the appeal site and as I find their significance to be more closely derived from the more busy route of London Road. Based on the evidence, I do not consider the proposal before me to cause harm to the setting of those listed buildings, rather it would be preserved. Details of matters including the final site layout, scale and appearance of the development would inevitably follow at a later stage.
24. I do not consider the site to form part of the setting of other listed buildings located further to the east, nor the setting of the Cellar Hill and Green Street Conservation Area, given the distance of separation and intervening structures. Neither is there substantive evidence to show that the proposal would cause structural damage to those nearby listed buildings.

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### *Highways*

25. Notwithstanding the appellant's surveys of local conditions, the evidence provided by third parties show existing conditions on the northern part of Lynsted Lane to be chaotic and harmful to highway and pedestrian safety. This is in part due to existing obstructions created by parked vehicles. Any increased vehicle movements here, arising from the proposal, would be likely to worsen these existing conditions. The appellant has proposed a suite of potential alterations and measures on Lynsted Lane to assist the ability of the highway to accommodate additional highway impacts, and I note these have been subject to extensive discussion with the highways authority. These include the introduction of an additional footway and a narrowed section of carriageway giving priority to southbound traffic. The drawings showing those works are annotated as indicative, presumably because the works relate to land outside the appellant's control, and separate consent would therefore be required from the highways authority.
26. I appreciate this could entail a substantial change to the northern part of Lynsted Lane for local residents and the proposal would likely entail the loss of some existing on street parking opportunities utilised by residents and users of the facilities on London Road. However, there is not substantive evidence that the loss of spaces would cause harm to highway safety elsewhere, particularly as the proposal could accommodate parking spaces to help compensate for those lost. These could be close to the existing properties on Lynsted Lane and linked via safe pedestrian routes. Indeed, given the existing conditions evidenced, the proposal has the ability to deliver benefits to highway safety on Lynsted Lane and the London Road junction.
27. I cannot assume that the proposed highway signage and markings would be ignored by road users, and this would be a matter for the Council should it occur. I also note the comments of the highways authority quoted in relation to a nearby scheme where the use of Lynsted Lane was considered unacceptable. However, I understand this related to a proposal for a greater number of houses further to the south and, in the absence of full details of that proposal, I cannot be certain that it is comparable to the appeal scheme in terms of its highways impacts.
28. Having considered the evidence, including comments of technical consultees and references to independent review and safety audits for the works, I am satisfied that an appropriate solution exists for the works to the highway, which would mitigate for the effects of the proposal.
29. As matters of site layout are yet to be established, I have no strong reason to believe that adequate parking for the development, and for those lost on Lynsted Lane, could not be accommodated on the site for future residents in line with the Council's requirements. Conditions are recommended in respect of these matters as set out below.

### *Further Matters*

30. With regard to prematurity, the Framework sets out that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination, and neither do the circumstances set out in paragraph 49 of the Framework apply to the appeal.

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31. I have had regard to the appellant's air quality assessment and the comments of the Council's technical advisor on this matter, who finds the impacts of the development to be acceptable to nearby receptors and the Air Quality Management Area. While there may be additional traffic at the junction with London Road, the evidence suggests that the impacts would be negligible. There is not substantive evidence which would lead me to reach a different conclusion.
32. In light of the evidence relating to ecology on the site, the proposal would have acceptable ecological effects and appropriate enhancements could reasonably be secured by condition, alongside a scheme of landscaping forming the reserved matters. There is not substantial evidence to demonstrate the proposal would give rise to significant soil erosion, and the management of surface water drainage can also be dealt with by condition. I am satisfied that the proposal has the ability to include suitable sustainability credentials and promote the use of sustainable transport measures.
33. The proposal would result in the loss of the existing agricultural use of the site, which interested parties consider to be of high quality. There is not evidence of conflict with a development plan policy in this regard, and the Framework refers only to significant development of agricultural land, which I do not consider applies here. There is not substantive evidence of other material considerations of sufficient weight which would lead me to find the loss of the existing use to be unacceptable.
34. I note concerns for the unreliable nature of existing infrastructure in the area, including water, drainage and power supplies. However there is not evidence that the effects of the proposal on this would be harmful nor that the proposal could not reasonably be accommodated into the network. In terms of other infrastructure impacts, the proposal would make financial contributions to those services where they have been demonstrated to be necessary.
35. The open and undeveloped character of the appeal site would change as a result of the proposal. However it would adjoin existing development to the north and west, and would be nestled into the edge of the settlement. Details of appearance, layout and scale would be considered at the reserved matters stage, and I see no reason why the development could not respect the character of the surrounding area including the adjoining historic development pattern and its edge of settlement location. Given its position it would not contribute harmfully to coalescence with other settlements or clusters of development.
36. While acknowledging that the existing houses on Lynsted Lane are set close to the edge of the road, given the depth of the appeal site, an appropriate relationship could be achieved to protect the living conditions of their occupants. There may be increased noise and some light emissions from the site which do not currently exist. However, given the scale and location of the development these matters would not cause unacceptable harm.
37. I appreciate local concerns that the proposal may form part of an intended wider development including land to the south. However, regardless of intentions, my assessment must relate to the appeal scheme before me.
38. I note the comments on the need for local communities to have a greater say in what is built in their neighbourhood. However, statute requires that

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applications be determined in accordance with the development plan, unless material considerations indicate otherwise. While there is significant local opposition to the scheme, I have considered the matters they have raised, and I do not consider that the quantum of objections in itself amounts to a material consideration of sufficient weight to dismiss the appeal.

