



Appeal Decision

Site visit made on 4 August 2021

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/C1950/W/20/3253559

Colesdale Farm, Northaw Road West, Northaw, Potters Bar EN6 4QZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr H Brosnan against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2019/2760/OUTLINE, dated 31 October 2019, was refused by notice dated 5 February 2020.
 - The development proposed is residential development of site of up to 34 dwellings following removal of the existing buildings and structures.
-

Decision

1. The appeal is allowed and outline planning permission is granted for residential development of site of up to 34 dwellings following removal of the existing buildings and structures at Colesdale Farm, Northaw Road West, Northaw, Potters Bar EN6 4QZ in accordance with the terms of the application, Ref 6/2019/2760/OUTLINE, dated 31 October 2019, subject to the conditions in the Schedule of Conditions to this decision.

Preliminary Matters

2. The application is submitted in 'outline' including access details, with layout, scale, landscaping and appearance reserved for future consideration. It is clear that the main parties have considered the submitted plans and drawings from the point of view of whether in principle harm could be caused to the openness of the Green Belt and the character and appearance of the area. Treating details such as the layout plan, landscape master plan (LMP), overlay plan and drawings showing sections through the site as an indication of how a scheme for up to 34 dwellings could be accommodated at the appeal site, I have also determined the appeal on that basis.
3. The Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 ('emerging local plan') was submitted for examination on 15 May 2017. However, I am unable to conclude with any certainty when the emerging local plan will be found sound and the policies adopted in their current form. As such, I attach limited weight to this.

Main Issues

4. The loss of employment land does not form part of the Council's reason for refusing the application. This, however, has been raised by a third party. Given that the site is largely occupied by employment uses, this is a significant matter in the determination of this appeal and requires consideration as a main

issue. In doing so, this does not prejudice the main parties as this issue has been considered as part of their respective submissions. Accordingly, the main issues are:

- a) Whether or not the proposal would be inappropriate development in the Green Belt in terms of the National Planning Policy Framework ('the Framework') and development plan policy;
- b) the effect of the proposal on the character and appearance of the area; and,
- c) whether the proposal would result in the unacceptable loss of employment land.

Reasons

Development in the Green Belt

5. The proposal is for the provision of up to 34 dwellings following the demolition of all buildings and structures at the appeal site.
6. The appeal site lies within the Green Belt and Policy GBSP1 of the Welwyn Hatfield District Plan 2005 ('the District Plan') states that the Green Belt will be maintained in Welwyn Hatfield as defined on the Proposals Map.
7. More specifically, in relation to development in the Green Belt, Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include: g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
8. The definition of previously developed land ('PDL') in the Framework excludes land that is or was last occupied by agricultural buildings. The Council has confirmed that one of the existing buildings is in agricultural use. Also, that the uses for three other buildings have not been confirmed and therefore these could also fall within the original agricultural use. Nonetheless, the main parties agree that the proposed dwellings could be sited predominantly on land which is PDL. I have no strong reason to disagree, and on that basis the proposal can be considered as the complete redevelopment of PDL.
9. Subject to the acceptability of the submitted Unilateral Undertaking ('UU'), the proposal includes the provision of affordable housing. Due to an acute shortage in the delivery of this type of housing in the area, the proposal would therefore contribute towards meeting an identified affordable housing need. Accordingly, I have assessed the appeal on the basis of the second limb of exception g) of paragraph 149 of the Framework. This requires an assessment as to whether the complete redevelopment of the site would cause substantial harm to the openness of the Green Belt.
10. Paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the

essential characteristics of Green Belts are their openness and their permanence.

