



# Appeal Decision

10 MAR 2005

**APPENDIX 2**  
**(10/00277/FUL)**

Hearing held on 16 February 2005

by **Edward Hitchings** BSc MRICS MRTPI

an Inspector appointed by the First Secretary of State

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Date  
10 MAR 2005

Appeal Ref: APP/D1780/A/04/1150191

Land rear of 5 to 9 Seymour Road, Southampton, SO16 6RH

- 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 Glenshire Homes Ltd against the decision of Southampton City Council.
- The application (Ref.99/01407/FUL/28259), dated 16 December 1999, was refused by notice dated 20 April 2004.
- The development originally proposed was 4 2-storey houses (4 bedroom) and garages.

**Summary of Decision:** The appeal is allowed and planning permission granted, subject to conditions set out in the Formal Decision below.

## Procedural Matters

1. The application was originally submitted in outline for 4 2-storey detached houses and garages, but was changed to a detailed submission for 5 dwellings in May 2000. Amended plans (ref.nos.2000/06/02/01A, SO/Hs/300A, 884/02A and 884/03B) were submitted on 11 March 2004. I shall determine this appeal accordingly.
2. The second and third grounds of refusal referred to the lack of any commitment to secure the provision of affordable housing and measures to address the need for sustainable travel, contrary to Policies H2 and GP1 of the adopted Southampton Local Plan and similar policies in the emerging Local Plan Review. At the beginning of the hearing, the appellant submitted a unilateral undertaking, dated 16 February 2005, under Section 106 of the Town and Country Planning Act 1990. Upon the grant of planning permission, a financial contribution of £9000 (index linked) would be made to fund measures to encourage the use of alternative modes of transport to the private car, and, prior to the occupation of no more than 4 of the proposed dwellings, No.7 Seymour Road would be disposed of to a registered social landlord for use as affordable housing. The Council confirmed that this undertaking satisfies the relevant policies and is sufficient to overcome these 2 grounds of refusal.

## Main Issues

3. I consider the remaining main issues in this appeal to be:
  - (a) the effect on the character and appearance of the mainly residential area within which the site lies, in the light of current planning policies;
  - (b) the effect on the living conditions of adjoining residents by reason of the buildings being oppressive and over-dominant to adjoining gardens, by overlooking and loss of privacy, by loss of light to gardens, and by excessive noise and disturbance.

Decision



## Planning Policy

4. The development plan includes the Hampshire County Structure Plan 1996-2011 (Review) adopted in March 2000 (SP) and the City of Southampton Local Plan (LP) adopted in January 1996. SP Policy H5 emphasises the importance of allocating for housing, land that is vacant, under-used, derelict or released from its former uses, subject to specific criteria, including public transport availability and respect for the character of the surrounding area. SP Policy UB3 requires all development to be appropriate in design, scale, layout and density to its surroundings and to contribute to the quality of the built environment. SP Policy T1 seeks full and effective use of land in built-up areas that are well served by public transport.
5. LP Policy GP1 sets out a number of detailed criteria to be met by development, including being appropriate and sympathetic to adjoining buildings and spaces, conserving and enhancing wildlife and landscape, avoiding conflict with adjoining uses, and making adequate provision for access for the users of all forms of transport. Similarly LP Policy H12 lists matters of importance for new residential development, including that design, layout and scale should be in character with the immediate surroundings, the amenities of adjoining uses should be protected, and service infrastructure provided.
6. The emerging City of Southampton Local Plan Review (RLP) has reached the stage where the Inspector's Report has been received, but the City Council has yet to decide its formal response. In these circumstances, Policies SDPI, SDP 4 and H3 that are not subject to proposals for alteration carry substantial weight. The other policies are subject to a greater degree of uncertainty, but as the Inspector's recommendations reflect up-to-date national guidance, these also carry significant weight.
7. The aim of RLP Policy SDP 1 is to protect health, safety and amenity; to respect and improve the quality of the built and natural environment; and to contribute, where appropriate, to a complementary mix of uses. Priorities for development access are set by Policy SDP 4 in the descending order of; pedestrians and disabled people, cyclists, public transport and private transport. Policy SDP 2 seeks to ensure that development provides for integration and connection for all modes of transport. The Inspector's Report suggests that the written justification for this policy should include the point that parking should be provided at as low a level as possible, having regard to the needs of development. The report recasts Policy SDP 7, together with SDP 9, so as to preclude development that would cause material harm to the character and/or appearance of an area, and to ensure that building design is of high quality. In general, proposals should respect their surroundings, be compatible with natural and man-made features that contribute to the quality of the local environment, and respect the existing layout, scale, density and proportion of existing buildings. Policy SDP 11 seeks an attractive network of public routes and spaces for pedestrians, cyclists and vehicles, and adequate access for all pedestrians.
8. RLP Policy H3 requires maximum use to be made of derelict, vacant and underused land for residential development, subject to certain provisos. The most relevant to this appeal are that the land does not make a valuable contribution to the character or amenity of the area, would not have significantly detrimental effect on the amenity of adjoining occupiers, and does not support significant wildlife/nature conservation interest. The draft plan now defines "significant" as sites meeting criteria for "Sites of Importance for Nature Conservation" or sites supporting habitats or species identified in bio-diversity action

