

Appeal Decision

Site Visit made on 9 August 2021

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2021

Appeal Ref: APP/D1265/W/20/3263781

Land north of New Road, Shaftesbury SP7 8QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission
 - The appeal is made by Mr G House, Nylo Homes Ltd, against Dorset Council.
 - The application Ref 2/2020/0677/OUT, is dated 22 May 2020.
 - The development proposed is described as development of the land by the construction of 23 affordable homes together with associated parking, access and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for construction of 23 affordable homes together with associated parking, access and landscaping at Land north of New Road, Shaftesbury SP7 8QL in accordance with the terms of the application, Ref 2/2020/0677/OUT, dated 22 May 2020, and subject to the conditions set out in the schedule to this decision.

Preliminary Matters

2. The appeal is made in outline with all matters except access reserved for future consideration. I have therefore assessed the submitted drawings and visuals as merely illustrative insofar as they relate to the reserved matters of scale, layout, appearance and landscaping.
3. I have referred to the description of development within my decision only insofar as it relates to the development proposed.
4. After the appeal was submitted, the Shaftesbury Neighbourhood Plan (2019-2031) (SNP) passed the referendum stage and the 'made' version of the SNP was subsequently submitted with the appeal. For the purposes of decision making, the SNP therefore now forms part of the development plan. I have determined the appeal on this basis. However, given that the emerging Dorset Council Local Plan is at such an early stage of preparation, I give it no weight and therefore make no further reference to it in my decision.
5. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021. The main parties were given the opportunity to comment on its relevance to the appeal proposal and I have had regard to it in reaching my decision.
6. During the appeal, the appellant submitted a signed and dated Unilateral Undertaking (UU) made as a Deed pursuant to section 106 of the 1990 Act and imposing planning obligations on the site. The Council had the opportunity to comment on it and I have made my decision on the basis of the evidence and submissions before me.

Background and Main Issues

7. The appeal is against a failure of the Council to give notice of its decision on the planning application Ref 2/2020/0677/OUT within the prescribed period. As such, there is no decision notice. However, the Council's appeal statement sets out its concerns with the proposed development and includes the refusal reason it would have provided had it made a formal decision.
8. Accordingly, I consider the main issues to be:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - the effect of the proposed development on designated heritage assets, with particular regard to the setting of the Shaftesbury Conservation Area (CA) and the setting of the Grade II Listed drinking trough and conduit head.

Reasons

Character and appearance

9. Consisting of grassy fields, containing a modest barn/stable and surrounded by hedges and trees, the appeal site has a verdant agricultural appearance and an open pastoral character which reflects and positively contributes to its rural setting. Situated within the North Blackmore Rolling Vales Character Area¹, the gently sloping site is located to the north of the historic hilltop settlement of Shaftesbury on the lower part of the northern scarp slope. The surrounding area includes the built form of Enmore Green, with its various properties forming the edge of the settlement boundary of Shaftesbury, which the site abuts, and countryside consisting of irregular sized fields bounded by hedges and trees and containing some scattered development.
10. From the site and the surrounding public realm, there are expansive views across the rolling and undulating farmland of Blackmore Vale to the north. Although longer distance views of the site – including from Castle Hill for example – are limited, parts of the site are visible in shorter distance public views, including through the existing accesses to the site and 3 Enmore Court, and from adjoining roads and a footpath. However, despite its sensitive hillside setting, I observed on my site visit that existing soft landscaping provides significant screening to the point that views of the site are – as identified in the Landscape and Visual Impact Appraisal – limited and generally restricted to glimpses of parts of the site above hedges and between trees.
11. Although its density would be reasonably low, the appeal proposal would involve the erection of a relatively large number of properties and result in the loss of two sections of hedgerow along New Road. This would clearly change the site's character and the development would read as a notable extension of built form into the countryside. Although public views would be limited due to the significant screening provided by hedges and trees, the development would nevertheless be visible in the locality, including via the new accesses and through soft landscaping on the site's boundaries. Consequently, the appeal proposal – which is not said to provide an appropriate type of development or have an overriding need to be located in the countryside – would appear as a

¹ As identified in the North Dorset Landscape Character Area Assessment (March 2008).

suburbanising feature that would erode its sensitive rural environs. In coming to this view, I have taken into account the 2019 Strategic Landscape and Heritage Study for North Dorset.

