



Appeal Decision

Inquiry Held on 29 January to 31 January 2020

Site visit made on 30 January 2020

Mr K L Williams, BA, MA, MRTPI

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

Decision date: 21st February 2020

Appeal Ref: APP/T4210/W/19/3227402

Land North of The Garsdale, Woodhill Road, Bury, BL8 1XG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Barbara Young against the decision of Bury Council.
 - The application, ref:63243 and dated 31 August 2018, was refused by notice dated 26 October 2018.
 - The development proposed is the change of use of land to use as a residential caravan site for 2 Gypsy/Traveller families each with 2 caravans, erection of ancillary amenity building and laying of hardstanding.
 - **Summary of Decision: The appeal succeeds. Planning permission is granted in the terms set out in the Formal Decision.**
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Preliminary Matters

1. The appellant now seeks to station 2 caravans on the site rather than 4. Any touring caravans required for travelling would be stored off-site. I have therefore determined this appeal on the basis of the stationing of 2 caravans rather than the 4 caravans referred to in the planning application description of development. The number of caravans can be controlled by planning condition.

The Appeal Site and the Proposed Development

2. The appeal site is to the east of Woodhill road, between the road and the banks of the River Irwell. It is close to the entrance to the Burrs Country Park, which extends along part of the valley and includes land adjacent to the river. The appeal site is broadly rectangular and extends to about 0.1 hectares. A 1:200 scale indicative site layout plan shows an access into the site from Woodhill Road, with a vehicle turning area. It also shows 2 mobile homes and areas of hardstanding. An amenity building would be sited near to Woodhill Road. Areas for tree and shrub planting are shown, together with grassed areas. Further drawings give details of the proposed amenity building and fencing.
3. The site would be occupied by 2 families. Mr and Mrs Sharp and their 5 children would occupy 1 pitch. Mr and Mrs Young and their adult daughter Laurel would occupy the other. Mrs Sharp is Mr and Mrs Young's daughter. The prospective site residents fall within the definition of gypsies and travellers set out in Annex 1 of Planning Policy for Traveller Sites, 2015 (PPTS).

The Main Issues

4. The site is in the North West Green Belt. The proposed change of use would be inappropriate development in the Green Belt. On that basis the main issues are:
 - i) The effect on Green Belt openness and on Green Belt purposes;
 - ii) The effect on the character and appearance of the area;
 - iii) The effect on highway safety and the free flow of traffic;
 - iv) The need for gypsy and traveller sites in the area, the supply of sites and whether a 5-year supply exists;
 - v) The need for accommodation for those who would live on the site and whether any suitable alternative sites are available;
 - vi) Personal circumstances, human rights and the best interests of children;
 - vii) The overall balance and whether any harm to the Green Belt and any other harm would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify granting planning permission.

The effect on Green Belt openness and on Green Belt purposes

5. The site is small in extent but is open and undeveloped. To the south there is a children's playground with play equipment. To the north there is an area of woodland and the entrance to the Burrs Country Park. The River Irwell is immediately to the east, with woodland to the east of it. The nearby parts of the Green Belt are predominantly open in character. The presence on the land of mobile homes, an amenity building and related vehicles and domestic items would be harmful to the openness of the Green Belt.
6. It is consistent with *Turner v SSCLG and East Dorset Council [2016]* that the openness of the Green Belt can have a visual aspect as well as a spatial one. The principal public views into this site are from Woodhill Road and from the adjacent playground. From Woodhill Road, there are views across the site to woodland beyond. Views from the playground are limited to some extent by existing trees and shrubs on the site's southern boundary. However, the rear of the site can be seen and there is currently a view from there along part of the river valley.
7. The indicative layout plan shows that it would be possible to incorporate some additional planting within the appeal site, which would reduce the visual effect of the development. The site is within a narrow area of countryside extending towards Bury from the wider countryside to the north. It is on the edge of an urban area. In addition to the harm to openness, the development would conflict with the Green Belt purpose of assisting in safeguarding the countryside from encroachment. Nor would it be consistent with the Green Belt purpose of checking the unrestricted sprawl of a large built-up area, although it has not been shown that there is a serious risk of such sprawl in this area. The Council also cites the risk of cumulative harm to Green Belt openness from numerous small incursions. However, it has not been shown by reference to specific sites that this is a significant risk in this area.

