
Appeal Decision

Site visit made on 20 July 2020

by Paul Singleton BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2020

Appeal Ref: APP/F1040/W/20/3246651
75 Derby Road, Hilton, Derby DE65 5FP

- 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 Talbot Turf/Talbot Farm Landscapes against the decision of South Derbyshire District Council.
 - The application Ref 9/2019/0299, dated 16 May 2018, was refused by notice dated 6 November 2019.
 - The development proposed is demolition of existing dwelling (Use Class C3) and nursery buildings (sui generis use) and construction of 9 light industrial/office buildings (Use Class B1c) with the creation of a new access to Derby Road and associated works at Talbot Farm, 75 Derby Road, Hilton.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing dwelling (Use Class C3) and nursery buildings (sui generis use) and construction of 9 light industrial/office buildings (Use Class B1c) with the creation of a new access to Derby Road and associated works at Talbot Farm, 75 Derby Road, Hilton in accordance with the terms of the application, Ref 9/2019/0299, dated 16 May 2019, subject to the conditions set out in the attached schedule.

Application for costs

2. An application for costs was made by Talbot Turf/Talbot Farm Landscapes against South Derbyshire District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The original description of development set out in the application was amended by agreement with the Council. I have adopted the amended description in this decision.

Main Issues

4. The main issues in the appeal are:
 - (a) the effect on the character and appearance of the site and its surroundings;
 - (b) the likelihood of increased use of the restricted section of Derby Road, to the west of the appeal site, by HGVs as a result of the development; and
 - (c) the effect on highway safety.

Reasons

5. Although it may historically have been used as a plant nursery, the principal use of the site now appears to be for offices and the storage of vehicles, plant, equipment and materials for the appellant's commercial landscape contracting operations. With the exception of the garden to the 2 storey dwelling, the majority of the site is covered by buildings or hard standings and the three poly tunnels are now used for storage rather than for plant cultivation. The Council accepts that the site should be regarded as being in an existing business use with ancillary storage. I saw nothing on my site visit to contradict that conclusion.

Character and appearance

6. There is open land to the north and east but the site is fully screened from this land by tall and well established hedging and trees to both of these boundaries. The site has no visual or functional relationship with that open land and there are no views across the site into that land. It appears to have developed in an organic way with an unplanned arrangement of buildings, storage areas and space for the circulation of vehicles. The existing buildings are visually unattractive, with mainly portacabin type structures in the centre of the site and an assortment of generally poor quality storage/maintenance sheds to the rear. The two site accesses and a number of gaps in the frontage hedge afford open views from Derby Road of an extensive parking area in the front portion of the site and a large number of vehicles, plant (including large earth-moving equipment), machinery and materials stored in the yard.
7. The Council's contention that the site complements the largely rural character of the land to the north side of Derby Road in the village is misplaced. The site may have had such a character in the past but this has been substantially eroded by virtue of its current use and general appearance. In addition, planning permission has been granted for the extensive new residential development that is currently under construction to the north west and west of the site. With the exception of an area of open space forming part of the flood attenuation scheme for that proposal, the frontage along Derby Road to the west of the appeal site will be fully developed.
8. In medium distance views from the west, the hedge and conifers to the roadside boundary of the appeal site appear as a green frontage seen against the backdrop of other vegetation further to the east. However, on drawing closer, the commercial nature of the site's use becomes apparent as views of the large areas of parking and storage are opened up. For those entering Derby Road from the east, the vehicle parking and open storage occupy the centre of their view as they exit the roundabout. With the existing accesses and gaps, the boundary hedge provides only limited screening of the site and the activities on it as the viewer passes by on Derby Road.
9. The appeal proposal would result in a more compact and ordered form of development on the site, with buildings and their allotted parking spaces arranged around a central vehicle turning area and with one, single access from Derby Road. Access, parking and circulation areas would be finished with a permanent, sealed surface in place of the rough stone finish of the existing area of hardstanding. Although of varying size, the buildings would be of uniform design and appearance with a common palette of materials to their

