
Appeal Decision

Site visit made on 29 May 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2020

Appeal Ref: APP/D3505/W/19/3242769

Land off Clay Hall Lane, Acton CO10 0AQ

- 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 Acorn Farms against the decision of Babergh District Council.
 - The application Ref DC/19/00490, dated 29 January 2019, was refused by notice dated 4 July 2019.
 - The development proposed is construction of 4 No traditional dwellings with detached garages. All in generous plots.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of 4 No traditional dwellings with detached garages at Land off Clay Hall Lane, Acton CO10 0AQ in accordance with the terms of the application, Ref DC/19/00490, dated 29 January 2019, subject to the conditions set out at the end of this decision.

Procedural Matters

2. Despite the description of development set out above, I consider the description found on the Decision Notice and the Appeal Form better reflects the scheme that is before me and that which the Council considered. The development proposed is therefore for 'Erection of 4 No traditional dwellings with detached garages'. I have therefore dealt with the appeal on this basis.
3. The Procedural Guide Planning Appeals – England states that *only the person who made the planning application can make an appeal*. In this case, the appeal was lodged by Mr S Cobbald (Acorn Farms). As the appeal cannot technically be transferred to another person, it must continue in the original name of the applicant. I have therefore considered the appeal on this basis.
4. The appellant has requested that the original and amended plans submitted with the planning application are considered as part of the appeal. However, with cognisance of the Wheatcroft principles, it is important that I determine this appeal on the basis of what was determined by the local planning authority, and on which interested people's views were sought.

Main Issues

5. The main issues are: -

- whether the proposal is consistent with policies relating to housing in rural areas, including with regard to need and accessibility to local shops, services and facilities; and
- the effect of the proposed development on the character and appearance of Clay Hall Lane and the wider village.

Reasons

Rural housing

6. Policy CS2 of the Babergh Local Plan 2011-2031 Core Strategy & Policies (Adopted February 2014) (CSP) sets out the Council's spatial strategy to 2031. It outlines a settlement hierarchy, including hinterland villages like Acton. The policy suggests that development is directed to towns or urban areas, and to the Core Villages and Hinterland Villages. However, the site is outside of the settlement, in the countryside, where development is only permitted by the policy in exceptional circumstances subject to a proven justifiable need and requires that all proposals in relation to Hinterland Villages be assessed against Policy CS11 of the CSP. This also requires development to meet a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan.
7. No such plan has been prepared for Acton and the Council accepts that it would not be proportionate for all small developments to require a local housing need assessment. However, the Council has relied upon the Ipswich Housing Market Area Strategic Housing Market Assessment (2019) (SHMA) to set a requirement for such an assessment. Moreover, the SHMA states that the need for homes with two or three bedrooms is greater within the district of Babergh than for homes with four bedrooms.
8. The appeal proposal is for four homes, each with four bedrooms, and the appellants have not produced an assessment to set out the need for such homes in Acton. Although I understand that there may be other four-bedroom homes in the village, including newer unsold properties, there is no substantive evidence before me that would suggest that there is an oversupply of 4-bedroom houses in Acton or the wider district, having regard to the need that has been established through the SHMA. I also note that Policy CS11 of the CSP does not require proposed developments to incorporate houses of a specified size or number of bedrooms.
9. With respect to affordable housing, whilst the SMHA identifies a need for affordable housing in Babergh, the proposal is not for affordable housing. I am also mindful that the National Planning Policy Framework (the Framework) says that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas¹, where policies may set out a lower threshold of 5 units or fewer. I have not been made aware that the site is situated in a 'designated rural area', so the proposal would not need to satisfy such requirements.
10. I appreciate that Clay Hall Lane lacks street lighting and pedestrian footways but, like the other houses situated toward the northern end of the lane, the local shops, services and facilities situated in the village would be within a

¹ These are defined for right to buy purposes under s157 of the Housing Act 1985, and apply to National Parks, Areas of Outstanding Natural Beauty or an area designated by order of the Secretary of State as a rural area.

reasonable walking distance of the site to the west. Furthermore, the bus stop to the south also offers services to nearby Sudbury for the majority of the week.