8. These harms to the Green Belt weigh against the appellant. Having regard to the modest extent of the site the degree of harm is moderate. The development conflicts with Policy OL1 of the Bury Unitary Development Plan, 1997 (UDP). It sets out that the Council will maintain a Green Belt and ensure that it fulfils its strategic purposes, including assisting in safeguarding the countryside from further encroachment.

The effect on the character and appearance of the surrounding area

9. The site is in the River Irwell valley and close to the approach to Burrs Country Park. In addition to woodland, the river valley and a playground there is existing development close to the site. It includes Woodhill Road, housing to the west of the road and a public house. The nearby entrance to Burrs Country Park has a car park and a large sculpture based on a millwheel. The wider surrounding area includes the country park. It is predominantly open but includes areas for car parking, a barn, the remains of mill buildings and former mill workers cottages. On the north side of the river, adjacent to the country park, there is a large caravan park catering for visitors to the area, together with related hardstanding, facilities buildings and a plot with warden's accommodation.
10. The existing caravan site and development related to it are not perceived when close to the appeal site, although they form part of the character of the wider surrounding area. While there is housing development nearby, the immediate area to the east of Woodhill Road is largely open. The entrance to the country park adds visual interest to the area. The introduction of a small caravan site would result in a degree of harm to the character and appearance of the surrounding area. This would be perceived primarily in views from Woodhill Road and would be apparent to visitors to the country park and the playground.
11. The development would conflict with UDP policy OL5/2 in respect of its effect on an open part of the valley and failure to fall within one of specified categories of development. It would also conflict with policy EN1/1 which resists development having any detrimental effect on visual amenity in areas including the Green Belt and river valleys. However, these policies are not fully consistent with the approach in Planning Policy for Traveller Sites, 2015 (PPTS). It envisages that some traveller sites will be in the countryside, so that a degree of harm is not unusual from this type of development. This inconsistency reduces the weight attributable to conflict with those policies. The extent of harm could be reduced by the planting of trees and shrubs. It is not intended that traveller sites should be hidden from public view, but such planting can help to integrate development into its surroundings. Taking this into account, together with the small scale of the site, the degree of harm would be moderate and weighs against the development.

The effect on highway safety and the free flow of traffic

12. The Council's decision referred to insufficient information on parking and turning of vehicles within the site to show that harm to highway safety and the free flow of traffic would be avoided. Some local residents are concerned about the effect of traffic movements to and from the site, as are the Friends of Burrs Country Park. Access from the site would be directly onto Woodhill Road. No assessment of traffic movements is submitted but this would be a small site, accommodating two families and the number of caravans stationed on the site

would be limited to 2. The volume of traffic movements associated with the families' vehicles is likely to be low. The evidence does not suggest that larger vehicles, such as lorries or low-loaders would be brought to the site.

13. The layout plan indicates that there would be adequate space within the site for the turning and parking of the likely number of cars and a van. Visibility for drivers at the site entrance is adequate. Woodhill Road is of a good width. There is street lighting and vehicle speed is limited to 20 mph near the site. While no traffic flow figures are submitted, the road near the site is used for access to residential properties, the country park and the caravan site. It is likely to be a busy road at times. Nevertheless, the balance of evidence is that the development would not result in harm to road safety or to the free flow of traffic.

The need for gypsy and traveller sites in the area, the supply of sites and whether a 5-year supply exists

