The Planning Inspectorate

Appeal Decision

Inquiry Held on 20 June 2017

Site visit made on 21 June 2017

by Helen Hockenhull BA(Hons) B.Pl MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/A3010/W/17/3169450
Woodend Farm, Coach Road, Shireoaks, Nr Worksop

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr and Mrs William Burns against the decision of Bassetlaw District Council.
- The application Ref 16/00968/OUT, dated 8 July 2016, was refused by notice dated 8 November 2016.
- The development proposed is a residential development for the demolition of existing farm buildings and erection of 73 dwellings and construction of new access.

Decision

1. The appeal is allowed and planning permission is granted for a residential development for the demolition of existing farm buildings and erection of 73 dwellings and construction of new access at Woodend Farm, Coach Road, Shireoaks, Nr Worksop in accordance with the terms of the application, Ref 16/00968/OUT, dated 8 July 2016, subject to the conditions in the attached schedule.

Procedural Matters

2. The description of development on the original application form simply stated 'residential'. However I note that at Question E of the Appeal Form, a much fuller description is used. As I consider this revised description better reflects the development proposed, I have used it in the banner heading above and in my decision.

3. I also note that the address of Woodend Farm is stated on the original application form as being Shireoaks Common. However on all other correspondence the road name stated is Coach Road. I have used this latter address in my decision for consistency.

4. The application was made in outline with access to be considered. The other matters of appearance, landscaping, layout and scale are reserved for later approval. I have considered the appeal on that basis. A Statement of Common Ground (SoCG) dated 19 May 2017 was submitted before the Inquiry.

5. The appeal submission included a revised Site Plan and Site Layout Plan which provided for a 30 metre wide wildlife corridor on the eastern edge of the site adjacent to the A57. In the SoCG it is agreed by the parties that this plan should be accepted and considered as part of this appeal.

6. A completed legal agreement under Section 106 of the Town and Country Planning Act 1990 (s106) between the appellants, Bassetlaw District Council and Nottinghamshire County Council was submitted at the Inquiry. The agreement contains obligations relating to affordable housing, financial contributions towards library and education provision, off site public open space, a scheme for sustainable urban drainage, the maintenance of the proposed safeguarded land and a Council management fee.

7. Closing submissions by both parties were made verbally at the event and not in writing.

Main Issue

8. The main issue in this case is the effect of the development on the character and appearance of the village of Shireoaks with particular regard to the separation of the village from the urban area of Worksop.

Reasons

Policy Context

9. The Bassetlaw Core Strategy and Development Management Policies Development Plan Document 2011(CS) sets out the settlement hierarchy of the district up to 2028. The site is located outside but immediately adjacent to the settlement boundary of Shireoaks as defined on the Core Strategy Proposals Map. Policy CS1 describes Shireoaks as being part of the Sub Regional Centre of Worksop where new development is to be focused. The Policy goes on to state that until the adoption of the Site Allocations Development Plan Document (DPD), development will be restricted to the area inside the defined Development Boundaries on the proposals map. However this is subject to the proviso that additional permissions may be granted for a number of specific reasons including where a development would address a shortfall in the District's five year housing land supply. I am advised that work is still progressing on the Site Allocations DPD.

10. Other relevant CS policies include DM4 and DM9. Policy DM4 relates to design and character. Part A of the Policy requires that major development should complement and enhance the character of the historic, built and natural environment. Policy DM9 concerns green infrastructure, biodiversity and also landscape. Part C of the Policy states the expectation that new development in and adjoining the countryside should be designed so as to be sensitive to the landscape setting.

11. In the SoCG it is agreed by the parties that the appeal proposal would not conflict with the above policies or any other relevant policies of the Core Strategy. I see no reason to disagree with this assessment.

12. The Shireoaks Neighbourhood Development Plan was formally made on 17 November 2016. It is again agreed in the SoCG that the only policy in the Neighbourhood Plan that the appeal development offends is Policy 1. Following detailed consideration of this policy at the Inquiry, the Council agreed that, in particular, the development conflicts with part B2 of the policy which states that new development should be located to ensure that it does not cause material harm to the character and appearance of the Neighbourhood in which it is located.

Character and appearance

13. The appeal site comprises two separate plots of land located either side of Shireoaks Common, the main access road to the village of Shireoaks from the A57.