11. The Framework suggests that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. A greater dependency on car use is therefore inevitable in some rural locations, particularly to access opportunities for employment. In this instance, the proposal would not, of itself, generate a large number of traffic movements and future residents would not be restricted to travelling by private motorised transport to access local shops, services, facilities and employment. I note that the Council arrived at a similar conclusion in this respect and acknowledged that the proposal is adjacent to the built-up area of the settlement so they did not find conflict with Policy CS11 of the CSP in respect of these matters.
12. I have been referred to the emerging Babergh & Mid Suffolk Joint Local Plan Preferred Options (Consultation Document, July 2019) (the JLP), which suggests that housing should be located on windfall and allocated sites in settlements. However, given that the JLP is not at an advanced stage of preparation, emerging policies and site allocations are not matters that have a significant bearing on my consideration of the merits of this appeal, particularly as there may be unresolved objections to contend with. Therefore, in accordance with the requirements of Paragraph 48 of the Framework, the JLP has attracted very limited weight in my consideration of the merits of the appeal.
13. I note that the Council refused permission for a housing development at Ardley House in the neighbouring village of Great Waldingfield² and a third party has confirmed that the reasons for refusal contained similar elements to the appeal proposal. It is unclear how close that scheme was in relation to the Built-Up Area of that village or whether the Council found harm in respect of the number of bedrooms proposed in each property. Similarly, I understand that around twenty infill properties have been granted permission by the Council in Acton. The details before me do not enable me to establish whether the individual circumstances of each of those sites would be comparable to the appeal proposal. I have therefore considered the appeal proposal on its own individual merits, including its proximity to the Built-Up Area Boundary of the village and its accessibility to local shops, services and facilities.
14. I have also been referred to a number of other proposed or consented schemes for houses in or close to Acton³ but, as these all relate to a significant quantum of housing, they would not be for development comparable to the smaller scale of the appeal proposal or those referred to above.
15. Having regard to all of the above and the particular circumstances of this case, although the proposal would encompass development outside of the village, it would be situated adjacent to the Built-Up Area Boundary and accessible to local shops, services and facilities. Furthermore, there is insufficient evidence before me to suggest that the proposal would not meet a proven local need for 4-bedroom homes.

² Planning Reference: DC/19/04296

³ Tamage Road, Acton, for around 100 houses; land south of Barrow Hill (planning reference: DC/702751), for around 100 homes; Bull Lane, Long Melford, for around 200 homes; and Chilton Wood, for a substantial mixed-use development including around 1250 homes.

16. I therefore conclude that the site represents an appropriate location for housing in respect of need and accessibility to local shops, services and facilities. Hence, the proposed development would accord with Policies CS2, CS11 and CS15 of the CSP. In particular, Policy CS15 of the CSP states that proposals should ensure that an appropriate level of services, facilities and infrastructure are available to serve the proposed development and development should seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars. The proposal would also accord with paragraphs 78 and 103 of the Framework.
17. I have not found against Policy CS1 of the CSP as the Council appears to have referred to the policy in the context of whether the proposal would amount to sustainable development, which I shall address within the Planning Balance.