12. However, the submitted evidence indicates that the appeal proposal could be designed at reserved matters stage to appear as a semi-rural low-density housing scheme, laid out in a manner that would limit its visible extent, set within a verdant environment and relating to its situation near to the existing built form of Enmore Green and adjacent to the defined settlement boundary. The submitted drawings also show a number of changes from the previous scheme which was dismissed at appeal. Changes include, for example, reducing the size of some units, limiting the extent and size of development in the more elevated southern parts of the site, providing more undeveloped open green space, reducing the number of vehicular accesses to one, retaining all existing trees and planting additional soft landscaping. These would clearly limit the development's adverse effect on the character and appearance of the surrounding area, and there is little substantive evidence before me which indicates that this could not be confirmed at reserved matters stage. Accordingly, the level of harm would be on the moderate end of the scale and not significant, and would be less than the previous scheme.
13. The indicative layout shows hedges and trees at the end of some gardens and my attention has been drawn to several units shown on the indicative plans positioned relatively near to retained trees. However, the hedges and trees positioned to the west of the proposed units would only limit sunshine in the late afternoon/evening while the submitted drawings show that the development could be laid out to ensure a sufficient degree of separation with trees to avoid safety issues arising and so that gardens would also not be entirely under tree canopy. There is also no reason why an appropriate layout, taking account of the hedges and trees, could not be achieved at reserved matters stage. I am therefore satisfied that the development would not risk the long term retention and preservation of the retained trees and hedges.
14. My attention has been drawn to the site's position between two Areas of Outstanding Natural Beauty (AONB) and it has been put to me that the appeal proposal would harm the Cranborne Chase and West Wiltshire Downs AONB. However, there is a reasonable degree of separation between the site and that AONB. There are also numerous intervening features, including roads, various development and areas of trees and vegetation. In addition, I note that Natural England's consultation response refers to the AONB but does not raise an objection while the Council's Senior Landscape Architect considers that the site is visually separated from the more northern sensitive scarp slope that connects to the edge of the AONB. I am thus satisfied that the appeal proposal would not harm the landscape and scenic beauty of the designated landscape.
15. However, for the above reasons, I conclude that the proposed development would harm the character and appearance of the surrounding area. Although the extent of the harm I have identified would be moderate, the proposal would therefore nevertheless conflict with Policies 4, 20 and 24 of the North Dorset Local Plan Part 1 (January 2016) (NDLP), Saved Policies SB3 and SB4 of the North Dorset District-Wide Local Plan (2003) (NDDWLP) and SNP Policy SFG12. Amongst other aspects, these set out that development which would reduce or urbanise the distinct rural character of the Slopes will not be permitted and require development to: be of an appropriate type or have an overriding need

to be located in the countryside; respect valued landscapes; improve and strengthen local character; and not adversely affect the generally undeveloped character of the Slopes. The proposal would also be inconsistent with the provisions in the Framework in relation to achieving well-designed places and conserving and enhancing the natural environment, including in relation to the requirement to recognise the intrinsic character and beauty of the countryside.

Designated Heritage Assets

16. The site is situated just outside the boundary of the Shaftesbury CA, which runs along New Road and bounds the site's south western corner. The CA is significant due to, amongst other things, its monuments, historic buildings, street pattern, hilltop form and relationship with the rural hinterland, while the Enmore Green part of the CA has some smaller cottages and a more rural feel at the edge of the town. Given its location, the site is within the setting of the designated heritage asset, with the setting of the Enmore Green part of the CA defined by its more rural form and verdant nature.
17. The indicative layout for the previous scheme showed dwellings, garages and a new access formed in the corner of the site which adjoins the CA. As the Inspector found for that scheme, those elements, together with the wider development of the sloping hillside, would have been likely to be in the foreground of the Enmore Green section of the CA. In contrast, the drawings submitted with the appeal proposal show that it could be designed and laid out at reserved matters stage so that there would be no development adjoining the CA in the south-western corner of the site and significantly less development – in terms of both extent and scale – in the south-eastern section of the site.
18. Accordingly, with development condensed into a smaller area, further away from the CA boundary, and combined with greater areas of open green space and retained and additional soft landscaping, the effect of the appeal proposal on the setting of the CA would be less than the previous scheme. Nevertheless, the proposed development would still be appreciable from the CA to some extent and its presence, appearing as an incursion of built form encroaching into the countryside, would adversely affect the rural setting of the designated area. However, for the reasons above, I find that the harm would be limited.
19. Towards the tip of the site's south-eastern corner, where New Road meets the B3081 Shaftesbury Road, there is a grade II listed drinking trough and conduit head. Given its location, the site is within the setting of this heritage asset. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses.
20. The listed structure, dating from 1844 and identified by the submitted Heritage Statement as being in poor condition, is located behind a grass verge and near to various trees and hedges. Despite the surrounding roads and various highway features, it therefore has a reasonably verdant appearance and is situated within a semi-rural setting. Its significance stems from, in part, its historic nature and setting which illustrate its connection with travel to and from the agricultural hinterland of Shaftesbury.
21. While the listed structure would not be directly affected, the appeal proposal would bring residential development closer while the proposed footpath into the