### **Planning Balance**

39. The Council accept that it does not have a five year land supply for housing. The Council consider the supply to be 4.83 years, whereas the appellant considers the shortfall to be far more significant at around 3.5 years, quoting a fairly recent appeal decision. However, the Inspector in that appeal did not reach a finding on the land supply dispute<sup>2</sup>.
40. As a consequence, paragraph 11d) of the Framework applies and this states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
41. It has been found that the proposal would conflict with the Council's settlement strategy by virtue of its location outside the defined boundaries of Teynham and not being an allocated site. I ascribe this harm significant weight.
42. In terms of the benefits, the proposal would deliver up to ten homes which would make an important contribution to the delivery of homes in the Borough. This is of particular importance given the identified shortfall in land for housing, even if the Council's figure of a 4.83 year supply were used. These homes would be on a medium sized site, which the Framework identifies as one which could make an important contribution to meeting the housing requirement of an area and which can often be built-out relatively quickly. These would be on the edge of an existing settlement with good accessibility to services and facilities by means other than by private car, including those further afield. In addition, the development would deliver economic benefits through the construction process and the economic contributions of future occupiers. Taken together, I ascribe these benefits substantial weight.
43. The financial contributions to infrastructure, and alterations to Lynsted Lane would mitigate for the effects of the proposal, rather than being benefits. As such they do not attract weight in favour of granting planning permission.
44. In conclusion, even if I am to accept that housing land supply figure given by the Council, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. As such, the proposal benefits from the presumption in favour of sustainable development. Although I have found the proposal would conflict with the development plan as a whole, material considerations, in this case the approach of the Framework, indicate a decision other than in accordance with it.

### **Conditions**

45. The Council has provided a list of suggested conditions that it considers would be appropriate. I have considered these in light of the Planning Practice

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<sup>2</sup> Appeal decision APP/V2255/W/22/3311224 para 52

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Guidance (PPG). For clarity and to ensure compliance with the PPG, I have amended some of the Council's suggested wording.

46. A condition is necessary to secure matters of appearance, landscaping, layout and scale, with the standard conditions specifying when the reserved matters applications must be submitted and when the development must be commenced by. A condition listing the approved drawings in relation to access is also necessary to provide clarity.
47. Details of a surface water drainage system and its maintenance should be submitted for approval, and for heritage reasons, details relating to archaeological evaluations should be submitted to the Council. These should be pre-commencement to ensure they inform the rest of the development. Given the drainage condition would secure its delivery in accordance with the approved details, a further requirement for a verification report does not meet the test of necessity. Neither would a condition specifying what would not be acceptable for surface water management, given the Council is able to assess the submitted details under the condition imposed.
48. To help protect the living conditions of nearby occupants and in the interests of highway safety, a Construction Method Statement is necessary. This should be satisfied prior to commencement to ensure it underlies all construction works. Also to protect living conditions, conditions are necessary in respect of construction hours and pile driving and I have removed the tailpieces from those conditions to provide certainty.
49. For environmental reasons, a condition relating to water consumption is necessary and I have removed reference to actions which may overlap with building regulations. For the same reason, measures to increase energy efficiency are also conditioned. For ecological reasons, conditions are imposed restricting external lighting and to ensure ecological enhancements. To ensure the safety of future occupants, details of security measures are also secured.
50. To support and encourage sustainable means of transport, a travel plan and details of cycle parking are necessary, and the houses should be fitted with appropriate broadband to ensure high quality digital infrastructure. In the interests of highway safety, conditions are imposed to ensure appropriate visibility for vehicle and pedestrians at the access.
51. I have amended the Council's suggested condition in respect of works to be carried out outside the site, primarily because I understand that land to lie outside the appellant's control and consent for the works would be required from the highways authority. The condition instead requires a final scheme to be submitted for approval, allowing it to be finalised with the highways authority. In light of the evidence before me, I am satisfied that such works are capable of being carried out and within the time-limit imposed by the permission.
52. In turn, to ensure that the on street parking spaces which would be lost as a result of the highway works are provided in a safe location, details of a scheme to provide additional spaces on the site, to serve residents outside the development, should be provided, with the quantum dependant on the final highways scheme agreed. Such details should be provided prior to commencement to ensure they inform the layout from the outset.