plans. Policy H 10 sets a number of criteria to ensure the highest standards of quality and design for residential development, including ensuring that designs and layouts contribute to a distinctive environment, enhance urban form and local character, take account of local character and amenity, and promote security.

9. The Council has published supplementary planning guidance "Residential Standards Development Control Brief". This gives advice on distances between buildings to ensure privacy, and on garden sizes and landscaping. As I have no evidence that this document has been subject to review following public consultation, I am able to afford it only limited weight in accordance with PPS12<sup>1</sup>.
10. National guidance in PPG3<sup>2</sup> urges local planning authorities to give priority to re-using previously-developed land within urban areas for housing, in preference to the development of greenfield sites. Designs and layouts should make efficient use of land without compromising the quality of the environment. The inefficient use of land, which it defines as less than 30 dwellings per hectare net, should be avoided. National policy in PPS1<sup>3</sup> emphasises the importance of high quality and inclusive design that is appropriate to its context and takes opportunities to improve the character and quality of an area. It should be integrated into the existing urban form and natural and built environments, respond to the local context, create or reinforce local distinctiveness and be visually attractive.
11. The objectives of national guidance in PPG13<sup>4</sup> are to integrate planning and transport at all levels, including promoting more sustainable transport choices and reducing the need to travel, especially by car. The guidance stresses the importance of more direct, safe and secure walking routes, including to schools, and of ensuring that the personal security concerns of pedestrians are addressed. Other relevant national guidance is included in PPG9 Nature Conservation, PPG24 Planning and Noise, Design Bulletin 32 - "Residential Roads and Footpaths", and its companion guide "Places, Streets and Movement".

#### Reasons

12. Fundamental to my consideration of both the main issues is the application of RLP Policy H 3 (previously-developed land). This emerging policy is at a stage where it carries substantial weight as it is up-to-date and in accordance with current national guidance. Prior to site clearance by the appellant several years ago, my understanding is that the site was garden land associated with the frontage housing development. After excluding this site, the surrounding houses would retain generous private rear gardens. Although its current overgrown condition is attributable to its recent history, I believe that it is reasonable to regard it as underused land. There is no doubt in my mind that the site qualifies as previously-developed land in accordance with the definition in PPG3.
13. I fully appreciate that most, if not all, the residents surrounding this site would much prefer this whole backland area to remain undeveloped, and be re-used for gardens or as a wildlife refuge. There is no doubt that the open character of the interior is a very pleasant

<sup>1</sup> Planning Policy Statement 12: Local Development Frameworks (2004) paragraph 5.22

<sup>2</sup> Planning Policy Guidance Note 3: Housing (March 2000)

<sup>3</sup> Planning Policy Statement 1: Delivering Sustainable Development ODPM 2005

<sup>4</sup> Planning Policy Guidance Note 13: Transport (March 2001)

feature of the area that is appreciated by its residents. However, judged against current national policy, this low density housing block does represent an inefficient use of housing land. It lies in an area accessible to local services and public transport, although the latter is limited in frequency. Both national and local policy imply that, in principle, there is a strong imperative for more efficient use of previously-developed land of this type to meet housing needs.

14. I note that the appellant assesses the density of the development at 26.3 dwellings per hectare (dpa) (5 houses on 0.19 hectare), which would be just below the minimum of 30 dpa recommended in PPG3. However, taking into account that this is a small site and the amount of it devoted to the access, I consider that the proposal represents reasonably efficient use of land in accordance with PPG3.
15. Any development of this site would result in some change to the existing character of the area and in some impacts on local residents that would be unwelcome to them. However, implementation of the relevant policies, designed to provide more housing within existing urban areas, necessarily implies more intensive use of many sites of this type. It follows that objections to such a development have to demonstrate significant harm to local character and/or to the living conditions of local residents.