site and the crossing on Shaftesbury Road would introduce more development in close proximity to it. Although the footpath and crossing would allow pedestrians a greater appreciation of the drinking trough and conduit head, the surroundings in which the listed building would be experienced would become more developed and suburban.

22. Consequently, the appeal proposal would fail to preserve the setting of the listed building. However, the submitted drawings indicate that the proposal could be designed at reserved matters stage to involve significantly greater open space between the listed building and built form on the site, with the extent of development within the vicinity of the heritage asset limited and notably less than the previous scheme. Accordingly, and given its existing context, sandwiched between two roads and close to various highway signs, bollards and railings, the harm to its setting would be limited.
23. Nevertheless, as is common ground between the main parties, the appeal proposal would affect the settings of the designated heritage assets identified above. For the reasons above, the affect would equate to less than substantial harm. In such circumstances, NDLP Policy 5 and the Framework – which set out that any harm to the setting of designated heritage assets should have a clear and convincing justification and that great weight should be given to the conservation of such assets – indicate that the less than substantial harm should be weighed against the public benefits.
24. The proposed development would provide various public benefits, including, most significantly, the provision of 23 entry-level affordable homes of a type and mix consistent with local needs. The submitted evidence indicates that not only is there a short fall in housing land supply in the area but also a historic under delivery of housing in North Dorset and there is a significant need for affordable housing in the locality. The scheme would therefore make a worthwhile contribution to the supply of affordable homes in – as found as part of the previous scheme – an accessible location. In addition, and supported by SNP Policy SFCL3, the provision of the crossing point and footpath along the B3081 would benefit residents by providing a walking route into town that would be safer than the existing options. A new local play space on the site would also be provided, in accordance with SNP Policy SFDH4, and there would be some employment benefits arising from the construction of the scheme. Furthermore, the submitted evidence indicates that the development could be designed to provide some biodiversity enhancement while the UU includes a contribution towards the listed drinking trough and conduit head to support repair/maintenance and improvement works to it.
25. Collectively, these amount to a significant level of public benefit. In this instance, and as accepted by the Council in its statement, the public benefits outweigh the less than substantial harm to the setting of the designated heritage assets. Accordingly, although I have identified that the scheme would result in limited harm to the setting of the CA and the listed building, the public benefits outweigh the harm, the great weight given to the conservation of designated heritage assets and the desirability of preserving the setting of the listed building. Consequently, the appeal proposal would comply with NDLP Policy 5 and be consistent with the provisions in the Framework in relation to conserving and enhancing the historic environment.