11. Openness in terms of the Green Belt has a spatial aspect as well as a visual aspect. It is necessary therefore to have regard to the existing development on the site when assessing effects on openness. In any particular case these are matters of planning judgement.
12. The appeal site includes numerous buildings and structures which cover a large part of the site. The heights of these buildings and structures range from about 3m to 7.22m with those of lower heights located close to the east and west boundaries of the site. The heights of these buildings and structures combined with the proximity of these to each other and the extent of their footprints, results in development of a significant scale and massing. Therefore, despite the appeal site forming part of a larger parcel of land with generally high levels of visual openness, the existing development appreciably reduces and harms the openness of the Green Belt.
13. The appellant's submissions show that there would be a reduction in the footprint of development at the appeal site. Based on the submitted overlay plan the proposed dwellings would not extend significantly beyond the extant footprint of development. The more detailed indicative LMP shows a low-density scheme with a range of dwelling types dispersed across the appeal site. The private amenity spaces for these dwellings would be largely enclosed by the built forms, arranged in blocks, and set back from the boundaries of the site, behind sizeable areas of open space. The spacing between plots and blocks of development, would provide a degree of permeability through the site. This type of arrangement would increase the spatial openness of the site and Green Belt.
14. The submitted information also shows that the proposal would result in a reduction in the volume and massing of development at the site. Notwithstanding this, the height of the proposed two-storey dwellings would be about 7.72m (as indicated in the submitted Landscape and Visual Impact Assessment) and therefore these would be taller than the existing buildings.
15. In particular, the indicative layout includes a linear arrangement of dwellings along the southern boundary of the site facing Northaw Road West. Also, along here the proposal includes a new site access, further west of an existing access. To facilitate this, the existing landscaping along here would be removed. Despite the replacement of the removed vegetation with native shrubs and trees to form a 3-5m deep vegetation screen. In this context and to a lesser extent elsewhere within the site, the heights of the two-storey dwellings would result in a greater adverse effect on visual openness than the massing and volume associated with the extant development.
16. However, the heights of the proposed dwellings would not be significantly taller than the tallest buildings on the site. Furthermore, the two-storey dwellings would generally be located behind landscape buffers. Moreover, any dwellings along Northaw Road West, would be viewed in the context of the adjacent Colesdale Farmhouse. Therefore, these factors would ameliorate the visual effects and any harm arising from the introduction of taller buildings at the appeal site.

17. At present the hard surfaced areas within the appeal site are used for access and circulation, the parking of vehicles, including vans and HGVs and for external storage. Therefore, the highways infrastructure, parked cars, gardens, boundary treatments and other domestic paraphernalia arising from the proposal would not have any significant adverse effect on the visual and spatial openness of the Green Belt when compared to the extant use. Also, because the second limb of paragraph 149 g) of the Framework, specifically refers to the provision of affordable housing, some domestic paraphernalia, vehicle parking and lighting is to be expected. Therefore, while the proposal would have a greater effect on the visual openness of the Green Belt, this would not amount to substantial harm.
18. I acknowledge that parameters such as layout and scale could change at reserved matters stage if the appeal were to succeed. Nonetheless, I have based my findings on the information before me and any reserved matters applications would be assessed on their planning merits.
19. Given the previously developed nature of the site and its separation from the neighbouring settlements of Cuffley and Northaw, the proposal would not conflict with the five purposes of including land in the Green Belt.
20. Drawing on the above reasons, it would not be unreasonable to conclude that the complete redevelopment of the site for up to 34 dwellings, would not cause substantial harm to the openness of the Green Belt. Therefore, in principle, the proposal accords with the exception under paragraph 149 g) of the Framework and is not inappropriate development in the Green Belt. Accordingly, I find no conflict with Policy GBSP1 of the District Plan.

Character and appearance

21. The site lies within the Northaw Common Parkland Landscape Character Area (area 53) as defined in the Welwyn Hatfield Landscape Character Assessment (April 2005) which identifies parkland as the dominant land cover within the area, and land use being primarily horse pasture. It states that settlement is predominantly confined to the narrow ridgelines, such as the village of Northaw and The Ridgeway at Cuffley.
22. The area surrounding the site is formed of open fields to the north and west and scattered dwellings and farm buildings within a countryside setting, including Colesdale Farmhouse to the east and a row of dwellings known as Cattlegate Cottages to the south.
23. The existing buildings at the appeal site may have evolved from the former agricultural use of the site but are now mainly occupied by commercial uses with associated external storage and the parking of commercial vehicles. Development along the site's southern and western boundaries has a somewhat unkempt appearance. Some of the boundary treatments associated with the site are also of an industrial appearance. As such, the site has an uncharacteristically commercial presence and to an extent detracts from the wider rural character and appearance of the area.
24. The site's landscaping along some of its boundaries is mainly non-native Leyland Cypress in a range of heights, which are relatively poor in wildlife terms and are out of character with the appearance of native planting in the

wider countryside. Accordingly, the appeal site does not contain any notable attributes representative of the local landscape character.