14. The Neighbourhood Plan describes Shireoaks as a place of two halves being divided by the railway line and the canal. The older part of the village is located to the south of the railway line and is designated as a conservation area. This part of the village includes the Victorian church, the village hall and cottages and dwellings built in local limestone. These I observed on my site visit. The northern part of the village is characterised by later twentieth century residential development. These properties comprise a mix of two and three storey homes but also include some bungalows particularly at the eastern entrance to the village along Shireoaks Common.

15. In assessing the impact of the appeal proposal on the character and appearance of Shireoaks, consideration must be given to other committed developments on the edge of the settlement. Immediately to the north of the appeal site, outline consent was granted in June 2016 for a residential development of 175 dwellings with 15.4 hectares of employment land and land for the extension of St Luke's Primary School[1]. This is known locally as the Hallam land site. On the other side of the A57 to the east of the appeal site on land south of Gateford Road, outline planning permission was granted in September 2016 for a mixed use development comprising 380 dwellings and 19,000 square metres of commercial floorspace[2]. These two developments are clearly significant in terms of the potential change they will bring to the character of the area and the separation of the village and the urban area of Worsop.

16. The Council's reason for refusal describes the appeal site as forming a landscaped buffer between the village of Shireoaks and the urban fringe of Worksop. It was clear from my site visit that the land is not landscaped. Both parts of the appeal site form agricultural land, which whilst now overgrown, consist of open areas of grassland separated by hedgerows with mature hedgerow boundaries. The land has no policy designation in either the Core Strategy or the Neighbourhood Plan.

17. My attention was drawn by the appellant to the Bassetlaw Environmental Sites Assessment 2009. This document states that the areas of woodland and local wildlife sites between Worksop and Shireoaks demarcate the edge of the urban area and act as barriers to the coalescence of the settlements. A map[3] is provided in the document showing the extent of these areas; however the appeal site is not identified.

18. At the Inquiry there was considerable debate about the implications of the appeal proposal and the separation of Worksop and Shireoaks. I am aware that this is an important issue for the local community and that is why this matter forms part of the Vision and forms the first community objective in the Neighbourhood Plan. I can understand that this is of particular concern

[1] Planning Permission Ref 14/00223/OUT
[2] Planning Permission Ref 14/00213/OUT
[3] Bassetlaw Environmental Sites Assessment 2009 Map 13

bearing in mind the two major developments that have recently been approved.

19. The Shireoaks Neighbourhood Plan in Appendix C describes Local Wildlife Corridors. These include the railway, the canal, the River Ryton, dykes, ditches and also hedgerows and field margins. The Vision of the Neighbourhood Plan looks to keep Shireoaks as a separate settlement with wildlife corridors and high quality landscaping protecting the setting of the village. Therefore it appears to me that the retention of hedgerows, their enhancement and the provision of a wildlife corridor, as proposed in the appeal development, would be in line with the Neighbourhood Plan Vision.

20. Looking at the appeal site on plan, together with the approved developments to the north and east, it very much appears that the physical separation of Worksop and Shireoaks would be undermined. This separation would only be maintained by the A57 itself, land to the south of Gateford road roundabout and the small area of land to the south of the appeal site. Nevertheless it is equally important to consider how the separation of the settlements would be perceived on the ground when travelling through the area.

21. The A57 forms a dual carriageway with a central reservation incorporating street lighting columns. The nature of this route will change significantly when the two major mixed developments I have referred to previously take place. Whilst in outline form, it is indicated in the Hallam land development to the north of the appeal site, that a wildlife corridor of approximately 30 metres in width would be provided along the eastern site boundary with the A57. This would also extend along the southern site boundary immediately to the north of the appeal site. The submitted indicative masterplan for the Gateford Road site to the east of the A57 shows a landscape buffer and playing fields along the western site boundary. There would be a slight overlap of this site with the appeal site either side of the A57. This would result in the proposed wildlife corridor on the appeal site to the west of the A57 and the landscaping and playing fields on the Gateford Road site to the east. I consider that taking account of the above proposals, users of the A57 would experience a route bounded by significant areas of landscaping. This would provide a physical gap and give the feeling of separation between the two settlements.