Character and appearance

18. The appeal site is the frontage area of a larger undeveloped agricultural field to the eastern edge of the village. The field extends north and shares common characteristics with the varied field pattern that envelopes the village. The field is higher than the lane and separated from it by a ditch and grassed bank. The width of the frontage of the appeal site provides a visual break within the otherwise built frontage of Clay Hall Lane and enables views across the field to the north and east.
19. To the western side of the lane is Clayhall Place, a sizable development of detached houses arranged in close groupings around several cul-de-sacs, two of which return around towards the lane. None of the houses therein front on to the lane, which has resulted in a long uninterrupted close-boarded fence adjacent to the western frontage of the lane. In the northwestern corner of the lane, opposite the site, is a smaller grouping of houses more loosely spaced, two of which front onto the lane.
20. To the eastern side of the lane, the grain of development is more loosely spaced, with detached houses dispersed and set within large mature landscaped plots. The extent to which houses are set back from or include a frontage with the lane and the presence of garages and other outbuildings forward of houses, also varies to this side of the lane.
21. Development to the east of the lane therefore contrasts with the denser arrangement of dwellings predominantly found to the west and provides a transition to the countryside beyond. However, the houses in the vicinity of the site vary in size, shape and appearance, from converted barns and individually designed houses, to broadly similar house types in the larger development at Clayhall Place.
22. Taken together these stated features, particularly the grain of development to the eastern side and northwest of the lane, give rise to a clear and distinct, pattern of development. This makes a positive contribution to the rural setting of the village edge, and therefore the character and appearance of the area.
23. Although the proposal would make use of the existing farm access and this would be split to the north and east, these arrangements would be consistent with the characteristics of existing accesses found nearby. Moreover, there are already instances of houses arranged in groups or individually in the lane

- around accesses either perpendicular or parallel to the highway. The layout and spacing of the proposed houses would be consistent with the established grain of low density and loosely spaced development to the east and northwest of the lane, including the varied setback of houses with the lane frontage.
24. I appreciate that the proposal would be likely to obscure existing views to the north and east across the wider field but these are largely contained by the existing tree and hedge planting to the field boundaries. Moreover, although the proposal would close the visual break in development provided by the open nature of the field, it would not extend development into the open countryside beyond the furthest extent of the gardens of properties to the south. Furthermore, the appellant's Landscape Assessment has indicated that native mixed species hedgerows and tree planting would be introduced, which would be reflective of the existing planting.
25. The characteristics of the proposed development would ensure that it would integrate with the established grain of development and the existing profile of the rural landscape. The proposal would therefore not result in a significant intrusion into the countryside or harm being caused to the character of the area or the wider rural village setting.
26. In terms of the design of the proposed houses, given the varied architecture in the immediate vicinity of the site, the size, scale and appearance of the houses and garages, including the proposed palette of materials would also not offend the appearance of the area. Moreover, the design of the proposal would reflect some of the elements of the houses found in the locality, including dormer windows and exposed chimneys, and crosswings and other subordinate elements would contribute to reducing the overall scale of the proposed houses.
27. The appeal site is close to the property known as Puddledock Garden, which is designated as a Grade II listed building. I have therefore had regard to the statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, given the proximity and physical relationship of the proposal with this designated asset, its setting will be preserved and the proposal will not detract from it. I note that the Council raised no objection in this regard either.
28. For the reasons outlined above, I conclude that the proposed development would not have a harmful effect on the character and appearance of Clay Hall Lane and the wider village. Hence the proposal would accord with Policies CS11 and CS15 of the CSP and Policy CN01 of the Babergh Local Plan Alteration No 2 (Adopted June 2006) (LP). Together these policies require that proposals are well designed and appropriate in layout and character to its setting and to the village, and must pay particular attention to, amongst other things, the scale, form and nature of adjacent development and the environment surrounding the site; the materials forming the external elevations and roofs of buildings; existing and proposed hard and soft landscaping.

