



Appeal Decision

Site visit made on 11 February 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th April 2020

Appeal Ref: APP/Y2003/W/19/3230664

Land south of Coates Avenue, Winterton DN15 9SP

- 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 Partner Construction & Acis Group against the decision of North Lincolnshire Council.
 - The application Ref PA/2018/1759, dated 3 September 2018, was refused by notice dated 15 March 2019.
 - The development proposed is described as 'planning permission to erect 40 dwellings (including 25 affordable homes) and associated access, open space and drainage infrastructure'.
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Decision

1. The appeal is allowed and planning permission is granted for the planning permission to erect 40 dwellings (including 25 affordable homes) and associated access, open space and drainage infrastructure at Land south of Coates Avenue, Winterton DN15 9SP in accordance with the terms of the application, Ref PA/2018/1759, dated 3 September 2018, subject to the conditions in the attached Schedule.

Procedural Matter

2. The appeal form highlights that the description of development was altered in agreement with the Council. This reflects amendments that were made to the proposal while the planning application was being considered. Therefore, I have taken the description of development from the appeal form as opposed to the application form as it properly describes the development for which consent is sought.

Main Issues

3. The main issues in this case are:
 - The effect of the proposal on highway safety.
 - Whether the proposal would unacceptably increase flood risk in the locality.

Reasons

Background

4. The Council's Housing and Employment Land Allocations Development Plan Document 2016 (DPD) identifies the appeal site as an allocated housing site. Policy WINH-2 of the DPD is relevant to this allocation and whilst it identifies

that Enterprise Way to the south west of the site would be a suitable access point, it does not preclude a different point of access to the allocation subject to it being agreed. Policy WINH-2 of the DPD also identifies that 'possible drainage issues at the site need to be addressed'. Aside from these matters which are set out in the Council's reasons for refusal and which inform the main issues in my decision, there is no dispute between the main parties that housing on this site would be acceptable in principle.

Highway safety

5. The access to the proposed housing scheme would be taken from Coates Avenue, a short residential cul-de-sac which forms a junction with Manlake Avenue (the junction). Although a single street, Manlake Avenue merges into Cliff Avenue to the east. It is anticipated that the proposal would generate 21 trips during the morning peak (0800 – 0900 hours) and 19 trips during the afternoon peak (1700 – 1800 hours)¹. Whilst neither of the main parties suggest that daily trips to and from the proposal would lead to capacity issues at the junction, it is inevitable that the number of cars using the junction would increase markedly in comparison with its existing usage primarily by those who reside on the cul-de-sac.
6. The Council's concerns, echoed by third parties, relates to the inadequacy of the visibility from the junction to safely accommodate the additional vehicles generated by the proposal. Despite the horizontal curvature of Manlake Avenue relative to the junction, the theoretical visibility splays for vehicles exiting the junction onto Manlake Avenue exceeds the recommended distance set out in Manual for Streets². This means that there is sufficient visibility in both directions for traffic exiting the junction. However, I appreciate that vehicles or other obstructions located within the visibility splays could restrict or prevent adequate visibility in either direction, potentially making the junction unsafe.
7. I saw on my site visit that the streets leading to the appeal site contained only a limited number of parked vehicles, with only a single vehicle parked on Coates Avenue in between the junction and the appeal site boundary. However, several vehicles were parked on the street immediately outside the medical centre, which lies just beyond the junction radius to the east, on the opposite side of Manlake Avenue. Whilst a single vehicle was parked on Manlake Avenue within the junction's westerly sight line, it was only partially obscuring views such that I was still clearly able to see oncoming traffic sufficiently to allow a safe exit from the junction.
8. The appellant has submitted an independent parking survey. I have considered that the results of the survey may have been affected by school holidays and the fact that the survey took place over just a single 12-hour period. Therefore, its validity in representing parking trends near the junction over a longer period is diminished somewhat. Nevertheless, the general findings of the parking survey showed that the parking of vehicles on Manlake Avenue and within the visibility splays of the junction was limited in terms of the number of vehicles parked there at any one time, and the duration of their stay. This

¹ Based on TRICS computer modelling detailed in the appellant's Transport Assessment

² 'Manual for Streets' Department for Transport 2007

correlates with my own observations which also did not suggest significant on-street parking stress near the junction.

