



---

## Appeal Decisions

Inquiry held on 19 to 21 March 2014

Site visit made on 21 March 2014

**by J C Chase MCD Dip Arch RIBA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 April 2014**

---

### **Appeal A: Ref: APP/X5210/A/13/2205355**

#### **Otto Schiff House and Annexe, 14 Netherhall Gardens, London, NW3 5TQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Netherhall Development Ltd against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/2213/P, dated 15 April 2013, was refused by notice dated 16 July 2013.
  - The development proposed is the erection of a 3-storey building plus roof (following demolition of annex wing to Otto Schiff House including link block). Alterations to retained building, including excavation of basement under both buildings, terraces at first floor only to the front elevation facing Nutley Terrace, side elevation facing Netherhall Gardens and rear elevation, new dormer window to rear roof slope and replacement dormer to Netherhall Gardens elevation, demolition of existing single storey side extension and replacement with new single storey extension, erection of rear ground floor level extension, in connection with conversion from 23 x 1-bedroom self-contained flats to 14-self-contained flats (6x2 bedroom, 4 x 3 bedroom and 4 x 4 bedroom) (Class C3) and associated landscaping.
- 

### **Appeal B: Ref: APP/X5210/E/13/2205358**

#### **Otto Schiff House and Annexe, 14 Netherhall Gardens, London, NW3 5TQ**

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
  - The appeal is made by Netherhall Development Ltd against the decision of the Council of the London Borough of Camden.
  - The application Ref 2013/2216/C, dated 15 April 2013, was refused by notice dated 16 July 2013.
  - The demolition proposed is the annex wing to Otto Schiff House including link block.
- 

## **Decisions**

### Appeal A

1. The appeal is allowed and planning permission is granted for the erection of a 3-storey building plus roof (following demolition of annex wing to Otto Schiff House including link block). Alterations to retained building, including excavation of basement under both buildings, terraces at first floor only to the front elevation facing Nutley Terrace, side elevation facing Netherhall Gardens and rear elevation, new dormer window to rear roof slope and replacement dormer to Netherhall Gardens elevation, demolition of existing single storey side extension and replacement with new single storey extension, erection of rear ground floor level extension, in connection with conversion from 23 x 1-bedroom self-contained flats to 14-self-contained flats (6x2 bedroom, 4 x 3

bedroom and 4 x 4 bedroom) (Class C3) and associated landscaping at Otto Schiff House and Annexe, 14 Netherhall Gardens, London, NW3 5TQ in accordance with the terms of the application, Ref 2013/2213/P, dated 15 April 2013, subject to the conditions in the schedule at the end of this decision.

### Appeal B

2. The appeal is allowed and conservation area consent granted for the demolition of the annex wing to Otto Schiff House including link block at Otto Schiff House and Annexe, 14 Netherhall Gardens, London, NW3 5TQ in accordance with the terms of the application Ref 2013/2216/C, dated 15 April 2013, subject to the conditions in the schedule at the end of this decision.

### **Procedural Matters**

3. The main parties have formed an agreement under Section 106 of the Town and Country Planning Act, 1990, to make provision for off-site highway works, to restrict access to parking permits, to require a construction management plan, to make use of and promote local construction skills and materials procurement, to achieve sustainable energy objectives, and to satisfy the Code for Sustainable Homes. These obligations are assessed in relation to the tests in the Community Infrastructure Levy Regulations, 2010, later in this decision.
4. The description of the proposed demolition was not separately identified in the conservation consent application. The description shown above is that included in the Council's decision notice.

### **Main Issue**

5. The outstanding main issue is whether any harm arising out of the provision of on-site car parking would be outweighed by the benefits of the proposal.

### **Reasons**

6. Otto Schiff House is an unlisted, late 19<sup>th</sup> century property lying within the Fitzjohns/Netherhall Conservation Area. Along with an annexe built in the 1960s, the present accommodation amounts to 23 small flats, mainly studio and one bedroom. It is proposed to replace the annexe with a new detached building, and to modify the interior of Otto Schiff House, so as to provide a total of 14 larger units, ranging in size from 2 to 4 bedrooms. The development would include a basement under both properties, part of which would provide 13 car spaces. An existing small parking area would be removed.

