



Appeal Decision

Site visit made on 16 April 2025

by **Richard Clegg BA(Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th June 2025

Appeal Ref: APP/A0665/W/25/3359561

The Old School House, Canal Walk, Rudheath, Northwich, CW9 7XP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by CDM Developments (North West) Ltd against the decision of Cheshire West and Chester Council.
 - The application Ref 23/01254/FUL, dated 13 April 2023, was refused by notice dated 4 October 2024.
 - The development proposed was originally described as the 'erection of 8 two-storey dwellings'.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of 6 two-storey dwellings at The Old School House, Canal Walk, Northwich, CW9 7XP, in accordance with the terms of the application, Ref 23/01254/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Prior to determination of the planning application by the Local Planning Authority (LPA), the proposal was amended to a reduced number of six dwellings. Accordingly, the proposed development should be described as the erection of six two-storey dwellings, and I have considered the appeal on this basis.
3. The proposal as considered by the LPA includes the erection of acoustic fencing, with sections of 2m, 2.4m and 3m height¹. In the Appellant's statement, it is suggested that, if the reason for refusal which refers to the height of the proposed fences is upheld, the previous proposal for 2m high acoustic fencing² represents a realistic fallback position. A fallback position refers to development which it is suggested would take place if the appeal proposal does not proceed, and not to a possible amendment. There is no reference in the submitted documentation to an extant planning permission on the site involving 2m high acoustic fencing, and it is not clear whether the extent of fencing to which reference is made could be erected under permitted development rights, having regard to the limitation on height adjacent to a highway used by vehicular traffic. There is no evidence to suggest that there is any prospect of 2m high acoustic fencing being erected on the site if the appeal proposal were not to proceed, and I do not consider that this suggestion represents a realistic fallback position.

¹ See the Appellant's noise impact assessment, dated 18 September 2024, section 7 and figure 7.

² The original noise impact assessment, dated 30 November 2023, refers to 2m high acoustic fencing in section 6, with the position of the fencing shown in figure 6. A subsequent noise impact assessment, dated 2 April 2024, also refers to 2m high acoustic fencing (section 6): figure 6 of this report shows the position of the proposed fencing, which differs to an extent from the position in the previous report.

Main Issues

4. I consider that the main issues in this appeal are:
- (i) The effect of noise on the living conditions of future residents of the proposed development.
 - (ii) The effect of the proposed development on the character and appearance of the area.
 - (iii) The effect of other considerations on the overall planning balance.

Reasons

Living conditions

5. The appeal site is situated on the north side of the A556, and a short distance to the west of the junction of that road with the A530. The A556 is a busy route across Cheshire, which in this area acts as a bypass to Northwich, and the A530 provides a link to Middlewich to the south and into Northwich to the north. Traffic noise is a key feature of the area around The Old School House. An interested party has expressed concern about the effect of noise from the commercial bakery on the opposite site of the A556. It is clear from the Appellant's noise impact assessment that the noise climate is dominated by traffic on the A556³. However as the survey undertaken measured ambient noise it would have taken into account any noise emissions from the bakery.
6. Guidance on noise levels for dwellings is included in British Standard BS 8233-2014, which reflects the earlier Guidelines for Community Noise (GCN) published by the World Health Organization. The noise impact assessment for the appeal proposal puts forward mitigation measures involving insulation and ventilation, and points out that implementation of the mitigation strategy should enable internal ambient noise levels to be within the limits set out in BS8233 and GCN⁴.
7. Insofar as external amenity space is concerned, BS8233 explains that it is desirable that the external noise level does not exceed 50dB_{LAeqT}, with an upper guideline value of 55dB_{LAeqT} which would be acceptable in noisier environments. These levels are also referred to in GCN.
8. It is common ground between the Appellant and the LPA that noise levels within the external amenity space of most dwellings are predicted to exceed the levels given in BS8233 and CGN. For plot 4 (the furthest plot from the A556 on the eastern side of the site), an ambient sound level of 54.8dB_{LAeqT} is predicted: at the other five plots noise levels are expected to be above the upper guideline value of 55dB_{LAeqT}, ranging between 56.1 and 59.2dB_{LAeqT}⁵.
9. The noise level values set out in BS8233 and CNG are guidelines, and I am mindful that BS8233 recognises that the external values may not be able to be achieved in all circumstances where development might be desirable. The Standard refers to the possibility of a compromise between elevated noise levels

³ The Appellant's noise impact assessment dated 18 September 2024, sub-section 4.2.