Other Matters

29. There is concern that the proposals would result in the loss of land, defined by the Framework, as best and most versatile agricultural land (Grade 2). I note that the Council have not raised any concerns in this respect and I have not been referred to any policies in the Development Plan that protect agricultural

- land. Furthermore, I am mindful that Footnote 53 of the Framework only requires areas of poorer quality land to be preferred to those of a higher quality, where the development of agricultural land would be significant. To my mind, the scale of the proposed development would not qualify as 'significant'.
30. Given the layout of the proposal and the intervening distances achieved, there would not be harm caused to the living conditions of the occupants of neighbouring houses, particularly in terms of privacy and daylight.
31. I understand that third parties have previously used the site and wider field for walking and the proposal could affect this. However, planning permission would not override any legal rights of access.
32. Concerns have been raised that local infrastructure, including health services and schools, would be unable to cope with additional development. However, there is no compelling argument that the relatively small-scale nature of the proposed development would directly affect the capacity of local infrastructure and I note that the availability of infrastructure is a challenge nationally. Resisting the development on the grounds of the capacity of local infrastructure would not therefore be justified.
33. The Council's Senior Environmental Management Officer has not raised any objections to the development in respect of land contamination, particularly in respect of the proximity of landfill, but has suggested that the Council should be contacted in respect of unsuspected contamination, which could be addressed by planning condition. Whilst third parties have raised concerns in these respects, there is no substantive evidence that would justify me coming to a different conclusion.
34. I acknowledge the concerns raised about the proposed access arrangements due to the visibility from the lane to Waldingfield Road and the site into the lane, the width of and the bend in the lane, the absence of streetlighting and dedicated pedestrian footways and the instances of vehicles overrunning onto the highway verge to pass one another. However, subject to conditions neither the Highway Authority nor the Council raise objections on these grounds and there is no substantive evidence that would justify me coming to a different conclusion. Nevertheless, in the interests of the living conditions of the occupiers of existing dwellings and businesses situated in Clay Hall Lane, it would be reasonable to minimise the impacts of the proposed development through a construction management plan, particularly in relation to contractors parking, deliveries and muck away lorries. This would be a reasonable approach given that construction would be for a temporary period only.
35. I note that third parties have raised concerns with respect to the ecological potential of the site and its surroundings but the Council's Ecological Consultant has not raised any concerns in this respect, subject to conditions, there is no substantive evidence that would justify me coming to a different conclusion. Similarly, the Council's Arboricultural Officer is also satisfied that the effect of any service trenches and vehicular access points on trees within the vicinity of the site can also be dealt with by condition.
36. The site is at low risk of flooding (Zone 1) and surface and foul drainage could be attenuated on site so that the development would not exacerbate any problems identified with respect to surface water flooding or drainage in the

village. Such details can be required and controlled by a suitably worded planning condition.

37. There is no firm evidence that the proposal would have a detrimental effect on mobile phone coverage or broadband and the provision of electricity to existing residents of Acton or whether there are plans for alternative or upgraded provision to be made. The consideration of obligations of the appellant or operators and providers is therefore not a matter for my consideration.

Planning Balance

38. The Framework states that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration.
39. The development plan for the area comprises the LP and CSP, both of which predate the current Framework. However, the Framework makes it clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them according to their consistency with the Framework.
40. Policy CS1 of the CSP only unnecessarily duplicates what was in paragraph 14 of the 2012 version of the Framework, so is out-of-date and thereby carries reduced weight. I have not found in relation to Policy CS1 of the CSP, however, I address whether the proposal would amount to sustainable development below.
41. The blanket approach to the application of settlement boundaries, in isolation of other considerations, would not be wholly aligned with the more flexible and balanced approach implicit in the objectives outlined in the Framework. Furthermore, exceptional circumstances for development in the countryside beyond settlements, found in Policies CS2 and CS11 of the CSP, are not wholly consistent with the Framework, which only applies to isolated development. However, Policy CS2 of the CSP is consistent with the aim of the Framework to direct housing to locations where it is supported by local facilities and services through an established pattern of distribution; and Policies CS2 and CS11 respond to local circumstances as required by Paragraph 77 of the Framework. In light of this I have regarded the underlying objectives of the policies, as being consistent with the revised Framework but I have afforded reduced weight to the conflict of the proposal with these policies in the light of their approach to exceptional circumstances for development in the countryside, which lessens the magnitude of that conflict.
42. Policy CN01 of the LP exceeds the statutory duty referred to above and goes further than paragraph 192 of Framework, which requires decision makers to "take account of the desirability of sustaining and enhancing the significance of heritage assets". Moreover, the policy advocates strict control of development that protects and enhances the built environment. Policy CS15 of the CSP does not exceed these requirements and is consistent with the Framework in terms of its aim to achieve well designed places and the accessibility to services and facilities. Although the Council did not find harm in respect of heritage, policies should be assessed as a whole and both policies fail to acknowledge the balancing exercise required by paragraphs 195 and 196 of the Framework. Hence, these policies are out-of-date, for the purposes of the Framework but,