#### *Character and Appearance*

16. The block of land between Seymour, Malvern and Winchester Roads is in residential use; apart from a public house on the Malvern/ Winchester Roads corner, a low single storey business centre building at the rear of the pub car park, and a bed and breakfast business in Winchester Road. The housing is generally 2-storeys in height and almost equally divided between detached and semi-detached dwellings, on plots that are deep rather than wide. The relatively narrow plot widths allow only limited glimpses between buildings from the surrounding roads into rear gardens and the central part of the block. House styles show considerable variety in detailing and materials.
17. The Council's statement argues that, because backland development is not a characteristic of the area, this form of development would be out of keeping. At the hearing, the Council clarified that it was opposed to the form of backland development proposed, rather than to the principle of this type of development.
18. The proposal is for 5 closely spaced detached houses in a straight line parallel with the 2 long sides of this housing block. The houses are all based on a similar 4-bedroom plan with variations in the use of hipped and gabled elements and materials. The roofs of the 3 central houses would be half-hipped with a ridge height of about 9 metres. The 2 end houses would be fully hipped with a ridge height of about 8¼ metres with long side roofs down to ground floor ceiling level to reduce the impact on adjoining gardens. The only direct evidence of the comparative above ground ridge heights of the surrounding housing is the height of the ridge of No.6, at 8.6 metres above ground level (appellant's survey drawing). Generally, I estimate that the ridge height of the central houses would be similar to that of the taller houses on the street frontages. I have taken into account that architectural drawings of roofs tend to give an exaggerated impression of height, compared with ground level views of buildings. This is because of the effect on perspective of roofs sloping away from the viewer.
19. Aside from the fact that this development would be in the interior of the block, in house type, orientation and design, I consider that it would not conflict in any significant way from the character of the surrounding development. Although it would be clearly visible

from many surrounding houses and gardens, there would be no substantial impact on the limited public views from the surrounding roads. Certainly the houses would be clearly visible from Seymour Road through the new access, and from Malvern Road, across the pub car park and the roof of the business centre. However, I do not believe that the proposed houses would cause any significant overall harm to the character and appearance of the neighbourhood.

20. The scheme includes 3 substantial garage buildings. I saw nothing similar to these in the immediate vicinity, with the possible exception of the long business centre block. However, these are single storey buildings with hipped roofs, set amongst 2-storey houses, so that their visual impact on the area as a whole would be very limited.
21. I conclude that the proposal would not be detrimental to the character and appearance of the mainly residential area. Therefore, in this respect, the proposal complies with the development plan, in particular SP Policies H5 & UB3 and LP Policy GP1 & H12, with emerging RLP Policies SDP 7, SDP 9, H 3 & H 10, and with national policy and guidance in PPG3 and PPS1.

#### *Living Conditions of Local Residents*

22. The new houses would be set more than 35 metres from the rear of houses in both Malvern and Seymour Roads. Even allowing for the fact that the houses would be at a slightly higher level than houses in Malvern Road, I consider that this distance would be more than adequate to ensure mutual privacy. The line of buildings would have a generally southeast to northwest orientation. In my view, this orientation, together with the distance to adjoining housing and gardens and the deep side roofs to the end houses, would avoid any undue loss of daylight or sunlight to adjoining houses and gardens.
23. A particular concern for the Council is that the height and size of the garages would be oppressive and over-dominant, as seen from adjoining houses and gardens. The garage eaves heights are all about 2.5 metres. This can be compared with the normal permitted development rights for garden fences of up to 2 metres, and for buildings with a flat roof of up to 3 metres. The ridge heights vary slightly with a maximum height of about 4.7 metres, compared with a maximum ridge height for a permitted development structure of 4 metres. However, these buildings all have fully hipped roofs sloping away from the site boundaries, so that, above eaves height, the roofs would have little effect on daylight and sunlight reaching adjacent gardens.
24. Measured along the mutual property boundaries, the closest distance from the adjoining Seymour Road houses to the garage buildings would be about 14 metres. This would be in excess of the 12.5 metres that the Council's supplementary guidance sets as the minimum distance for a blank 2-storey wall from a rear elevation with habitable room windows. The impact of the garages in adjoining gardens would be considerably less than this.
25. Nevertheless, I have considered carefully the cumulative effects of these garage buildings on adjacent rear gardens. I have a particular concern about the effect on the living conditions of the occupiers of No.8 Seymour Road. Half of the rear garden of this property would be between 2 garage buildings, one about 14 metres in length and the other about 5 metres. In my judgment, the combination of these garages on both sides of the garden would be unduly oppressive and unneighbourly. More than half the length of the larger garage building, the part closest to No.8, would provide a triple garage for the