### Policy background

7. Policy DP2 of the Camden Development Policies (CDP), adopted 2010, resists schemes involving the loss of two or more dwellings, but subject to exceptions, including where the existing accommodation is substandard. The Council accept that the present housing meets this criterion, by falling below current space and Lifetime Homes standards.
8. However, it is contended that the inclusion of 13 off street car spaces would be contrary to development plan policies with the objective of promoting sustainable transport. Amongst those referred to, Policy 6.13 of the London Plan (LoP), adopted 2011, seeks car free development in locations with high public transport accessibility, whilst Policy CS11 of the Camden Core Strategy

(CCS), adopted 2010, promotes sustainable transport choices in order to reduce the impact on the environment, and to relieve pressure on the transport network, with private parking minimised in new developments. CDP Policy DP18 implements these objectives by indicating that development will be expected to be car free in specified parts of the Borough, including those areas within Controlled Parking Zones (CPZ) which are easily accessible by public transport. The appeal site is close to bus and underground routes, having a PTAL rating of 6a, and is surrounded by a CPZ.

9. There is no reason to consider that these policies are inconsistent with the intentions of the National Planning Policy Framework (NPPF), the overriding theme of which is to achieve sustainable development, including protection of the environment and adaptation to climate change. Planning authorities are encouraged to support patterns of development which facilitate the use of sustainable transport, the availability of which should be taken into account when setting parking standards. To the extent that both the NPPF and the LoP may indicate a less prescriptive and more reactive approach to the imposition of parking standards, there remains within this flexibility the opportunity to restrict parking where there are viable transport alternatives, and where the cumulative effect of the vehicles using that parking would produce environmental harm.
10. However, paras 5.1 and 5.5 of Camden's supplementary planning guidance, CPG7, adopted in 2011, indicate that the imposition of car free housing applies where there is an increase in the number of dwellings, whereas the appeal scheme involves a reduction. It is accepted that the application of supplementary guidance is subject to the circumstances of the case, and a recent appeal decision in Belsize Square (APP/X5210/A/13/2203859) concluded that, despite the reduction in the number of units, the provisions of CPG7 would be outweighed by the likelihood that the larger dwellings in that case would generate a higher overall parking demand.
11. Nonetheless, the wording of the relevant passages of CPG7 is unambiguous, and the Council have previously given weight to this provision when permitting a residential development with on-site parking at 11 Netherhall Gardens (Ref 2011/3471/P) opposite the appeal site. It is also the case that the circumstances of the Belsize Square appeal were different to the extent that they referred to eligibility for parking permits, and the open ended commitment that would imply, rather than the finite supply of spaces proposed in this appeal scheme. Therefore, whilst there is a need to ensure that CPG7 is applied in the context of the scheme under consideration, and does not override the objectives of development plan policy, it is entitled to weight as a clear indication of the Council's intentions for the application of that policy.
12. Even if the site falls outside the scope of the car-free housing set out in CDP Policy DP18, there remains a need to achieve the minimum necessary parking provision, and to comply with the Council's parking standards, which are a maximum of 0.5 spaces per dwelling in low parking provision areas, defined in the text accompanying DP18 as including those areas with high public transport accessibility. The provision of 13 spaces for the 14 units, even taking account of the special relaxation for a disabled parking bay, would exceed this level. Regard is therefore had to whether the potential benefits of the scheme would outweigh the need for restricting the number of spaces.

Potential benefits of the scheme

*Use of street parking*

13. New residents would be prevented from applying for parking permits under the provisions of the Section 106 Agreement. At present there are no restrictions on the availability of permits for street parking for residents of the 23 apartments and, as permits are issued to the individual, rather than the dwelling, there would be the theoretical possibility of up to 46 permits. In practice the actual number of permits issued in recent years has ranged from 3 to 11. It is credible that refurbishment of the existing units, which is a potential fall-back position, would attract more affluent residents with a higher car ownership, but the evidence falls short of proving that the likely demand would be close to the maximum possible number of permits. Nonetheless, it is acknowledged that the reduction in potential demand for on-street parking would be a positive feature of the scheme, in an area of recognised parking stress, and in this respect would comply with the objectives of CDP Policy DP19.