22. When entering the village from the A57 roundabout along Shireoaks Common, looking to the west, the road has a verdant character with the extensive landscaping on the boundary of the Shireoaks Business Park. In an easterly direction, views across an open field with the A57 beyond can be obtained through gaps in the boundary hedgerow. Past the Coach Road junction, the mature hedgerow and specimen trees lining the appeal site and land to the west of the road, together with the grass verges, provides a rural character to the road. The rooftop of a single dwelling, South View, can be seen behind the trees on the western side of the road. Travelling closer towards the village a view of open fields ahead to the north can currently be obtained however this view would clearly change when the approved mixed use development on the Hallam land site is implemented. The Shireoaks village name plate mounted in a stone surround forms a key feature on the route into the village providing a gateway and sense of arrival to the settlement.

23. Having regard to the character and nature of the route approaching the village that I have described above, the physical and visual barrier created by the A57, the proposals associated with the approved mixed use developments, together with the proposed wildlife corridor on the appeal site, I consider that it would not appear that urban areas of Worksop and Shireoaks had coalesced. They would maintain their separation and the village's identity would therefore not be materially undermined.

24. The appellant has prepared a Landscape and Visual Impact Assessment which concludes that in terms of landscape impact, the effect of the development would be neutral or beneficial. The Assessment recognises the loss of hedgerow to achieve the site accesses, however it is considered that in the long term as landscaping matures, the impact would become imperceptible.

25. The indicative landscape plan for the appeal scheme illustrates the intention to retain the mature hedgerow on the boundary of the eastern section of the site with Shireoaks Common. It would however be partially removed in order to allow the creation of the site access. The same situation would arise with the western section of the appeal site.

26. I consider that breaking into the boundary hedgerows on either side of Shireoaks Common to create the access points would have an adverse effect on the character of the area. It would provide views into the built development and alter the experience of a traveller approaching or leaving the village. The Council has raised concern about the urbanisation of the site should the development proceed, in particular the increased activity, lighting, noise and traffic. I agree that a change from an open agricultural field would have an urbanising effect. This would be more evident at night when lights would be visible through the boundary vegetation.

27. However the extensive mature boundary hedgerows to be retained would provide very effective screening to the proposed development though I acknowledge that this would be reduced in the winter months. As a result I consider that the adverse effects of the development would in the main be localised to the particular sections of Shireoaks Common where access to the proposed development would be achieved. Therefore my assessment is that the proposal would cause moderate harm to the character and appearance of the area.

28. In summary whilst I consider that Shireoaks and Worksop would still appear as separate settlements, I consider that there would be moderate harm to the character and appearance of the village and its setting as a result of the urbanisation of the appeal site. The proposal would therefore conflict with part B2 of Policy 1 of the Shireoaks Neighbourhood Plan.

Housing Supply

29. It is agreed in the SoCG that the Council can only demonstrate a 3.4 year supply of deliverable housing land. In accordance with paragraphs 47 and 49 of the Framework the relevant policies for the supply of housing are therefore out of date.

30. The Bassetlaw Five Year Housing Supply Report 2016 illustrates that the Council has a housing target of 3432 dwellings over the 5 year supply period

and that there is a shortfall of 1126 dwellings. The appeal scheme would clearly contribute to the housing need in the Borough.

31. In a supplementary proof of evidence the Council considers the housing land supply shortfall in the context of the Core Strategy requirement for Worksop. Policy CS2 requires a minimum of 1998 dwellings which I am advised has already been exceeded through completions and further commitments totalling 2098 dwellings.

32. However the Core Strategy target is a minimum, not a maximum and in any event the Borough as a whole cannot demonstrate a 5 year housing land supply. The approval of the appeal scheme would comply with CS Policy CS1 which recognises the need to release sites outside the Development Boundaries in order to address a shortage in the 5 year supply. The development would also accord with the Framework's objective of significantly boosting the supply of housing.

33. The appellant has made me aware that there is a significant shortfall of affordable housing in the borough. The provision of 11 affordable houses as part of the appeal scheme would contribute to this need.