Other matters

26. The Council's appeal statement alleges that the development would also conflict with NDLP Policy 6, which covers housing distribution in the district and seeks the vast majority of housing growth to be concentrated in the district's four main towns. However, the policy identifies a minimum number of dwellings to be provided in the countryside and the appeal proposal would provide dwellings in the countryside, outside of the defined settlement boundary. Accordingly, there would be no direct conflict with NDLP Policy 6 and I have considered Policy 20 – which covers development in the countryside – above.
27. I recognise that the majority of respondents to the consultation on the (then emerging) SNP opposed housing development in the countryside and on the slopes that surround Shaftesbury. However, while the SNP seeks to, amongst other aspects, protect the character and appearance of the area and its slopes and green spaces, my attention has not been drawn to any policy in it that explicitly prohibits development outside of the defined settlement boundary.
28. It is said that the soil base is running greensand and the site is often saturated due to springs. Be that as it may, the available evidence does not indicate that it would not be possible to build on the land despite the site's geology and topography. If these elements resulted in greater-than-expected construction costs (with for example the need for deeper foundations), and this were to affect viability to the point that there may be a future request to revise the scheme, such as the level of affordable housing provided, this would have to be considered at that time based on the available evidence and relevant planning policy. However, with respect to the appeal proposal before me, the level of affordable housing is a significant benefit and a positive factor in the planning balance, and any reduction of it would clearly affect this.
29. It has been put to me that Shaftesbury has seen significant additional housing in the past few years and that more has already been approved. Be that as it may, the evidence before me – including from the Council's Housing Enabling team – indicates that there is an identified local need for affordable housing which the appeal proposal would help to meet.
30. The affordable housing proposed would be secured by the UU, entered into by Deed. Amongst other aspects, the obligations within the UU would: secure the minimum level of the affordable housing provision as 100% and ensure the final mix and type of affordable homes is approved by the Council prior to commencement of development; provide contributions to support the additional social and/or green infrastructure needs that would arise as a result of the development; and secure the provision and maintenance of open space and a play area within the site. The submitted evidence indicates that, with the exception of the 'Drinking trough and conduit head contribution', the obligations within the Deed are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development.
31. Although the contribution for a scheme of maintenance and improvement to the listed drinking trough and conduit head would help to support the repair and maintenance of the structure, it is not necessary to make the development acceptable in planning terms. However, for the above reasons and with the exception of this contribution, I find that the other obligations in the Deed do

meet the tests set out in the Framework and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Collectively, they constitute a reason for granting planning permission in accordance with Regulation 122 of the CIL Regulations.

32. The Council's comments on the UU do not indicate that the Deed as a whole is invalid or fundamentally flawed, and the majority of the points seem to me to identify issues which could be dealt with and/or agreed between the parties at a later point. This includes, for example, the provision of the various contributions to the relevant part of the Council and specifically what the contributions will be used for. An acceptable mix of types, tenures and sizes of the affordable homes and, where relevant, suitable valuations of them could also be finalised via the Affordable Housing Scheme which would be submitted to and approved by the Council prior to commencement of development.
33. I note the Council's concern regarding the costs of any dispute in relation to the valuation of the Discounted Market Units being potentially borne by them. However, as the Deed is made as a UU, it cannot be binding on the Council as it is not a party to the Deed. Consequently, it seems to me that placing requirements on the Council, under for example clause 15 of part 1 of schedule 3 of the Deed to pay for the cost of the valuer under certain circumstances, cannot be enforced. Notwithstanding this, the Deed as a whole appears acceptable and, as per its paragraph 6.6, I am satisfied that even if one of its clauses or requirements may be invalid or unenforceable, this does not indicate that its remaining provisions are also invalid or unenforceable. I therefore place significant weight on the submitted UU and particularly its various provisions and contributions which are necessary and meet the relevant tests.
34. I recognise that the proposal has generated considerable interest, with a significant number of consultation responses submitted in response to the planning application and further representations submitted at appeal. I have taken into account all of the other matters and concerns raised in the submissions, including on issues such as: access, accessibility, traffic and highway safety issues, and local residents' disagreements with the previous Inspector's findings and the Highway Authority's position on these matters; disruption during construction; drainage; lack of employment opportunities for future occupiers; pollution and the climate emergency; construction works harming preserved trees; crime and safety; loss of medieval field layouts; light pollution; community cohesion; subsidence; noise disturbance; overlooking; flooding; extra pressure on local infrastructure and services and limited existing facilities; biodiversity, protected species and the validity of the submitted Ecology Report; visitors expecting to see green slopes and the northern slopes being the last relatively unspoilt side; archaeology; allowing the appeal setting a precedent and resulting in further development in the vicinity; previous housing proposals on the site having been refused and dismissed at appeal; the need for renewable and low carbon features such as heat pumps, solar panels and electric vehicle charging points; potential future development of the remaining undeveloped parts of the site; loss of agricultural land; and financial contributions from other developments not being realised.
35. However, whilst I take these submissions seriously, I have not been presented with compelling evidence to demonstrate that the appeal proposal would result in unacceptable effects in relation to any of these matters. Some of the issues raised can also be addressed at reserved matters stage while some other

issues would be covered by conditions and the UU. Consequently, they do not lead me to a different overall conclusion that the appeal should be allowed.

