



Appeal Decision

Hearing Held on 3 October 2017

Site visit made on 3 October 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 10 November 2017

Appeal Ref: APP/D0515/W/17/3171513

Land south west of Syringa House, Upwell Road, Christchurch, Cambridgeshire PE14 9PF

- 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 J Stittle and Miss R Watson against the decision of Fenland District Council.
 - The application Ref F/YR16/0399/O, dated 8 April 2016, was refused by notice dated 29 September 2016.
 - The development proposed is six dwellings, with a private road access from Crown Road.
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Decision

1. The appeal is allowed and planning permission is granted for 6 dwellings (single storey) with access road on land south west of Syringa House, Upwell Road, Christchurch, Cambridgeshire PE14 9PF in accordance with the terms of the application, Ref F/YR16/0399/O, dated 8 April 2016 (as amended by the application dated 26 July 2016), subject to the conditions in the schedule at the end of this decision.

Procedural matters

2. The application dated 8 April 2016 was submitted in outline with all matters reserved. An amended application form dated 26 July 2016 was subsequently submitted with access and layout to be determined as part of the outline proposal. This application revised the description of development from 'six dwellings, with a private road access from Crown Road' to '6 dwellings (single storey) with access road'. I have dealt with the appeal on the basis of the amended application and description. The illustrative plan that has been submitted as part of the amended application has been taken into account insofar as it is relevant to my consideration of the principle of the development on the appeal site.
3. Following the close of the hearing, the appellants submitted an appeal decision¹ which they considered to be relevant due to its approach in addressing affordable housing and method of housing land supply calculation. As these issues are material to this decision I accepted this document and invited comments from the Council in relation to it. I have taken this decision and the comments received from the parties in relation to it into account in the determination of this appeal.

¹ Ref APP/F2605/3173739

Application for costs

4. At the Hearing an application for costs was made by Mr J Stittle and Miss R Watson against Fenland District Council. This application is the subject of a separate Decision.

Main Issues

5. The main issues in this appeal are;
- housing land supply;
 - whether the location of the proposed development would comply with the development plan;
 - the effect of the proposed development on the character and appearance of the area, including the setting of Syringa House, a grade II listed building;
 - whether adequate provision for affordable housing would be made; and,
 - whether waste storage areas would be suitably located with regard to the waste collection point.

Reasons

Housing land supply

6. Paragraph 47 of the National Planning Policy Framework ('the Framework') advises that Local Planning Authorities should have sufficient deliverable sites to deliver housing over a 5 year period to meet the target contained within the development plan. There is no dispute that the housing requirement, averaged out over the lifetime of the plan at 550 dwellings per year, accurately reflects the full objectively assessed need for housing in the District.

Method for addressing the shortfall in delivery

7. Since the start of the plan period in 2011 there has been a shortfall in delivery against the annual target of 550 dwellings. The Inspector who examined the Fenland Local Plan and found it sound in 2014 concluded that the Council had in excess of a 5 year housing land supply. In doing so she acknowledged that Planning Practice Guidance (PPG) advised that local planning authorities should aim to deal with any undersupply in the first five years if possible (the 'Sedgefield method'). However, given the known infrastructure constraints on delivery in the short term she concluded that the Council's approach of addressing the shortfall over the lifetime of the plan (the 'Liverpool method') was justified. In light of these continuing constraints, in my judgement, the approach of the addressing the shortfall over the lifetime of the plan remains the correct approach.
8. Reference has been made to a number of decisions where Inspectors found in accordance with PPG that shortfalls should be addressed over the following five years. However, unlike in this appeal, in none of these decisions is there evidence that the local plan examination found that the shortfall should be addressed over the plan period. As a result, the decisions referred to are not directly comparable to the appeal before me, and reference to them has not altered my findings in relation to this issue.

Buffer

9. The Framework advises that a 5% buffer should be applied to the housing land supply target. Where persistent under delivery has occurred it states that the buffer should be increased to 20%. This is in order to provide a realistic

prospect of achieving the planned supply and to ensure choice and competition in the market for land.