9. On the other hand, I have also received photographic and documentary evidence from local residents showing numerous vehicles apparently parked close to the junction, thus restricting the width of the carriageway for vehicles to pass each other, and restricting available visibility along Manlake Avenue for vehicles exiting the junction. However, as was the case with my site visit, the photographic evidence I have received represents only a snapshot in time.
10. Taking into account all that I have seen in the evidence before me and the observations I made on my site visit, I appreciate that there are likely to be times when numerous vehicles are parked close to the junction, particularly having regard to the proximity of the medical centre, but high levels of parking stress in the area do not appear to be prevalent. In any event, the parking of vehicles such that they obscure the maximum theoretical visibility of a junction is not an uncommon occurrence in urban areas such as this. In circumstances where sight lines are obscured, drivers will tend to exit a junction cautiously and 'nose out' until adequate visibility can be achieved. No speed survey or other details have been submitted which show the average speed and typical number of vehicles travelling along Manlake Avenue close to the junction. However, neither is there robust evidence before me to contradict the observations I made on my site visit and to suggest that vehicles regularly exceed the designated speed limit of the road, or that the local roads are particularly busy. Consequently, I do not find that the junction is unsafe.
11. Whilst the Council have made me aware of an incident involving a refuse vehicle which collided with street furniture, I am not clear where this incident took place in relation to the junction. In any event, the Council does not dispute the appellant's assertion that there have been no reported accidents involving personal injury within close proximity of the junction. Therefore, the anecdotal evidence from third parties and the Council does not persuade me that the layout of the local road network and any instances of parking stress close to the junction, in combination with the increase in the number of vehicles using the junction as a result of the proposal, would result in an unacceptable impact on highway safety, or that residual cumulative impacts on the road network would be severe, as is the relevant test set out in paragraph 109 of the National Planning Policy Framework (the Framework).
12. There is little common ground between the appellant and objectors concerning the extent to which the existing medical centre car park is regularly at capacity. Nevertheless, I do not dispute that parking outside the medical centre and on Manlake Avenue does occur in connection with this use, with some instances of vehicles parking in a manner so as to obstruct sight lines from the junction likely. However, for the reasons I have set out, I do not find that the existing junction is unsafe, nor would the proposal be detrimental to the safe operation of the junction for pedestrians or vehicles.
13. The Council's highways officer suggests that the layout should incorporate carriageway widths of 5m as opposed to the proposed width of 4.8m. As the proposed layout effectively provides a seamless continuation of the existing highway (Coates Avenue), I have assumed that this is approximately the same width as the proposal. In any event, no explanation has been given as to why the carriageway should be 5m in width, nor has the Council suggested the

reasons why the number of vehicles which would use the narrower width roads would lead to traffic capacity or highway safety issues. To my mind the carriageway proposed would be wide enough to allow vehicles to safely pass, with its narrower width deterring high vehicle speeds.

14. In respect of pedestrian accessibility, there is no proposal to alter the width of the existing footpaths in the area and the proposal would provide a connection to the existing footpath network along Coates Avenue. I saw no obvious deficiencies associated with the surrounding footpath network, and based on the appellant's calculation that the development would result in only a few additional pedestrian movements during peak hours, the proposal would not significantly increase movements across the local footpath network. Furthermore, within the appeal site the proposal would include footpaths which would run alongside the main vehicle carriageway, with several shared surfaces to ensure pedestrian accessibility and safety.
15. Within the development site, each of the properties proposed would include off-street parking along with a number of on-street parking bays in order to accommodate occupiers and visitors to the houses, and the layout of the development would allow adequate space for the manoeuvring and turning of vehicles within it.
16. As a result of the foregoing, I do not consider that additional junction mitigation would be necessary in order to make the development acceptable in planning terms. Nonetheless, the appellant has submitted a S106³ planning obligation which would provide funding for double yellow lines which would be implemented as a result of a Traffic Regulation Order (TRO). However, consultation on the TRO has not commenced and as the TRO process would be carried out under separate, non-planning legislation, I have no assurance that the outcome would be successful, and that the TRO could be implemented in accordance with the submitted scheme. Nonetheless, I am satisfied that the development could be provided in an acceptable manner without additional measures to restrict the parking of vehicles within the junction's visibility splays.
17. Therefore, in conclusion, I am satisfied that the proposal would not have an unacceptable impact on highway safety. It would not conflict with Saved Policies T2 and T6 of the North Lincolnshire Local Plan 2003 (Local Plan) which require, amongst other matters, that developments provide an acceptable access having regard to the existing network, and safe and convenient footpaths and links to existing footpaths are provided. There would be no conflict with paragraph 109 of the Framework which requires that proposals are refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Flood risk