Other matters

34. Local residents have raised concern with regard to the traffic generated by the proposed development. A Transport Assessment has been prepared by the appellant which concludes that the traffic from the development would not have a materially detrimental impact on capacity either at the A57 /Shireoaks Common roundabout junction or on Shireoaks Common itself. Therefore the cumulative impacts of the development would not be severe. I also note that the highway authority have raised no objections subject to the imposition of appropriate conditions regarding design, appropriate visibility splays and the phasing of highway construction works. I therefore consider that the development would be acceptable in highway terms.

35. The Neighbourhood Plan identifies flood risk as an important consideration in the area. The submitted application was accompanied by a Flood Risk Assessment and Drainage Impact Assessment which recommended mitigation measures and infiltration methods of drainage to ensure the site would be properly drained and to reduce the risk of flooding. I consider these measures to be appropriate.

36. A local resident raised concern with regard to a high pressure gas main running through the site. I was informed by the appellant that the gas main would be located within the proposed wildlife corridor so that any necessary easement could be achieved. I have seen no evidence to show the exact location of the pipeline. However if it should fall outside the wildlife corridor, this could be addressed in the detailed design of the site layout and considered by the Council at reserved matters stage.

37. A late response was received just before the inquiry from Nottinghamshire County Council. The response recommended a number of conditions with regard to archaeology, a travel plan, and the upgrading of nearby bus stops. It also raised concern with regard to the ecological surveys undertaken and mitigation measures proposed. I am satisfied that the appellant's response

addresses these matters satisfactorily and additional conditions were discussed at the Inquiry.

Planning Balance

38. It is common ground that the Council cannot demonstrate a 5 year supply of deliverable housing land. Therefore in line with paragraph 49 of the Framework, the relevant policies for the supply of housing cannot be considered to be up to date. Paragraph 14 of the Framework is engaged. I must therefore consider whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when considered against the policies of the Framework taken as a whole.

39. In terms of the benefits of the scheme, the development would contribute to the supply of housing in the borough. In light of the current undersupply, I attribute significant weight to this contribution. The scheme would also provide 11 affordable homes which again due to the current shortfall, I attribute significant weight.

40. There would be a moderate benefit to the local economy during the construction phase due to job creation locally and the need to source suppliers in the local area. Additionally in the longer term new residents would help support shops and services in Shireoaks and further afield through increased household spending. There would also be benefits in terms of Council Tax collection and New Homes Bonus.

41. In terms of environmental impacts, whilst I have concluded that the appeal scheme would maintain the separation between the settlements of Shireoaks and Worksop, I have found that the proposal would cause moderate harm to the character and appearance of the village. Accordingly the proposal would conflict with Policy 1 of the Neighbourhood Plan.

42. Taking everything into account, I consider that the adverse impacts I have identified, would not significantly or demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The proposal therefore forms sustainable development.

43. In the circumstances of this appeal, I find that there are material considerations which indicate that the proposal should be determined otherwise than in accordance with the development plan. Planning permission should therefore be granted in accordance with the presumption in favour of sustainable development.

Planning Obligation

44. The appellant has submitted a signed and dated planning obligation under Section 106 of the Town and Country Planning Act. The obligation provides for a number of matters. Firstly the obligation provides for 15% of the total number of dwellings to form affordable homes. This is required to meet the housing needs in the Borough in line with the Council's Affordable Housing Supplementary Planning Document. I am satisfied that this is necessary.

45. Secondly the obligation provides for a financial contribution towards off site public open space. I was advised by the Council that in their view, bearing in mind the scale of the development, it is more appropriate to require a contribution to off-site open space than to provide it on the site. This

contribution is calculated in accordance with the Council's Open Spaces Document 2012. I consider that this contribution is necessary to maintain and enhance open space in the area.

46. The obligation also provides for a contribution towards library provision. This is requested by Nottinghamshire County Council in order to increase the stock at Worksop Library. However I heard at the Inquiry that Worksop was not the nearest library to the site as a mobile service was in operation in the area. I was presented with no evidence of a shortage in stock or a need to improve the quality of the provision. I am therefore not satisfied that this contribution is necessary to make the development acceptable in planning terms.

47. The submission of a Sustainable Urban Drainage Specification is required by the obligation prior to the submission of any reserved matters. This is in order to ensure that the scheme is appropriately drained in accordance with sustainable principles. I consider this provision to be reasonable and necessary.