14. It is common ground that there is an unmet need for sites for travellers in the area, that there are no sites currently allocated and that the Council cannot identify a 5-year supply of deliverable sites. The Greater Manchester Gypsy and Traveller Accommodation Assessment (GTAA) was published in 2014. It identified an overall need for 15 pitches in Bury in the period 2014 to 2033. Following publication of the GTAA a new private site at Todd Street was developed, which provided 15 additional pitches.
15. A revised GTAA was published in 2018 addressing the period up to 2036. It distinguished between a need for pitches for those meeting the PPTS Annex A definition ("PPTS need") and those who do not but who are nevertheless gypsies or travellers culturally ("cultural need"). The GTAA found a net need 103 pitches in Greater Manchester. In Bury it found an unmet PPTS need for 1 pitch and a cultural need for 2 pitches. Account has also been taken of evidence arising since publication of the 2018 GTAA concerning waiting lists and circumstances relating to some vacant pitches. The Council's assessment of current overall unmet need in Bury is for 12 pitches.
16. The starting point for the appellant's assessment of need is the 32 authorised and occupied pitches in Bury in April 2018. Applying a compound growth rate to this of 2% per annum would result in a net need for 13 additional pitches for the period up to 2036. This is said to be a minimum level of unmet need, taking no account of overcrowding or need arising from those needing to move from "bricks and mortar" accommodation to caravan sites. Aerial photographs of the Fernhill Caravan site are said to show overcrowding, although they are limited to two dates and can provide only a snapshot.
17. The 2018 GTAA did not involve new primary data from original fieldwork but was primarily a desk-based exercise relying on updating evidence collected for the 2014 GTAA. It also reviewed demographic data and took account of available new evidence, including that held by the Council. Data collected in 2014 is not up to date. It was collected before the 2015 PPTS, which introduced a new planning definition of "gypsies and travellers". That definition had the effect of excluding those who had ceased to travel permanently. In these circumstances the 2018 GTAA relied on supplementing information collected in 2014 with post-PPTS surveys from elsewhere in order derive an assumed percentage falling within the PPTS definition.

18. Any assessment of the need for traveller sites requires a range of assumptions. Undue reliance should not be given to the precise figures produced, particularly as the numbers involved are not large. Nevertheless, despite their different approaches, the appellant's assessment and that of the Council are not very far apart. They confirm an unmet need for pitches in Bury.
19. The aims of PPTS include increasing the number of sites permitted in appropriate locations to address under-provision, maintaining an appropriate level of supply and promoting private traveller site provision. PPTS paragraph 10 says that Councils should identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets.
20. The level of unmet need in this case is significant when compared with the scale of existing provision. There are no sites allocated in the UDP. While policy H1/3 provides criteria for assessing application it gives no specific locations to which development could be directed. Although preparation of a new Local Plan is underway, it is at an early stage and progress on it relies on that of the Greater Manchester Spatial Framework. No firm date for adoption of the new Local Plan is submitted and it is likely to be several years away. Further time would then be required for sites to be developed, if any are allocated. Site allocations are not the only way for sites to come forward. The Council did grant planning permission for the Todd Street site following the publication of the 2014 GTAA. Nevertheless, there has been a long-term failure of policy by the Council to allocate land to meet the needs of gypsies and travellers. There has not been a plan led approach to meeting need. These matters weigh in the appellant's favour.
21. Paragraph 27 of PPTS explains that where an up-to-date 5-year supply of deliverable sites cannot be demonstrated, this should be a significant material consideration when considering applications for a temporary planning permission. It goes on to preclude sites in the Green Belt from this approach. This provision in PPTS does not preclude the absence of a 5-year supply from being a material consideration in respect of applications for permanent planning permission. Nor is that the effect of the judgement in *Swale BC v SSHCLG [2018] EWHC 3402 (Admin)*.

The need for accommodation for those who would live on the site and whether any suitable alternative sites are available

22. The 2 families have a personal need for a settled site which would facilitate a good residential environment, with good access to health, education and other services and provide a stable base from which travelling for work can be undertaken. The families currently share a pitch on the Crompton Lodge site at Farnworth in Bolton. Mr and Mrs Young are "doubling-up" on Mr and Mrs Sharp's pitch and have nowhere else to live. The pitch is not extensive and is overcrowded. In addition to a touring caravan occupied by Mr and Mrs Sharpe and their 5 children, a smaller caravan houses Mr and Mrs Young and their daughter, Laurel. There is a utility building on the pitch but it is in a state of disrepair and is said to be unusable. Mrs Sharp explains that repairs have not been undertaken over a long period. She also refers to rats on the plot. The families must rely on the use of toilet and bathroom facilities in a static caravan belonging to a friend on the adjoining pitch.

23. The Crompton Lodge site is on a bus route and within reasonable distances of services and facilities. However, the site appears to provide a poor living environment, with buildings in a poor condition, vacant pitches awaiting refurbishment and waste scattered on the site and the access road. The Crompton Lodge site does not provide a suitable site for these two families. Although the Council say the families could seek a site elsewhere, there is no evidence of any other suitable and available alternative site. The appellant's evidence is that purchase of the appeal site followed a period of about 4 years of unsuccessfully searching for a suitable site.