18. The appeal site lies in Flood Zone 1 on the Environment Agency flood map which represents the lowest risk of flooding from rivers or the sea. Given this, neither a sequential test or an exception test would be required⁴. However,

³ See section 106 of the Town and Country Planning Act 1990

⁴ Planning Practice Guidance paragraph: 019 Reference ID: 7-019-20140306 (revision date 06.03.2014)

'flood risk' should take into account flooding from all sources⁵ including groundwater, surface and foul water.

19. According to the Council, the appeal site does not drain properly resulting in standing water and there are concerns that the proposal would not adequately address this issue, would result in harm to a groundwater spring, and would exacerbate flooding issues locally. The submitted Flood Risk Assessment (FRA) concludes that the risk of surface water flooding is low throughout the site, but the appellant accepts that some areas within the appeal site are more affected by the prevalence of excessive surface water.
20. It was apparent when I walked the site that the south eastern area contained several substantial pools of water and was saturated underfoot. The Council and a number of objectors suggest that these conditions derive from a natural spring. However, the appellant's FRA is also accompanied by further survey work, including intrusive investigations, which concludes that persistent standing water on the appeal site is partly a result of a damaged field drain. Whilst I was unable to identify the source of the standing water on my site visit, nothing of substance is before me to contradict the appellant's FRA and further survey work, which includes robust technical evidence, so I have no reason to question the veracity of the appellant's conclusions that the appeal site's drainage inadequacies are at least in part due to a collapsed field drain. There is no evidence of a natural spring or other natural groundwater feature. I also note that the Council's Lead Local Flood Authority officer does not dispute the appellant's evidence in this regard. Consequently, there would be no conflict with Policy DS15 of the Local Plan as the proposal would not adversely affect groundwater resources.
21. The Council are also concerned that two manholes located generally in the south west and south east corners of the site are connected, which implies that infrastructure exists below ground across part of the site, and the layout of the housing plots could affect it. Clarity over the status of this infrastructure, including its current use and condition, and whether it forms part of a defined public sewer, are not before me. However, Anglian Water did not identify it as part of their infrastructure in their consultation response to the planning application or this appeal, and part of their remit concerns the management of public sewers.
22. Moreover, in response to the site investigations undertaken, the appellant intends to deal with existing on-site drainage infrastructure by repair where necessary, as part of a wider drainage strategy for the development. Despite the Council's protestations, no substantive evidence has been provided that causes me to question the validity of the appellant's suggested approach, particular as the Council have also suggested a planning condition which would allow further on-site investigation and a subsequent scheme of surface water management to be approved prior to the commencement of development. In short, whilst I accept that further investigation would be required in order to fully quantify the existing infrastructure on-site and deal with it appropriately, I see no reason why subsequent findings, including repair or diversion if necessary, could not be incorporated into the wider drainage strategy for the

⁵ Planning Practice Guidance paragraph: 002 Reference ID: 7-002-20140306 (revision date 06.03.2014)

proposal and be implemented in accordance with an agreed timetable and methodology.