in any event, I have not identified any conflict of the proposal with these policies.

43. The Council has identified that it can demonstrate five-years supply of deliverable housing land within the district, as required by Paragraph 73 of the Framework, but this does not represent a ceiling on the delivery of housing. Moreover, the Framework supports the Government's objective to significantly boost the supply of homes. Furthermore, as two of the policies most important for determining the appeal are out-of-date, namely Policy CS15 of the CSP and Policy CN01 of the LP, in line with footnote 7 to paragraph 11 of the Framework, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In such circumstances paragraph 11 of the Framework is engaged. This requires that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (paragraph 11(d)(ii) of the Framework).
44. In the context of paragraphs 59 and 68 of the Framework, I note the contribution that would be made to the supply of housing by this small site, particularly as it could be built-out relatively quickly. Whilst there is no threshold for the assignment of weight to the quantity of proposed dwellings within the planning balance, the proposal would deliver four 4-bedroom homes, which would contribute to the overall housing mix in the District. However, as the contribution to the supply of housing would be minor in its extent it would only be afforded moderate weight.
45. Some economic benefits would arise from, for example, employment and procurement of materials during the construction period. Future occupiers would also contribute to the local economy through expenditure, but the proposal would provide only four additional dwellings, such that these benefits would be limited in scale and kind, and consequently carry moderate weight.
46. The proposed development would comply with development plan policy in respect of its location and the need for housing in that location; and there would not be harm caused to the character and appearance of Clay Hall Lane and the wider village. Two of the development plan policies most important for determining this appeal are out-of-date and the proposal would amount to sustainable development under the terms of the Framework. Overall, I have not found there to be any adverse impacts associated with the proposal that would weigh against the grant of planning permission.
47. There are no adverse impacts identified that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Such circumstances do not indicate that the proposal should be determined other than in accordance with the development plan.

Conditions

48. The Council has suggested conditions relating to reserved matters, the approved details and a landscaping scheme. As the application was submitted in full and all details were considered by the Council it would not be necessary to impose a condition relevant to the submission of reserved matters.

49. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area, materials listed in the application should be controlled by condition. The access, manoeuvring, parking arrangements and details of the storage and presentation of refuse bins are required to be provided to serve the development, prior to it being occupied, in the interests of highway safety. Similarly, in the interests of the neighbouring occupants living conditions and highway safety, a condition requiring a construction management plan prior to development commencing is necessary.
50. Details of the existing and proposed land levels and proposals for services are required, protection measures for trees, ecological licensing, and further detail in relation to the enhancement detailed in the appellants' ecological report are all required, prior to the commencement of development, in the interests of protected trees and the wider ecological value of the site and its surroundings. For the same reason, ecological mitigation referred to in the report shall also be carried out prior to occupation of the proposed dwellings.
51. Details of surface and foul drainage, and hard and soft landscaping are required prior to occupation so as to not exacerbate any problems identified with respect to surface water flooding or drainage in the village, and in the interests of the character and appearance of the area. Furthermore, in the interests of the safety of future occupiers of the site, it is necessary to ensure that unsuspected risks of contamination are addressed as necessary during the course of construction of the development.

Conclusion

52. The proposed development would be in accordance with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, I conclude that the appeal should be allowed.