Personal circumstances, human rights and the best interests of the children

24. Two of Mr and Mrs Sharp's children suffer from a serious, long-term and life limiting medical condition. It requires physiotherapy for lengthy periods twice a day, treatment with a nebuliser and a range of other medication. A letter from the Manchester University NHS Foundation Trust stresses the need for these children to have ready access to running water, toilet facilities and shower facilities to allow them to maintain hygiene. Further letters from the Trust set out the resulting care requirements for the children, which are considerable. One of the adult prospective occupiers of the site has 2 serious medical conditions. They are permanent or long term and require regular hospital attendance for specialist care. Another is awaiting surgery for a different serious condition.

25. Occupation of the appeal site would facilitate mutual support, on which these two families rely. It would also facilitate application of medical treatment for the severe condition suffered by two of the children, including the extensive daily treatment they require. That is said to be inhibited by living conditions at Crompton Lodge. A local resident doubts the suitability of the appeal site for children with this condition. Reference is made to the proximity of the river, a canal overspill and grazing animals, with related risks of infection. Other than a general leaflet on the medical condition, no substantive evidence is submitted on these matters. The balance of evidence suggests that, if developed as proposed, the appeal site would provide a much improved and more suitable living environment for these children as well as for other family members.

26. Failure of this appeal would mean that these families would be unable to occupy the appeal site. This would amount to an interference with their human rights under Article 8 of the European Convention on Human Rights, which addresses respect for family life and the home. It is consistent with caselaw that the best interests of children should be a primary consideration in this appeal decision, although not necessarily the determinative factor. There are 5 children in this case. Their best interests would be for the site to be developed as proposed. It would give them the best opportunity for a settled, good quality environment and a stable and secure family life, with access to education, health and other services and opportunity for play and personal development. These matters weigh in the appellant's favour.

Other matters

27. The site is close to a medical centre and less than a mile from a primary and nursery school. It is about a mile from Bury town centre where there is a full range of shopping and community facilities. Woodhill Road is on a bus route and the development would not result in unacceptable adverse effects on residential amenity. In these respects the development is consistent with

criteria in UDP policy H1/3. Although somewhat overgrown, the site is not untidy. The effective use of untidy land, as referred to in PPTS paragraph 26 (a), is therefore not a consideration.

28. The appellant contends that the Council has been inconsistent in its approach to this development when compared with that taken to the development, on Council owned land, of the caravan site on the north side of the River Irwell. That site is also in the Green Belt. Following the initial grant of planning permission for the caravan site, further permissions were granted for its extension and for warden's accommodation. The Caravan Club site is a much larger site and contains many more caravans than would be stationed on the appeal site. However, the Council judged that the Caravan Club site and the related developments comprised appropriate facilities for outdoor recreation and, in that context, preserved the openness of the Green Belt and did not conflict with its purposes. The warden's accommodation was treated as a replacement caravan. The Council therefore concluded that these developments were not inappropriate development in the Green Belt. Those were planning judgements which the Council was entitled to make. On that basis, those developments were materially different from the development in this appeal. These matters do not weigh in the appellant's favour.
29. In addition to its visual impact, the Friends of Burrs Country Park are concerned about the effect of the development on the future development of the park. The park extends to about 36 hectares and is focussed on the remains of water and steam powered cotton mills. Access to the country park has been enhanced by the development of a railway halt. The Caravan Club site provides accommodation for some of the visitors to the country park. UDP policy RT3/1 identifies Burrs as being a particularly important focal point for informal recreation which should be especially safeguarded. The policy does not permit development resulting in the loss of or prejudicing the use of the park. The Council produced the Burrs Country Park Strategy Document in 2015 (BCPS). It is non-statutory but is a material planning consideration.
30. The Friends group was constituted in 2018 and is comprised of local residents and park users. It was set up to provide community management of the park as Council funding is phased out. The Friends suggest that the appeal development would prejudice development of the country park because the appeal site would be suitable for a visitor centre and in respect of a proposed riverside footpath/cycle route. Figure 4 of the BPCS depicts the Development Strategy for the period 2015 to 2029. Although phase 1D is the development of a visitor centre, it is shown not on the appeal site but in the Stock Street Barn. However, the Friends no longer consider that building to be suitable. The appeal site is now favoured for that purpose. While the site is currently peripheral to the park, it would be more central if the park was extended to include land to the south, as Figure 4 shows. Figure 4 also shows a route for a cycle/footpath running along the west bank of the river and forming part of the last phase of the park's development.
31. The appeal site is not allocated for a visitor centre in the BCPS. Nor is there evidence of funding likely to be available for a visitor centre on the land or of a firm and realistic intention by the Friends or the Council to acquire the land for that purpose, by Compulsory Purchase or any other means. The proposed cycle/footway skirts the appeal site but is outside it. Reference is made to the need to reconsider the route because of erosion of the riverbank. Nevertheless,

