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## Appeal Decision

Site visit made on 23 April 2021

by **Stephen Wilkinson BA (Hons) BPI DIP LA MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2021

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**Appeal Ref: APP/X1925/W/20/3256307**

**Land west of Royston bi-pass, Royston, Hertfordshire, SG8 7NJ**

- 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 Linden Wates (Royston) LLP and Frontier Estates (Dartford) Ltd against the decision of North Hertfordshire District Council.
  - The application Ref 19/00248/FP, dated 30 January 2019, was refused by notice dated 14 February 2020.
  - The development proposed is erection of a 73 bed care home (within Class C2), parking, access, landscaping, and other associated works.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a 73 bed care home (within Class C2), parking, access, landscaping, and other associated works at land west of Royston bi-pass, Royston, Hertfordshire, SG8 7NJ in accordance with the terms of the application, Ref 19/00248/FP, dated 30 January 2019, and the plans submitted with it, subject to the conditions included in the schedule attached to this decision.

### Procedural Matters

2. I wrote to the main parties seeking their views on whether they are 3 main issues underpinning this appeal rather than just 2 as suggested by the reasons for refusal. This was prompted by reference in the Council's first reason for refusal to social cohesion as well as character and appearance. Although the officer's report to Committee<sup>1</sup> states that the locational criteria included in the emerging policy HS4 would not in itself be a standalone reason for refusal it is a thread running through the Council's case but is distinct from the issue of character and appearance. Neither party responded to this suggestion and accordingly, I have proceeded to determine the appeal on the basis of these 3 main issues.
3. Consultation is currently underway on the Main Modifications to the Council's emerging Local Plan, the North Hertfordshire Local Plan 2011-31 (ELP). Given the stage of preparation and the Council's position statement that there are no outstanding objections to the emerging policies cited in its decision, I accord those policies referred to by the main parties moderate weight. Until this plan is adopted the Saved North Hertfordshire District Local Plan No.2, with Alterations (the Local Plan) is the adopted plan for the district.

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<sup>1</sup> Officers report to Committee 4.3.11

4. A Unilateral Undertaking has been submitted with the appeal which I consider later in this decision.

### **Main Issues**

5. The main issues resulting from this appeal are:
- Whether the appeal scheme would be appropriately located having regard to both national and local policies for a care home.
  - The effects of the proposal on the character and appearance of the area, and
  - Whether sufficient infrastructure has been provided to enable the development.

### **Reasons**

#### *Location of proposed development*

6. The site forms part of phase 3 of a housing allocation, known as Land North of Newmarket Road (RY2), included in the emerging Local Plan. Phases 1 and 2 are currently under construction and 2 reserved matters applications have been approved for the third phase, one of which includes the appeal site for housing and one which excludes it. I understand that the latest updates on the emerging local plan suggested as part of Main Modifications intend to remove the site as a housing allocation because of the current rate of completion, this would effectively include the whole allocation within the proposed settlement boundary.
7. Both parties acknowledge that the site lies beyond the Royston settlement boundary as defined by Saved Policy 6 of the Local Plan which requires the protection of the countryside. The Council's first reason for refusal identifies the harm arising from the scheme's proposed location in respect of social cohesion.
8. The officer's report to Committee identifies that the appeal site is not well located to services and facilities given its location on the edge of Royston. However, the scheme would include dedicated facilities including a nurses station, a salon, café, wellness centre and cinema for the benefit of occupants.
9. Public transport to the site would be limited to the No.16 circular bus service. This has weekday hourly services between 07:00 to 18:00 hrs, although 2 services per hour run between 10.00 and 15.00 and on Saturdays a more frequent service runs between 08:30 and 17:30. No services run on Sundays or bank holidays. The submitted Unilateral Undertaking includes provision for the relocation of a bus stop from within the new housing area, to within 200m from the appeal site.
10. The Council states that other housing allocations within the emerging Local Plan would include land for C2 schemes. A reference was made to one such scheme where a 'healthcare hub' in Baldock is proposed in a current application which I understand includes a Class C2 use. However, Baldock is a distinct settlement from Royston and details of similar schemes in this settlement have not been brought to my attention.
11. The appellant states that it is their intention to register the care home to allow both nursing and residential care. This would address all aspects of care,

particularly important for those aged over 86 years<sup>2</sup> which the appellant considers would be the average age of residents. However, it is recognised that as residents age the extent of their social interaction diminishes and care will be increasingly provided on site and the need for travel to access essential services will diminish.