*The character and appearance of the Conservation Area*

14. This part of the Conservation Area is characterised by large, detached buildings of 2, 3 and 4 storeys, identified in the Conservation Area Statement as dating from the late Victorian period, in a variety of traditional architectural styles, with roofs a prominent element. Otto Schiff House is one such property, and is in keeping with the overall character of the area. By comparison, the annexe reflects the appearance of late 20<sup>th</sup> century development, being set back behind the general building line, and with a relatively wide and horizontal frontage to the road, in contrast to the vertical emphasis of most of the surrounding properties. The annexe is not specifically referred to in the Conservation Area appraisal, being considered to have a neutral effect as a result, and it is accepted that its recessed position, partially screened by vegetation along the road frontage, diminishes any harm to its surroundings. Nonetheless, neither its form nor architectural appearance are consistent with the prevailing character of the area.
15. Although of a contemporary architectural style, the replacement block would have more in keeping with the adjoining buildings, being a detached structure of similar massing and form, and with a vertical emphasis and prominent roof gables. By removing the link block with Otto Schiff House, both properties would appear as separate buildings, having more in common with the rhythm of development down the street than the existing property. A number of trees would be removed, but of relatively poor quality, and those subject to a TPO would be retained. There is not substantial evidence to contest the appellants' arboricultural report, indicating that the position of the building and construction of a basement would not be unduly harmful to the landscape quality of the area. There would be the potential to improve the outer boundaries of the site, including by the removal of the existing parking area.
16. The Council acknowledge that the redevelopment would preserve and enhance the character and appearance of the Conservation Area, and there is no reason for this decision to take a different view of this point.

*The nature of the accommodation*

17. The appellants point out that the existing accommodation was previously intended for use as a care home, the flats being single aspect and below the minimum recommended floor areas set out in the London Plan. By comparison, the replacement flats would satisfy those space standards, be double aspect, and would minimise energy use with on-site generation and current construction techniques. The proposal would meet the objective of CDP Policy DP5 to provide 40% of the units at 2 bedrooms, for which there is a very high priority need, and there is a medium priority for the balance of 3 and 4 bedroom flats. The existing 1 bedroom and studio units have a lower level of priority.
18. The evidence falls short of proving that the quality of the existing accommodation is so unsatisfactory as to result in unduly harmful living standards for the residents, and there appears to be a demand for the units, which are mainly occupied. Nonetheless, the benefits of meeting current space and environmental standards, as well as achieving a mix to better satisfy development plan objectives, are identifiable benefits of the scheme.

*The viability of the project*

19. It is the appellants' contention that the proposed larger units would only be financially viable with on-site parking. In assessing a benchmark land value, the existing accommodation, if refurbished, would produce a residual site value of about £8m, and it would be realistic to add a premium of 12.5% to encourage the owner to carry out a redevelopment, to produce a benchmark of £9m. The residual land valuation of the appeal scheme, at about £10m, would exceed this level, but would fall to £7m if the parking was omitted, as a result of the diminished attractiveness of car-free housing. On this basis, there would be no commercial incentive to carry out the redevelopment unless on-site parking is included. The Council's advisor contests this evidence by questioning, amongst other matters, whether it is justified to include a premium on the existing use value of the land, whether the investment valuations are realistic, and whether the assessment takes full account of the implications of structural subsidence in the existing buildings.
20. It is reasonable to estimate the existing use value in relation to a basic refurbishment of the present buildings, which could take place without the need for planning permission, and there is not compelling evidence to show that any subsidence would not be adequately resolved within the cost budget. Nor is there a clear indication that the appellants' quoted investment yields are unrealistically low. Amongst other documents, the LoP Housing SPG recognises that a premium over existing use value can be justified, and para 173 of the NPPF indicates that there should be competitive returns to a willing land owner to enable development to be deliverable. Having regard to unchallenged evidence about the previous price of the property, and the level of competition for its purchase, it would not be unrealistic to add 12.5% to reflect the likely market value without planning permission for the appeal scheme. There would be some cost savings arising if the basement parking was omitted, but not of sufficient extent to compensate the loss of selling value. Overall, there is adequate support for the appellants' assertion that a car-free scheme would not be commercially viable.

