



Appeal Decision

Hearing held on 15 and 16 January 2020

Site visit made on 15 January 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2020

Appeal Ref: APP/F5540/W/19/3227226

Land to rear of 21 High Street, Feltham TW13 4AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Calevine Estates Ltd against the Council of the London Borough of Hounslow.
 - The application Ref P/2018/2426, is dated 19 June 2018.
 - The development proposed is construction of a 6-storey building with a setback 7th floor to provide 121 co-living units, co-working space, bike workshop and retail and associated and ancillary facilities, plant, refuse, cycle storage and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a 6 storey building with a setback 7th floor to provide 121 co-living units, co-working space, bike workshop and retail and associated and ancillary facilities, plant, refuse, cycle storage and landscaping at land to rear of 21 High Street, Feltham TW13 4AG in accordance with the terms of the application, Ref P/2018/2426, dated 19 June 2018, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of the development was amended following the submission of amended plans to the Council. The amended description has been agreed between the parties and I have used this in the heading and in my decision.
3. The proposal is for a shared living scheme whereby communal kitchen and lounge facilities would be provided for the residents on each floor of the building. The development would also include a shared workspace, a café and bike workshop which would be open to the public as well as available to residents. There would also be shared services including a concierge and laundry service. Each studio room would have a small kitchenette and a shower room.
4. A plan (ref. 313 PL_104_A) was submitted by the appellant at the Hearing. This shows two alternative options for internal layouts of the proposed shared kitchens within the scheme. These are illustrative only and do not alter the proposal.
5. The Council advised that had it determined the application within the prescribed period, it would have refused permission. The Council provided five

putative reasons for refusal. One of those reasons concerned potential impacts on air quality. Following submission of the appeal, the appellant submitted a revised air quality report to the Council. The Council advised in its statement that its fourth putative reason concerning air quality had been overcome.

6. A viability assessment was submitted with the application. This demonstrates that the development cannot viably make a contribution towards affordable housing. The parties have reached agreement regarding further reviews of viability which are to be undertaken on commencement of development, if this is later than 2 years after permission is granted, and on completion of 75% of the units. These measures, together with a mechanism for securing an affordable housing contribution should this be viable are requirements of a signed Section 106 Agreement which was submitted after the Hearing closed. This overcomes the Council's third putative reason.
7. The Section 106 Agreement also secures requisite mitigation measures and overcomes the Council's fifth putative reason for refusal.

Main Issues

8. From the remaining two putative reasons put forward by the Council, and from all that I have read, heard and seen, the main issues in the appeal are whether or not the proposed development would accord with relevant planning policies, having particular regard to:
 - i) the standard of accommodation to be provided; and
 - ii) whether or not the individual units would be capable of functioning as self-contained homes.

Reasons

Planning Policies

9. The development plan for the area is the London Borough of Hounslow Local Plan (2015) (LP). Policy SC3 of the LP seeks a mix of housing type, size and tenure across the borough, to meet objectively assessed need, applying general housing mix requirements that are set out in Figure SC3.1. This specifies the proportions of dwelling sizes required for different tenures.
10. At the time of the Council's Planning Committee meeting in July 2019, the examination of the London Plan was in progress. Since then the Panel report has been provided and an 'Intend to Publish version' of the London Plan has been produced.
11. Policy H16 of the emerging London Plan (eLP) deals specifically with large-scale purpose-built shared living development. The parties advised at the Hearing that there is no unresolved objection to that policy, and they are agreed that either full, or almost full weight should be given to the policy.
12. Policy H16 of the eLP has nine criteria and the Council considers that criteria (1), (6) and (7) of the policy would not be met. These require the development to be of good quality and design, that sufficient communal facilities are provided and that the private units have adequate functional living space and are not capable of being used as self-contained homes. I shall examine these matters in the following paragraphs.

13. The West of Borough Local Plan Review (WBLPR) has been subject to consultation but has not been submitted for examination. Policy WOB2 of the WBLPR provides for purpose-built shared housing schemes but requires these to be developed as part of mixed tenure residential schemes. Because this is a draft policy that has not been subject to examination, the weight that I can give to it is limited.