12. Whilst the proposed location of the site may presently appear isolated, at some point in the future, as the housing allocation is completed this will be less so and the opportunities for the scheme to become part of a new community are likely to arise.
13. I acknowledge that the appeal scheme's location on the edge of Royston is in a location contrary to Saved Policies 6 and 9 of the Local Plan being located beyond the settlement boundary and in the countryside. However, the principle of housing development in this location has been accepted by the Council. There is nothing in either the National Planning Policy Framework (the Framework) or adopted and emerging local policy which requires that the proposed use is required to be subject to a sequential test, as suggested by the Council. Indeed, the Council acknowledge in their report that there are no other specific policies to the provision of C2 use class uses in the Local Plan<sup>3</sup>.
14. Furthermore, I do not find any conflict with Saved Policy 57 as this identifies a broad range of criteria which do not cite access to services. For this reason, the Council overplays the degree of conflict with adopted policy.
15. The proposed scheme would be in conflict with emerging Policies D1.b.v and HS4 of the ELP. These identify the need for new development to be well located with regard to physical and social connectivity. Policy HS4 largely re iterates the saved Policy 57, requires development to be well served by public transport and have good access to services.
16. I acknowledge that the site would be some distance by foot to services, but the officer's report acknowledges that the site would be served by public transport subject to the implementation of the new bus stop as required by the Undertaking, although not well served<sup>4</sup>.
17. So to conclude on this main issue, whilst I do not find a conflict between the proposed scheme in respect of social cohesion and the Council's adopted policy there is a some conflict with the emerging policies D1 and HS4 of the Submission Local Plan 2011-2031 which require new development to be well served by public transport with good access to services.

#### *Character and appearance*

18. The proposed care home as defined by Class C2<sup>5</sup> represents a departure from the original site allocation for dwellings within Class C3.
19. The whole housing allocation occupies a large area of land which slopes upwards to the recently completed Royston bi pass, the A505. The appeal site occupies the highest point of the site, bounded on its eastern edge by a strong tree belt but the remainder of the site is an open greenfield.

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<sup>2</sup> Appendix 6 of the Appellants Statement of Case

<sup>3</sup> Paragraph 4.3.3 and 4.3.42

<sup>4</sup> Paragraph 4.3.9

<sup>5</sup> Town and Country Planning (Use Classes) Order 1987)

20. The scheme is designed to address the site's constraints through extensive site levelling and involves the creation of a series of small development platforms designed to accommodate the 4 principle elements of the proposed scheme linked by glazed walkways. In plan form they represent a cross, with the blocks located perpendicular to each other.
21. They would comprise buildings of between 2, 2.5 and 3 storeys in height with ridge heights of between 13.2m – 11m and eaves heights of around 9m-6.2m. This would contrast with the form of development included in the reserved matters for housing which would have varying ridge heights of 11m – 9m and eaves heights of 6.7m-5m.
22. Each block would be finished in materials drawn from a broad palette. These would include, timber, buff brick, render and glazing. The form of development would not result in visible horizontal roofs. The overall design would maintain a traditional pitch roof design.
23. I attach some importance to the 'fall back' position regarding the degree of harm likely to arise from the impact of built development on this site given the extant outline permission for residential development<sup>6</sup>.
24. The topography of the site means that any development would appear dominant. Whilst the main parties evidence base does not include the details included in the reserved matters applications submitted for this site my understanding is that some form of engineered platforms would be inevitable. For this reason, I do not consider that the proposals represent being 'over engineered'.
25. In contrast to standardised housing models common to residential schemes, the proposed scheme would be a building of interest. The varying roof heights with 4 distinctive elements which step up the contours could enliven the whole housing site. This form of development would be open in character with incidental spaces and parking areas designed to break up the dominance of the scheme.
26. Although the Council's objections to the scheme are based on its impact on the surrounding landscape, no receptor points are identified or landscape harm clearly evidenced. Adherence to the 80m contour (a parameter of the outline scheme) would set the scheme away from the edge of the site ensuring that the tree belt which lies on the site's eastern boundary would still be the dominant element on the horizon when viewed from the west and in turn would act to restrict views of the scheme on the approach from the south.
27. There is sufficient variation, inherent within its design which addresses the Council's concerns regarding scale, mass and bulk and landscape planting could adequately mitigate for the extent of more localised impacts.
28. Given the context of the appeal site, which forms part of a site allocation, Policy 6 of the Local Plan is not directly applicable as it seeks to resist new development beyond the settlement boundary. I regard the outline permission for the allocated site as establishing a new chapter in the site's planning history.