10. In terms of assessing the local delivery record, PPG advises that such an assessment is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle.
11. In reaching her conclusions on housing land supply, the examining Inspector considered the period from 2001 onwards. She concluded, notwithstanding the few years of under delivery prior to 2014, that the rolling average was almost in line with the annual target of 550 dwellings. However, today we are three years further on and, in my judgement, looking back now as far as 2001 would be too long a time period. This is because in doing so seven years of high house completions during a sustained period of strong economic growth that ended nearly ten years ago would be included. As a result, in my view, a more appropriate range is to consider delivery over the last ten years for which figures are available (2006/7 to 2015/16). Such an approach better represents the housing market cycle as it would cover a period of economic growth, recession, recovery and growth.
12. Other than during the first two years of this ten year period, in only 2014/15 have house completions exceeded the annual target. Taken as a whole housing delivery over this period is significantly below the housing target and since the adoption of the Local Plan less than that envisaged in its housing trajectory². Persistent under delivery has therefore occurred. As a result, in accordance with the Framework, a 20% buffer should therefore be applied to the housing target.
13. Using the approach of addressing the shortfall over the lifetime of the plan, applying a 20% buffer, and assuming that all sites are deliverable, it was agreed at the hearing that this would result in a housing land supply of 5.15 years.

Deliverability

14. The major allocations and broad areas of growth are anticipated by the Council to deliver approximately a quarter of dwellings in the District over the next five years. However, the parties disagree markedly on the viability of development on these sites and whether the infrastructure needed will be provided in time.
15. In terms of viability, a Viability and Commercial Report on the East Wisbech Urban Extension was produced on behalf of the Council in July 2016 by an independent company. The report concluded that at present the development of the urban extension is not viable and that there is much work to be done before a planning application could be made. As a result, given the scale of work involved it appears to me that this urban extension is unlikely to contribute any of the 170 dwellings envisaged by the Council between 2019 and 2022.
16. In contrast, in relation to major allocations and broad areas of growth in the other areas in the District, it seems to me, on the basis of the Wisbech Access Study and other work by the Council and developers discussed at the hearing, that reasonable progress is being made. In the absence of substantive evidence to the contrary, I therefore find on the balance of probability that

² Housing Trajectory graph, after page 94 of the Fenland Local Plan

these areas are likely to deliver the amount of housing envisaged by the Council.

17. In terms of extant permissions, there is a difference of opinion as to how many houses will be delivered on a site adjacent to Kings Dyke Nature Reserve. The appellants' state ecological constraints will reduce the amount of land available for housing by about one third. The Council states that in the absence of receiving information on these constraints from the developer they are unable to comment. In the absence of further information, it is therefore unclear whether the site will deliver fewer dwellings, and if it will, how many fewer. As a result, I have not altered assumptions regarding the deliverability of houses from this site.
18. The Council's housing land supply figures include holiday home developments. Conditions attached to permissions for such development in the District prevent them from being used as a sole or main residence. In accordance with The Town and Country Planning (Use Classes) Order 1987 (as amended) such units of accommodation constitute dwelling houses and so can be counted towards the housing land supply. While not providing housing for local people, I agree with the Council that holiday homes reduce the pressure on the housing stock from people who want to have a second home in the area to the benefit of those who live in the District.

Conclusion on housing land supply

19. I have found that addressing the shortfall over the lifetime of the plan is justified. However, I have also found a 20% buffer should apply to the housing target. Given the amount of work required to unlock development on the East Wisbech Urban Extension, in my judgement delivery is likely to be delayed to the extent that it will not start to deliver housing within the next five years. As a consequence, I therefore conclude that the Council has approximately a 4.93 year housing land supply.