- external surfaces. This would bring a uniformity of appearance and a much increased sense of order to the site.
10. The use of contrasting colour cladding to the roller shutter doors and of glazing to the proposed office components of the buildings would break up and add visual interest to their front elevations. The proposed design is representative of modern small industrial/business units and would achieve an appropriate quality of development in this location. The removal of one of the access points and provision of enhanced landscape treatment, including formal tree planting along the front boundary and the filling of gaps in the existing hedge, would provide an attractive frontage and would restrict and filter views into the site.
 11. Although formally outside of it, the site immediately adjoins the defined settlement boundary for Hilton, which is designated in the South Derbyshire Local Plan Part 1 (adopted 2016) (Local Plan) as a Key Service Village. Given this location on the edge of Hilton, the site's redevelopment for business or industrial use is consistent with Part A i) of Local Plan Policy E2 which states that the development of such sites will be supported. The proposal also derives support under Part A iii) of the policy as it comprises the redevelopment of existing industrial/business land. I note that the appellant intends to occupy 3 of the proposed 9 units but am not persuaded that this would equate to an 'expansion' of the existing business for the purposes of Part A ii) of the policy given that the company currently occupies the majority of the site.
 12. Part B of Policy E2 requires that all development should be '*in scale*' with existing built development and should not give rise to undue impacts on the local landscape, natural environment or cultural heritage assets. In relation to these requirements, I consider that the site fits within the category of small development sites on the edge of a key service village referred to in paragraph 6.15 of the explanation to the policy. I also consider that the buildings would be small commercial units, targeted at the lower end of the market in terms of size requirements and at users who would be compatible with the site's location adjacent to a residential area.
 13. As demonstrated in the appellant's evidence, the new buildings would be no taller than some of the existing and proposed houses nearby but I accept that scale is not measured by height alone. However, as the policy clearly contemplates, and provides positive support for both industrial and business development, I do not think the requirement that development should be '*in scale*' with its surroundings can, sensibly, be read as requiring that new buildings on such sites should be no larger than a residential property.
 14. It would seem more appropriate to address this requirement in terms of whether the proposal is of an appropriate scale given its relationship with existing (and proposed) residential and other buildings in the immediate locality. With the site layout, eaves and ridge heights as proposed, the appeal scheme would achieve that outcome. The proposed layout and landscaping treatments would also be effective in minimising the visual impact of the new buildings and their potential effect on the outlook from houses on the south side of Derby Road.
 15. The largest individual units would be arranged along the rear boundary of the site, at a considerable distance from the road frontage. The visual impact of Units 1-3 and Units 4 & 5 would be significantly reduced because it would be the gable ends rather than the front elevations of those buildings that face the

road. With Unit 3 set back some 6m from the site boundary, its gable elevation would be more than 30m from the nearest residential properties on Derby Road. This would provide adequate separation to avoid the new units having an overbearing or oppressive effect on the outlook from those houses. The separation distance between the new houses facing the eastern half of the site and the gable wall to Unit 4 would be considerably in excess of 30m and there would be no adverse effect on the outlook from those dwellings. The views of this end gable would be filtered by the enhanced landscaping to the site frontage and would represent an improvement over the views that these residents currently have of the parking and open storage within the existing yard area.

