



Appeal Decision

Hearing held on 12 February 2025

Site visit made on 12 February 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 March 2025

Appeal Ref: APP/W2845/W/24/3353512

Land to east of Forest Road, Piddington NN7 2DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Landstrom Group Ltd against the decision of West Northamptonshire Council.
 - The application Ref is 2023/6117/MAO.
 - The development proposed is described as: 'Outline planning application for 11 serviced plots for self-builders and public open space'.
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Decision

1. The appeal is allowed and outline planning permission is granted for 11 serviced plots for self-builders and public open space at Land to east of Forest Road, Piddington NN7 2DA in accordance with the terms of the application, Ref 2023/6117/MAO, subject to the conditions in the attached schedule.

Preliminary Matters

2. The planning application was submitted in outline form seeking approval for scale, layout, landscape and access with appearance reserved for future consideration. I have dealt with the appeal on this basis and I have treated the submitted plans as being illustrative only, insofar as they relate to matters of appearance.
3. The Council confirmed at the Hearing that the final draft of the section 106 agreement (S106) addressed its second reason for refusal. This reason for refusal was based on a lack of means of securing developer's financial contributions in accordance with the development plan policies and the absence of any suitable mechanism to ensure that the proposal can be delivered as self-build and custom dwellings with a local connection test.
4. A completed S106, signed by both parties and dated 20 February 2025 has since been provided. Schedule 2 restricts the dwellings to self-build¹ and requires that the owner submits to the Council details evidencing that the occupier meets the local connection criteria and that they will have primary input into the design and layout of the new dwelling.
5. Schedules 3 and 4 of the S106 include all of the contributions sought by the Council, namely the Early Years Education Contribution Sum, the Library Contribution Sum, the Primary Education Contribution Sum and the Kerbside

¹ As defined by section 1 of the Self-build and Custom Housebuilding Act 2015 (the Act).

Recycling Contribution Sum. These are required to be paid to the Council by the owner prior to the occupation of each self-build dwelling.

6. I consider the obligations set out in the S106 are necessary to make the development acceptable in planning terms; directly related to the development; and are fairly and reasonably related in scale and kind. I am therefore satisfied that they meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the National Planning Policy Framework (the Framework).
7. I therefore conclude that the proposal makes the necessary contributions to education and refuse in accordance with Policy INF2 of the West Northamptonshire Joint Core Strategy Local Plan Part 1 (2014) (LPP1). It would also ensure that the development would be for 11 self-build and custom homes in accordance with Policies LH1 and LH5 of the South Northamptonshire Part 2 Local Plan (2020) (LPP2).

Main Issue

8. The main issue is whether the appeal site is a suitable location for the proposed development having regard to the development plan policies.

Reasons

Location

9. Policy S1 of the LPP1 sets out a spatial hierarchy for new development with development directed first to the principal urban area, the sub-regional centre, identified rural service centres and then the rural areas. Within rural areas, the Policy sets out that new development will be limited with the emphasis being on, amongst other things, enhancing and maintaining the distinctive character and vitality of rural communities and shortening journeys and facilitating access to jobs and services.
10. There is no dispute between the parties that the appeal site is well-related to the existing village and adjoins its southern edge. The Council's Committee report sets out that the proposal would continue the form and grain of development in the village. I see no reason to disagree. Being self-build, the proposal would add to the diversity of the housing stock here and the additional dwellings would support the local rural services. I am therefore satisfied that the proposal would maintain the distinctive character and vitality of the rural community in accordance with Policy S1.
11. With regard to the latter requirement of Policy S1, the appeal site is served only by a limited community bus route. However, I observed on the site visit that the services and facilities including a shop, public house, school, and village hall within Hackforth were easily accessible on foot over longer walking distances, using the footpath route identified by the appellant. These distances were consistent with the figures provided in the appellant's statement. I observed numerous other pedestrians walking this route, despite my visit being undertaken relatively late in the afternoon. I also saw that the walking route was lit by streetlighting for much of its length with only a short section, alongside allotments, that was not.