48. The obligation also requires a contribution towards education provision, namely to increase capacity at St Luke's Primary School or such other primary school or schools in the vicinity of the site. This is requested by the County Council in line with their Planning Obligations Strategy 2014, as it is considered that there are no surplus school places in the area. This position was supported by additional evidence submitted before the Inquiry. The appellant has challenged this evidence as the figures provided of the projected demand for school places, whilst they would exceed the Published Admission Number for St Luke's Primary School, they would not exceed the school's capacity. However on the basis of the evidence I heard at the inquiry, together with the current pupil numbers demonstrated in the 2017 school census data, I am satisfied that there is a need for additional primary school places to serve the development and a contribution is therefore necessary.

49. I consider that the County Council's request for flexibility in spending the contribution would not satisfy Paragraph 204 of the Framework or the CIL Regulations. I could not be assured where the monies would be spent, how they would relate to the appeal site and whether the pooling restrictions of Regulation 123 of the CIL Regulations would be met. I therefore consider that the contribution should be put to increasing capacity at St Luke's Primary School, the nearest school to the appeal site.

50. Finally the obligation includes the payment of a Council Management Fee to ensure that the planning obligation is actively managed. There is nothing in the wording of the Town and Country Planning Act 1990, the CIL Regulations, the Framework or the Planning Practice Guidance that authorities could or should claim administrative and monitoring fees as part of planning obligations. Though I am aware this is possible in respect of CIL payments under Regulation 61 of the CIL Regulations. I consider that the payment of a Management Fee is not necessary in order to make the development acceptable in planning terms. Whilst the Council may incur costs in relation to monitoring the agreement, this is part of their normal function and responsibilities.

51. In respect of the obligations above that I have determined are necessary, I am advised by the Council that they have collected no more than 5 contributions in respect of each of the matters and therefore the pooling restrictions of

Regulations 123 of the CIL Regulations are not breached. I therefore consider that the submitted obligation, with the exception of those matters I have identified, meets the tests set out in paragraph 204 of the Framework and the CIL Regulations 2010 and should be given significant weight.

Conditions

52. The SoCG includes a number of conditions agreed between the parties. These were discussed and added to during the Inquiry. For ease of reference I shall refer to the numbers in the attached schedule.

53. The standard outline condition limiting the life of the permission and setting out the requirements for reserved matters would be necessary (1 and 2). In the interests of securing a safe access to the site, conditions requiring the submission of a timetable of highway works (4), arrangements for the future management and maintenance of the proposed highways (5), the completion of the relevant section of the highway before the first occupation of individual dwellings (6), the submission of a highway works phasing scheme (7) and visibility splays (8) would be reasonable and necessary. Condition 7, the Highway Works Phasing Scheme, required amongst other things, the submission of foul and surface water drainage details. However this duplicated suggested Condition 9 which is necessary to require the submission of a foul and surface water drainage scheme and a timetable for its implementation to ensure the site is properly drained. I have therefore removed this part of condition 7.

54. In the interests of ecology, conditions regarding the retention of existing trees and hedgerows (10), a Construction Environmental Management Plan (11), a Biodiversity Enhancement and Management Plan (12), and the protection of breeding birds during construction (13) would be required.

55. In order to protect the living conditions of future and nearby existing residents, conditions with regard to the submission of a method statement to deal with any contamination found on the site (14), the hours of working (15) and the mitigation of noise from the A57 would also be necessary (17). Condition 16 would be required to ensure that a scheme of archaeological investigation and recording is undertaken.

56. The submission of a safeguarded land scheme would be necessary to ensure the provision of the landscaped buffer and wildlife corridor as part of the scheme (18). A condition requiring the details of a travel plan to be submitted would be required in order to promote sustainable means of travel (19).

57. Finally, whilst not suggested by the parties, but discussed at the Inquiry, I consider that a condition detailing the approved plans would be necessary for the avoidance of doubt (3). In respect of the indicative site plan Drawing No. 01 Rev B, as the application is in outline, only the details of the proposed access points are approved as all other matters are reserved for later approval.

58. I have amended the wording of the conditions where necessary in order to reflect the requirements of the Framework and Planning Practice Guidance in the interests of clarity.

Conclusion

59. For the reasons given above and having had regard to all other matters raised,

I allow this appeal.