16. Overall, the proposed development would result in a positive enhancement in the character and appearance of the site and the contribution it makes to the visual amenity of this part of Derby Road. I consider that it would represent an appropriate form and quality of development at this end of the village and that it would not cause material harm either to visual amenity or to the character and appearance of the settlement. Accordingly, I find that the proposal complies with Local Plan Policy BNE1, which requires that all development should be well designed and related to its context.
17. The appeal scheme would result in the loss of 4 trees covered by the Tree Preservation Order.¹ Due to their location at the rear of the site these make a limited contribution to the amenity of the wider area and my observations on site support the findings of the appellant's arboricultural report as to the condition of these trees. Whilst their loss is to be regretted, I am satisfied that the other TPO trees on the site could be protected during the construction works and be retained within the development. The new landscaping proposed would provide some compensation for the loss of these existing trees and would not have a significant adverse effect on the landscape character of the area such as to give rise to any conflict with Local Plan Policy BNE4.
18. The Council has not objected to the proposal on cultural heritage grounds and adequate protection for nesting birds and other ecological interests could be secured by suitable planning conditions. In this context, and in the absence of any undue effect on the local landscape, I find that the proposal complies with and derives support from Policy E2.
19. Development that is permitted under Policy E2 is not listed in part i) of Policy BNE5 as one of the forms of development that is also permitted under that policy. This appears to be an omission since it is difficult to envisage how a proposal that is expressly supported by Policy E2 could be in conflict with other policies that seek to control development outside of the settlement boundaries. The proposal is, however, consistent with Policy E7 as this gives support to proposals that would diversify and extend the range of sustainable employment opportunities on land outside of settlement boundaries. In addition to the appellant's own accommodation requirements there is strong potential occupier interest and market demand for the proposed units has been confirmed by the Council's Economic Development Unit. There is, accordingly, good evidence that the development would achieve those objectives. As Policy E7 is listed in

¹ The South Derbyshire District (Land North of Derby Road, Hilton) Tree Preservation Order No. 475 (2017).

part i) of BNE5 it can be concluded that the proposal also complies with Policy BNE5.

Use of the restricted section of Derby Road by HGVs

20. Derby Road forms a secondary route through the village, with most traffic seeking to access its employment and residential areas using the Hilton Bypass. A maximum weight restriction of 7.5 tonnes has been introduced along this part of Derby Road, Main Street and Uttoxeter Road to discourage HGV traffic from using this route through the village. The weight restriction is clearly signed at the exit from the roundabout into Derby Road to the east of the site with the sign indicating that the limit applies “*except for access*”. There is an equivalent sign at the western end of Uttoxeter Road and extensive traffic calming measures are in place along Main Street in the central section of this route.
21. The appeal site benefits from existing licences for HGVs to be stored and operated from the site and I saw that it is visited by large vehicles including low-loaders capable of carrying heavy plant. I have not been provided with any evidence that the existing use of the site has resulted in breaches of the weight restriction. I see no reason why the redevelopment proposals should have that outcome.
22. The Council has produced no evidence to demonstrate that there would be an increase in HGV movements as a result of the proposal or, even if it did have that effect, that drivers of those vehicles would wish to drive through the village. The new entrance to the site would be less than 100m from the roundabout and within 500m of the junction with the A50. This, in turn, provides east-west access across the sub-region and connects with other parts of the Strategic Road Network for travel north and south. Very few, if any, HGVs visiting the completed development are likely to have started their journey within the centre of Hilton and, even if they did, such movements would fall within the “*except for access*” provision within the weight restriction order. The large majority of HGVs visiting the site can be expected to travel there via the A50 and to use the A50 to get to their onward destination when leaving the site.
23. It is difficult to imagine why any HGV driver would not follow the shortest and most convenient route back to the A50 when the alternative, of travelling through the village centre, would be more difficult and slower because of the 30 MPH speed limit and traffic calming, and would involve the risk of incurring a penalty for breaching the weight limit. The chances of drivers opting to use that alternative in breach of the weight restriction would be very small and I find no evidence to substantiate the Council’s concerns over this matter. Accordingly, I conclude that the proposal does not conflict with the requirement, in Local Plan Policy INF2, that travel generated by the development should not have an undue detrimental impact on local amenity.

Visibility Splays

24. The clear advice given in the Local Highway Authority’s consultation response was that the requisite visibility splays at the site access are 2.4m x 101m to the south west and 2.4m x 71m to the north east and that these can be achieved within land controlled by the appellant. This was confirmed to members in the Planning Officer’s report. The plan showing the visibility splays

was omitted from the original appeal documents but has subsequently been submitted and the Council has had the opportunity to comment on it.