12. Thus, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas², there are a number of services and facilities that are accessible from the appeal site via sustainable transport modes, including walking or cycling. On this basis, future occupiers of the proposed development would not be wholly reliant on the private car and sustainable travel choices would be available to them. I am therefore satisfied that the proposal would not represent a conflict with the aims and objectives of Policy S1 of LPP1.
13. Policy R1 of the LPP1 sets out the spatial strategy specifically for rural areas and states that development in the rural areas will be guided by a rural settlement hierarchy that will be set out in the Part 2 Local Plans. It refers to an identified need for 2,360 dwellings within the District to be provided between 2011 and 2029. Once the need is met, it states further housing will only be permitted where it meets the criteria set out at i) – v) of the Policy, including that it would result in environmental improvements such as the re-use of previously developed land; is required to support local services that may be under threat; is a rural exception site or has been agreed through a neighbourhood plan.
14. The LPP2 confirms that the identified need of 2,360 dwellings had already been met at the time of its publication. Furthermore, the proposal would not meet the criteria set out at i) – v) of Policy R1 and therefore would not comply with this Policy.
15. The settlement hierarchy required through LPP1 Policy R1 is set out as part of LPP2 Policy SS1. Piddington, along with its immediate neighbours Hackworth and Horton are grouped together as a 'Secondary Village (A)', the third tier of the hierarchy. The appeal site lies just outside of the confines of Piddington and is therefore within the open countryside for the purposes of the settlement hierarchy.
16. The explanatory text to LPP2 Policy LH1 at 4.3.1 sets out that: '*there may be specific circumstances where sustainable development, well related to the village confines will be allowed to meet specific local housing needs. These circumstances are set out in Policies LH2 – LH7 of this Plan*'. Part 2 of Policy LH1 makes clear that, amongst other things, this includes at '(e) a self or custom build project in accordance with Policy LH5', or at '(i) is otherwise provided or within Policy R1 criteria i-v of the LPP1'.
17. As such, whilst the proposal would not meet the criteria set out at i-v of Policy R1, Policy LH1 of the more recently adopted LPP2 allows for a number of exceptions to the strategic aims of locating development within the settlement confines. In addition to the criteria i-v of Policy R1, it also permits at LH5, proposals for self or custom build sites.
18. Policy LH5 confirms that proposals for two or more self or custom build sites immediately adjoining the confines of Secondary Villages (A) will normally be permitted where they help to meet demand as demonstrated by Part 1 of the Council's Self and Custom Build Register (SCB Register). This is in line with the Act which requires Local Planning Authorities to establish and publicise a register of those who are seeking to acquire serviced plots of land in the authority's area for their own self-build or custom house. Local Planning Authorities also have a duty, through the Act, to grant permission for enough serviced plots of land to meet the demand for self-build and custom housebuilding in their area.

² Framework paragraph 110.

19. In terms of the first strand of Policy LH5, both parties are agreed that the appeal site immediately adjoins the village confines and would appear as a natural extension to the village. Turning to whether the proposal would meet the demand as demonstrated by the Council's SCB Register, the Council has recently published its Self and Custom Build Annual Monitoring Report 2024 (the 2024 Report) following the determination of the application and after submission of the appeal.
20. At the Hearing, the Council was unable to explain why the figures in the 2024 Report for the demand for self-build and custom housing in base periods 1 and 2 differ significantly from those supplied by the Council to the Ministry for Housing Communities and Local Government (MHCLG). Indeed, there is a difference of 99 between the Council's recent figures and those it submitted to MHCLG. That the demand figures have been reduced for reasons unknown to the Council, leads me to doubt their accuracy. In the absence of convincing evidence to indicate otherwise, the MHCLG figures provided to me by the appellant are, to my mind, a more reliable reflection of demand. This leads me to conclude that the demand for self-build is higher than is stated in the 2024 Report.
21. The 2024 Report revised how the Council recorded grants of planning permission for self-build and custom housing. As such, only permissions that have either a Part 1 CIL exemption form, are the subject of a planning obligation specifying self-build or custom housing or are a Permission in Principle (PIP) for self-build are included. The 2024 Report concludes that the Council has granted a sufficient number of planning permissions to meet the demand on the register.
22. Both parties have referenced a recent appeal decision at Cogenhoe³. At the appeal, the Inspector highlighted that '*additional analysis of the Form 7 Part 1 submissions would be prudent to ascertain their accuracy and to check how many are ultimately followed up with Form 7 Part 2*'. This approach is supported by an Inspector's decision at Malmesbury⁴, provided to me by the appellant, where it is argued the Part 2 Forms are a more robust means of demonstrating that a development has been realised as a genuine self-build scheme. I agree with the above Inspectors that a completed Part 2 Form is likely a more reliable means of determining if an application, permission or development is genuinely for self-build or custom housebuilding.
23. However, notwithstanding the comments of the Inspector at the Cogenhoe appeal, the Council has confirmed that it has not assessed the extent to which the Part 1 Forms have been followed up with Part 2 Forms. No reason has been given for this. Nonetheless, the appellant has provided a number of examples from the 2024 Report where permissions are a number of years old and there appears to have been no Part 2 Form submitted. The Council was able to confirm at the Hearing that some of the examples given related to schemes that had been amended by a subsequent planning permission, and thus were never implemented. In that regard, I am satisfied from the Council's evidence at the Hearing, that such permissions were not being 'double-counted'.
24. Nevertheless, the Council also confirmed that CIL was actually paid on at least some of the examples provided by the appellant, despite the initial completion of the Part 1 Forms. As these examples were not CIL exempt, it is highly unlikely they were delivered as self-build. Similarly, there were examples where there was no