existing house No.7 Seymour Road. As was noted at the hearing, this is the house that would now be allocated for affordable accommodation. The nature of this accommodation and the requirement for parking provision remains to be resolved. On behalf of the appellant company, no objection was raised to excluding this triple garage from the proposal. This is a matter that could be dealt with by a planning condition that could also ensure that the remaining garage for No.3 is redesigned with a fully hipped roof.

26. A particular concern for the occupiers of No.6 Seymour Road, which would apply similarly to future occupiers of No.7, is the effect on their living conditions of noise and disturbance from the new access between these 2 houses. Housing is a noise sensitive use and there is no doubt that some additional noise would be generated at the side and to the rear of these properties as a result of this scheme. The appellant commissioned a professional acoustic report. This concluded that there would be only a small increase of 2-3dBA in the likely noise levels and that the small number of vehicle movements at night is unlikely to cause disturbance. I see no reason to disagree with this assessment. The length of new driveway is only about 50 metres between right angled junctions. Therefore, I would expect vehicle speeds to be slow and consequently to result in little engine and other noise. The proposed brick walls on both sides of the access should further limit the noise to the adjoining houses.
27. However, the design of the drive includes provision for a speed cushion. I see no necessity for this as a speed reduction measure within such a short length. To my mind, it would be likely to result in unnecessary suspension and other vehicular noise and may well generate some irritating headlight flicker effects, both for adjoining residents and those at the end of the drive. My concern in this respect could be overcome by a condition requiring its deletion from the scheme.
28. I conclude that, subject to the conditions referred to in paragraphs 25 & 27 above, the proposed building would not be detrimental to the living conditions of adjoining residents by reason of the buildings being oppressive and over-dominant to adjoining gardens, by overlooking and loss of privacy, by loss of light to gardens, and by excessive noise and disturbance. Therefore, in this respect, the scheme would comply with the development plan, in particular, LP Policies GP1 & H12, and with emerging RLP Policy SDP 1.

#### **Other Matters**

29. Local residents raised a number of other concerns about the design of this scheme. The access is designed as a shared driveway to serve 6 houses. The Council has raised no objection to the width or design of the access. This includes visibility splays at the entrance to meet the current national standards of Places, Streets and Movement. This publication was prepared to reverse the tendency for roads to dominate housing areas. It emphasises the need for a flexible interpretation of Design Bulletin 32 and a move away from overly prescriptive standards. I consider that the proposed design would be entirely adequate to meet the limited traffic, cycling and pedestrian requirements of this small site.
30. I have considered the concern expressed that the existing drive to No.6 Seymour Road enters the bellmouth of the new access. I agree that as a general guide, DB32 indicates that "no driveways should enter the bellmouth of a junction". However, this is a junction that would serve only 6 houses. I do not consider that this arrangement would give rise to any significant conflict or highway hazard in this case.