25. The existing vegetation along the boundaries of the site, to some extent, assists in reducing the visibility and prominence of the site. Nevertheless, views of the site are available. The Landscape Visual Impact Assessment has considered numerous viewpoints into the site in local views from up to 750m and medium distance views of between 750m to 1500m. I have also taken these into account in the context of the indicative LMP.
26. The creation of a new access will expose the site in views from along and near Northaw Road West. However, this would also result in the removal of unsightly storage areas and containers within the site and boundary fencing. Moreover, the proposed native shrub and tree planting would form a 3-5m deep vegetation screen. When established this is intended to have a height of over 12m. Therefore, overtime the proposed landscaping along with the siting of new dwellings away from the highway would allow development to assimilate into the street scene which includes the adjacent farmhouse.
27. From further west along Northaw Road West (viewpoint 4) filtered views of development along the site's western boundary are available. This includes dilapidated buildings and external storage areas. The bulk and mass of these would be replaced by dwellings set back within the site by about 11m. These would be 1.5 storey buildings and therefore of a modest size. The roofs of the other scattered dwellings within the site would also be visible from this elevated viewpoint. Nonetheless, the proposed areas of open space and landscaping associated with these, would assist in assimilating the built forms.
28. From Public Right of Way Northaw 9, views are largely dominated by the Cypress Leyland screen and a sizeable green building. The landscaping is to be retained and the building would be replaced with dwellings of a reduced mass and bulk, forming part of a more open and permeable layout. As such, the proposed dwellings would be less dominant than the existing building.
29. The appeal site also forms part of an extensive and panoramic view from Colesdale on the edge of Cuffley. Due to the distance and the modest scale of the site within the breadth of this view, the site is not an overtly dominant feature. Therefore, any changes would have limited effect in the context of a previously developed site.
30. From medium distance views in particular Public Right of Way Northaw 1 and Northaw 15, the separation and intervening landscaping between these, and the appeal site, means that any changes in the character of the development would not be readily discernible.
31. Overall, the existing viewpoints are categorised as being of good visual amenity, where the quality of existing views, particularly in local views is such that there are few incongruous elements, as outlined above.
32. The proposed development would be visible from most of the local viewpoints and to a lesser extent from medium range views. Notwithstanding, the extent of existing and proposed views, development of the nature and form indicated would alter the character and appearance of the site. Nonetheless, given that the site is largely developed land and is uncharacteristic of the wider area, a

residential scheme based on the indicative LMP would not be an unexpected element considering the presence of other nearby developments.

33. Based on the indicative LMP, the arrangement of buildings and careful consideration of their heights and massing would ensure that the new development is not unduly dominant. Most of the existing landscaping is to be retained and any new planting is intended to be native to the area with non-native (more formal) planting including trees within the site and for individual plots. This would create a dense native character along the site boundaries and a verdant setting within it. The redevelopment of the site also allows for a reduction in built form and hard standing area within the site and subsequently an increase in landscaped areas.
34. Therefore, the proposed could be designed to have a slight beneficial effect on both the immediate and wider landscape setting. Furthermore, overtime the new landscaping would allow the development to assimilate within its surroundings and assist in softening views from the surrounding area.
35. Although matters of detail are reserved, the design for the proposed scheme is intended to respond to the context of the site and local vernacular.
36. For the above reasons, I see no reason why, in principle, up to 34 dwellings could not be satisfactorily accommodated and assimilated at the site whilst enhancing its appearance and retaining the rural character of the wider area.
37. Accordingly, I am satisfied that the site could support up to 34 dwellings, without harming the character and appearance of the area. I therefore find no conflict with Policy D2 of the LP, which amongst other things seeks to ensure that new development has regard to its context and character.
38. The Council's second reason for refusal also refers to Policy D1 of the District Plan. This policy specifically relates to matters of design for new development. Because matters of detailed design are not before me, this Policy is not relevant.