Standard of Accommodation

14. Because shared living is a new type of housing there is no detailed planning guidance on matters such as space standards for this type of accommodation. This is recognised in the supporting text to Policy H16 of the eLP, which states that such guidance will be produced if deemed necessary.
15. The Council has referred to its guidance for houses in multiple occupation (HMO). I acknowledge that there are some similarities with shared living but the scale of a shared living development such as that proposed is much greater than that of a typical HMO. Furthermore, the proposed development would include a greater range of communal services and facilities than would be included in a HMO. For these reasons there are clear differences between shared living accommodation and HMO accommodation and the standards that are applicable to the latter are not relevant to the proposal.
16. In the absence of space standards, it is relevant to compare the proposal to other approved schemes. The appellant has provided information on two co-living schemes that have been approved in Ealing and one in Harrow. This information demonstrates that the studio rooms would be between 4 sqm and 6 sqm larger than those in the other schemes and that the amount of communal kitchen and lounge space per unit would also be significantly higher than in those schemes.
17. Most of the residential accommodation would be on the 2nd to 5th floors, with smaller numbers of units on the 1st and 6th floors. The Council considers that the kitchens and lounges on the 2nd to 5th floors would each be able to accommodate about 18 people at one time, less than the 24 units on each floor. Residents would have different working patterns and I find it unlikely that all residents on a particular floor would wish to use the kitchen or lounge facilities at the same time. In any event, facilities on other floors would also be available. The 6th floor lounge would be larger than the other lounge facilities and there would also be a roof terrace on that floor.
18. The Council has also expressed concern about the level of cooking facilities in the shared kitchens, but it has been demonstrated that there are potentially alternative arrangements whereby a greater number of cookers than shown on the submitted plans could be accommodated if necessary.
19. For the above reasons I am satisfied that sufficient communal facilities would be provided. For these reasons I find that the proposal would accord with Policy H16 (6) (a) and (c) which require communal facilities and services that are sufficient to meet the requirements of the intended number of residents and convenient access to a communal kitchen and internal amenity space.
20. I note that the Council has concern about the size of the roof terrace in relation to the number of residents, but there are no applicable space standards for this provision. The proximity of the site to Feltham Green which provides an

attractive public open space facility is a relevant consideration. I consider that in this context the proposed communal roof terrace would be adequate. The proposal would accord with part (6) (b) of Policy H16 which requires an outside communal amenity space.

21. The proposal would also accord with the other requirements of part (6) of the policy in terms of the provision of laundry facilities, a concierge and bedding/linen changing and/or room cleaning services.
22. Most of the units would individually have a single aspect but when considered as a whole, the individual and shared accommodation would have multiple aspects. No evidence has been put forward to demonstrate that any unit would not receive acceptable levels of sunlight and daylight. The proposal would accord with Policy CC2 of the LP which requires adequate outlook, sunlight and daylight.
23. The proposed accessible unit on the sixth floor would be at the western end of the building, away from the lifts and the kitchen and roof terrace. There is no evidence before me to demonstrate that this layout would not provide adequate accessibility to communal facilities, however. This unit would be close to a communal lounge facility and would not be isolated in this respect.
24. For the reasons given above, the units would provide a better than adequate standard of functional living space as required by part (7) of Policy H16. I find that the scheme as a whole and the standard of accommodation to be provided would be of good quality and design and would accord with part (1) of the policy.

Whether capable of functioning as self-contained homes

25. Part (7) of Policy H16 also requires that the private units are not self-contained homes or capable of being used as self-contained homes. The proposed development is clearly designed to be occupied on a communal basis. Residents would use the kitchenette facilities in their units to a greater or lesser extent. It is, however, unlikely that they would rely exclusively on those facilities because of the extent and nature of the communal facilities to be provided.
26. Irrespective of this, however, the development is not designed to enable units to function as self-contained homes. In particular there would be no individual external space available and access to the units would be entirely internal, via the shared reception area and café. In order to function as a self-contained home, it is likely that separate external access would be necessary.
27. In the appeal decision¹ referred to by the Council, the Inspector noted that each of the units would be entirely self-contained. The proposed development would clearly differ from that development.
28. For these reasons I find that the units in the proposed development would not realistically be capable of functioning as self-contained homes. The proposal would accord with Policy H16 (7) in this respect.