Planning policy and the location of the proposed development

20. The development plan for the area includes the Fenland Local Plan. In order to further sustainability objectives, and in the interests of protecting the countryside, policy LP3 sets a spatial strategy for Fenland. Among other things, development proposals are to be assessed in accordance with the identified settlement hierarchy, which has Market Towns at the top. Christchurch with a primary school, church, public house, community centre and play area has a limited range of services and facilities and an irregular bus service. As a result, Christchurch is classified as a 'Small Village' in the fourth tier where permission will normally be granted for development that is of a very limited nature and will normally be limited in scale to residential infilling. The glossary to the Local Plan defines residential infilling as the development of a site between existing buildings.
21. In terms of the amount of housing, six houses, on balance, is more than can reasonably be considered to be very limited in nature. Whilst the entrance to the appeal site is located between Syringa House and the buildings of Townley Primary School, almost all of the site has no buildings on its northern side. As a result, I find as a matter of fact and degree that the proposal does not constitute residential infilling as defined by the Local Plan.
22. Reference has been made to permission that was granted on the southern side of the village for nine houses (ref F/YR12/0630/F). However, as more than half

of that site was enclosed by buildings on both sides, development of that site could reasonably be interpreted to constitute residential infilling. Furthermore, in terms of the scale of development, at the time that application was determined most of that site lay within the village development boundary defined by the previous Fenland District Wide Local Plan that applied at that time. As a result, the circumstances when that application was determined were materially different to now. Since the adoption of the Fenland Local Plan in 2014 the village has not had a development boundary.

23. Taking all these matters into account, I therefore conclude that the proposed development would be contrary to policy LP3 of the Local Plan.

Character and appearance

24. Christchurch is a compact village characterised by linear development along the roads that pass through the settlement, with some residential development in depth on the same side of Upwell Road as the appeal site. The site itself is a finger of agricultural land that reaches in close to Upwell Road and what may reasonably be considered to be the centre of the village. Given that the appeal site is far longer than it is wide, and the enclosing effect of adjacent development to one side along Fen View and Syringa House to its front, in the context of the form of the village, the appeal site is not an important space.
25. Subject to appropriate design, which is a matter that could be controlled at reserved matters stage, residential development of the site using the layout proposed would complement the pattern of development that characterises the village, and would not have a material adverse effect on the character and appearance of the countryside.

Syringa House

26. Syringa House is a Grade II listed building. In the exercise of planning functions, the statutory test in relation to a listed building is that special regard shall be had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Policy LP18 of the Local Plan is consistent with this test.
27. The Framework defines the setting of a heritage asset as the surroundings in which it is experienced. An assessment is therefore required as to whether the impact of the proposed development would harm the significance of Syringa House.
28. Syringa House is a detached one and a half storey cottage with gardens on three sides and dates from the early nineteenth century. It is built from local gault brick, has parapet gable ends and a back addition that blends into the pantiled roof of the house. The special interest and significance of this listed building is historical and architectural. Orientated so that its gable ends address Upwell Road and the appeal site and its front elevation faces southwards, it is a prominent part of the streetscene. The elements of its setting that contributes to its significance includes its garden, its relationship with the adjacent field to the side and rear which forms the appeal site, and Christchurch Cottage opposite.
29. A dense evergreen hedge along the south western boundary of Syringa House screens views of the appeal site and serves to visually separate the house from it. As a result, whilst the field was once associated with Syringa House it now only forms a noteworthy part of its setting and significance in the sense that

the absence of buildings on it means that in views from the highway above the height of the hedge there is nothing to compete visually with Syringa House.

30. The dwellings proposed would be laid out in pairs within the appeal site to the side of Syringa House. The scale of the proposed dwellings could be limited to a single storey by condition. With a gap of 15m separating the south western boundary of Syringa House from the nearest of the dwellings proposed and intervening landscaping the scheme would be subservient to the listed building and effectively screen it from view. Furthermore, with the orientation of Syringa House such that its blank gabled flank walls face the road and the appeal site, in views from within the property the appeal site does not form part of the setting of the dwelling.
31. The access road that would be created to service the site would result in the loss of a narrow section of field between Syringa House and the primary school. However, in comparison to the wide gardens that surround Syringa House the access road would be narrow. With the landscaping indicated, which could be secured at reserved matters stage, the access road would therefore not detract from the setting of this listed building.
32. Taking all these matters into account, I therefore find that the special interest and significance of Syringa House would be preserved by the proposed development. The proposal would therefore comply with the statutory test and policy LP18 of the Local Plan which requires that new development protects and conserves the historic environment.

Overall conclusion on character and appearance

33. For the reasons given above, I therefore conclude that the proposal would complement the overall character and appearance of the area and so would also comply with policies LP12 and LP16 of the Local Plan. Policies LP12 and LP16 respectively seek to protect important spaces within villages and require that new development complements the character and appearance of the area.