Loss of employment land

39. Policy EMP8 of the District Plan states that planning permission will only be granted for residential development on employment sites where it can be shown that the development of the site for a 'live-work' mixed use scheme would not be viable. In this case, no evidence has been provided to show that the appeal site is not viable for a 'live-work' mixed use scheme. The proposal therefore conflicts with Policy EMP8 of the District Plan.
40. However, more recent advice under paragraph 123 of the Framework, encourages local planning authorities to take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. On the information available to me, the appeal site is in an area where the demand for housing is particularly high and there is no substantive evidence to suggest that the loss of this site for employment use would undermine key economic sectors or sites. As such, the delivery of housing, including affordable housing outweighs the loss of this employment site.

Other Matters

41. The signed UU dated 26 January 2022, includes a covenant agreeing that 30% of the dwellings authorised by the planning permission shall constitute affordable housing. Although Policy SP7 of the emerging local sets out a requirement for a greater percentage of affordable housing, given my finding on the emerging local plan, at this stage the relevant target is 30% as set out in Policy H7 of the District Plan. The affordable housing provision would be 51% social rent housing and the remaining 49% to be intermediate products, in accordance with the Council's requirements. The UU also sets out a requirement for the submission of an affordable housing scheme to the Council, prior to the development commencing.
42. The provision of up to 34 dwellings in this location will result in an increase in the local population, with subsequent impacts on schools, social infrastructure such as libraries and leisure and recreation facilities. To this end, the UU includes financial contributions towards primary and secondary school education, enhancement of library services and young person's facilities, off-site play space improvements and the provision of household waste bins and towards mini recycling centres which would serve the development. The UU also includes an obligation to provide fire hydrants required for the development.
43. In addition, a monitoring fee, not to exceed £5000 would be payable to the Council to cover the reasonable and proper administrative costs of monitoring compliance with the obligations.
44. The UU does not include Table 2 from the Council's Planning Obligations Supplementary Planning Document 2012. However, because the required financial contributions are clearly referenced to this document, the inclusion of Table 2 is not necessary.
45. Having regard to the evidence before me, in particular the statement in support of the planning obligations, provided by Hertfordshire County Council, it has been demonstrated that the obligations in the submitted UU are necessary in order to make the development acceptable in planning terms, directly related to the development, and reasonable in scale and kind. They accord with the tests that are set out in the Framework and Regulation 122(2) of the Community Infrastructure Levy Regulations (as amended). I have taken these factors into account when determining the appeal.
46. The Council have referred me to a dismissed appeal¹ for development at the site. That scheme was determined under different national planning policy in respect of the Green Belt and is different in detail to the scheme before me, which I have determined on its planning merits. Therefore, the dismissed appeal and a previously refused scheme for development at the appeal site, along with the fact that the site was not selected under the emerging local plan, Call for Sites in 2019, do not alter my findings on the main issues. Similarly, any other applications for housing in the Green Belt would be determined on their merits and my decision does not set a precedent for other sites in the area.

¹ APP/C1950/A/09/2108882

47. The appeal site is developed and occupied for a range of uses. Therefore, and in the absence of any technical evidence, I am not persuaded that the proposal would result in increased air pollution or that it raises any unresolvable drainage and highway safety issues.
48. A footpath exists on the northern side of Northaw Road East, providing pedestrian access to Cuffley. There are also bus stops on the northern and southern sides of Northaw Road West which are located along bus routes that provide relatively frequent bus services to nearby settlements. In addition, rail services as well as a school and shopping opportunities are within an acceptable walking distance from the appeal site. Therefore, the appeal site is in a location accessible by sustainable modes of travel with access to a range of services and facilities to meet the day-to-day needs of future occupiers.