¹ APP/F5540/A/14/2228951

The Planning Obligation

29. The Section 106 Agreement secures reviews of viability and calculation in accordance with an agreed formula to determine whether or not an affordable housing contribution would be payable. This accords with Policies H16 and H5 of the eLP and is necessary to secure a contribution towards affordable housing provision if this becomes viable.
30. The Agreement also secures a number of mitigation measures. These include a carbon offset contribution, which is necessary to meet the requirements of Policy EQ1 of the LP. This policy requires that carbon emissions are reduced on site or, where this is not possible, that a contribution is made that is calculated in accordance with the Council's Carbon Offset scheme.
31. The Agreement secures measures to provide employment and training opportunities for local residents during construction and operation of the development. These measures are necessary requirements of Policies ED2 and ED5 of the LP. The Considerate Contractor Scheme is necessary to safeguard the living conditions of nearby residents during construction. The Agreement secures a Travel Plan which is necessary to encourage use of sustainable means of transport.
32. A Highway Works contribution is necessary to secure improvements to Victoria Road and Mono Lane, including provision of footways and no waiting restrictions. These works would bring Mono Lane up to adoptable standards and are necessary to ensure safe pedestrian access to the nearby leisure park from the site. The no waiting restrictions are necessary in order to restrict on-street parking and ensure that the development remains car-free. The calculated contribution would be for about 40% of the total cost of the works to ensure that this fairly and reasonably relates to the proposed development. The Agreement requires provision of a Car Club space in order to encourage use of sustainable travel.
33. The Agreement requires operation of the development in accordance with an approved Management Plan, which is necessary to ensure that it is operated as a shared living scheme in accordance with Policy H16 of the eLP.
34. For the above reasons the measures secured by the planning obligation are necessary, directly related to the development and fairly and reasonably related in scale and kind to it.
35. A request was made by the North West London Collaboration of Clinical Commissioning Groups for a financial contribution. This has not been included in the Agreement. However, the Council's Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document (November 2015) in Table 1 states that health facilities are to be delivered through CIL. No site-specific detailed information has been provided to demonstrate the necessity for the requested contribution. In the absence of such information I find that this is not necessary.

Conclusion against planning policies

36. Policy SC3 of the LP expects a mix of housing as summarised in Figure SC3.1, but part (f) of the policy allows some flexibility. This allows for new housing to depart from the mix specified in Figure SC3.1 on the basis of evidence.

37. The Panel report on the eLP states that large scale purpose built shared living is a new type of development which may provide a housing option for single person households unrestricted to certain groups or occupations. The report concludes that (Policy H16) would effectively assist in the delivery of different types of homes to meet the diverse needs of London's communities. Prior to that report, the Council had recognised the need for shared living in its draft Policy WOB2 of the WBLPR. The appellant's 'Co-living demand in Feltham' report has identified a market demand for this type of accommodation in the borough, which has a young age profile compared to the national average.
38. There is thus evidence that the development would meet an identified need and in this respect the proposal would accord with the overall approach of Policy SC3. It would not accord with the detailed requirements of the policy in terms of housing mix, but as Figure SC3.1 does not include shared living it is not relevant to the proposal.
39. I have already found that the proposal would accord with parts (1), (6) and (7) of Policy H16 of the eLP. The scheme would meet the other requirements of that policy in terms of mixed and inclusive neighbourhoods, connectivity to services and employment, its management and minimum tenancy lengths. There is no remaining issue regarding the affordable housing requirement of the policy. The proposal would accord fully with Policy H16 of the eLP. I have also found that the proposal would accord with Policy CC2 of the LP.
40. The proposal would not accord with Policy WOB2 of the WBLPR which requires shared living to be part of mixed tenure developments, but I can only give limited weight to this conflict, for the reasons given above.
41. Policies SC1 and SC5 of the LP require development to be in accordance with design standards of the development plan and the Nationally Described Space Standard but those standards do not apply to the development and therefore those policy requirements are not relevant in this case.
42. For the reasons given, I find that the proposal would accord with the overall aim of Policy SC3 having regard to the evidence of need for the development. The proposal would fully accord with emerging Policy H16 which is relevant and is at an advanced stage with no outstanding objections. The Panel report concludes that this policy is consistent with national policy and sound. For these reasons I accord almost full weight to that policy in my decision. For the reasons given the proposal would accord with relevant planning policies and with the development plan considered as a whole.

Other Matters

43. The site is within the Feltham Green and Town Centre Conservation Area (CA). The CA includes Feltham Green and pond and a mix of 19th and 20th century buildings. The proposal would be to the rear of 21 High Street which is a modern five-storey building originally constructed as offices. On the opposite side of Victoria Road is New Chapel Court which is a residential building of up to six storeys. The proposal would be seven storeys in height, although its upper floor would be recessed. Its overall scale, height and massing would be comparable to those of the adjacent buildings and it would not be dominant in this context. The proposal would be one storey higher than the six-storey building that is envisaged for the site in the Feltham Vision Masterplan

Supplementary Planning Document but, for the reasons given this would not be unacceptable.