³ Ref: APP/W2845/W/23/3323851.

⁴ Ref: APP/Y3940/W/23/3317252.

evidence of a Part 1 Form being provided and no legal agreement, again raising considerable doubt as to whether these were actually self-build schemes. The appellant's analysis identifies a total of just 18 examples where the Part 1 and Part 2 Forms were supplied for base periods 4 – 9. This is significantly lower than the Council's self-build figures over this period, even if those with planning obligations specifying self-build were to be included. Whilst the Council cited difficulties in recording the information due to communication problems between its back office and front office computer systems, this nonetheless adds to my doubt with regard to the accuracy of the figures in the 2024 Report.

25. I have also been provided with examples of permissions in the 2024 Report where the description of the development indicates a form of development that is unlikely to be self-build⁵, examples of refused applications⁶, erroneous reference numbers⁷ and where the dwelling granted planning permission is now being advertised for sale⁸. The Council has stated that there may be some instances of such errors as highlighted by the appellant. I am therefore in considerable doubt as to whether all of the planning permissions referred to in the Council's 2024 Report would be delivered as self-build or custom housing.
26. Taking this into account, alongside the discrepancy between the 2024 Report and the numbers on the SCB Register submitted to MCHLG, I therefore conclude that the demand for self-build plots is likely to be higher than that stated and, moreover, it is not sufficiently clear that there have been enough grants of planning permission for self-build and custom plots to meet this demand. Mindful of the requirements of the Act, the appeal scheme would contribute 11 self-build plots, secured by S106 which would help to meet the demand for self-build plots in accordance with Policy LH5 of the LPP2.
27. Being located within the open countryside, the proposal would fail to comply with the strategic Policy R1 of the LPP1. However, as it would deliver self-build homes adjacent to the confines of a Secondary Village the proposal would meet the demand for this type of housing and would thus comply with the exceptions set out at LPP2 Policies LH1 and LH5. I therefore conclude that the appeal site is a suitable location for the proposed development having regard to the development plan policies.
28. The proposal would comply with Policies LH1 and LH5 of the LPP2. It would meet the aims and objectives of Policy S1 of the LPP1. There would also be compliance with paragraph 110 of the Framework which seeks to maximise sustainable transport solutions, offering a genuine choice of sustainable transport modes.

Other Matters

29. The Grade II* Listed Church of St John The Baptist lies to the northern edge of the village, adjacent to open countryside. Mindful of the statutory duty set out in s66(1) of the Act, I have had special regard to the desirability of preserving the setting of this listed building. Primarily dating to the thirteenth and fourteenth centuries, the Church was restored in the late Victorian period. Its distinctive stone tower with its prominent spire is visible over long distances, particularly in views looking south from Hackleton where it is a dominant feature on the skyline. Pertinent to the

⁵ Ref S/2018/2343/FUL – Replace two mobile homes with two log cabins for equestrian workers.

⁶ Ref WND/2022/0351 – Construction of detached dwelling and associated works.

⁷ Ref WNP/2022/0034 – Prior approval for change of use of barn to one dwelling.