Helen Hockenhull

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Freddie Humphreys (of Counsel)	Instructed by Bassetlaw District Council
He called:	
Helen Metcalfe BA (Hons), MA, MRTPI	Director of Planning with People, Bassetlaw District Council.
Stephen Kemp BA(Hons) MRTPI	Executive Director, Open Plan
Jill Davies[4]	Planner, Bassetlaw District Council

FOR THE APPELLANT:

David Hardy (of Counsel)	Instructed by Mr Roland Bolton
He called:	
Roland Bolton BSc (Hons) MRTPI	Senior Director, DLP Planning Ltd

INTERESTED PERSONS:

Michael Wild	Parish Councillor
Maggie Loxton	Local resident
David Pressley	Ward Councillor
John Rodgers[5]	Friends of Woodlands and Coachwood Green
Stephen Pointer[6]	Team Manager Planning Policy, Nottinghamshire County Council
Mike Sharp [7]	Team Manager, Pupil Planning, Nottinghamshire County Council.

[4] Contributed to discussions on planning obligations
[5] Initially requested to speak but had to leave and was unable to address the Inquiry
[6] Contributed to discussions on planning obligations
[7] Contributed to discussions on planning obligation for Education provision

DOCUMENTS SUBLITTED AT THE INQUIRY

1. List of additional planning conditions.
2. Draft planning obligation under section 106 of the Town and Country Planning Act 1990.
3. Statement of CIL Compliance.
4. Supplementary Proof of Evidence by Stephen Kemp on behalf of the Council.
5. List of documents submitted by the Council.
6. Response by Weddle Landscape Design on behalf of the appellant to the comments of Nottinghamshire County Council.
7. Note prepared by the appellant on Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates Partnership LLP v Cheshire East Borough Council [2017] UKSC 36.
8. Opening submissions by the Appellant.
9. Opening submissions by the Council.
10. Signed and dated planning obligation under section 106 of the Town and Country Planning Act 1990.

DOCUMENT SUBMITTED AFTER THE INQUIRY

1. Revised list of planning conditions.

SCHEDULE OF CONDITIONS

1) Application for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the later of the following dates:

   a) the expiration of two years from the date of this permission: or

   b) the expiration of one year from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

2) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

3) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 815/02 - Location Plan, Drawing No. S8567 Site Survey, Drawing No. 815/01 Rev B – Site Plan insofar as it relates to the access points.

4) No development shall take place until a timetable for the highway and private street works ("the highway works timetable") covering the whole of the development has been submitted to and approved in writing by the local planning authority (LPA). Thereafter, the development shall be carried out in accordance with the highway works timetable unless previously agreed with the LPA.

5) No one phase of development shall be commenced until details of the proposed arrangements and plan for the future management and maintenance of the proposed streets including associated drainage contained within that phase of development, have been submitted to and approved in writing by the local planning authority ("the street management scheme"). Thereafter the street management scheme shall be implemented in full until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

6) No dwelling(s) within any individual phase of the development shall be occupied until the roads affording access to that dwelling(s) have been completed in accordance with the highway works timetable.

7) No development shall take place on any phase of the development hereby permitted unless detailed plans and particulars relating to the following items, including conformity with the highways works timetable have been submitted to and approved in writing by the local planning authority ("the highway works phasing scheme"). The highway works phasing scheme shall be implemented in full thereafter.

   i) A detailed layout plan of the phase in context with the whole site (for the avoidance of doubt the submitted Master Plan and Design & Access Statement shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analysis of a 11.9m refuse vehicle;

ii) Footway through the development and connections to the surrounding area including Footpath 14 and existing and proposed local bus stops;

iii) A footway generally 2.0m in width on the southern side of Shireoaks Common from a point east of the junction of the access to the western section of the site connecting to the existing footway to the west;

iv) The widening of the existing Shireoaks Common footway for the length of the frontage of the eastern section of the site to a minimum width of 2.0m and the setting back of any street furniture made necessary by the works;

v) Cycle and bin storage facilities;

vi) The provision of bus stops and upgrade of existing bus facilities on Shireoaks Common serving both directions including the provision of bus stop poles, timetable cases, dropped kerb wheelchair and pushchair access, lit bus shelters with real time displays, and the provision of footway connections/hard standings at locations to be agreed;

vii) Wheel washing facilities and street cleansing (including full details of its specification and siting) that maybe varied from time to time with the approval of the local planning authority and as made necessary by the works or ground conditions in any phase;

viii) The removal of redundant site access arrangements on Shireoaks Common;

ix) The relocation of the 30mph speed limit and associated road markings to a point southeast of the site;

x) The provision of a pedestrian refuge on Shireoaks Common.