44. I saw that there are views from Feltham Green towards the St Lawrence's Church spire. Existing buildings already impinge on that view to some extent. While the proposed building may also affect views between Feltham Green and the church, any such effect would be limited. The Council considers that the proposed development would result in no harm to the character or appearance of the area. I see no reason to differ and conclude that the character and appearance of the CA would be preserved.
45. Concerns have been expressed by interested parties regarding the potential for overlooking and overshadowing of the adjacent schools and other properties. The Victoria Junior School is on the other side of Victoria Road and its playground is behind the school building. The playground of the St Lawrence Catholic Primary School is adjacent to the site, but the building would be separated from this by a reasonable distance which would be consistent with the separation distances normally provided in residential developments. The orientation of the development in relation to the schools would ensure that there would be no unacceptable overshadowing. There would be no unacceptable overlooking or overshadowing of any other property.
46. A tree survey has been provided with the application, which shows that one tree, which is of moderate quality would be removed to facilitate the development. A landscaping scheme would be provided to compensate for this loss.
47. Concern has been expressed about the potential for affecting wildlife moving between Longford River and Feltham Pond. The site is a previously developed former car park and there is no evidence before me to demonstrate that it provides an important corridor for wildlife or that the development would harm biodiversity.

Conditions

48. I have imposed the conditions that were agreed between the parties and discussed at the Hearing. In doing so I have had regard to the tests set out in paragraph 55 of the National Planning Policy Framework and I have made some minor changes to the wording of the suggested conditions to ensure the tests are met.
49. The approved plans must be specified in order to provide certainty as to what has been approved. A restriction on the hours of construction work, and a Construction Management Plan are necessary to safeguard the living conditions of nearby residents. A Construction Logistics Plan would ensure that vehicle movements are appropriately managed during construction to avoid any adverse effect on the highway.
50. An investigation of potential contamination is required in order to ensure the development is safe for its occupiers. A Surface Water Drainage Strategy was submitted with the application, but final detailed drainage designs are necessary to ensure adequate drainage of the development. Approval of details of external facing materials is necessary to ensure the appearance of the development is acceptable and that it relates well to its surroundings.

51. It is necessary to ensure that adequate provision is made in the development for wheelchair accessibility and I have included the suggested condition in this respect. Provision of electric vehicle charging points is necessary to facilitate use of sustainable means of travel.
52. Landscaping works are necessary to ensure the appearance of the development is acceptable and in the interest of biodiversity. Full details of car and bicycle parking facilities are required to be submitted for approval to ensure adequate provision in these respects and in the interest of highway safety. Because the car parking facility would be limited, provision for its management is necessary as is provision for management of delivery and servicing arrangements.
53. In order to ensure the development is in accordance with Policy EQ1 of the LP it is necessary to demonstrate that the requisite measures to limit carbon dioxide emissions have been provided. As the building would include workspace and commercial uses as well as residential accommodation, the Building Research Establishment Environmental Assessment Method (BREEAM) standards are appropriate. I have included the suggested condition requiring demonstration that those standards have been met in the interest of ensuring the sustainability of the development.
54. It is necessary to ensure that adequate facilities are provided for waste storage and a condition is included to this effect. A condition limiting the use of the roof terrace after 22:00 hours is necessary to safeguard the living conditions of neighbours. In this regard also it is necessary to restrict the opening hours of the café and bike shop and use of the café during the evenings by residents of the development which could potentially give rise to noise.
55. It is also necessary to ensure that plant does not result in unacceptable noise levels. In this respect, details of any extraction system for the café would require approval and a final noise report in respect of other plant would be required. Finally, it is necessary for the developer to inform the local planning authority of the naming and numbering of the development in order that the authority can control the issue of parking permits to ensure that the development remains car-free.