Planning Balance

36. The main parties agree that the Council cannot demonstrate a sufficient supply of housing land. With housing land supply calculated to be 3.3 years on 1 April 2020, the latest North Dorset Authority Monitoring Report (February 2021) identifies a substantial shortfall in supply against that required by the Framework. The Council's Planning Policy team indicate that their initial work on updating the figure is likely to show a slightly improved situation but that supply would still fall short. The published housing delivery test figure for North Dorset also shows a substantial shortfall in delivery over the past three years.
37. The development plan policies that I have found the appeal proposal conflicts with relate to the acceptability of development with regards to character and appearance and development in the countryside. They are broadly consistent with the Framework. However, on the basis of the above and the available evidence, and in accordance with paragraph 11d) of the Framework, as this is an application for the provision of housing, the development policies which are most important for determining the application are deemed to be out-of-date.
38. Given my findings in relation to the main issues above, the application of policies in the Framework that protect areas or assets of particular importance – as per paragraph 11d)i – do not provide a clear reason for refusing the development proposed. Accordingly, and in line with paragraph 11d)ii, I am required to consider if any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
39. The proposed development would have a suburbanising effect on the rural landscape. However, for the reasons above, I am satisfied that it could be designed to appear as a semi-rural low-density housing scheme situated in a verdant plot. The development could therefore be designed and constructed to appear as well-related to its situation close to existing built form and adjacent to the defined settlement boundary. Accordingly, the harm to the character and appearance of the surrounding area would be moderate, while views of the rolling countryside from Castle Hill would not be significantly affected. The harm to the setting of designated heritage assets would be limited, and I have found that the development's public benefits would outweigh the less-than-substantial harm to the assets. The findings of the Strategic Housing Land Availability Assessment (2020) in relation to the site's suitability for development do not lead me to a different conclusion.
40. There would be a number of benefits provided by the appeal proposal. Most notable would be the provision of 23 entry-level affordable homes of a type and mix consistent with local needs. The development would therefore make a worthwhile contribution to the supply of affordable homes in an accessible location. The benefits of this are heightened given the district's shortfall in housing land supply, the historic under delivery of housing and the significant need for affordable housing in the locality. The social benefits of the proposal would also be greater than the previous scheme given that all of the units would be secured as affordable homes.

41. In addition, and supported by the development plan, the proposal would provide a crossing point and footpath along the B3081 which would benefit residents by providing a safe walking route into town. There would be some employment benefits arising from the construction of the scheme, while a new local area of play would also be provided on the site. Furthermore, although attracting lesser weight, there would be some benefits from the various biodiversity enhancement measures identified in the Ecology Report and the contribution in the UU for the repair/maintenance and improvement works of the listed drinking trough and conduit head.
42. Accordingly, and although I attach great weight to the harm I have identified, when assessed against the Framework policies taken as a whole, the adverse impacts would not significantly and demonstrably outweigh the – in this instance, significant – benefits of the development proposed. Although the SNP has recently been adopted, it does not contain housing allocations. Consequently, and with regard to Framework paragraph 14, I am satisfied that the adverse impact of allowing development that conflicts with the neighbourhood plan would also not significantly and demonstrably outweigh the benefits. The appeal proposal therefore benefits from the presumption in favour of sustainable development.
43. Although the proposed development would harm the character and appearance of the surrounding area and the setting of designated heritage assets, and I attach significant weight to this, I have found that the harm would be respectively moderate and limited, while the scheme would provide significant public benefits. On the basis of the indicative plans, the type and size of the development, my findings above, the site's adjacency to the settlement boundary and the definitions in the Framework, the appeal proposal can also reasonably be described as an entry-level exception site providing a windfall development, all of which are supported by the Framework.
44. It has been put to me that there is enough land allocated for housing within the settlement boundary of Shaftesbury. The submitted evidence also indicates that the number of houses delivered between 2011-2020 combined with extant permissions for new housing in the town exceeds that identified in the development plan. Nevertheless, the NDLP policies on housing are deemed to be out-of-date and therefore attract limited weight. In any event, the scale of housing development identified in NDLP Policy 6 for the town is also approximate and not capped, with the figures for housing development and affordable homes respectively prefaced with the words 'at least' and 'about'. Furthermore, there is currently a significant need for additional housing both nationally and locally and the submitted evidence shows that there is a particular need for affordable housing in the locality.
45. Accordingly, material considerations in this instance outweigh the harm that would arise, the great weight given to the conservation of designated heritage assets, the desirability of preserving the setting of the listed building, and the conflict with development plan policies. Consequently, material considerations indicate that the proposed development should be permitted notwithstanding the conflict with the development plan as a whole.