⁸ Ref WNS/2021/1171/FUL - Erection of dwelling house.

appeal, its special interest and significance arises, in part, from its architectural and historic value as a prominent and distinctive ecclesiastical building. Significance is also derived from the contribution of its rural setting.

30. I saw on the site visit that the tower and spire are visible as a distant feature from parts of the appeal site, although it is predominantly screened by the intervening topography and high hedges and trees. Owing to its position, remote from the Church, to the opposite edge of the village, and separated by a considerable amount of intervening development, the appeal site does not make a discernible contribution to the rural setting of the listed building.
31. The special interest and its significance of the listed building, including the contribution made by its setting, would thus not be harmed as a result of the proposed development. On this basis it would meet the requirements of the Act, and Policy BN5 of the LPP1, LPP2 Policies HE1 and HE5 and the provisions within the Framework which together seek to conserve heritage assets in a manner appropriate to their significance. I note that the Council also had no concerns in this regard.
32. A number of concerns were raised by local residents with regard to the potential for surface water flooding arising as a result of the proposed development. The appellant has provided a Flood Risk Assessment. The appellant's consultants provided additional information on 12 December 2023 which was produced following advice from the Lead Local Flood Authority. The appellant's submission comprises of an overarching drainage strategy with the intention that those developing each self-build plot would submit a detailed drainage strategy utilising appropriate SuDS features through the discharge of conditions process. There is no dispute between the parties on this matter and the Council has suggested planning conditions in order to achieve this aim.
33. Given the self-build nature of the proposal, I consider that a detailed drainage strategy provided as a planning condition would ensure the development is provided with an adequate drainage system in accordance with the drainage hierarchy set out in the Planning Practice Guidance. On this basis I am satisfied that the proposal would not increase the risk of surface water flooding at the site or elsewhere. The proposal would comply with Policies BN7 and BN7A of the LPP1 on this basis. These policies seek to ensure new development provides sustainable drainage systems and avoids increasing flood risk.
34. Whilst not a matter forming part of the refusal, concerns have been expressed by local residents and the British Horse Society with regard to the effect of the proposed development on highway safety in the vicinity of the appeal site.
35. The proposed plans demonstrate that adequate visibility splays could be readily provided at the proposed entrance to the site from Forest Road. There is an approximately 45 metres length of Forest Road that is single-vehicle width. However, having regard to the proposed provision of a passing place, the low levels of vehicular traffic and the likely low vehicle speeds, I am satisfied that the risks to pedestrians, horse riders and other road users would be very low and the proposal would therefore not have an unacceptable impact on highway safety. The proposal would comply with the provisions of the Framework in this regard.

Conditions

36. I have amended certain conditions suggested by the Council, to ensure they meet the relevant requirements in the Framework without altering their aim. The conditions were referenced in the Statement of Common Ground and both parties are in agreement as to their content.
37. Pre-commencement conditions are required for the provision of a construction method statement, a written scheme of investigation with regard to archaeology, protected species mitigation, and contaminated land assessment. These are reasonable and necessary in respect of ensuring protection for the environment during construction, avoiding harm to below-ground archaeology, ensuring adequate mitigation for protected species and ensuring adequate public protection.
38. In line with my assessment above, conditions requiring highway works, including widening and visibility splays and the installation of the access and parking area to be carried out prior to occupation are necessary in the interests of highway safety. I have imposed a condition requiring the submission of a lighting scheme in the interests of biodiversity. A condition requiring precise details relating to biodiversity enhancement is required for the same reason. Conditions relating to landscaping are necessary in order to ensure the proposed development integrates into its rural surroundings. Drainage details are required to be submitted on a plot-by-plot basis which would ensure that the development would avoid increasing flood risk in line with my reasoning above.
39. Given the proximity of the appeal site to a working farm, a condition requiring the submission of a scheme to ensure that internal noise levels can be maintained at an appropriate level is necessary in order to ensure that the proposal would provide acceptable living conditions for future occupiers.