23. In terms of the scheme's overarching drainage strategy, existing ground conditions have been explored by the appellant. Infiltration has been discounted due to the underlying geology and properties of the appeal site, with connection to existing sewer infrastructure the next feasible option in line with the drainage hierarchy⁶. The proposal would include an attenuation basin in the south eastern corner of the site which would ensure that the rate of discharge into the sewer was an improvement over the comparable greenfield run off rate, thus ensuring capacity for a 1 in 100 year storm event with a 40% allowance for climate change. It would meet Anglian Water's requirements ensuring a discharge rate of 5 litres/second whilst providing a form of sustainable urban drainage in line with paragraph 165 of the Framework. I am aware of concerns over the scale and location of the proposed drainage attenuation basin/pond having regard to the proximity of existing housing. However, the Council have raised no objection to its location or the scheme's method of surface water attenuation, and I am satisfied that full details of the attenuation could be secured by planning condition.
24. In respect of foul water, Anglian Water have confirmed that they are obliged to accept the foul flows from any development with planning consent ensuring that sufficient capacity is provided for future treatment. This would be facilitated through a separate non-planning process. Consequently, the proposal would not lead to an unacceptable risk of flooding from foul water discharge.
25. In conclusion, the proposal would ensure that the existing surface water issues identified would be properly addressed and managed, and surface water run-off would be appropriately contained within the site, with discharge from the site reduced so as to ensure a sustainable form of drainage which would not heighten flood risk elsewhere. The proposal would not unacceptably increase flood risk in the locality. Therefore, the proposal would not conflict with Policies DS14, DS15 and DS16 of the Local Plan or paragraphs 163 and 165 of the Framework which require, *inter alia*, that development makes adequate provision for the disposal of foul and surface water by incorporating sustainable drainage measures, does not affect the quality of existing water resources and would not increase the risk of flooding elsewhere.

Other Matters

26. It has not been necessary for me to investigate the Council's housing land supply position further, although it is inferred by the Council that they do not have a five-year supply of deliverable sites. However, even if I was to conclude that the Council could demonstrate a five-year supply of deliverable housing sites, that would not alter my overall findings. As the proposal would align with the site's housing allocation and with Local Plan policies for the reasons I have set out, whether or not the Council are meeting their housing targets is not a determining factor in this case.
27. A number of third parties raise that the proposal would place undue pressure on local health services. However, I have been supplied with no substantive

⁶ Planning Practice Guidance paragraph 080 Reference ID: 7-080-20150323 (Revision date 23.05.2015)

- evidence that the proposal would threaten the effectiveness or quality of local health facilities upon which local people rely, or unacceptably reduce the number of available appointments with doctors/health care professionals.
28. It is put to me by some local residents that the proposal would result in the loss of wildlife and habitats including bats, newts and hedgerows. However, both main parties agree that the appeal site has limited biodiversity value overall with no evidence of protected species, and the impacts of the proposal could be appropriately mitigated through the imposition of planning conditions. I have no reason to take a different view.
29. Whilst I am aware that the appeal site comprises grade 2 agricultural land and the proposal would comprise an urban form of development on an existing greenfield site, the appeal site is allocated for housing which effectively pre-empted a significant change to its character and appearance before this proposal came to fruition. Therefore, these considerations carry limited weight against the appeal, insufficient to outweigh the scheme's overall compliance with the development plan.
30. I realise that the outlook from the rear of dwellings, including those closest to the appeal site on Bennett Drive, would change significantly. Moreover, several of the proposed dwellings and their associated garden fencing would be on a higher level than the rear of the properties they would face. However, I am satisfied based on the evidence before me and from the observations I made on my site visit that the proposed dwellings would not lead to an unacceptable level of overlooking of nearby gardens or properties, nor would they result in an unacceptable loss of light or overbearing effect for the occupiers of these properties.
31. Existing houses in the locality are predominantly understated in their appearance, forming a suburban estate which is characteristic in form and appearance of housing developments built at that time. The proposed dwellings would be largely reflective of the density, scale and overall form of housing nearby, with a palette of materials which would be in keeping with the locality. The Council raises no objections to the impact the proposal would have on the character and appearance of the area, and I have no reason to disagree.
32. Several other concerns have been raised by local residents, including the proximity of the appeal site to a nearby landfill site and a water pumping station, the potential for construction effects of the development to adversely affect living conditions of nearby residents, and concerns over parking. With regards to 'environmental' effects, the Council's Environmental Health officers raise no objection despite the proximity of the appeal site to the landfill and water treatment site. The effects of construction traffic, noise and dust could be appropriately controlled through the imposition of a planning condition. Finally, the layout of the development would ensure sufficient space for cars to be parked off the street with a limited number of bays to accommodate visitors. I have no reason to conclude that vehicles used in connection with the proposal would park on surrounding streets or lead to parking problems within the development site itself.
33. Finally, I understand that a proposal for housing on the appeal site involving an alternative access off Enterprise Way was previously refused planning permission. However, this has had no bearing on my decision which I have

assessed on its own planning merits and find acceptable for the reasons set out.