there is no substantive assessment of that or of alternative options. Nor is there evidence of funding for that proposal or of how land would be acquired if necessary. I appreciate the Friends' aspirations for the country park. Their determination for it to succeed and develop is clear from their evidence. Nor do I doubt its health and other benefits to the local community, which were also explained at the Inquiry by Mr Pinder, or its potential contribution to the local economy. Nevertheless, I conclude that further development of the country park could continue irrespective of the development of this small site. The development would not conflict with policy RT3/1 and these matters do not weigh against the appellant.

The Overall Balance

32. Paragraph 144 of the National Planning Policy Framework (the Framework) says that substantial weight should be given to any harm to the Green Belt. It is consistent with *SSCLG & Others v Redhill Aerodrome Ltd. [2014] EWCA Civ 1386* that any harms should form part of the Green Belt Balance. However, Framework paragraph 144 does not, as the Council suggests, require that substantial weight is given to each individual harm to the Green Belt. In this case, the harm to the Green Belt is comprised of harm through inappropriateness, moderate harm to openness and conflict with the Green Belt purposes of assisting in safeguarding the countryside from encroachment and checking the unrestricted sprawl of a large built-up area. I give very substantial weight to the harm to the Green Belt. I give moderate weight to the harm to character and appearance and the related conflict with UDP policies OL5/2 and EN1/1.
33. PPTS paragraph 16 sets out that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances. The unmet need for sites in the area and absence of a 5-year supply of sites carries considerable weight in the appellant's favour. The lack of a suitable alternative site and the Council's failure to allocate sufficient sites for gypsies and travellers over a long period also weigh substantially in the appellant's favour. The site's compliance with criteria in UDP policy H1/3 merits moderate weight. Refusal of planning permission would not facilitate the gypsy and traveller way of life. Nevertheless, without consideration of personal circumstances and the best interests of the children, I conclude that the harm to the Green Belt and any other harm would not be clearly outweighed by other considerations.
34. In this case the best interests of 5 children fall to be considered, including 2 children with serious medical conditions. It is consistent with caselaw in *Stevens v SSCLG [2013] EWHC 792 (Admin)* that their best interests are not determinative. Nevertheless, they are a primary consideration in my decision and are worthy of very substantial weight in favour of the development. The personal circumstances with regard to medical conditions merit considerable weight, as does the effect on human rights if this appeal fails. I conclude that, when these matters are added to the balance, the harm to the Green Belt and any other harm would be clearly outweighed by other considerations. On that basis, there are very special circumstances in this case which justify the grant of planning permission subject to a personal condition. Refusal of such a permission would have a disproportionate effect on the human rights of the prospective occupiers of the site.

Conditions

35. I have taken into account the discussion of conditions at the Inquiry and the requirements for conditions set out in Planning Policy Guidance. Having regard to my conclusions above a personal condition is required, as is a condition limiting the number of caravans. To protect the character and appearance of the area the submission and approval of a site development scheme should be required. It should require details of the layout of the site, including the siting of caravans, areas of hardstanding, the siting of the amenity building, areas for the parking and turning of vehicles, areas for hard and soft landscaping. It should also include details of landscaping and boundary treatment, any external lighting and a timetable for implementation. To protect the environment, details of foul and surface water drainage should also be required. Other conditions are required in respect of the details of the amenity building and works to trees. There is evidence of invasive species in the area so that a condition for their detection, eradication and control is required. Although the Council suggests contaminated land conditions, the evidence provided is not sufficient to show that such a condition is reasonable or necessary having regard to the type of development at issue in this appeal.