⁴ The Appellant's noise impact assessment dated 18 September 2024, sub-sections 5.4 & 5.5.

⁵ The predicted noise levels are plotted on figure 7 in the Appellant's September 2024 noise impact assessment.

and other factors in higher noise areas such as urban areas adjoining the strategic road network.

10. Nevertheless, the guidelines provide a useful means of assisting in the assessment of the effect of noise on the occupiers of residential development, and in my experience they are widely used for this purpose. The values themselves contain an element of flexibility, pointing to 50dB_{LAeqT} as the desirable level for ambient noise in external amenity space, but acknowledging that 55dB_{LAeqT} would be acceptable in noisier environments. Given that noise levels in the external amenity space of most of the dwellings would exceed the upper guideline value of BS8223, and would be clearly above the preferred level, I consider that traffic noise from the nearby main road would impinge on the living conditions of future residents.
11. The Appellant refers to the prospect of traffic noise reducing as a result of an increasing proportion of electric vehicles on the road, drawing attention to the Department for Transport's *Future of Mobility: Urban Strategy*, and other views, including those expressed by the Local Government Association and the Royal Automobile Club⁶. I acknowledge that electric vehicles have the potential to emit less noise than conventional vehicles. The Appellant asserts that there is relative certainty and huge optimism that noise pollution associated with busy roads could start to reduce over the coming years, and significantly so in the medium term. It is then suggested that the outside amenity spaces at the appeal site could feasibly and potentially achieve the desirable level of 50dB_{LAeqT} included in BS8233. There is no detailed evidence to substantiate this claim, and at this stage the extent to which noise levels may reduce on any particular route is uncertain. In contrast, I place reliance on the noise levels included in the noise impact assessment which are derived from known traffic inputs.
12. I note that two schemes for housing have been approved on the site, including an outline proposal for seven dwellings as recently as 2022. Moreover there is contemporary housing nearby, to the east of the site. Dwellings here, at the southern end of the Elizabethan Way, are a similar distance to the A556 as plots on the appeal site, and are closer to the junction with the A530. A noise level of 61dB_{LAeqT} was recorded in the garden of No 25 Elizabethan Way, above the levels predicted for the appeal site⁷. The site is close to an established residential area where there are elevated noise levels, but which benefits from the convenience of access to the A556. Convenient access to the strategic road network also applies to the appeal site, and the proposal would make efficient use of a large garden. The convenience of living in such a location and the efficient use of land are mentioned in BS8233 as circumstances where a compromise between elevated noise levels and other factors might be warranted, and the development would not introduce less satisfactory living conditions than obtain at existing properties in the area.
13. BS8233 explains that where guideline noise values cannot be met, development should be designed to achieve the lowest practicable levels in external amenity areas. The Appellant has considered several possible layouts for the site, taking account of the relationship with other aspects of the surroundings, in addition to the A556. Option 3 would provide some reductions in noise, but the predicted

⁶ Paragraphs 4.26-4.28 of the Appellant's statement.

⁷ The Appellant's noise impact assessment dated 18 September 2024, section 7 and figure 8.

noise level at plot 1 would be greater than at any of the proposed plots on the western side of the site. This option would also involve the rear of plots 1 and 2 facing Canal Walk, and the Appellant explains that the reduction in the number of dwellings to four would adversely affect viability. I am satisfied that consideration has been given to opportunities to minimise noise levels, having regard to other factors.

14. Policy SOC 5 of the Cheshire West and Chester Local Plan Part One seeks to avoid significant adverse impacts on health and quality of life; similarly Policy DM 2 of the Local Plan Part Two explains that development will only be supported where there would not be an a significant adverse impact upon residential amenity. Both policies refer to noise as a factor to take into account in assessing the effect in this respect. Policy DM 30 is specifically concerned with noise, and requires that development must not give rise to significant adverse impacts on health and quality of life. The accompanying explanation to the policy makes clear that regard should be had to the GCN and British Standards: as such, it acknowledges that a relaxation of the guideline value for external noise levels may be acceptable in certain noisier environments.
15. Given that noise levels within the external amenity space of five of the proposed dwellings would exceed the upper guideline value of BS8233 and would be clearly above the preferred level, I have found that there would be some adverse effect on the living conditions of most future residents. However, bearing in mind that living conditions on the appeal site would not be less satisfactory than at existing nearby housing, and the convenience offered by this location, I conclude that the proposed development would not have a significantly adverse effect on the living conditions of future residents, and I accord moderate weight to this limited harm. As the proposed development would not have a significantly adverse effect on the living conditions of future residents, it would not conflict with Policies SOC 5, DM 2 and DM 30 of the Local Plan. Nor would it conflict with paragraph 198(a) of the National Planning Policy Framework (NPPF), which requires that planning decisions should avoid noise giving rise to significant adverse impacts on health and the quality of life.