8) No dwelling shall be occupied on the western section of the site or the eastern section of the site respectively until the Shireoaks Common junction visibility splays have been provided as shown on plan reference no. 815/01 Rev B. Nothing shall be placed or be allowed to grow within the splay above a height 0.6m above carriageway level unless approved as part of this permission until the splays have been adopted as public highway.

9) No development shall take place until a scheme providing for foul sewage and surface water including timetable ("the drainage scheme") has been submitted to and approved in writing by the local planning authority. Thereafter, the agreed drainage scheme shall be implemented in full.

10) The existing trees and hedges on the boundaries of the application site shall be retained. No part of the hedge or trees shall be removed unless that removal is authorised as part of this grant of planning permission or is the subject of written agreement by the local planning authority.

11) No development shall commence until a Construction Environmental Management Plan ("the CEMP") for the development has been submitted to and approved in writing by the local planning authority. Thereafter, the CEMP shall be implemented in full. The CEMP shall include:

i) Measures to minimize the creation and impact of noise, dust and artificial lighting including wheel washing facilities for construction traffic;

ii) Mitigation for bats and birds including delivery of the Toolbox Bat Talk to contractors.

iii) The implementation of suitable stand-offs with appropriate protection measures for all retained hedgerows and trees.

12) No development shall take place until a Biodiversity Enhancement and Management Plan ("the BEMP") has been submitted to and approved in writing by the local planning authority. Thereafter, the BEMP shall be implemented in full. The BEMP shall include:

i) details and timetable for the appropriate management of semi-natural habitats, including hedgerows and trees

ii) provision of bird and bat boxes

iii) hedgehog mitigation measures

13) All site clearance work shall be undertaken outside the bird-breeding season (March to September inclusive). If clearance works are to be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds in such manner and to such specification as may have been previously agreed in writing by the local planning authority.

14) In the event that land contamination is identified during the development which has previously not been considered, the local planning authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme and timetable for dealing with such contamination has been submitted to and agreed in writing with the local planning authority ("the contaminated land scheme"). Thereafter the contaminated land scheme shall be implemented in full.

15) No works relating to site preparation or construction shall take place outside 8:00am - 6:00pm Monday to Friday, 8:00am - 1:00pm on Saturday and not at all on Sundays or Bank Holidays.

16) No demolition/development shall take place until a Written Scheme of Archaeological Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include

i) an assessment of significance and research questions

ii) the programme and methodology of site investigation and recording;

iii) the programme for post investigation assessment;

iv) the provision to be made for analysis of the site investigation and recording;

v) the provision to be made for publication and dissemination of the analysis and records of the site investigation;

vi) the provision to be made for archive deposition of the analysis and records of the site investigation;

vii) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Archaeological Investigation.

17) No development shall take place until a scheme to address the impact of noise and disturbance from the A57 on the occupiers of the new dwellings, has been submitted to and agreed in writing by the local planning authority ("the noise scheme''). Thereafter, the noise scheme shall be implemented in full.

18) No development shall take place until a scheme relating to land to be kept free from development and designed for the purpose of providing a landscape buffer and wildlife corridor ("the safeguarded land scheme") has been submitted to and approved in writing by the local planning authority. The approved safeguarded land scheme shall be implemented in full thereafter. The safeguarded land scheme shall provide for but not be limited to:

    i) the identification of a buffer of safeguarded land approximately 30 m wide (as shown for indicative purposes on the attached plan marked drawing 10, revision B).

    ii) timing, demarcation and protection of the safeguarded land during the course of development

    iii) treatment, management and future maintenance of the safeguarded land.

19) No dwelling shall be occupied until a scheme providing for a travel plan has been submitted to and approved in writing by the local planning authority ("the travel plan scheme"). The travel plan scheme shall include immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use, timetable, implementation, monitoring and review. Thereafter, the travel plan scheme shall be implemented in full.