21. Even if car free housing is not possible, it was suggested during the Inquiry that a reduced amount of parking might remain financially viable. However, this is not the scheme under consideration, and there is no clear indication that any material reduction in the number of spaces would be possible.

Conclusions on the main issue

22. The provision of off-street spaces would not necessarily lead to an increase in the parking generated by the development, as the Section 106 Agreement would ensure that the new residents would no longer be able to apply for street permits. However, the excess demand for those permits in the area would be likely to mean that any vacated street spaces would be occupied by other local residents, resulting in an overall increase in the total amount of car parking taking place. This in turn would encourage greater use of private vehicles, and the consequent increase in the generation of greenhouse gases and traffic congestion in the wider area.
23. Therefore, whilst the Council do not identify specific, localised damage arising out of the on-site parking, there would be harm to wider environmental interests, the promotion of which is an objective of both national and local policy. Even if it is accepted that paras 5.1 and 5.5 of CPG7 mean that the proposal falls outside the scope of the imposition of car free housing, there remains the intention to minimise the amount of parking, and to avoid exceeding the Council's maximum standards. The scheme would fail to meet these objectives.
24. In considering the balance to be drawn between the need to minimise parking, and the potential advantages of the scheme, it is noted that the NPPF gives great weight to the conservation of heritage assets, and there is an obligation to have regard to the desirability of new development making a positive contribution to local character and distinctiveness. For the reasons set out above, the replacement of the annexe building would be an enhancement of the Conservation Area. In addition, the scheme would help to meet the objectives of CDP Policies DP5 and DP19 respectively, by replacing sub-standard housing with a mix of units to better meet identified need, and by reducing the overall demand for street spaces in an area of parking stress.
25. Each of these matters is not necessarily so significant nor exceptional as to clearly outweigh the harm arising out of increased on-site parking, but, taken in combination, they amount to a package of measures which are a clear and demonstrable benefit of the scheme. The viability evidence provides reasonable grounds for concluding that they would not be achieved by a project with no, or substantially reduced, parking provision. Whilst the cumulative effect of allowing an increase in the amount of parking in the area is recognised, in this instance there are adequate grounds to consider that the harm arising would be outweighed by the specific benefits of the scheme.

**Other Matters**

26. Local residents and interest groups have raised additional concerns, including the level of congestion associated with a number of schools in the locality. However, this arises during a limited period of each day, and there is no indication from the planning or highway authorities, nor compelling alternative evidence, that the on-site parking provision would generate specific risks to road safety or the free flow of traffic. The scheme would result in the loss of

small units, but they would not amount to affordable housing in terms of the definition in Annex 2 of the NPPF. A substantial building project would be likely to lead to some local disruption, but this, of itself, would not be a reason to prevent a development, and the provision of a construction management plan would help to mitigate any harm.

27. It became apparent during the site visit that there is obscured glazing in some of the windows on the east elevation of Otto Schiff House, the replacement of which with clear glazing could lead to greater overlooking. The opinions of the main parties and the residents of the affected property, No 10 Nutley Terrace, were sought after the Inquiry and have been taken into account in drafting an appropriate condition. It would not be realistic to require obscured glazing throughout most of this elevation, which would contain the windows of habitable rooms, but it would be reasonable to insist on the lower pane of each window being obscured, as suggested by the Council. Whilst this would not wholly prevent overlooking of windows on the adjoining property, it would provide some interruption of the view and a reasonable balance to reflect the fact that, in the existing situation, there is a mix of obscured and clear glass.
28. Regard is had to the potential loss of privacy arising out of the terraces at the rear of Otto Schiff house. They would be somewhat behind the rear of the adjacent building and set in from the boundary, with their main orientation southwards. There would also be the potential for boundary planting, which would be subject to prior approval under a planning condition. Other aspects of the amenity of adjoining residents are taken into account, including the possible generation of noise associated with the vehicle ramp, but the submitted evidence does not indicate that undue loss of amenity would arise. Regard is also had to any impact on the adjoining school, but, again, there is no clear indication that the proposed development would have an unacceptable effect.
29. Taking these and the other matters raised into account, there are not grounds to consider that they amount to substantial reasons to reject the proposal, nor that they would affect the conclusion reached under the main issue.