31. It is unfortunate that, prior to the hearing, the internal comments of the Council's officer responsible for the impact on wildlife had not been made available. These comments were prepared 5 years ago following the clearance of vegetation from the site by the developer. The view expressed was that the loss of the site to wildlife was regrettable, but, following clearance, it was difficult to prove that it was a critical component of the ecology of the area. The cumulative effect of the loss of a wildlife corridor area was raised and the suggestion made that this should be considered in the review of the Local Plan. Landscaping works and the provision of swift nesting and bat boxes were recommended.
32. In the absence of any objection on wildlife grounds from the Council, I must assume that, despite these earlier views, the site does not fall within the categories of sites that "support significant wildlife/nature conservation interest", in accordance with the definition of emerging RLP Policy H3. Nevertheless, I noted that an adjoining resident had highlighted the possibility that the site may now host one or more protected species. The earlier internal memorandum also draws attention to the possibility of such species temporarily disrupting works, and if so, to the need for specialist advice and liaison with the responsible statutory bodies to agree mitigation/translocation measures. On the evidence available, I consider that the interests of all parties would be best served by a condition requiring the developer to commission an up-to-date wildlife survey with recommendations for mitigation measures.
33. The Council confirmed that parking provision on the site meets their current standards for an area of low accessibility as defined in the emerging RLP. I see no reason to disagree with the Council's conclusion, and consider that the garages would provide adequate space for secure cycle parking.
34. There is concern that trees and hedges in adjoining gardens would be damaged by building foundation works. On site, one of the appellant's representatives explained that the garages would be built on a raft type foundation that would limit the need for excavation works close to boundaries. During my site visit, I did not identify any significant off-site trees that I consider would be adversely affected by the proposed works.
35. Whilst I agree that the new access would make it easier for criminals to penetrate into this central area, in my view this disadvantage would be balanced by the improved visual supervision from the new houses. The new walls to the driveway, and a condition covering the fencing of the site, should also help to provide overall security for the site and adjoining houses and gardens. I consider that garden sizes would be adequate. There is no evidence that water-run off and foul sewerage pose special difficulties.

### Conclusion

36. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed subject to conditions.

### Conditions

37. I have considered the imposition of conditions in the light of the 6 tests and other advice of Circular 11/95<sup>3</sup>, in addition to the statutory time limit. The Council and a resident had suggested some conditions, and others have arisen as a result of my consideration of the issues. For the reasons given in paragraphs 25 and 27 above, I shall impose conditions

<sup>3</sup> Department of the Environment Circular 11/95: The Use of Conditions in Planning Permissions

modifying the proposal to exclude the garage for No.7 Seymour Road and the speed cushion. During the continuation of the hearing on site, it was agreed that a condition requiring the submission of floor levels is necessary to ensure that the buildings have a close relationship to actual ground levels. Arising from my conclusions on wildlife considerations and to ensure that statutory obligations under wildlife legislation are fulfilled, a condition is necessary requiring an up-to-date wildlife survey, any necessary mitigating measures and implementation.

38. As no details are given in the application, materials and boundary treatment conditions are necessary to ensure that the scheme is internally cohesive and harmonises with the surroundings. I believe that a requirement for subsequent retention of the boundary treatment would be unduly restrictive. It could unreasonably prevent adjoining owners from agreeing changes that might better suit their needs. Sufficient landscaping details have been submitted to describe the proposed scheme. However, a condition is required covering submission of a landscaping timetable, implementation of the scheme and replacement of failures.
39. A wheel cleaning condition is necessary to prevent traffic hazards caused by the deposit of mud on the public highway. As the site is close to houses, a working hours condition is necessary to ensure reasonable peace and quiet for local residents outside normal working hours. Having heard the contrasting views of both the appellant and residents, I have concluded that the hours suggested by the Council represent a reasonable compromise.
40. National advice is that there is a presumption against the removal of the freedom to exercise permitted development rights. For this reason, I shall modify the Council's suggested condition to exclude only front extensions, that might detract from the main public face of the scheme, and alterations to sides of the houses at each end to ensure that privacy and light for adjoining gardens is not compromised.
41. For reasons of highway safety, during the construction of the scheme and subsequently, a condition is essential to ensure that the proposed improvements at the entrance from Seymour Road are carried out at an early stage. A further condition is required to ensure that provision of parking and garaging proceeds in conjunction with the houses, so that unnecessary parking on the public highway is avoided. The parking provision proposed is at the maximum permitted by the Council's current policies. Both to ensure that this maximum is not exceeded and that the landscaped area in front of the houses is retained, a condition preventing the creation of further parking areas is necessary.
42. I have decided not to impose a number of conditions that were discussed during the hearing. Whilst I appreciate the need for satisfactory arrangements for the storage and recycling of refuse, I consider that, as these are detached houses, this is best left to the discretion of individual occupiers. I am also concerned that a planning condition would not be sufficiently flexible to adapt to subsequent changes in household recycling arrangements. Bearing in mind that all permissions must be implemented in accordance with the approved plans, I consider that a strict implementation condition is only justified where precise implementation is essential, for example, in cases in a conservation area where design details are particularly critical.
43. Specific provision for bicycle storage is unnecessary as all the new houses have garages that could be used for this purpose. I have carefully considered the need for a requirement for the road to be built to adoptable standards, but this does not appear to meet the



required test for a condition of being "relevant to the development to be permitted". Whilst I appreciate that local residents are keen to avoid Seymour Road being cluttered by contractors' vehicles, a condition restricting parking outside the site on the public highway would not be valid. For their own convenience I would expect contractors to make efficient use of space within the site. A condition preventing burning on site is unnecessary as the main parties confirmed that this would be illegal.