Conditions

49. In imposing conditions, I have had regard to the Framework and the Planning Practice Guidance. I have proposed the standard conditions for the submission of reserved matters and implementation of the permission. A condition specifying the relevant plans defines the permission and provides certainty. Because all matters save for access are reserved it is not necessary to include any drawings and plans which relate to the indicative layout.
50. I have also imposed conditions requiring the provision of the site access and visibility splays, along with details of internal roads, footways, access arrangements and turning areas. These, along with measures to prevent any conflict between the proposed access and the retained access for Colesdale Farmhouse are necessary to ensure accessibility and safety of highway users.
51. A condition to minimise the disruption caused by construction activity on the highway by requiring a Construction Management Plan is necessary in the interests of highway safety. Conditions requiring specific details with regard to surface water drainage and sustainable urban drainage systems (SuDS) are necessary to prevent and reduce the risk of flooding.
52. In the interests of safeguarding the living conditions of the occupiers of new dwellings, I have imposed conditions to deal with any on-site contamination and traffic noise. A condition requiring that a certain percentage of the new dwellings meet the optional Building Control requirements for 'accessible and adaptable dwellings' is necessary to ensure that suitable housing is provided for households in need of accessible or wheelchair housing.
53. Conditions 5 and 6 which prevent any development approved from commencing until they have been complied with, are considered fundamental to the development hereby approved. It is necessary for them to take the form of 'pre-commencement' conditions in order to have their intended effect. Where necessary and in the interests of clarity and precision, I have altered the conditions to better reflect the relevant guidance.

Conclusion and Planning Balance

54. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.

55. The redevelopment of the site would result in the loss of an employment site in conflict with Policy EMP8 of the District Plan. Nevertheless, for the reasons already given, this is outweighed by the need for housing in the area. Consequently, this material consideration is of sufficient weight to outweigh the conflict with the development plan.

56. For the above reasons, I conclude that the appeal should be allowed.

M Aqbal
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 begins and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters.
4. This permission relates to the site edged red on OS Location Plan (licence no 011310825) and proposed access arrangement as shown on access design and visibility splay drawing number 24794-08-020-01 rev A. (Included in submitted Transport Statement by Mewies Engineering Consultants, October 2019, report ref: 24794/04-19/6640 REV B).
5. Other than works necessary for compliance with this condition, the development hereby approved shall not commence until parts a-d of this condition have been complied with.
 - a) An investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be subject to approval in writing by the local planning authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be subject to approval in writing by the local planning authority. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to human health, existing or proposed property and buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and (iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of Land Contamination CLR 11.
 - b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and subject to approval in writing by the local planning authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - c) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation

scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.

d) In the event that contamination is found at any time when carrying out the development hereby permitted that was not previously identified it shall be reported in writing immediately to the local planning authority and investigated, remediated and verified in accordance with parts a, b and c of this condition.

e) A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

6. No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall include details of:
 - a. Construction vehicle numbers and types;
 - b. Access arrangements to the site;
 - c. Traffic management measures;
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities; and
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Thereafter the construction of the development hereby permitted shall be carried out in accordance with the approved CMP.

7. The development hereby permitted (excluding works of demolition) shall not commence until details and written specifications have been submitted to and approved in writing by the local planning authority in respect of the following highway infrastructure: a) Internal roads and footways; b) access arrangements and c) vehicle turning areas.

The approved highway infrastructure shall be implemented prior to the first occupation of any dwelling.

8. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by EAS, reference 2088/2019, dated October 2019 and the following mitigation measures detailed within it:

- a) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.1 l/s during the 1 in 100 year event plus 40% of climate change event.
- b) Providing storage 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 providing a total storage volume in attenuation pond.
- c) Discharge of surface water from the private drainage network into Hempsill Brook east of the site.

The mitigation measures shall be implemented prior to any dwelling hereby permitted being occupied.