Paul Thompson

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans (as annotated): Proposed New Dwellings Clay Hall Lane 1:500, Location Plan Proposed New Dwellings Clay Hall Lane Acton, Block Plan Proposed New Dwellings Clay Hall Lane 1:500, Proposed New Dwelling Plot 1 & 3 Clay Hall Lane 1:100, Proposed New Dwelling Plot 2 Clay Hall Lane 1:100, Proposed New Dwelling Plot 4 Clay Hall Lane 1:100 and Proposed Garages Clay Hall Lane 1:100.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials specified on the planning application form and / or submitted drawings.

- 4) No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The Plan shall provide for:
- i) the parking of vehicles of site operatives and visitors (all such parking shall be within the curtilage of the site and not in the highway);
 - ii) loading and unloading of plant and materials (all of which shall be undertaken within the curtilage of the site and not in the highway);
 - iii) measures to control the emission of dust and dirt during construction, in relation to the functioning of the highway and neighbouring dwellings;
 - iv) delivery and construction working hours.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

- 5) None of the dwellings hereby permitted shall be occupied until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
- i) planting, seeding or turfing;
 - ii) boundary treatment[s];
 - iii) hard surfacing materials;
 - iv) an implementation programme;
 - v) a scheme of management and/or maintenance.

The landscaping works shall be carried out in accordance with the approved details, in accordance with the agreed implementation programme. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 6) No development shall commence until details of the measures to protect the trees shown on the approved plans as being retained have been submitted to and approved in writing by the local planning authority. These details shall include:
- i) any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area, including proposed and existing functional services above and below ground; and
 - ii) all appropriate tree protection measures required before and during the course of development (in accordance with paragraph 5.5 of British Standard BS 5837) (or in an equivalent British Standard if replaced).

The development shall be constructed in accordance with and using the approved tree protection measures.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.]

- 7) No development shall commence unless the local planning authority has been provided with either:

- i) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - ii) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
- 8) No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Method Statement for Great Crested Newts has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the following:
 - i) purpose and objectives for the proposed works;
 - ii) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - iii) extent and location of proposed works shown on appropriate scale maps and plans;
 - iv) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - v) persons responsible for implementing the works;
 - vi) initial aftercare and long-term maintenance (where relevant);
 - vii) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details, including the timetable for implementation, and shall be retained in that manner thereafter.
- 9) None of the dwellings hereby permitted shall be occupied until the mitigation measures and/or works have been carried out in accordance with the details contained in the Ecological Appraisal (Bright Green Environmental, October 2018). This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECow,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
- 10) No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority, following the details contained in the Ecological Appraisal (Bright Green Environmental, October 2018). The content of the Biodiversity Enhancement Strategy shall include the following:
 - i) Purpose and conservation objectives for the proposed enhancement measures;
 - ii) detailed designs to achieve stated objectives;
 - iii) locations of proposed enhancement measures by appropriate maps and plans;
 - iv) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - v) persons responsible for implementing the enhancement measures;

- vi) details of initial aftercare and long-term maintenance (where relevant).

The works shall be carried out strictly in accordance with the approved details, including the timetable for implementation, and shall be retained in that manner thereafter.

- 11) None of the dwellings hereby permitted shall be occupied until surface and foul water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 12) The vehicular access for Plots 1 and 2 hereby permitted shall be a minimum width of 4.5 metres for a distance of 10 metres measured from the nearby edge of the carriageway.
- 13) None of the dwellings hereby permitted shall be occupied until details of the areas to be provided for storage and presentation of Refuse/Recycling bins have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 14) None of the dwellings hereby permitted shall be occupied until the corresponding areas within the site, shown on the drawing: "Block Plan Proposed" for the purposes of manoeuvring and parking of vehicles, have been provided and thereafter those areas shall be retained and used for no other purposes.
- 15) 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.

END OF SCHEDULE