Conclusion

56. For the reasons given I conclude that the appeal should be allowed, and permission granted.

Nick Palmer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan 313_PL_001 PL
 - Existing Site Plan 313_PL_005 PL
 - Proposed Site Plan 313_PL_010 PL
 - Proposed Ground Floor Plan 313_PL_100 PL P1
 - Proposed First Floor Plan 313_PL_101 PL P1
 - Proposed Second Floor Plan 313_PL_102 PL P1
 - Proposed Third Floor Plan 313_PL_103 PL P1
 - Proposed Fourth Floor Plan 313_PL_104 PL P1
 - Proposed Fifth Floor Plan 313_PL_105 PL P1
 - Proposed Sixth Floor Plan 313_PL_106 PL P1
 - Proposed Roof Plan 313_PL_108 PL P1
 - Proposed Section 3 313_PL_200 PL P1
 - Proposed Section 6 313_PL_201 PL P1
 - Proposed Section A 313_PL_210 PL P1
 - Proposed Section C 313_PL_211 PL P1
 - Proposed North East Elevation 313_PL_300 PL P2
 - Proposed South West Elevation 313_PL_301 PL P2
 - Proposed North West Elevation 313_PL_302 PL P1
 - Proposed South East Elevation 313_PL_303 PL P1
 - Area Schedules 313_PL_900 NTS A1 PL P1
 - Proposed Area Plans 1 313_PL_910 PL
 - Proposed Area Plans 2 313_PL_911 PL
 - Proposed Area Plans 3 313_PL_912 PL
 - Proposed Area Plans 4 313_PL_913 PL P1
- 3) No demolition or construction work shall take place on the site except between the hours of 08:00 hours and 18:00 hours on Mondays to Fridays and between 09:00 hours and 13:00 hours on Saturdays and no work shall take place on Sundays and public holidays.
- 4) No development (excluding site investigations) shall take place until a Construction Logistics Plan (CLP), written in accordance with current Transport for London (TfL) guidance, has been submitted to and approved in writing by the local planning authority. The CLP shall include:
 - (a) a site plan (showing the areas set out below);

- (b) confirmation that a pre-start record of site conditions on the adjoining public highway will be undertaken with Hounslow Highways and a commitment to repair any damage caused;
- (c) provision for the parking of vehicles of site operatives and visitors;
- (d) provisions for loading, unloading and storage of plant and materials within the site;
- (e) details of access to the site, including means to control and manage access and egress of vehicles to and from the site for the duration of construction including phasing arrangements;
- (f) details of vehicle routing from the site to the wider strategic road network;
- (g) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (h) provision of wheel washing facilities at the site exit and a commitment to sweep adjacent roads when required and at the request of the Council;
- (i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (j) measures to ensure the safety of all users of the public highway especially cyclists and pedestrians in the vicinity of the site and especially at the access;
- (k) commitment to liaise with other contractors in the vicinity of the site to maximise the potential for consolidation and to minimise traffic impacts;
- (l) avoidance of peak hours for deliveries and details of a booking system to avoid vehicles waiting on the public highway;
- (m) all necessary traffic orders and other permissions required to allow safe access to the site to be secured and implemented prior to commencement of construction;
- (n) details of the construction programme and a schedule of traffic movements;
- (o) the use of operators that are members of TfL's Freight Operator Recognition Scheme (FORS).

The approved CLP shall be adhered to throughout the construction period for the development.

- 5) No development (excluding site investigations) shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for:
- a. measures to control the emission of dust and dirt during construction; and
 - b. measures to control noise and vibration during construction.

The approved CMP shall be adhered to throughout the construction period for the development.

- 6) Before the development hereby permitted commences (excluding demolition):
- a. A contaminated land Phase 1 desk study report shall be submitted to and approved in writing by the local planning authority. Should the Phase 1 report recommend that a Phase 2 site investigation is required, then this shall be carried out and submitted to, and approved in writing by the local planning authority. The site shall be investigated by a competent person to identify the extent and nature of contamination. The report should include a tiered risk assessment of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.
 - b. If required, a scheme for decontamination of the site shall be submitted to the local planning authority for written approval. The scheme shall account for any comments made by the local planning authority before the development hereby permitted is first occupied.
- During the course of the development:
- c. The local planning authority shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination and shall submit appropriate amendments to the scheme for decontamination in writing to the local planning authority for approval before any work on that aspect of development continues.
- Before the development is first brought into use:
- d. The agreed scheme for decontamination referred to in clauses b) and c) above, including amendments, shall be fully implemented and a written validation (closure) report submitted to the local planning authority for approval.
- 7) A) Prior to commencement of works (excluding site investigations and demolition), the applicant must submit for review and approval by the local planning authority, final detailed drainage designs (including drawings) of the proposed scheme agreed within the Ambient Surface Water Drainage Strategy reference 3855 SWDS dated June 2018. This should specifically confirm the final attenuation volumes required with the installation of the green roof and attenuation combined to achieve the agreed 5 l/s restricted run off rate. They should consider the use of rainwater harvesting on site and include such measures where appropriate within the scheme in line with London Plan policy 5.13.
- B) Prior to occupation, the applicant must submit for review and approval by the local planning authority, evidence that the drainage system has been built as per the final detailed drainage designs through the submission of photographs and copies of installation contracts and written confirmation that the drainage features will be managed as per the detailed maintenance plan for the lifetime of the development.
- 8) No above ground works of the structure hereby approved shall take place until samples of the materials to be used in the construction of the external surfaces of the structure 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.