### **Planning obligations**

30. The Section 106 agreement includes a restriction of the right of future residents to apply for car parking permits, to comply with development plan policies, including CDP DP19. A contribution is needed for works to the highway made necessary by alterations to the vehicle access arrangements, and a construction management plan will mitigate any harm to residential amenity and road safety. The agreement includes obligations to meet the requirements of the Code for Sustainable Homes and to achieve a sustainable energy strategy, meeting a range of development plan policies. There is no reason to consider that these matters do not comply with the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010.
31. The agreement includes an obligation to secure local labour and materials procurement during the course of construction, including contributions towards the Council's management of an apprenticeship scheme. It is intended to address an identified local skills shortage, and to assist the economic regeneration of the area, in accordance with the requirement of CCS Policy CS8 to promote a successful economy. However, the implementation of this policy, as set out in Section 8 of Camden Planning Guidance 8: Planning Obligations, is

partially subject to whether the development would have an impact on the availability of jobs for Camden residents, and there is no sign that the appeal scheme would be unduly harmful in this respect. Nor is there a clear indication that the use of local labour and materials would be such a significant benefit of the scheme that the development would be unacceptable without it. Rather, the obligation appears to serve a wider planning purpose and, on the basis of the submitted evidence, it cannot be concluded that this aspect of the agreement meets the test of necessity in Regulation 122.

### **Planning Conditions**

32. The proposed conditions have been considered in relation to the advice in the Planning Practice Guidance and the discussion at the Inquiry. With respect to the planning permission, conditions are needed concerning the selection of external details and materials, landscaping and the retention of trees, the location and form of photovoltaic panels, and site levels, all for the benefit of the appearance of the development in the Conservation Area. Details of cycle and waste/recycling storage and compliance with Lifetime homes standards are necessary to ensure a sustainable form of development. Control of foundations and other underground works is necessary to protect ground water and the stability of the nearby railway tunnel.
33. Bird and bat boxes are provided to support ecological interests, external lighting is controlled for the benefit of the appearance of the development and to avoid undue light pollution, and mitigation of plant noise is needed for residential amenity. The disabled parking bay should be kept available for its intended purpose, and obscured glass is required to maintain the residential amenity of adjoining properties. The approved plans are specified in both permissions for the avoidance of doubt and in the interests of proper planning, and a condition on the conservation area consent is needed to ensure that a contract is let for the new construction before demolition takes place in order to avoid the potentially damaging appearance of a vacant site.

### **Conclusions**

34. For the reasons set out under the main issue, there are grounds to consider that the potential benefits of the scheme are of sufficient importance to override the harm arising out of additional on-site parking, and no other matters outweigh this conclusion. For this reason, both appeals are allowed.

*John Chase*

INSPECTOR



## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mr R Walton	Of Counsel
He called	
Mr J Traves B Urb&Reg Planning	Principal Planning Officer, London Borough of Camden (LBC)
Mr A Jones BSc, MRICS	BPS Chartered Surveyors
Ms Z Trower BSc, MSc	Senior Transport Planner, LBC

### FOR THE APPELLANTS:

Mr R Harris QC	
He called	
Mr R Bower BSc, MRICS, RICS Reg Valuer	Montagu Evans LLP
Mr N Gigi	Goldshmidt and Howland
Mr P Cameparo BSc, MSc, MCILT, MCIHT	TTP Consulting
Mr M Gibbs BSc, MA, MRTPI	DP9 Planning Consultants

### INTERESTED PERSONS:

Ms R Stone	Netherhall Neighbourhood Association
Dr M Hillman	Local Resident
Mr C Euden	South Hampstead High School
Ms Moss	On behalf of 10 Nutley Tce
Dr R Stone OBE	Local Resident

### DOCUMENTS

- 1 Opening submissions on behalf of the appellants
- 2 Appellants' list of appearances
- 3 Statements of Ruth Stone
- 4 Statement of Mayer Hillman
- 5 Statement of Chris Euden
- 6 Statement of Richard Stone
- 7 Planning Agreement
- 8 Draft planning conditions
- 9 Extract from draft further alterations to the London Plan, 2014
- 10 The London Plan, 2011
- 11 London Plan Housing SPG, 2012
- 12 Updated plans with schedule
- 13 Conservation Area Statement
- 14 Extract from TRAVL v8.09 User Manual
- 15 Schedule of on-street parking permits issued at appeal site
- 16 Appeal Decision ref APP/X5210/A/13/2203859
- 17 Transport observations in respect of 59 Netherhall Gardens development