Affordable Housing

34. Policy LP5 of the Local Plan sets the Council's approach to affordable housing provision and addressing the need for such housing in the District. On sites of less than five dwellings, no affordable housing is required. On sites of five to nine dwellings, 20% of dwellings are to be affordable housing and on sites of ten dwellings or more this rises to 25%. In practice for the proposed development of six homes this amounts to the on-site provision of one affordable home and the payment of a financial contribution equivalent to 0.2 of the cost of another affordable home off site. The approach of policy LP5 is consistent with the Framework which requires that local planning authorities should meet the full objectively assessed needs for market and affordable housing, as far as is consistent with the policies of the Framework.
35. No on site provision for affordable housing is proposed by the appellants and no contribution to off site provision has been secured. As a result, the proposed development would not comply with policy LP5 of the Local Plan.
36. However, since the Local Plan was adopted in 2014 the Government, by way of a Written Ministerial Statement (WMS), introduced as national policy that affordable housing should not be sought on schemes of ten units or less. The section of Planning Practice Guidance on planning obligations reiterates this position. This is an important material consideration to which I attach substantial weight.

37. The view of the Council is that the extent of the need for affordable housing in the District, deprivation levels and the lack of delivery are considerations of such weight that affordable housing should still be provided in accordance with the development plan. It is therefore necessary to consider the evidence that has been put forward in relation to these matters.
38. In terms of the Local Plan, the provision of additional affordable housing is one of its key aims. The Strategic Market Housing Assessment identified a need for 3,527 affordable homes during the period of the Local Plan (2011-2031). However, the Local Plan in seeking to deliver via policy LP5 up to 25% of its target for new housing as affordable housing during the plan period does not seek to address this need in full. To 2015/16 slightly more than half of the dwellings that would need to have been built by this point to be on track to deliver affordable housing in line with the development plan have been built. This is not greatly lower than the shortfall since 2011 in housing delivery overall.
39. The Local Plan identifies that based on the Index of Multiple Deprivation Fenland is Cambridgeshire's most deprived district and in the top third of deprived local planning authorities nationally³. At present there are also over 2,000 applications for affordable housing on the Fenland Housing Register. However, whilst there are higher than average levels of deprivation in the District, in the absence of comparisons with other local authorities it is unclear if the waiting list for affordable housing is unusually long and housing need particularly acute.
40. Reference has been made to an appeal decision⁴ where a notable factor in the Inspector deciding that the need for affordable housing outweighed national policy in relation to the provision of such housing on smaller sites was the exceptionally high house price affordability ratio of 21.5 times the average lower quartile net income. This meant that the authority in question had the least affordable housing for sale outside of London. In Fenland, the affordability ratio is 7.2. This is one of the lowest ratios in the East of England Region. As a result, significantly more of the population is able to afford open market housing in Fenland than in the local planning authority area of the appeal decision referred to. On this measure the need for affordable housing on this measure is not as acute.
41. It was argued by the Council that lower house prices in Fenland means that in new schemes affordable housing provision is often reduced due to viability issues. However, no substantive evidence was presented as to the extent low house prices has adversely affected development viability in the District and how much this has reduced affordable housing provision below the level required by policy LP5.
42. Taking all these matters into account, I therefore conclude that whilst in not making provision for affordable housing the proposal would be contrary to policy LP5 of the Local Plan, the substantial weight that I attach to more recent government policy outweighs non-compliance with the development plan and the evidence that has been presented in relation to the need for affordable housing in the District. On the basis of the evidence presented in relation to this appeal, in accordance with national policy the provision of affordable housing is therefore not necessary in relation to the proposed scheme.