Planning Obligation and Conditions

34. A signed S106 planning obligation has been provided and includes several obligations relating to the provision of 25 affordable housing units on-site, the provision and management of public open space within the appeal site, and monetary contributions towards education and local leisure and play area facilities.
35. The Council have set out local requirements in terms of school capacity, and leisure and play area facilities, such that the planning obligation would mitigate the impact of the development on these different forms of local infrastructure. Furthermore, the affordable housing mix would satisfy the Council's requirements and the total number of affordable units would be in excess of Local Plan requirements. The bilateral planning obligation is a clear indication that the Council are satisfied with the obligations and consider them necessary to make the development acceptable in planning terms in order to comply with Local Plan policies. Moreover, no substantive evidence has been provided questioning the necessity or viability of these obligations.
36. However, one of the obligations includes a mechanism to provide funding towards a TRO close to the junction in order to deter the parking of vehicles. As I set out earlier in my decision, such measures are not necessary to make the development acceptable in planning terms. Accordingly, this element of the planning obligation can be severed without affecting the integrity of the other agreements in the planning obligation. The Council's highways officer's response to the planning application also suggested additional mitigation measures including a travel plan alongside financial contributions and other incentives to promote sustainable travel. Nevertheless, I see no reason why these measures would need to be included in a planning obligation as it has not been explained to me how such measures would make the development acceptable in planning terms.
37. I find that the remaining obligations would be directly related to the development proposed, are fairly and reasonably related in scale and kind, and are necessary to make the development acceptable. The proposal would therefore comply with the requirements of Regulation 122 of the CIL Regulations⁷ and the tests set out in paragraph 56 of the Framework.
38. In respect of the Council's suggested planning conditions, I have considered them against the relevant guidance contained within the Planning Practice Guidance (the PPG) and the Framework which requires that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have amended some of them and consolidated several of them in the interests of clarity and in order to meet the PPG, and to avoid repetition.
39. I have applied the standard '3 year' time limit condition, and the 'approved plans' and 'materials' conditions in the interests of certainty and character and

⁷ Community Infrastructure Levy Regulations 2010 (as amended)

appearance. I have consolidated the Council's suggested 'highways' related conditions requiring the submission of materials and constructions details for roads and car parking areas, along with a condition to ensure that car parking spaces are provided prior to the occupation of dwellings.

40. The Council have not justified the reason why a condition is required so that no development takes place within any service strip of land adjacent to any shared road surface. Mindful of the PPG, such a condition would not pass the tests of reasonableness or necessity and so I have omitted it. Similarly, no justification has been provided concerning the suggested conditions requiring the completion of the footway and highway, thus I do not find them necessary.
41. A construction management plan condition is required in the interests of the amenity of occupants of properties nearby, and is required pre-commencement as it would cover the construction phase of the development.
42. Full details of the surface water management scheme are required as part of a planning condition in order to ensure that sustainable drainage principles are followed and to prevent flooding elsewhere. Inbuilt in the condition is a requirement to ensure a management regime for drainage for the lifetime of the development. This condition is required pre-commencement as much of the drainage works would involve excavations and works which would take place prior to the building of foundations and roads.
43. Conditions relating to biodiversity, tree protection measures, landscaping and contamination are required in order to contribute to the natural environment and to ensure that any discovery of contaminated material is dealt with having regard to public health respectively. Biodiversity management is required pre-commencement due to the need to remove vegetation before building works take place, and the potential risks to species unless mitigation is in place.
44. A condition requiring a written scheme of archaeological investigation complies with the archaeological findings and recommendations provided by the appellant and is required in the interests of conserving the historic environment. This is pre-commencement as by their very nature, archaeological investigations would largely take place before significant construction works.
45. The implementation of boundary treatments and bin collection points are required in the interests of the living conditions of nearby occupiers and to protect the character and appearance of the area.