- 18 Schedule of parking permits ratio to space availability
- 19 Council's examples of car free development
- 20 GVA Report on Camden CIL Economic Viability Assessment, 2012
- 21 Appeal Decision Ref APP/A5840/A/11/2153570
- 22 Bolingbrook cost plan for appeal site, 2013
- 23 Professional details of Mr Bower
- 24 Closing submissions on behalf of the Council
- 25 Closing submissions on behalf of the appellants
- 26 Council's response to overlooking issues
- 27 Appellants' response to overlooking issues
- 28 Response to overlooking issues from 10 Nutley Terrace

## **Schedule of Planning Conditions**

### Appeal A

- 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 approved plans listed in the schedule attached to the Council's decision notice Ref 2013/2213/P dated 16 July 2013.
- 3) The external surfaces of the buildings hereby approved shall be constructed in accordance with details which have first been submitted to and approved in writing by the local planning authority, such details to include: i) manufacturer's specification of all external materials, samples of which shall be retained on site throughout the course of construction, including a brick sample panel; ii) drawings at 1:10 of all windows/external doors and their surrounds, and at 1:50 of any balustrading; iii) utility equipment and services attached to the outer faces of the buildings, including any meter boxes, flues, vents or pipes, telecommunications equipment, alarm boxes, aerials or satellite dishes; iv) the location and appearance of photovoltaic panels.
- 4) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, which shall include means of enclosure and boundary treatment, and details of any proposed earthworks, including grading, mounding and other changes of levels. All hard landscaping and enclosure shall be carried out in accordance with the approved details before first occupation of any dwelling hereby approved. All planting, seeding or turfing shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 5) No development shall take place until details have been submitted to and approved in writing by the local planning authority to show how the trees and plants to be retained, including those on adjoining land, will be protected during the course of construction. Such details shall follow the guidelines set out in BS5837:2012. The retained trees and plants shall be protected in accordance with the approved details.
- 6) No development shall take place until details of the storage of 24 bicycles and of the storage of waste and recycling materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the storage retained for its intended purpose thereafter.
- 7) No development shall take place until details of existing and proposed ground and floor levels have been submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

- 8) No development shall take place until structural and construction method details of foundation, basement and other below ground works have been submitted to and approved in writing by the local planning authority. The details shall include the potential effect on the water table, and any increase or decrease in loading of the Belsize tunnel whether temporary or permanent. The development shall be carried out in accordance with the approved details, which shall be supervised throughout the course of construction by a chartered structural engineer, details of whose identity and responsibilities shall have been included within the submitted details.
- 9) No dwelling shall be occupied until the obscured glazing associated with it has been installed as follows: i) in accordance with the details shown on the approved drawings, and ii) the lower halves of the windows in the east wall of Otto Schiff house. The obscured glazing shall thereafter be retained in position.
- 10) No dwelling shall be occupied until plant systems and mitigation measures as indicated in the acoustic report reference 8012.003.003 submitted with the planning application have been installed and are operational, and the systems and measures shall thereafter be retained in working order so as ensure that noise levels at the nearest residential properties and adjacent school building do not exceed the maximum levels specified in that report.
- 11) The Lifetime Homes features and facilities shown on the approved drawings shall be provided prior to first occupation of any dwelling and retained thereafter.
- 12) Bird and bat boxes shall be installed in accordance with details which have first been submitted to and approved in writing by the local planning authority before first occupation of any dwelling.
- 13) No external lighting shall be installed except in accordance with details which have been first approved in writing by the local planning authority.
- 14) The disabled parking space shall be installed in accordance with the details shown on the approved drawings and thereafter kept available for the use of any person who is the lawful holder of a disabled persons badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970.

#### Appeal B

- 1) The demolition hereby permitted shall begin not later than three years from the date of this decision.
- 2) The demolition hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached to the Council's decision notice Ref 2013/2216/C dated 16 July 2013.
- 3) The demolition hereby permitted shall not be undertaken before a contract has been formed for the carrying out of the works of redevelopment of the site for which planning permission has been granted.