44. I have considered a restriction on any commercial use of the new buildings. I believe that any commercial use causing a nuisance to local residents would not be ancillary to the permitted dwellinghouse use, and would need a separate permission. A planning condition requiring control of the nature of imported fill material is unnecessary, because the deposit of waste material is subject to other legal controls.

#### Formal Decision

45. I allow the appeal and grant planning permission for 5 2-storey houses (4 bedroom) and garages at Land rear of 5 to 9 Seymour Road, Southampton, SO16 6RH, in accordance with the terms of the application No.99/01407/FUL/28259, dated 16 December 1999 as amended on 12 May 2000, and amended plans ref.nos.2000/06/02/01A, SO/Hs/300A, 884/02A and 884/03B received on 11 March 2004, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision;
- 2) Notwithstanding the details shown on the submitted plans, the permission hereby granted shall exclude the proposed garaging provision to serve No.7 Seymour Road. Prior to the start of any works to implement this permission, revised details of the garage for Plot 3, showing a fully hipped roof, shall be submitted to and approved in writing by the local planning authority. This building shall be constructed only in accordance with these approved revised details;
- 3) Notwithstanding the details shown on the submitted plans, no speed cushion shall be installed at any time on the shared access driveway;
- 4) Prior to the start of any works to implement this permission, details of final finished floor levels and finished ground levels in relation to a fixed datum shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details;
- 5) Prior to the start of any works to implement this permission, a survey and report to assess the current use of the site by wildlife, including protected species, and to advise of any necessary measures and programme for mitigation and /or translocation, shall be submitted to and approved in writing by the local planning authority. Any necessary measures shall be carried out as approved and in accordance with the approved programme;
- 6) Before development is commenced, details and colours of external materials and finishes, and, where so required by the local planning authority, samples of such materials and finishes, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details;
- 7) No development shall take place until details of fencing, walling or other boundary treatment have been submitted to and approved in writing by the local planning

authority. The dwellings hereby permitted shall not be occupied until the fencing, walling or other boundary treatment have been completed in accordance with the approved details;

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- 8) No development shall take place until a programme for the implementation of the submitted landscaping scheme, related to the programme of building development, has been submitted to and approved in writing by the local planning authority. The submitted landscaping scheme shall be implemented in accordance with the approved details and implementation programme. Any plants or trees, including those retained as part of the scheme, which, within five years from the date of first occupation of the last dwelling unit on the site to be occupied, die, or become in the opinion of the local planning authority seriously diseased or damaged or are removed, shall be replaced during the next planting season following their demise with specimens of a similar size and species unless agreed otherwise in writing by the local planning authority;
  - 9) During the period of the preparation of the site, excavation for foundations or services, and the construction of the development, wheel cleaning facilities shall be available on the site and no vehicle shall leave the site until its wheels have been cleared sufficiently to prevent mud being carried on to the public highway;
  - 10) No works of ground preparation, excavation or construction, shall be undertaken on Sundays or Public Holidays. On other days no work, except for internal works that are inaudible outside the buildings, shall be undertaken outside of the following hours:  
0800 to 1800 hours Mondays to Fridays inclusive  
0900 to 1300 hours on Saturdays.
  - 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no works within Schedule 2 Part 1 Classes A, B or C for the enlargement, improvement or other alterations to the dwellings hereby permitted, shall be undertaken to the walls or roofs on the front (northeast) elevation of the 5 new houses, to the southeast side wall and roof of the house on Plot 1, or to the northwest side wall and roof of the house on Plot No.5;
  - X 12) Prior to the start of construction of the buildings hereby approved, the kerb and footway alterations to provide the visibility splays at the entrance to Seymour Road shall be completed in accordance with the approved plans;
  - 13) Until the access, turning area, parking and garaging necessary for and associated with each individual dwelling have been completed in accordance with the approved plans, that dwelling shall not be occupied. Thereafter, at all times the turning areas, parking and garaging shall be kept free of obstruction and available for use for these purposes;
  - 14) Outside the areas allocated for parking on the approved plans, no additional parking area shall be formed or used;

*Edward Ditching*

INSPECTOR