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<sup>6</sup> Officer's report to planning committee paragraph 4.3.1.

29. Policy 57 of the Local Plan includes a broad range of design criteria used as parameters to inform site development which identify closely with Section 12 of the National Planning Policy Framework. In the round in my assessment of these parameters, the application is in broad alignment with each of them.
30. Furthermore, the Council identifies conflict between the emerging Policies HS1 and D1 of the ELP. However, whilst Policy HS1 requires new housing to be allocated on sites identified on the proposals map, the proposed development is for a form of residential development on a recently permitted site. Finally, for the reasons identified above I do not consider that there is conflict between the proposed scheme and Policy D1 which requires the nature and scale of development to respond to its local context.
31. For the above reasons I conclude that there is no conflict with Policies 6 and 57 of the Local Plan. Furthermore, I conclude that there is no conflict with the emerging policies HS1 and D1 of the emerging local plan.

#### *Infrastructure*

32. The appeal is accompanied by a completed Unilateral Undertaking which includes financial contributions towards highway works and sustainable transport required to address the Council's third reason for refusal. In its Community Infrastructure Levy (CIL) compliance statement, the Council has accepted that these obligations are in line with both Policy 57 and the emerging Policy HS2 and County wide policies.
33. From my own assessment these would comply with Paragraph 56 of the Framework in being necessary to make the development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the appeal scheme.
34. However, the Council include comment in its CIL compliance statement on the blue line clauses in the Undertaking regarding financial contributions towards the provision of affordable housing. Its comments are consistent with its representations made in respect of the appeal although it is instructive to note that this matter was not identified in its reasons for refusal.
35. The blue line clauses are included because the appellant doesn't accept the Council's case that a contribution for affordable housing is required on this site, and in the event that I do, then optional figures are included for contributions for 4, 5 or 6 affordable dwellings. The Council considers that a contribution is required for 6 dwellings, as this would be commensurate with the number of homes which would have been provided, in line with policy, on that part of the original outline permission for residential development which forms part of the appeal site.
36. The Council's case rests on the fact that the wider housing allocation within which the appeal site sits was granted as an exception to policy as the site lies outside the settlement boundary included in the Saved policies. Its development would be 'enabled' by the emerging policy HS1 in the ELP and this requires a proportion of dwellings to be affordable.
37. The tests of whether a contribution is required or not rests with first principles included in Paragraph 56 of the Framework. Whilst not wishing to repeat these which are summarised in paragraph 33 above, it is unclear how a contribution for affordable housing could fully meet these criteria.

38. The appeal scheme represents a new chapter in the site's planning history. The Council's planning policies do not require a contribution towards affordable housing for a sheltered housing scheme. The principle of a contribution in this appeal would not be necessary, directly related or fairly and reasonably related in kind or scale to the appeal scheme.
39. Irrespective of the adopted and emerging policies, planning obligations are not required as a form of opportunity cost, for a development which may have been. For these reasons, and the fact that this issue was not raised as a reason for refusal, I do not accept the Council's request and the blue line clauses regarding the provision of affordable housing should be struck from the Undertaking.