Character and appearance

16. The scheme includes the erection of acoustic fencing. To the rear of plots 4 and 5, alongside the eastern boundary of the site with the Trent and Mersey Canal, the fencing would be 2m in height⁸. In the south-east corner of the site, to the rear and part way along the side of plot 6, the fencing would be 2.4m in height. Fencing of this height is also proposed to the rear of plots 2 and 3 and part way along the side of plot 3 to the west of the access road. The tallest fencing, at 3m high, would be erected to the side and rear of plot 1, alongside part of the southern boundary of the appeal site.
17. The acoustic fencing on the eastern side of the site would be erected adjacent to a tall hedge, which would effectively screen the fence in views from the adjacent towpath and from Elizabethan Way on the opposite side of the canal. Glimpsed views may be obtained from the footway on the A556 bridge over the canal, but neither the 2m nor the 2.4m fencing would appear prominent given their position adjacent to the taller hedge. From Canal Walk, the 2.4m fencing at the side of plot

⁸ The plot numbers are given on the proposed site plan, ref 0820423 rev E, and the position of the acoustic fencing is shown on figure 7 of the Appellant's noise impact assessment dated 18 September 2024.

3 would be visible in views along the access road, but this stretch of fencing would be set back, and, given the relatively narrow gap between the house proposed on plot 3 and the existing building to the north-east, any views would be of limited extent. This fencing would also be visible from the front of the dwelling known as The Old School House: here the access road and space to the front of the existing house would provide adequate separation to prevent harm to the outlook.

18. Immediately to the south of the site is a belt of trees on rising land. Even after leaf fall, the presence of the tree cover would filter views from the higher level of the A556 of the 2.4m fencing at the side of plot 6 and the rear of plots 2 and 3, and part of the 3m fencing at the rear of plot 1. However, adjacent to the south-west corner of the site, the tree cover is less dense, and moreover the 3m fence would extend forward of the front elevation of the houses which would face Canal Walk. In this position, with less screening from the tree belt, the presence of a tall solid fence would appear as an intrusive element in the street scene. This jarring effect would be seen in views across the mouth of the junction of Canal Walk and the A556 from the west.
19. Whilst I find that most of the acoustic fencing would not detract from its surroundings, the north-western part of the 3m fencing would impinge on the character and appearance of the area. Bearing in mind that only a short length of the fence would project forward of the adjacent house, and that views would be curtailed by the proposed houses and the trees to the south, this limited harm merits moderate weight. I conclude that the erection of the fencing would not cause unacceptable harm to the character and appearance of the surrounding area, and it would not result in conflict with Policy DM 19 of the Local Plan Part Two.
20. Three of the houses would be built on the frontage to Canal Walk, with the other three around the head of the proposed cul-de-sac, extending the line of the built form of the existing repair garage and house to the north. The layout of the dwellings and their two-storey height and appearance would be in keeping with contemporary residential development in the vicinity of the appeal site. and I agree with the LPA that the proposed housing would generally respect the character of the area. Notwithstanding my finding on the position of the 3m acoustic fencing, I consider that, taken as a whole, the proposed development would respect the character and appearance of the area, in accordance with paragraph 135(b) of the NPPF, and would not conflict with the provisions of Policy ENV 6 of the Local Plan Part One and Policy DM3 of the Local Plan Part Two.

Other considerations

Housing provision

21. The appeal site is within the settlement boundary of Northwich where Policy STRAT 2 of the Local Plan Part One supports the principle of new development. The majority of new development is intended to be located within or on the edge of Northwich and three other settlements in order to maximise the use of existing infrastructure and resources, and to allow homes, jobs and facilities to be located close to each other and to be accessible by public transport. Policy STRAT 5 explains that Northwich will provide a key focus for development in the east of the Borough. It follows that, in principle, the appeal site is in a sustainable location for residential development, consistent with the objective in paragraph 9 of the NPPF

to guide development towards sustainable solutions. The development would also make efficient use of land, in line with paragraph 129 of the NPPF, whilst retaining an adequate garden area for The Old School House.