9. The development hereby permitted shall not commence (excluding works of demolition) until a detailed surface water drainage scheme has been submitted to and approved in writing by the local planning authority.

The surface water drainage system will be based on the submitted Flood Risk Assessment and Drainage Strategy prepared by EAS, reference 2088/2019, dated October 2019, and shall include:

- a) Detailed, updated post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period, this must also include a +40% allowance for climate change.
- b) A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points. If areas are to be designated for informal flooding these should also be shown on a detailed site plan. This should also include details of the proposed mitigation measures at the north of the site.
- c) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
- d) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs. This should include details regarding the connection into the existing ordinary watercourse.
- e) The drainage scheme shall also confirm use of an oil/water interceptors for car parking areas;
- f) timing / phasing arrangements for the implementation of the scheme, and;
- g) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Thereafter, the approved scheme shall be implemented and subsequently maintained, in accordance with approved surface water drainage scheme.

10. No development above ground level shall take place until a noise mitigation scheme to protect future occupiers of the development from noise due to transport sources has been submitted to and approved in writing by the local planning authority.

The noise mitigation scheme shall ensure that:

- a. The indoor ambient noise levels in living rooms and bedrooms meet the standards within BS 8233:2014. Relaxed noise levels in BS 8233:2014 will not be accepted in living rooms and bedrooms unless it can be

demonstrated that good acoustic design practices have been followed and the implementation of acoustic barriers/bunds to lower façade noise levels as much as reasonably practicable, have been implemented.

b. Internal L_{max} levels should not exceed 45dB more than ten times a night in bedrooms;

c. If opening windows raises the internal noise levels above those within BS8233, the mechanical ventilation will need to be installed, with ventilation rates required to meet those found within The Noise Insulation Regulations 1975. Alternative methods (such as passive systems) and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment, conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that the medium risk category is not exceeded. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the SAP Assessment; and

d. Outdoor amenity areas must meet the 55dB WHO Community Noise Guideline Level.

Thereafter, any dwelling requiring noise mitigation shall not be occupied until the noise mitigation measures have been implemented in accordance with the approved noise mitigation scheme.

11. No development above ground level shall take place until a scheme setting out the arrangements for the delivery of accessible housing has been provided to the local planning authority in accordance with the following requirements:

a) A schedule of units, together with appropriate plans and drawings, must be submitted to and be approved by the local planning authority setting out details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010. At least 20% of all new dwellings must meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings';

b) All units specified as M4(2) in the agreed schedule and plans must be implemented in accordance with that approval and in compliance with the corresponding part of the Building Regulations in that regard; and

c) Written verification of the completion of all dwellings in accordance with part (a) above will be supplied to the local planning authority within 30 days of the practical completion of the development.

12. Prior to the first occupation of the development hereby permitted, the following works shall be undertaken:

a) The provision of a vehicular and pedestrian (and cyclist) access and egress between the development site and the adjoining highway shall be provided in accordance with drawing number: 24794-08-020-01 rev A (Included in submitted Transport Statement by Mewies Engineering Consultants, October 2019, report ref: 24794/04-19/6640 REV B).

b) The permanent closure of the existing access / egress along Northaw Road West and the reinstating of the footway in accordance with a scheme and phasing arrangements to be submitted to and agreed in writing with the local planning authority.

Thereafter, the approved access and reinstated footway shall be retained in perpetuity.

13. Prior to the first occupation of the development hereby permitted, visibility splays in accordance with approved drawing number: 24794-08-020-01 rev A (Included in submitted Transport Statement by Mewies Engineering Consultants, October 2019, report ref: 24794/04-19/6640 REV B) shall be provided.

The visibility splays shall be kept free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

14. Prior to first occupation of the development hereby permitted, details of measures to: a) prevent unauthorised vehicle movements between the development site and the adjacent Colesdale Farm access, and b) restrict the retained access for Colesdale Farm for use in association with the farm only, shall be submitted to and approved in writing by the local planning authority.

The approved measures shall be provided before the development hereby approved is occupied and thereafter maintained in perpetuity.