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53. I have removed reference from the conditions to a footpath to the north eastern corner of the site, given the absence of evidence of why this is necessary. This would not, however, preclude this from occurring in the future.
54. As the application is in outline, and as final details of the development would follow under reserved matters submissions, it is not necessary to condition details of the mix of housing, landscaping, appearance through a development brief, or materials to be used for the new houses, as these would inevitably follow at a later date for the Council's consideration. As matters of electric vehicle charging points now fall under building regulations, and in the absence of evidence of a planning reason to impose different requirements, it is not necessary to condition the provision of charging points.
55. Given the position of the site behind the buildings which address London Road, and in the absence of evidence to the contrary, I do not find that details of noise levels and noise insulation would meet the test of necessity for planning reasons.
56. In the absence of evidence as to why this level of detail is necessary for planning purposes, I have not conditioned further details of matters listed including service routes, retaining walls, sewers and drains. Neither would it be necessary to condition the delivery of certain features listed, including carriageway and street names. These are best placed for management dealing with the development.
57. I have not imposed conditions removing permitted development rights, either in respect of alterations to the houses or means of enclosure. There is not strong evidence as to why this would be necessary in this case, and I am mindful that the PPG is discouraging of a generalised approach. Neither do I find it necessary to place a restriction on the erection of telegraph poles within the development as there is not evidence to suggest why such a restriction is necessary.

### **Conclusion**

58. For the above reasons, having taken account of the development plan as a whole, the approach in the Framework, along with all other relevant material considerations, the appeal is allowed.

*C Shearing*

INSPECTOR

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### Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Applications for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) No development shall commence until a scheme of works for Lynsted Lane, to facilitate the safe movement of traffic and pedestrians arising from the development, has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until those works have been constructed in accordance with the approved details.
- 5) Prior to the commencement of development, details shall be submitted to and approved in writing by the local planning authority of a scheme to provide parking spaces on the site intended to serve residents outside the appeal site. The development shall be carried out in accordance with the approved details and the approved parking spaces shall be available for use prior to the first occupation of any new dwelling.
- 6) Prior to the commencement of development, details of surface water drainage for the site shall be submitted to and approved in writing by the local planning authority. These shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of within the site without increase to flood risk on or off-site, and shall include details of the maintenance of the drainage system and the management of silt and pollutants. The development shall be carried out in accordance with the approved details and shall be so maintained.
- 7) Prior to the commencement of development, details shall be submitted to and approved in writing by the local planning authority to demonstrate how the development will offset biodiversity loss and enhance the site's biodiversity value by a minimum of 10% when compared to the pre-development baseline. This will have regard to the recommendations in the Preliminary Ecological Appraisal by Native Ecology, dated May 2021. The development shall be carried out in accordance with the approved details.
- 8) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:
  - i) Archaeological field evaluation works in accordance with a specification and written timetable which have been submitted to and approved in writing by the local planning authority, and
  - ii) Following the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording, in accordance

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- with a specification and timetable which has been submitted to and approved in writing by the local planning authority.
- 9) Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The construction process shall be carried out only in accordance with the approved details. These shall include:
- Routing of construction and delivery vehicles;
  - Parking and turning areas for construction and delivery vehicles, personnel and visitors;
  - Timing of deliveries;
  - Areas for loading and unloading of plant and materials and areas for their storage;
  - Security hoardings;
  - Any temporary traffic management and signage;
  - Wheel washing facilities;
  - Measures to control emission of dust, particles and dirt;
  - A scheme for recycling or disposing of waste resulting from the construction works;
  - A scheme for monitoring and reporting and mitigation of vibration levels at surrounding residential properties where they are likely to exceed 1mm/s measures peak particle velocity;
  - Methods for dealing with complaints from local residents.
- 10) No construction works shall be undertaken on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 07:30- 18:00, Saturdays 08:00- 13:00.
- 11) No impact pile driving shall be undertaken on any Saturday, Sunday or Bank Holiday, nor any other day except between 09:00 and 17:00 Monday- Friday.
- 12) Prior to the construction of any dwelling above the damp proof course, details of measures to increase energy efficiency and thermal performance, and to reduce carbon emissions and construction waste, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 13) Prior to the commencement of development above the damp proof course of any dwelling, details shall be submitted to and approved in writing by the local planning authority of measures to minimise the risk of crime and meet the security needs of the development. The development shall be carried out in accordance with the approved details.
- 14) The access to the site shall be carried out in accordance with the details shown on drawing 49905/5501/001 Rev.E (Pages 1 and 2). Prior to the first occupation of the development, the visibility splays shown on that plan shall be provided and maintained free of obstruction above the height of 0.9m above the carriageway level, and shall be so maintained at all times.

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- 15) Prior to the occupation of any part of the development, pedestrian visibility splays behind the footway on both sides of the access shall be provided and maintained with no obstructions over 0.6m above the footway level.
- 16) Prior to the first occupation of any part of the development, details of secure cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and those cycle parking facilities shall remain available for use at all times.
- 17) Prior to the first occupation of any part of the development, a travel plan, showing objectives and modal split targets, together with a time-bound programme of implementation and monitoring, review and update, shall be submitted to and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details.
- 18) The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day.
- 19) No external lighting shall be installed within the site until details have first been submitted to and approved in writing by the local planning authority. This shall include details to demonstrate its effects on bat activity. The external lighting shall be installed only in accordance with the approved details and shall be so maintained.
- 20) All new dwellings shall be capable of installing fixed telecommunications infrastructure and high-speed fibre optic connections.

**End of Schedule**