22. The LPA has advised that there is not a five years' supply of housing land in Cheshire West and Chester, and the development would make a contribution to the delivery of new housing. Moreover, the Appellant argues that much new housing in the Northwich area is provided on large sites by volume house-builders. Paragraph 73 of the NPPF makes clear that small and medium-sized sites can make an important contribution to meeting the housing requirements of an area. The benefits of providing housing on a small site in a sustainable location which would contribute to housing delivery carry significant weight.

Parking and waiting restrictions

23. The LPA argues that a planning obligation is required to secure a financial contribution of £5,000 towards the cost of implementing parking and waiting restrictions on Canal Walk. Whilst a draft planning agreement has been prepared, no completed document has been submitted: indeed the Appellant has indicated on the appeal form that it is not intended to submit a planning obligation.
24. In their consultation response to the planning application, the Council's Highways Section referred to a need for parking and waiting restrictions, and the LPA's report on the application explained that these were sought because there is occasional parking congestion on Canal Walk and the development would have an impact on street parking capacity. No more detailed information in support of a planning obligation has been provided by the LPA. Rudheath Parish Council has referred to parking issues associated with the use of the nearby playing fields. It is concerned that the development could adversely affect highway and pedestrian safety and seeks parking restrictions at the junction of Canal Walk and the A556.
25. The proposed site plan shows the provision of off-road parking spaces for each of the proposed houses, and I note that, in its report, the LPA has commented that this provision would be in line with its standards. I do not expect, therefore, that vehicle use associated with the proposed houses would have a material impact on parking on Canal Walk. As a consequence of formation of the access road and the vehicular access to plot 1, the space available for parking on the carriageway of Canal Walk would be reduced, but there is no detailed information before me to show the level of on-street parking on the road, where parking currently takes place, and the frequency of occasions when there may be a higher vehicle presence. Nor has the LPA identified the extent of the restrictions sought. There is insufficient information to demonstrate that the planning obligation proposed by the LPA is necessary to make the development acceptable in planning terms. Accordingly, having regard to Regulation 122 of the Community Infrastructure Levy Regulations, I find that the absence of a planning obligation does not count against the appeal proposal.

The Trent and Mersey Canal Conservation Area

26. The conservation area extends in linear form along the Trent and Mersey Canal, which is an historic transport link across this part of Cheshire and a major part of the national canal network. It is referred to in the conservation area appraisal as

the greatest civil engineering project of the eighteenth century⁹. Both the historic importance of the canal and its architectural interest contribute to the significance of the conservation area. The canal passes immediately to the east of the appeal site. Given this juxtaposition, although there is a tall hedge on the boundary between The Old School House and the canal towpath, the appeal site lies within the setting of this heritage asset.

27. The setting of the conservation area also includes nearby modern residential development. Across the canal from the appeal site a landscaped area on the west side of Elizabethan Way provides an opportunity to appreciate the canal, but otherwise the setting of modern housing has a neutral effect on its significance. I find that the proposed development, set back from the canal behind a tall hedge would not detract from the setting of the conservation area, and it would not, therefore, harm the conservation area's significance. Accordingly it would not conflict with the provisions of Policy ENV 5 of the Local Plan Part One which requires that development avoids loss or harm to the significance of designated heritage assets, or of paragraph 212 of the NPPF, which requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Hedgerow on the eastern boundary

28. Rudheath Parish Council is concerned that the tall hedge alongside the canal towpath should be retained for the benefit of wildlife and to provide privacy in respect of the proposed development. As a strong boundary feature, the hedgerow also contributes to the character and appearance of the conservation area. The proposed landscaping plan indicates that the hedgerow would be retained, and a condition could be imposed to this effect.

Conditions

29. I have considered possible conditions in the light of the advice in Planning Practice Guidance. Those conditions which I consider would be necessary for the development to proceed are listed in the schedule, together with the reasons for their imposition.
30. The LPA has suggested that, in the event of planning permission being granted, a condition should be imposed restricting permitted development rights for extensions, roof extensions, out-buildings and hardstandings. A general reference to visual and residential amenity is insufficient to justify this restriction on small-scale domestic proposals, and, in the absence of a more detailed reason, I do not consider that such a condition would be necessary or reasonable. Neither would it be necessary to include reference to a large number of supporting documents in a condition identifying the plans of the proposed development. Those documents which include material relevant to the implementation of a planning permission would be more appropriately identified in separate conditions.