³ Paragraph 2.1.6 of the Fenland Local Plan

⁴ Ref APP/K3605/W/16/3146699

Waste collection

43. In the District household waste and recyclable waste are stored in separate wheelie bins and are collected alternate weeks. The waste collection point for the proposed development would be by the site entrance. As a result, based upon the proposed layout future occupiers of the scheme would have to move a wheelie bin a distance of 40m or more for collection once a week.
44. This travel distance is more than the guidance of 25m contained within the supplementary planning document RECAP Waste Management Design Guide. However, in the context of convenient bin storage that could be provided to each dwelling I do not consider that moving a wheelie bin once a week to and from the collection point would be onerous and amount to poor design. I therefore conclude that whilst the proposal would not comply with all aspects of the RECAP guide, adequate, well designed facilities for waste collection and storage would be provided in accordance with policy LP16 (f) of the Local Plan and policy DM4 of the supplementary planning document '*Delivering and Protecting High Quality Design in Fenland*'.

Other matters

Access and highway safety

45. The proposed access would join the public highway at a point where the carriageway for a short distance is approximately 4.5m wide. Facing the location of the proposed access on the back edge of the highway is an outbuilding serving Christchurch Cottage. Next to the access on its northern side is the primary school. Taking into account the highway dimensions, the view of the Highway Authority is that with the provision of adequate visibility splays the access would be satisfactory and that the amount of traffic generated by the proposed development would not harm highway safety. The Council agrees with this position.
46. Having viewed the proposed access and its relationship to the highway and nearby development at school opening time and later in the day, I have no reason to disagree with the assessment of the Highway Authority and Council on this issue. Concerns regarding vehicles during the construction phase could be addressed by requiring compliance with a Construction Method Statement.

Agricultural land

47. The proposed scheme would result in the loss of 0.44 hectares of grade 1 agricultural land to development. Land within grades 1 to 3a is defined in the glossary to the Framework as being the best and most versatile agricultural land. In preference to the development of this type of land the use of land of poorer quality is encouraged by paragraph 112 of the Framework. This government policy though relates to proposals involving the development of significant amounts of such land. As the appeal site is small this policy therefore does not apply.
48. It was agreed at the hearing that Christchurch is surrounded by high grade agricultural land and so other land for development of lower value next to the village is not available. Given this consideration and the small area of agricultural land that would be lost to development the proposal therefore complies with policy LP12 of the Local Plan.

49. In accordance with the Framework, I have therefore taken into account the economic and other benefits of agricultural land of this grade as part of the assessment as to whether or not the proposal would constitute sustainable development.

Drainage

50. In relation to drainage, the appeal site is in an area at low risk of flooding. Subject to adequate drainage provision, which is a matter that would be secured by the requirement to comply with Building Regulations, drainage in the area will not be adversely affected by the proposed scheme.

Biodiversity

51. One of the Council's reasons for refusal of planning permission was that an appropriate ecological study of the site had not been carried out. However, as the site is a cultivated agricultural field, only its margins are likely to have wildlife and the proposed layout would not encroach upon the edges of the field. As a result, it is common ground between the parties that compliance with policies LP16(b) and LP19, which seek to protect and enhance biodiversity and the natural environment, could be dealt with by condition. I agree with that position.

Living conditions

52. Concerns were expressed by local residents at application stage that if the proposed dwellings were two storeys in height there would be problems with overlooking. Whilst I do not accept that with the separation distances and layout proposed this would be the case, as the proposed development would be restricted to a single storey in height to protect the setting of the listed building it is clear that the potential for such problems would be avoided.

Overall conclusions: The planning balance

53. For the reasons I have set out earlier the proposal would be in conflict with policy LP3 of the Local Plan. This policy seeks to focus new development on larger settlements with a range of services and facilities.
54. Applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is an important material consideration and contains a presumption in favour of sustainable development.
55. The Council does not have a 5 year housing land supply. As a consequence, paragraph 49 of the Framework directs that development plan policies relevant to housing land supply should not be considered up to date. Policy LP3 of the Local Plan is relevant to housing land supply. Whilst it is consistent with the Framework, given the shortfall in housing land supply that exists, albeit that the shortfall is small, I attach limited weight to it.
56. In circumstances where relevant policies are out of date, the tilted balance in paragraph 14 of the Framework applies. It states that in such circumstances planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
57. The policies of the Framework as a whole constitute the Government's view of what sustainable development means in practice. There are three dimensions to sustainable development: environmental, economic and social.