Conclusion

40. For the reasons given above the appeal should be allowed.

Paul Martinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Application for approval of all the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.
- 2) Details of the appearance (hereafter referred to as 'the reserved matters') for each phase shall be submitted to and approved in writing by the local planning authority, having regard to the approved Design Code, before the commencement of development relating to that phase takes place and the development shall be carried out in accordance with the approved details.
- 3) The development hereby permitted shall be carried out in accordance with drawing nos:

272 001 B Site Location Plan;
272 101 B Indicative Site Layout;
272 102 C Plot Parameters;
272 103 A Stewardship Plan;
220496 Rap Xx Xx Dr L 4101 Detailed Open Space Planting Proposals 1;
220496 Rap Xx Xx Dr L 4102 Detailed Open Space Planting Proposals 2;
220496 Rap Xx Xx Dr L 8010 Landscape Strategy;
272 002 A Phasing Plan;
272 100 E Masterplan;
220496 Rap Xx Xx Dr L 4001 On Plot Planting Strategy;
Design Code.

- 4) No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g) Measures to control the emission of dust and dirt during construction;
 - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must 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 are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management (LCRM)'.

B. Submission of Remediation Scheme

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 must be prepared and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must 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 must be produced and is subject to the approval in writing of the local planning authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A above, and where remediation is necessary a remediation scheme must be

prepared in accordance with the requirements of part B, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with part C above.

- 6) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR151, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.

The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

The development shall be carried out in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR151, or a 'Further Licence') and with the proposals detailed on plan 'Land east of Forest Road: Impact plan for great crested newt District Licensing (Version 1)', dated 8 May 2024.

- 7) Prior to the first occupation of any dwelling within the development hereby approved, details of the carriageway widening of Forest Road must be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details.
- 8) No external lighting shall be installed or operated within the site other than in accordance with a lighting strategy which has been first submitted to and approved in writing by the local planning authority. This strategy should include the measures set out in Section 4.13 of the submitted Ecological Appraisal report.
- 9) Prior to the construction of any dwelling to slab level, a Biodiversity Net Gain Report including a method statement for enhancing the biodiversity of the site shall be submitted to and approved in writing by the local planning authority. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to the first occupation of any dwelling within the development hereby approved and thereafter maintained in accordance with the approved details.
- 10) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;

(ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local planning authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the local planning authority.

- 11) Prior to the commencement of any above-ground development in relation to an individual plot comprising Phases 2-12, a scheme for the provision and implementation of foul and surface water drainage for that particular plot should be submitted to and approved in writing by the local planning authority.

Before these details are submitted an assessment of the whole site shall be carried out, assessing the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Section 14 of the National Planning Policy Framework, and the results of that assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and
- iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of that particular plot and thereafter managed and maintained in accordance with the approved details

- 12) Prior to the construction of each dwelling to slab level, a scheme of landscaping for that plot shall be provided to and approved in writing by the local planning authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas, boundary treatments and steps.

The approved scheme shall be implemented by the end of the first planting season following first occupation of the dwelling within the relevant plot.

- 13) A scheme for landscaping the portions of the site falling out of the defined housing plots shall be provided to and approved in writing by the local planning authority which shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.
- Such details shall be provided prior to the construction of any dwelling to slab level. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.
- 14) Prior to the occupation of any dwelling within the development hereby approved, a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines shall have been submitted and approved in writing by the local planning authority, and the approved scheme implemented. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures including roof, doors, windows and external facades, layout of the units or noise barriers.
- 15) Prior to the occupation of any of the dwellings hereby permitted, the estate road and turning areas shall be laid out, drained, constructed, surfaced and sealed in accordance with details that have first been submitted to and approved in writing by the local planning authority. The estate road shall not thereafter be used for any purpose other than for access in connection with the development hereby permitted.
- 16) Any vehicular access to any plot from the internal access road shall be a standard vehicle cross-over. This shall be completed prior to the first occupation of the dwelling within that plot.
- 17) Prior to first occupation of any dwelling within the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.
- 18) A schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the local planning authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the local planning authority.

- 19) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent for any variation.
- 20) Prior to the occupation of any of the dwellings hereby permitted visibility splays shall be provided at the access to the site in accordance with the approved plan ref 22434-RAP-XX-XX-DR-TP-3200 Rev A. The visibility splays shall be kept clear of all obstructions, levelled and maintained at a height not exceeding 1 metre above the adjacent footway level.
- 21) Prior to the occupation of any dwelling within the development hereby approved, details of a site management company, and associated management and maintenance methodology of the streets within the development, to operate for the life of the development, shall be submitted to and agreed in writing by the local planning authority. The streets shall then be maintained in accordance with the approved details thereafter.

END OF SCHEDULE