Conclusions

31. The principle of housing development on the appeal site within the settlement boundary of Northwich is consistent with strategic policies STRAT 2 and STRAT 5

⁹ The Appellant's heritage statement, paragraph 2.1.

of the Local Plan Part One. Given the proximity of the busy A556 to the appeal site, Policy SOC 5 is among the most important policies for this proposal. Whilst there would be some harm from noise to the living conditions of future residents, I do not consider that this would result in a significant adverse effect, and consequently there would be no conflict with the specific terms of the policy. Similarly, the limited harm to the character and appearance of the area from part of the 3m acoustic fencing would not be unacceptable, and the development overall would respect the character and appearance of the area, consistent with Policy ENV 6. As the proposal would have a neutral effect on the nearby conservation area, it would comply with Policy ENV 5.

32. Turning to the Local Plan Part Two, given my findings on living conditions and character and appearance, I am satisfied that the proposed development would not conflict with Policies DM2 and DM 30, and with Policies DM3 and DM 19 respectively. I conclude that the proposed development would comply with the Development Plan considered as a whole.
33. There is not a five years' supply of housing land in the District (above, para 22): having regard to paragraph 11(d) of the NPPF that means that the most important policies in the Development Plan for determining the appeal are out-of-date. Nevertheless these policies are broadly consistent with those in the NPPF, and as such they carry significant weight in consideration of the appeal.
34. Because of the lack of a five years' supply of housing land, the tilted balance in part (ii) of NPPF paragraph 11(d) applies. The proposal would contribute to the delivery of new homes on a small site in a sustainable location, benefits which carry significant weight. The absence of a planning obligation to secure waiting and parking restrictions does not count against the proposal, as there is insufficient information to demonstrate that this approach is necessary. The limited adverse impacts arising to living conditions and to the character and appearance of the area carry moderate weight, and they would not significantly and demonstrably outweigh the benefits identified, when assessed against policies in the NPPF, in particular policies for directing development to sustainable locations, making effective use of land, and securing well-designed places. In that situation planning permission should be granted.
35. For the reasons given above, and having regard to all matters raised, including the suggested conditions, I conclude that the appeal should be allowed.

Richard Clegg

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following plans:

- i) Location plan for Canal Walk, Rudheath.
- ii) Proposed site plan ref 0820423 rev E.
- iii) Dwelling details for plots 1-3 ref 09010224 rev A.
- iv) Dwelling details for plots 4 & 5 ref 09020224 rev A.
- v) Dwelling details for plot 6 ref 09030224 rev A.
- vi) Street scene and section A-A ref 09040224.
- vii) Proposed landscaping plan ref 0830423 rev E.
- viii) Footpath reconstruction and tree protection plan.

Reason: To provide certainty.

- 3) Details of the materials to be used in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development above ground level. The development shall be carried out in accordance with the approved materials.

Reason: To safeguard the character and appearance of the area.

- 4) No development shall take place until detailed plans of the vehicular access arrangements, including visibility splays, and the proposed footway have been submitted to, and approved in writing by, the Local Planning Authority. The access arrangements and footway shall be provided in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted.

Reason: In the interest of highway safety.

- 5) No dwelling shall be occupied until the space for car and cycle parking for that dwelling has been laid out and made available for use. Thereafter, the space for car and cycle parking shown shall be retained and made available at all times for that purpose.

Reason: In the interest of highway safety and to avoid impeding the movement of vehicles and pedestrians.

- 6) No dwelling shall be occupied until electric vehicle charging provision for that dwelling has been installed in accordance with details which have been

submitted to, and approved in writing by, the Local Planning Authority. The electric vehicle charging provision shall be retained thereafter.

Reason: to encourage the use of sustainable travel options.

- 7) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:
- i) Details of vehicle and pedestrian routings.
 - ii) The times and numbers of heavy goods vehicle movements to and from the site.
 - iii) Off-road parking provision for all construction-related vehicles.
 - iv) Arrangements for the storage of materials within the site.
 - v) Arrangements for the removal of any deposits of debris from the highway, including vehicle cleansing/wheel washing facilities.

The development shall be carried out in accordance with the approved CTMP throughout the construction period.

Reason – In the interest of highway safety and to avoid impeding the flow of traffic

- 8) The development shall be carried out in accordance with the *Remediation Strategy and Verification Plan ref 703-R-01* by GeoInvestigations Ltd dated July 2024. The dwelling on plot 4 shall not be occupied until all components of the remediation measures (including any required by condition No 9) to deal with the risks associated with contamination of that plot have been completed, and written evidence of remediation completion, and of the suitability of that part of the site for occupation, has been submitted to, and approved by, the Local Planning Authority.