### **Interested parties**

40. I have considered the comments of the interested parties in respect of the scheme's impact on landscape and other matters and for the reasons stated above, I do not consider that there are matters to dissuade me from my conclusions in respect of this appeal.

### **Planning balance and conclusions**

41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless other material considerations indicate otherwise.
42. Both parties acknowledge that there is no development plan policy which is directly relevant to the appeal proposals and for this reason Paragraph 11d ii) footnote 7 is engaged which requires that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.
43. The Council has however identified in its reasons for refusal several of its most important policies which I consider below.
44. Policy 6 seeks to protect the countryside for its own sake contrary to Paragraph 170 of the Framework and Policy 9 seeks to maintain the Royston settlement boundary. Despite the shortcomings of Policy 6, the principle of some form of residential development, beyond the settlement boundary has been accepted by the Council and the proposed scheme, would be consistent with this decision.
45. Policy 51 of the Local Plan provides local policy support for securing planning obligations. Although the tests included in Paragraph 56 of the Framework are not clearly stated it is broadly in line with the tenor of the Framework in this regard.
46. Policy 57 of the Local Plan includes a broad range of design criteria broadly consistent with Paragraph 127 of the Framework. However, I do not find any conflict between this policy and the appeal scheme.
47. Although there is a greater conflict with the emerging policies, these do not form part of the development plan.
48. I acknowledge that the development of this site would displace market housing and affordable housing for which the Council states there is historic under delivery across the District. Balanced against this is the acknowledgement,

stated within supporting text to emerging Policy HS4 and the County Council's Supported Housing Strategy<sup>7</sup>, that there is likely to be continued demand for residential care and nursing homes during the plan period. This would be a significant benefit of the scheme which would meet the social objectives of the Framework.

49. Given that the alleged harms arising from this proposal from a lack of social cohesion for the residents and an adverse impact on the character and appearance of the scheme are overstated by the Council there is no direct conflict with adopted policy, nor the social and environmental aspect of the Framework.
50. In contrast, both parties acknowledge the wider benefits that the scheme would present when considered against the Framework as a whole. These include the economic dimension of the Framework which would be achieved through employment opportunities both in the short term through construction and long term through staff in the home.
51. The proposed scheme would meet the environmental objectives of the Framework in that the proposed scheme would present a design which responds to the constraints of the site.
52. Whilst the inclusion of obligations within the Undertaking is broadly in line with adopted policy, the Council's requirement for affordable housing as a form of opportunity cost is not accepted.
53. Overall, I conclude that the harm caused in this case would significantly and demonstrably be outweighed by the benefits identified when assessed against the policies in the Framework taken as a whole. As such the proposed development benefits from the Framework's presumption in favour of sustainable development.
54. There are material considerations, including the Framework, that would indicate that the decision in this case should be taken otherwise than in accordance with the Development Plan. Accordingly, and having regard to all other matters raised, I conclude that the appeal should be allowed.

### **Conditions**

55. I have considered the Council's suggested list of conditions in respect of the Planning Policy Guidance (the Guidance) and the appellants list of suggested amendments. I do not accept that a requirement for details of the cycle and pedestrian connections towards Newmarket Road are required at this stage as this is a measure better addressed through site wide permissions.
56. I have imposed a condition stating the approved plans for reasons of certainty. Conditions in respect of materials and landscaping are required in order to control the character and appearance of the development and ensure that it is developed which accords with the wider site of which it forms a part.
57. For the reasons of highways safety I have imposed conditions in respect of the designation of parking spaces, the proposed vehicular access, the provision of sufficient space to enable the manoeuvring of vehicles within the appeal site and visibility and vision splays with a dropped kerb. I don't agree with the

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<sup>7</sup> Hertfordshire County Council Ten Year Supported Housing Strategy 2017

appellant that there should be a time limit on this requirement as it is an important issue for highway safety for potentially vulnerable users.