25. Having examined the position on site I am satisfied that the visibility splays shown on that plan can be achieved within the site ownership. The splay to the south-west would require the removal of conifers to the front of the dwelling and the cutting back of other vegetation. There would be ample room for replacement and enhanced landscaping behind the visibility splay. The access proposals would not, therefore, result in any detriment to highway safety and no conflict with Policy INF2 arises in this regard. It may be helpful for signs to be erected at the site exit to advise HGV drivers to turn right out of the site. However, no harm to highway safety has been demonstrated so as to require that such mitigation is put in place.

Conditions

26. I have had regard to the Council's suggested conditions, as set out in its appeal statement and officer report, including the proposed pre-commencement conditions and to the various conditions recommended in the consultation responses to the application. The applicant has had the opportunity to comment on those suggested conditions and I have taken account of the matters raised in the appellant's final comments. In some of the conditions I have adopted Planning Inspectorate standard wording where I consider that this adds clarity.
27. Approval is granted in accordance with the application but, for the avoidance of doubt, I have attached a condition requiring that the development is carried out in accordance with the approved plans. In line with the findings of the ecological survey and comments of Derbyshire Wildlife Trust, conditions have been attached to require approval of a scheme for alternative swallow nesting sites and a risk assessment or method statement for the protection of any amphibians or reptiles found on the site, and for nesting surveys to be carried out before the removal of vegetation or buildings. All of these conditions are necessary to safeguard birds and other species that may be found on the site.
28. In the interests of maintaining and enhancing the site's biodiversity a condition has been attached to require the implementation of the measures identified in the Preliminary Ecological Appraisal. As a number of TPO protected trees and existing hedges are to be retained a scheme is required to ensure adequate protection of these trees and their identified root protection areas during the construction works. I have attached a condition that requires the approval of and adherence to such a scheme.
29. As detailed drainage proposals were not submitted with the application a condition is needed to require the submission and approval of those details to ensure adequate drainage for the development. For the same reason, conditions have been attached that require the developer to demonstrate where surface water would be discharged to and ensure no surface water runoff to the highway during the construction works.
30. Due to the risk of ground gas, a scheme for the monitoring of this and/or the prevention of ground gas ingress is required to ensure the safety of the development and adjoining properties. I have attached a condition that requires those measures. In the interests of minimising the risks to highway safety and of protecting the amenity of nearby residential properties during the

construction works, I have also attached conditions that require adequate provision for the storage of plant and materials, the parking and manoeuvring of vehicles, and for wheel washing facilities, and that restrict the hours within which construction works may be carried out.

31. To ensure an appropriate quality of development, and that the potential visual effects are as I have assessed them, conditions have been attached that require the prior approval of finished floor and ground levels and of the details of materials to be used in the external construction of the new buildings. In the interests of highway safety, conditions are also needed to ensure that the new vehicular access and visibility splays are completed and that existing accesses are closed off and made good. For the same reason, a condition has been attached that requires that the parking and vehicle turning areas are completed before the buildings are brought into use.
32. Although some details of the proposed landscaping were submitted with the application, I consider that a full and detailed scheme of hard and soft landscaping works is needed to ensure an appropriate quality of development and satisfactory screening of the completed scheme. Conditions have been attached to require the approval and implementation of those works. In the interests of ensuring the effective operation of the completed scheme and safeguarding the amenity of nearby residential occupiers, conditions have also been attached requiring the approval of arrangements for waste collection and recycling and a lighting strategy for the site.
33. The Council has suggested a condition relating to water consumption but the draft wording appears to relate to residential rather than commercial development. Neither have I been provided with a copy of Local Plan Policy SD3 which the Council cites as the policy justification for the proposed condition. In the absence of that information I am unable to conclude that the suggested condition meets the test of necessity set out in paragraph 55 of the National Planning Policy Framework. I have not included it in the schedule of conditions for these reasons.

Other Matters

34. A Neighbourhood Plan for Hilton has been approved for consultation but has not yet been submitted for examination. Its policies can, therefore, be afforded only very limited weight. Given my conclusions as to the effects on character, appearance and landscape of the site and its surroundings and on biodiversity, I do not consider that the proposal conflicts with draft Policies E4 of E5 of the Neighbourhood Plan. As the proposed units are for Class B1 use, these would fall within the scope of development envisaged in draft Policy B1. I note that the policy relates only to development within the settlement boundary but such development is also supported on sites immediately adjoining a Key Service Village by Local Plan Policy E2.