- 9) No works above ground floor level shall take place until details of wheelchair accessible rooms 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 wheelchair accessible rooms shall be retained thereafter.
- 10) No above ground floor works shall take place until details of active and passive electric vehicle charging points have been submitted to and approved in writing by the local planning authority. The spaces shown on the approved drawing shall be available for use before first occupation of the development and shall thereafter be retained and maintained as such.
- 11) Prior to the commencement of the use hereby approved on the site full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing material; minor artefacts and structures (e.g furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g drainage, power, communication cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

- 12) Prior to the commencement of the use hereby approved on the site full details including plans and elevations of cycle parking facilities, which shall adhere to the requirements of the Westrans West London Cycle Parking Guidance, shall have been submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to commencement of the use and shall be retained and accessible in perpetuity thereafter.
- 13) Notwithstanding the details shown on the approved plans, prior to the commencement of the use hereby approved on the site a plan shall be submitted to and approved in writing by the local planning authority showing full details of the parking provision. These details shall include the scale and location of parking spaces and tracking diagrams. The works shall be carried out as approved prior to commencement of the use and shall be retained and accessible in perpetuity thereafter.
- 14) Prior to the commencement of the use hereby approved on the site the following plans shall be submitted to and approved in writing by the local planning authority:
 - A car park management plan; and
 - A delivery and servicing plan.

The car park, deliveries and servicing shall be managed in accordance with the approved plans.

- 15) Prior to first occupation of the building, evidence (e.g photographs, installation contracts and As-Built certificates under the National Calculation Method) to show that the development has been constructed in accordance with the approved Energy & Sustainability Statement by eb7 dated 28 August 2019, or any subsequent approved revision, shall be submitted to and approved in writing by the local planning authority.
- 16) A) Within three months of work starting on site a BREEAM Design Stage certificate and summary score sheet (or such equivalent standard that replaces this) to show that an 'Excellent' (minimum score 70%) rating will be achieved shall be submitted to and approved in writing by the local planning authority.
B) Prior to first occupation of the building a BREEAM Post-Construction Review certificate and summary score sheet (or such equivalent standard that replaces this) to show that an 'Excellent' (minimum score 70%) rating has been achieved shall be submitted to and approved in writing by the local planning authority.
- 17) The use hereby permitted shall not begin until details of the arrangements for storage of waste and recycled materials have been submitted to and approved in writing by the local planning authority. The arrangements for storage of waste and recycled materials shall be carried out in accordance with the approved details and shall be completed before any part of the accommodation hereby permitted is occupied and retained thereafter.
- 18) No resident of, or visitor to, the premises shall be present on the outdoor amenity space between the hours of 22:00 hours and 08:00 hours on any day.
- 19) The ground floor facilities within Use Classes A1 and A3 shall only be open to non-resident customers between 07:00 hours and 22:00 hours on any day and shall not be open to non-resident customers outside those times.
- 20) Before the café use hereby permitted takes place, equipment to control the emission of fumes and smell from the premises shall be installed in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.
- 21) No amplified or other music shall be played in the café before 08:00 hours or after 22:00 hours on any day.
- 22) No works above ground floor level shall take place until a revised Noise Impact Assessment has been submitted to and approved in writing by the local planning authority. The Assessment shall specify any necessary mitigation measures. These measures shall ensure that the rating levels for the cumulative noise from all fixed plant and machinery will not have an adverse impact at any noise sensitive residential premises (including within the approved building), when assessed in accordance with British Standard 4142:2014 + A1:2019 or any subsequent guidance that replaces or amends BS4142.

The approved mitigation measures shall be carried out, and evidence to demonstrate this shall be submitted to and approved in writing by the local planning authority, before the building is occupied. The approved mitigation measures shall be retained thereafter.

- 23) Prior to the first occupation of the building hereby permitted, the local planning authority shall be informed in writing of the agreed naming and numbering of the proposed development.