58. A condition requiring the inclusion within the scheme of vehicle charging points is required to ensure that sustainable types of private vehicle would be allowed on the site. For the same reason I have imposed a condition in respect of cycle parking together with a condition for linked staff facilities to support staff using bikes.
59. I have imposed a planning condition for the provision of a pedestrian crossing point as indicated on the proposed car park layout. This is required to be implemented in advance of first occupation.
60. As a precautionary measure to protect the future living conditions of future occupiers a series of conditions are imposed in respect of land contamination requiring in the first instance land surveys and if necessary its remediation.
61. Given the slope of the land and the design of the proposed scheme a condition is required in respect of levels to ensure that the specific development platforms can be accommodated on site as indicated on the submitted plan.
62. I have imposed a condition requiring noise mitigation measures given the proximity of the bi pass along the eastern edge of the site for reasons of protecting the living conditions of future occupiers.
63. I have imposed a series of conditions in respect of the need to protect the site from flooding and drainage and the details of the mitigation measure of the sustainable urban drainage system (SUDS).
64. I do not agree with the appellants suggestion that the condition requiring a new bus stop north west of the site is not required. The importance of the need for good access to this site by a transport modes is essential to its successful functioning from first occupation and should not be restricted by time.
65. A TRO is required to implement double yellow lines around the main access to the site for reasons of highway safety; particularly important given the proposed use.
66. Given the importance of this scheme to meeting the continued demand for care home beds in the District I have included a condition restricting the use of the appeal scheme as a residential care home.
67. Finally, to protect the living conditions of existing occupiers on the wider estate I have imposed a condition requiring a construction traffic management plan to limit the environmental impacts of construction activities.

*Stephen Wilkinson*

INSPECTOR

## **Schedule of Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out wholly in accordance with the following approved plans:

Location plan (ref. 2563-HIA-ZZ-ZZ-DR-A-00001, rev P3 dated 3 April 2019)  
Site Plan – (ref. 2563-HIA-XX-ZZ-DR-A—103; rev P4 dated 15 November 2019)

General Arrangement lower ground floor (ref. 2563-HIA-XX-LG-DR-A-0200 rev. P5 dated 7 November 2019)

General arrangement ground floor (ref. 25-HIA-XX-00-DR-A-0201 rev. P3 dated 31 October)

General arrangement of first floor (ref. 2563-HIA-XX-01-DR-A-0201 rev. P4 dated 31 October 2019)

Elevation 1&2 (ref. 2563-HIA-XX-00DR-A-0301 rev. P3 dated 24 October 2019)

Elevation 3 &4 (ref. 2563-HIA-XX-00DR-A-0302 rev. P3 dated 24 October 2019)

Elevation 5 &6 (ref. 2563-HIA-XX-00DR-A-0302 rev. P3 dated 24 October 2019)

Landscape Proposals B18103 102B

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.
4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and 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 during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.
5. Prior to first occupation of the care home hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.
6. No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a

written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

7. If the Local Planning Authority is of the opinion that the report which discharges condition 6, above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
  - (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
  - (ii) The results from the application of an appropriate risk assessment methodology
8. No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of 7, above has been submitted to and approved by the Local Planning Authority.
9. The site shall not be occupied, or brought into use, until:
  - (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition 8 above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
  - (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.
10. Any contamination, other than that reported by virtue of condition 6 and 7, encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible. A scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.
11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment & Drainage Strategy completed by MLM reference 6100228-MLM-ZZ-XX-RP-C-0002, dated January 2019 and the following mitigation measures detailed within the FRA:
  1. Undertaking appropriate drainage strategy based on attenuation and discharge into Thames surface water sewer restricted to a maximum of 6l/s

for all rainfall events up to and including the 1 in 100 year + climate change event.

2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

3. Implementing drainage strategy as indicated on the drainage drawing to include attenuation tank and permeable paving.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

12.No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment & Drainage Strategy carried out by MLM reference 6100228-MLM-ZZ-XX-RP-C-0002 dated January 2019.The scheme shall also include:

1. Demonstrate an appropriate SUDS management and treatment train and inclusion of above ground features to minimise the requirement for a tank.

2. Silt trap prior to the inlet of attenuation tank

3. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.

4. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.