Overall Conclusion

36. Having regard to the above and to all other matters raised the appeal should succeed.

Formal Decision

37. The appeal is allowed. Planning permission is granted for a change of use to use as a residential caravan site, the erection of an amenity building and the laying of hardstanding on Land North of The Garsdale, Woodhill Road, Bury, BL8 1XG in accordance with the terms of the application ref:63243 and the drawings submitted therewith and subject to the conditions set out in the Schedule attached to this decision.

K Williams

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY: Mr P Riley-Smith, of Counsel

He called:

Dr M Bullock BSc, PhD

Director Arc4

Mr T Beirne BSc (Hons)

Senior Planning Officer, Bury Council

FOR THE APPELLANT: Mr A Masters, of Counsel

He called:

Mr P Brown BA (Hons), MRTPI

Phillip Brown Associates

Mrs M Sharp

Daughter of the appellant

FOR THE FRIENDS OF BURRS COUNTRY PARK

Ms H Marshall

Chairperson of the Friends group

INTERESTED PERSONS

Ms Fogg

Local resident

Mr Pinder

Chief Officer, Brandlesholme Community Centre

Mr Collin

Local resident

Mr O'Donnell

Local resident

Mr Boaden

Sleaford Residents' Association

DOCUMENTS SUBMITTED AT THE INQUIRY

1. Council's list of appearances.
2. Council's opening submissions.
3. Manchester University NHS Foundation Trust letter, 27 January 2020.
4. Manchester University NHS Foundation Trust letter, 27 January 2020.
5. Statement of Common Ground.
6. Turner v SSCLG and East Dorset Council [2016] EWCA Civ 466.
7. Stevens v SSCLG and Guildford Borough Council [2013] EWHC 792 Admin.
8. Friends of Burrs Country Park, statement read at the Inquiry.
9. Council's delegated report, application no.57671/FUL.
10. Notice of Planning Permission, application no.57671.
11. Unitary Development Plan extract, policy OL5.
12. Suggested conditions, version 1.
13. Suggested conditions, version 2.
14. Cystic Fibrosis Foundation document.
15. Closing statement – Friends of Burrs.
16. Council's closing submissions.
17. SSCLG, Reigate and Banstead BC, Tandridge DC v Redhill Aerodrome Ltd [2014] EWCA civ 1386.
18. Appellant's closing submissions.
19. Mr D Dutton comments on planning application 63243.
20. Ms J Scott comments on planning application 63243.
21. Friends of Burrs Country Park leaflet.

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The use hereby permitted shall be carried on only by the following persons: Mr Douglas Sharp and Mrs Mary Sharp and their resident dependents and Mr Tom Young, Mrs Barbara Young and Ms Laurel Young and their resident dependents. When the premises cease to be occupied by those named, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought onto the land in connection with that use shall be removed and the land restored to its condition before the development was carried out.
- 3) No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 shall be stationed on the land at any time.
- 4) The development of the amenity building shall not commence until details of the materials to be used in the external elevations of the building have been submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in accordance with the approved details.
- 5) No development shall commence until details of a site development scheme have been submitted in writing to and approved in writing by the Local Planning Authority. The site development scheme shall include details of the site layout (including the siting of the amenity building and of caravans, areas of hardstanding, areas for the parking and turning of vehicles and areas for hard and soft landscaping); materials for hardstanding; boundary treatment; means of foul and surface water drainage of the site; tree hedge and shrub planting (including plant species, plant sizes, number, density, seeding or turfing and measures for replacing plants which die, are removed or become diseased); any proposed external lighting and a timetable for the implementation of each element of the scheme. The development shall be carried out in accordance with the site development scheme as approved in writing by the Local Planning Authority and shall be retained in accordance with that scheme.
- 6) The approved vehicle parking and turning areas shall remain unobstructed and available for those purposes.
- 7) No development shall commence until details of a scheme for the detection and, if necessary, the eradication and/or control of Japanese Knotweed and Himalayan Balsam, together with a timetable for implementation, is submitted to and approved in writing by the Local Planning Authority. Measures shall be carried out in accordance with the approved scheme. Should a delay of more than one year occur between the approval of the scheme details and either the implementation of the scheme or the commencement of development, a further site survey shall be undertaken and submitted to the Local Planning Authority.
- 8) No works to trees or shrubs shall be undertaken between 1 March and 31 August in any year unless details are submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.