Reason: To safeguard users and occupiers of the site and the wider environment from risks associated with contaminants by ensuring that contaminated land is properly treated and made safe.

- 9) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted to, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy referred to in condition No 8. The amendment shall detail how this unsuspected contamination will be addressed.

Reason: To safeguard users and occupiers of the site and the wider environment from risks associated with contaminants by ensuring that contaminated land is properly treated and made safe.

- 10) No development shall take place until a foul and surface water drainage scheme, based on sustainable drainage principles, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:

- i) A surface water drainage layout.
- ii) Details of the package treatment plant and the proposed effluent discharge point.
- iii) Hydraulic calculations to support the drainage proposal.
- iv) Typical outfall details and agreement to discharge.
- v) Management and maintenance plan for the drainage.

The foul and surface water drainage system shall be completed in accordance with the approved scheme prior to the first occupation of any of the dwellings hereby permitted.

Reason – To prevent the increased risk of flooding, to protect water quality and to ensure future maintenance of the surface water drainage system.

- 11) None of the dwellings hereby permitted shall be occupied until a hedgehog commuting route through the completed development (including a plan illustrating the commuting route) has been submitted to, and approved in writing by, the Local Planning Authority. Holes at the base of closed boundaries must be at least 13cm in height by 13cm in width, and they must be provided prior to the first occupation of the dwellings which the boundary treatment serves.

Reason: To safeguard local biodiversity.

- 12) The development hereby permitted shall be carried out in accordance with the mitigation measures and recommendations in the *Ecological Appraisal & Bat Survey Report ref AE80-R01b* by Anser Ecology Ltd dated 1 February 2024.

Reason: To safeguard local biodiversity.

- 13) No external lighting shall be installed except in accordance with an external lighting scheme, which has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To avoid interference with the movement patterns of bats.

- 14) The development shall be implemented in accordance with the Canal Protection Method Statement and Risk Assessment dated July 2024.

Reason: To protect the structural stability and water quality of the Trent and Mersey Canal.

- 15) The development shall be implemented in accordance with the *Construction, Highways and Environmental Management Plan* (CHEMP) by JT Design Consultancy dated March 2024, the CHEMP Plan phases 1 & 2, and the CHEMP Plan phase 3 onwards.

Reason: To safeguard the living conditions of nearby residents, and to ensure that construction works do not have a harmful environmental effect.

- 16) No piling shall take place until a scheme of such work has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:
- i) Cross-sections showing the foundations of the development in relation to the canal and towpath.
 - ii) The means of construction of the foundations, including piling technique.
 - iii) Details of how the canal would be protected during the construction period.

The development shall be carried out in accordance with the approved piling scheme throughout the construction period.

Reason: To protect the structural stability and water quality of the Trent and Mersey Canal.

- 17) The development shall be implemented in accordance with the Tree Survey and Arb Impact Assessment V2 by Eco-Arbsolutions North West. Tree protection measures shall remain in place throughout the construction period.

Reason: To protect trees in the interest of visual amenity.

- 18) The hedgerow along the boundary of the site with the Trent and Mersey Canal shall be retained.

Reason: In the interest of biodiversity and the preservation of the character and appearance of the Trent and Mersey Canal Conservation Area.

- 19) The dwellings hereby permitted shall each meet the National Housing Standard for water consumption of 110 litres per person per day.

Reason: In the interest of sustainable water use.

- 20) Construction operations shall only take place within the following hours: 08.00 to 18.00 on Mondays to Fridays, and 08.00 to 13.00 on Saturdays.

Reason: To safeguard the living conditions of local residents.

- 21) No development shall take place until details of the acoustic fencing, prepared in accordance with the specification in section 7 and with figure 7 of the *Noise Impact Assessment ref J004563-7455-TD-03* dated 18 September 2024 by Philip Dunbavin Acoustics Ltd, have been submitted to, and approved in writing by, the Local Planning Authority. The acoustic fencing shall be erected as approved prior to the first occupation of any of the dwellings hereby permitted.

Reason: To safeguard the living conditions of occupiers of the proposed dwellings and the character and appearance of the area.

- 22) None of the dwellings hereby permitted shall be occupied until details of the boundary treatment to be provided (in addition to that covered by condition No 20) have been submitted to, and approved in writing by, the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details prior to the first occupation of the dwellings which it serves.

Reason: To safeguard the character and appearance of the area.

END OF CONDITIONS