Conclusion

46. Subject to the following conditions, the appeal is allowed.

Matthew Woodward

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans:- 001, 002 Rev H, 003 Rev B, 004 Rev C, 005 Rev A, F112-1, F113-1, F114-1, F136-1, SK01 issue P2, R/2131/1C.
- 3) The materials to be used in the external surfaces of the buildings shall comprise those detailed on plan 004 Rev C.
- 4) No development shall commence until a surface water drainage scheme (the scheme) has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the management of surface water by means of a sustainable drainage system, having regard to the drainage strategy and findings set out in the Flood Risk Assessment (ref – 1859-FRA-01 Rev B), ensuring that the risk of flooding is not increased elsewhere. The submitted scheme shall:
 - i) include details of all existing on-site drainage infrastructure and a detailed methodology and programme for the removal and/or retention and/or repair and/or diversion of existing drainage infrastructure;
 - ii) provide information about the method employed to delay and control the surface water discharged from the site, having regard to the requirement to attenuate surface water during storms up to and including the 1 in 100 year critical storm event with climate change allowance, and the measures taken to prevent pollution of any receiving surface waters or public sewers;
 - iii) detailed design of the surface water drainage attenuation scheme, inclusive of attenuation systems, discharge rates and proposed outfall arrangements;
 - iv) details of flow routes and measures to prevent excessive surface water run-off on roads.
 - v) include a timetable for the phased implementation of the scheme; and,
 - vi) provide a management and maintenance plan for the scheme covering the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented in accordance with the approved details, the approved timetable, and shall be maintained in accordance with the approved management and maintenance plan.
- 5) No works to construct roads or hardstanding areas for the parking of vehicles (including driveways) shall take place until details of the materials and construction of all roads and hardstanding areas for the parking of vehicles, and a timetable of works, have been submitted to and approved in writing by the local planning authority. Details shall also include drainage and lighting of all roads. The development shall thereafter be carried out in accordance with the approved details and timetable.

- 6) No development shall take place 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) the management of vehicles carrying abnormal loads;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in constructing the development;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vii) noise and vibration attenuation from construction and a scheme to ensure compliance; and
 - viii) delivery, demolition and construction working hours.

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

- 7) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 8) No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
- (a) details of measures to avoid harm to nesting birds and hedgehogs during vegetation clearance and construction works;
 - (b) details of bat roosting features and bird nesting sites to be installed;
 - (c) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
 - (d) provision for hedgehogs to pass through installed fencing;
 - (e) prescriptions for the planting and aftercare of native trees, hedgerows and shrubs of high biodiversity value;
 - (f) details of the 'wetland' to be created as part of the surface water drainage attenuation scheme.
 - (g) proposed timings for the above works in relation to the completion of the buildings and timings in relation to evidence of compliance (see condition 9).
- 9) The biodiversity management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter. In accordance with condition 8(g) a report shall be

submitted to the local planning authority providing evidence of compliance with the biodiversity management plan.

- 10) No development shall take place other than in accordance with the Written Scheme of Investigation (submitted document entitled – Written Scheme of Investigation for Archaeological Mitigation Excavation) and until the following details have been submitted to and approved in writing by the local planning authority:
- i) a timetable of works;
 - ii) the provision to be made for analysis of the site investigation and recording;
 - iii) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - iv) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - v) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

The approved details shall be implemented in accordance with the approved timetable of works.

- 11) Prior to the occupation of any dwelling, the boundary treatment serving the respective dwelling shall have been implemented in accordance with approved drawing number 003 Rev B.
- 12) No development shall take place until the tree protection measures set out in the submitted Arboricultural Method Statement (drawing ref – AMS-TPP and AIA-TPP) have been implemented in their entirety. The measures shall be retained throughout the construction period.
- 13) The landscaping works shall be carried out in accordance with the approved details (drawing ref – R/2131/1C) before any part of the development is first occupied or within 12 months beginning on the date on which the development is commenced, whichever is sooner. If, within a period of 5 years from the date of planting, the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree.
- 14) Spaces for the parking of vehicles shall be laid out in accordance with drawing no. 002 Rev H prior to the occupation of each dwelling that the space(s) serve and shall thereafter and be kept available at all times for the parking of vehicles.
- 15) The bin collection points shown on approved drawing 002 Rev H shall be provided prior to the occupation of the dwelling that they serve.

End of Conditions