6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

13.Upon completion of the drainage works a management and maintenance plan for the SUDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

1. Final confirmation of management and maintenance requirements for SUDS features, and

2. Provision of complete set of as built drawings for site drainage.

14. Prior to the occupation of the development hereby permitted, details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining the 2 electric charging points to be provided to the Local Planning Authority for approval in writing, in consultation with the Highway Authority. All electric charging points shall be installed in accordance with the approved details prior to occupation of the development and permanently maintained and retained.
15. Prior to first occupation of the dwellings, the noise mitigation measures detailed in section 5.3 of the Hawkins Environmental Limited report reference H2785 dated 3<sup>rd</sup> April 2019 (Noise Assessment: Land North of Newmarket Road, Royston- Frontier Estates) relating to glazing and ventilation specifications shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.
16. Prior to the first occupation of the development hereby permitted sufficient space shall be provided within the site to enable a standard size family car / refuse vehicle and delivery vehicle to park, turn and re-enter the highway in a forward gear. These areas shall be levelled, surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority and retained thereafter available for that specific use.
17. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number PB8955-RHD-GE-SW-DR-R-0002 P05 Proposed car park layout Appendix CRSA's designer response of the Transport Statement Addendum, in accordance with the highway specification to be agreed under s278 works. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
18. Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number PB8955-RHD-GE-SW-DR-R-0002 P05 Proposed car park layout Appendix CRSA's designer response P04 Proposed car park layout Appendix C of the Transport Statement Addendum. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
19. Prior to the first occupation of the development hereby permitted, a triangular vision splay shall be provided on each side of the new access and shall measure 2.0 metres along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2.0 metres measured into the site at right angles to the same line along the side of the new access. The vision splays so described and on land under the applicant's control shall

be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

20. Prior to the first occupation of the development hereby permitted the Traffic Regulation Order (TRO), including for parking and waiting restrictions in the form of double yellow lines that are required as part of improving access and accessibility to the site, must be secured in place and implemented over a distance of 10 metres of either side of the junction stop-line and the opposite side of the road.
21. Prior to the first occupation of the development hereby permitted the controlled pedestrian crossing facility between the nearest new bus stop and the main pedestrian entrance to the site, as indicatively shown on plan PB8955-RHD-GE-SW-DR-R-0002 REV P05 PROPOSED CAR PARK LAYOUT RSA's designer's response, must be secured in place and implemented.
22. Prior to the occupation of the development hereby permitted, the pedestrian access from the development's car park, should be designed in such a way to ensure that it has a dropped kerb installed and other measures are applied to ensure it does not get obstructed by the way of parking outside the marked out bays.
23. No development shall commence until a scheme for the parking of cycles for visitors and staff together with changing facilities, staff lockers and showers, have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The approved scheme shall be fully implemented before the development is first occupied and thereafter retained for this purpose.
24. The premises shall be used for a residential care home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
25. Prior to the first occupation of the development hereby permitted the new bus stop to the north west of the site, as shown indicatively on the plan ref: PB8955-RHD-GE-SW-DR-R-0003 REVP01 LINDEN HOMES SITE – PROPOSED BUS STOP LOCATION must be secured in place and implemented.
26. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The statement should include:
  - a) map showing the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;

- b) access arrangements to the site;
- c) the date of start and finish of works on site;
- d) siting, methodology and facilities for wheel cleaning;
- e) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities;
- f) cleaning of site entrances, site access roads and the adjacent public highway and:
- g) details of provisions for temporary car parking, loading/unloading and vehicle turning areas;
- h) hours of construction operations including times of deliveries and removal of waste;
- i) the estimated number and type of vehicles per day/week;
- j) details of any vehicle holding area;
- k) details of the vehicle call up procedure;
- l) details of any changes to on-street waiting and loading restrictions that will be required;
- m) access and protection arrangements around the site for pedestrians, cyclists and other customers;
- n) coordination with other development projects in the vicinity;
- o) details of measures and training to reduce the danger posed to cyclists by HGVs, including membership of the Freight Operators Recognition Scheme or an approved equivalent;
- p) details of a construction phasing programme;
- q) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

The development shall be carried out in accordance with the approved Construction Traffic Management Plan.