Conclusions

35. For the reasons set out above, I conclude that the proposal complies with the relevant policies of the Local Plan and with the development plan as a whole. I have not identified any significant adverse effects or other considerations which would support a refusal of planning permission contrary to the provisions of the development plan. Accordingly, I conclude that the appeal should be allowed

and that permission should be granted in accordance with the conditions set out in the attached schedule.

Paul Singleton

INSPECTOR

Schedule of Conditions for Appeal Reference APP/F1040/W/20/3246651

- 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 following approved plans:
 - 1385 - 001 - Site Location Plan
 - 1385 - 003 Rev B - Site Plan as Proposed
 - 1385 - 004 Rev B - Units 1-3 Plan and Elevations
 - 1385 - 005 Rev A - Units 4 & 5 Plan and Elevations
 - 1385 - 006 Rev A - Units 6 & 7 Plan and Elevations
 - 1385 - 007 Rev A - Unit 8 Plan and Elevations
 - 1385 - 008 Rev A - Unit 9 Plan and Elevations
- 3) No development, including preparatory works, shall commence until a scheme for the creation of suitable alternative nesting sites for swallows and a timetable for the provision of such measures, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.
- 4) No development, including preparatory works, shall commence until a risk assessment/method statement for amphibians and reptiles, including details of any Reasonable Avoidance Measures deemed to be appropriate, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved risk assessment/method statement.
- 5) No development, including preparatory works, shall commence until a biodiversity enhancement strategy has been submitted to and approved in writing by the local planning authority. The details shall include (but not exclusively relate to) the biodiversity enhancement measures outlined in sections 5.17 and 5.20 of the Preliminary Ecological Appraisal report prepared by Absolute Ecology dated January 2018. The approved measures shall be implemented in full as construction proceeds and be completed prior to the first occupation of the development and shall thereafter be maintained for the duration of the development.
- 6) No development, including preparatory works, shall commence until protective fences have been erected around all trees and hedgerows shown to be retained on the approved plans. Such fencing shall conform to best practice as set out in British Standard 5837:2012 and ensure that no vehicles can access, and no storage of materials or equipment can take place within the root and canopy protection areas as identified in Drawing No. THL-0757 included within Tree Heritage Limited's Arboricultural Report dated 24 May 2019. The fences shall be retained in situ until all ground and construction works have been completed, with the protected areas being kept clear of any building materials, plant, debris and trenching and with the existing ground levels maintained. No entry to those protected areas shall be permitted during the construction programme other than for the carrying out of the approved arboricultural or landscape works.

- 7) No removal of trees, hedges, scrub, buildings or structures shall take place between 1 March and 31 August inclusive unless a survey to assess the nesting bird activity on the site has been carried out and a scheme to protect nesting birds has first been submitted and approved in writing by the local planning authority. No trees, hedges, scrub, buildings or structures shall be removed between 1 March and 31 August other than in accordance with an approved bird nesting protection scheme.
- 8) No development shall take place until a detailed design and associated management and maintenance plan for the surface water drainage for the site has been submitted and approved in writing by the local planning authority. The detailed proposals shall be in accordance with the principles outlined within the following documents:

(a) '*Flood Risk Assessment Business and Commercial Development of Land at Talbot Nursery, Derby Road, Hilton for Talbot Turf*' dated April 2019, including any subsequent amendment or update to the document approved by the Flood Risk Management Team; and

(b) DEFRA's Non-Statutory Technical Standards for sustainable Drainage Systems (March 2015).

The approved drainage scheme shall be completed in accordance with the approved details prior to the first occupation of any of the buildings hereby permitted.