Conditions

46. I have had regard to the various planning conditions that have been suggested by the main parties. I have considered them against the tests in the

Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents, to ensure that details are submitted to and considered by the Council where relevant and for clarity and consistency.

47. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. The conditions covering reserved matters are necessary to secure details of the outstanding reserved matters prior to the development proceeding. However, I am satisfied that the standard time limits on these conditions are suitable in this instance and would still ensure that housing on the site is delivered in a timely manner.
48. The conditions covering drainage are necessary to ensure that foul and surface water are suitably managed. I have also imposed a condition requiring the submission of a detailed updated Arboricultural Method Statement (including Tree Protection Plan) and a landscaping scheme (including aftercare schedule). This is necessary to ensure adequate tree protection measures and the provision of sufficient details for the proposed soft landscaping and its aftercare are secured and, where relevant, correspond with the reserved matters details.
49. The conditions relating to highways – including the provision of the vehicular access, visibility splays, the pedestrian crossing point and associated footway, and the submission of a Construction Method Statement, a cycle parking scheme and details relating to roads and parking areas within the site – are necessary in the interests of highway safety and to encourage the use of sustainable transport modes. I have also imposed conditions securing the mitigation and enhancement measures in the submitted Ecology Report and the submission of a Landscape and Ecology Management Plan. These conditions are necessary to ensure that the development would not unacceptably affect wildlife and their habitats, that any protected species subsequently found on site would be preserved in accordance with the legislative protection afforded to them, and that sufficient biodiversity enhancement would be provided.

Conclusion

50. For the above reasons, the appeal is allowed.

T Gethin

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) An application for approval of the reserved matters shall be made to the local planning authority not later than the expiration of 3 years from the date of this decision.
- 3) The development hereby permitted shall commence not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 003 Rev A (Site Location Plan); and the details relating to access in Drawing No 1 Rev G (Masterplan V1).
- 5) Prior to the commencement of the development hereby permitted, a detailed and finalised foul and surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and with due consideration of the construction phase, shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved details.
- 6) Prior to the commencement of the development hereby permitted, details of responsibility, maintenance and management of the surface water sustainable drainage scheme and associated infrastructure shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- 7) Prior to the commencement of the development hereby permitted, a Landscape and Ecology Management Plan (LEMP), as detailed in the submitted Ecology Report (Version No 4, by KP Ecology Ltd), shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details.
- 8) Prior to the commencement of the development hereby permitted, a detailed Arboricultural Method Statement and Tree Protection Plan, corresponding with the relevant details in the reserved matters application, and a detailed landscaping scheme and aftercare schedule shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be implemented in accordance with the approved details.
- 9) Prior to the commencement of the development hereby permitted, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning authority. The CMS must include the following details: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; delivery, demolition and construction working hours. The approved CMS shall be adhered to throughout the construction period for the development.

- 10) Prior to the commencement of the development hereby permitted, full details of the access, geometric highway layout, turning and parking areas shall be submitted to and approved in writing by the local planning authority. The approved details shall be provided prior to occupation of the development.
- 11) Prior to occupation of the development hereby permitted, the first 15.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing), must be laid out and constructed to a specification first submitted to and approved in writing by the local planning authority.
- 12) Prior to occupation of the development hereby permitted, details and specifications of the following works shall be submitted to and approved in writing by the local planning authority and the works completed in accordance with the approved details:
 - I. The provision of a new pedestrian crossing point on the B3081 and the associated pedestrian infrastructure additions/changes, as shown on Drawing No 1 Rev G (or similar scheme to be agreed in writing with the local planning authority); and
 - II. The provision of a 2.0 metre wide footway along the northern side of the B3081, linking the new pedestrian crossing point with the existing footway to the east, as shown on Drawing No 1 Rev G (or similar scheme to be agreed in writing with the local planning authority).
- 13) Prior to occupation of the development hereby permitted, the visibility splay areas as shown on Drawing No 1 Rev G must be cleared/excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.
- 14) Prior to occupation of the development hereby permitted, a scheme showing precise details of the proposed cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved scheme must be constructed before the development is occupied and thereafter maintained and kept free from obstruction and made available for the purpose specified.
- 15) The development hereby permitted shall be carried out in accordance with the mitigation and enhancement measures set out in Sections 6 and 7 of the submitted Ecology Report (Version No 4, by KP Ecology Ltd).

END OF SCHEDULE