58. Socially, the proposed development would make a contribution to helping address the shortage of housing in the District as a whole. Whilst no affordable housing would be provided this is consistent with national policy in relation to small scale developments such as the appeal proposal and I have found that local circumstances do not justify such provision.
59. Environmentally, the proposed development would complement the character and appearance of the area and would not adversely affect the setting of the listed building, Syringa House. Although the village is in an isolated location and future occupiers would be reliant on a private car it has some facilities of note. Furthermore, six dwellings would be a small development which, in my judgement, would be only slightly greater in size than that normally allowed for by policy LP3. As a result, the proposed development would cause little harm to the spatial strategy of the District.
60. Economically, the loss of a small amount of agricultural land to development would not have a significant adverse economic effect. The development would generate construction employment and the additional households would increase the spending power of the local community slightly to the benefit of businesses and services in the area.
61. My overall conclusion in this case, having considered all the matters raised, is that the adverse impacts of the proposal are limited and fall short of significantly and demonstrably outweighing the benefits of six dwellings in helping address the shortfall in housing land supply when assessed against the policies of the Framework and development plan as a whole.
62. Consequently, the proposal would represent sustainable development as defined in the Framework, and material considerations indicate that planning permission should be granted for development that is not in accordance with the development plan. I therefore conclude that the appeal should be allowed.

Conditions

63. In the interests of certainty, I have imposed a condition specifying the relevant drawings that the development is to be carried out in accordance with. In order to ensure that the development does not harm the setting of Syringa House, the dwellings need to be restricted to a single storey in height.
64. To protect and enhance biodiversity in accordance with the development plan and the Framework, an extended phase 1 Habitat Survey is required. To safeguard the living conditions of neighbours a Construction Method Statement is necessary to control the emission of dust and dirt during construction. To protect the character and appearance of the area during construction, security hoarding is also necessary.
65. In the interests of highway safety during construction, arrangements for parking, loading, storage and wheel washing need to be made. In relation to highway safety and the development, further details of the proposed access are required and suitable visibility splays along the carriageway and footway need to be provided. For the same reason on-site parking and turning areas, a footway along the edge of the access road and details of management and maintenance of the access road needs to be provided.
66. Given that the site is one of the areas in the Fens that is at very low risk of flooding there is a reasonable likelihood that in the past it was inhabited. As a result, a scheme of archaeological investigation is necessary.

67. I have required all these matters by condition, revising the conditions suggested by the Council where necessary to reflect the advice contained within Planning Practice Guidance.
68. The appeal site is an agricultural field associated with a small village with no history of contaminative use. As a result, a condition regarding unsuspected contamination is unnecessary.

Ian Radcliffe

Inspector

Schedule

- 1) Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan (dated 19/7/16), Block plan (dated 19/7/16) but only in respect of those matters not reserved for later approval.
- 5) The dwellings hereby permitted shall not exceed one storey in height.
- 6) As part of the reserved matters submission, an Extended Phase 1 Habitat Survey shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the recommendations of the approved survey.
- 7) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 8) No development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. The approved scheme of investigation shall be implemented in accordance with the approved timetable prior to any other works taking place on site.
- 9) Prior to the commencement of development, the access from the existing highway shall be laid out and constructed in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
- 10) Prior to commencement of the first occupation of the development hereby approved, visibility splays shall be provided on each side of the vehicular access and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway. Minimum dimensions to secure the required splays shall be 2.4 metres measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, and 43 metres measured along the channel line of the highway carriageway and the centre line of the proposed access.
- 11) Prior to the commencement of development, a full detailed scheme shall be submitted detailing the provision of a 1.8m footway along the north western edge of the private road. The plans shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details, constructed and completed prior to the first occupation of the development hereby approved.
- 12) Prior to the first occupation of the development the proposed onsite parking and turning areas shall be laid out in accordance with the approved plan and thereafter retained for the parking and turning of vehicles.
- 13) Visibility splays shall be provided on both sides of the access prior to the first occupation of the dwelling and shall be maintained free from any obstruction over a height of 600mm within an area of 2.0 metres x 2.0 metres measured along respectively the back of the footway.
- 14) Prior to first occupation of any of the dwellings hereby permitted details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details 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).

-----End of Conditions Schedule-----