- 9) No development shall take place until a detailed assessment has been submitted to and approved in writing by the local planning authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
- 10) No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority to demonstrate how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be brought into operation to the satisfaction of the local planning authority before the commencement of any works which could lead to increased surface water run-off from the site.
- 11) No development shall take place before a scheme has been submitted to and approved in writing by the local planning authority, either for the prevention of ground gas ingress or for the monitoring of the site for the presence of ground gas, with a subsequent risk assessment to be carried out in accordance with a scheme approved in writing by the local planning authority. The submitted scheme shall meet the requirements in Box 4, Section 3.1 of the Council's '*Guidance on submitting planning applications for land that may be contaminated*' and shall include relevant mitigation where necessary. The preventative or mitigation measures approved shall be incorporated in the construction of the development and, upon completion, verification of their correct installation shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the buildings hereby permitted.
- 12) Throughout the construction phase space shall be provided within the site for the storage of plant and materials; site accommodation; the

manoeuvring, loading and unloading of goods vehicles; the parking and manoeuvring of employees' and visitors' vehicles. The designated spaces shall be laid out and constructed in accordance with detailed designs that have first been submitted to and approved in writing by the local planning authority and shall, thereafter, be maintained free from any impediment and kept available for their designated use throughout the construction period.

- 13) No ground, construction or fitting out works shall take place outside of the hours of 0730 and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays. No construction or fitting out works shall be carried out on Sundays or public holidays except in an emergency.
- 14) Facilities for the cleaning of vehicle wheels shall be provided and retained within the site for the duration of the ground and construction works. All construction vehicles shall have their wheels cleaned before leaving the site so as to prevent the deposition of mud and other extraneous material on the public highway.
- 15) No works for the installation of drainage and utility services for the development shall commence until details of the finished floor levels of the proposed buildings and finished ground levels of the completed development have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved levels.
- 16) No above-ground works for the construction of any building hereby permitted shall be commenced before full details, specifications and samples of the materials to be used in the external construction of the buildings have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 17) None of the buildings hereby permitted shall be occupied until the new access to Derby Road has been formed and completed in accordance with the details shown on drawing No. 1385-003B.
- 18) The approved access shall not be brought into use, other than for construction traffic, until the requisite visibility sightlines have been provided as shown on Drawing 1385-101A Visibility Plan. For the avoidance of doubt, these shall extend from a point 2.4 metres from the edge of the carriageway (measured along the centreline of the access) for a distance of 120 metres to the south west and a distance of 71 metres to the north east (measured along the nearside carriageway edge). The approved visibility sightlines shall, thereafter, be maintained free of any object or obstruction greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level for the lifetime of the development.
- 19) None of the buildings hereby approved shall be occupied until space has been laid out within the site, in accordance with drawing No 1385-003B, for 54 cars to be parked and for goods and other vehicles to turn so that they may enter and leave the site in forward gear. These facilities shall, thereafter, be maintained and retained exclusively for their designated use at all times.

- 20) No part of the development shall be occupied until details of arrangements for the storage of refuse and recycling bins and the collection of waste have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the agreed details and the approved facilities shall be retained for their designated purposes at all times thereafter.
- 21) No part of the development shall be brought into use until full 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) a statement setting out the design objectives and how these will be delivered;
 - ii) trees and hedges to be retained;
 - iii) new trees/hedges and other soft landscape works;
 - iv) means of enclosure and retaining structures;
 - v) boundary treatments;
 - vi) hard surfacing materials;
 - vii) an implementation programme.
- 22) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any of the building hereby permitted or the completion of the development whichever is the sooner. 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.
- 23) Prior to the installation of any external lighting, a detailed lighting strategy (designed in accordance with the guidelines issued by the Institute of Lighting Engineers, or any equivalent guidelines which may supersede such guidelines) which shall include precise details of the position, height, intensity, angling and shielding of lighting, as well as the area of spread/spill of such lighting, has been submitted to and approved in writing by the local planning authority. All lighting shall be installed in accordance with the approved strategy and thereafter retained in conformity with the approved details.
- 24) Within 28 days of the new vehicular access being brought into use, the existing vehicular accesses to Derby Road shall be permanently closed with a physical barrier and the existing vehicle crossovers shall be reinstated as footway and verge in accordance with a scheme that has first been submitted to and approved in writing by the local planning authority.

End of Schedule of Conditions