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## Appeal Decision

Hearing held on 15 March 2016

Site visit made on 15 March 2016

**by Kevin Gleeson BA MCD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 24 June 2016**

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**Appeal Ref: APP/W0530/W/15/3138791**

**8 Greenacres, Duxford, Cambridge, Cambridgeshire CB22 4RB**

- 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 J Hilbery against the decision of South Cambridgeshire District Council.
  - The application Ref S/0276/15/OL, dated 14 January 2015, was refused by notice dated 16 July 2015.
  - The development proposed is outline application for demolition of dwelling and garage at no. 8 Greenacres and development of up to 35 dwellings (use class C3) with all matters reserved except for access.
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### Decision

1. The appeal is allowed and outline planning permission granted for demolition of dwelling and garage at no. 8 Greenacres and development of up to 35 dwellings (use class C3) with all matters reserved except for access at 8 Greenacres, Duxford, Cambridge, Cambridgeshire CB22 4RB in accordance with the application Ref S/0276/15/OL dated 14 January 2015, subject to the conditions in the schedule at the end of the decision.

### Procedural Matters

2. The planning application to which this appeal relates was made in the name of Countryside Properties (UK) Ltd and Mr. J Hilbery. This appeal is being pursued by Mr Hilbery alone.
  3. The application was submitted in outline, with only means of vehicular access to be determined at this stage. All other matters are reserved for future consideration. The proposed site layout plan drawing 22145B\_110 Rev E is for illustrative purposes only. Drawing 14-283-110 Proposed Site Access 3 submitted at the hearing shows the proposed access. Whilst I did not previously have a copy of this drawing I am satisfied that this was the drawing on which the Council based its decision and that no one would be prejudiced by my determination of the appeal on this basis.
  4. A Statement of Common Ground (SoCG) agreed by the main parties was provided at the start of the hearing.
  5. A signed and dated agreement in accordance with Section 106 of the Town and Country Planning Act 1990 was submitted after the close of the hearing. This contains a number of obligations including contributions to a range of social
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infrastructure, the provision of affordable housing and the implementation of a submitted travel plan. I return to the obligations later in this decision.

### **Main Issues**

6. The main issues are:

- a) whether or not the proposed development would provide a suitable site for housing having regard to the principles of sustainable development and the supply of housing; and
- b) The effect of the proposed access on highway safety and the living conditions of residents of Greenacres during both construction and operational phases.

### **Reasons**

#### *Suitability of the Site for Housing*

7. The 1.2hectare appeal site comprises a field to the north of nos. 8-11 Greenacres and includes no. 8 Greenacres. The majority of the site is outside of the defined Development Framework for Duxford as set out in the South Cambridgeshire Adopted Proposals Map, 2010.
8. The outline application proposes residential development of up to 35 dwellings including 14 affordable dwellings with no. 8 Greenacres demolished to provide vehicular access to the residential development.
9. At the heart of national policy, as stated in paragraph 14 of the National Planning Policy Framework (the Framework) is a presumption in favour of sustainable development. Notwithstanding that presumption, paragraph 2 of the Framework reiterates the statutory position that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
10. The development plan covering the appeal site includes the South Cambridgeshire Core Strategy Development Plan Document (DPD), 2007 (the Core Strategy) and the South Cambridgeshire Development Control Policies (DCP) DPD, 2007.
11. Policy ST/2 of the Core Strategy sets out a requirement for 20,000 new homes in South Cambridgeshire during the period 1999-2016 based on a locational hierarchy with a preference for the edge of Cambridge, then the new town of Northstowe followed by the rural area where development should take place in Rural Centres and other villages.
12. Policy ST/6 of the Core Strategy categorises Duxford as a Group Village. It states that residential development up to an indicative maximum scheme size of 8 dwellings will be permitted within the village framework of Group villages and exceptionally development of up to about 15 dwellings where this would make best use of a single brownfield site. The supporting text states that Group Villages are considered to be less sustainable locations for new development than other settlements, having fewer services and facilities allowing only some of the basic day to day requirements of residents to be met without the need to travel outside the village.

13. DCP Policy DP/7 restricts development outside urban and village frameworks to agriculture, forestry, outdoor recreation and other uses which need to be located within the countryside.
14. Paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to state that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
15. Policy ST/2 of the Core Strategy set a target of 20,000 new homes in the district between 1999 and 2016. The main parties agreed that the Council does not have a 5 year land supply with the total number of dwelling completions in the district between 1999 and 2015 being 11,992. In addition, in 2013/14 the backlog of affordable housing need in the district was 2,846 with a newly arising need until 2031 of 7,047 homes.
16. The Council also made reference to two appeals<sup>1</sup> where the Inspector concluded that the Council was not able to satisfactorily demonstrate that it had a 5 year supply of housing land. The Council considered that as the Local Plan was at a more advanced stage than when the previous appeal decisions were issued they had limited relevance.
17. Relevant policies for the supply of housing are Core Strategy Policies ST/2 and ST/6 and DCP Policy DP7. Both main parties accepted that none of these were up to date and therefore the proposal should be considered in the context of paragraph 14 of the Framework.
18. The Council considers that the policies in the Draft Local Plan are also material considerations and Policy S/10 is referred to in the Council's first reason for refusal. However, as set out in the SoCG the emerging Local Plan can only be attributed limited weight with the weight to be attached varying according to the level and substance of objections, noting that there are outstanding objections including in relation to the Objectively Assessed Need. In the light of the stage of preparation of the emerging plan and unresolved objections, applying paragraph 216 of the Framework I attach limited weight to the relevant policies of the emerging Local Plan.
19. On the basis of paragraph 7 of the Framework it is necessary to assess whether the proposed development would have sufficient local facilities and services to address the community's needs and whether it would address the economic, social and environmental roles of sustainable development. One of the objectives of the Core Strategy (ST/b) is to locate development where access to day-to-day needs for employment, shopping, education, recreation and other services is available by public transport, walking and cycling. I find this objective to be consistent with paragraph 37 of the Framework.
20. Paragraph 3.3 of the SoCG confirms the range of services and facilities within the village of Duxford. There is only one village store and no supermarket or other basic level retail facilities. It also lacks GP and dental surgeries and there are no emergency services stationed within the village. Councillor Martin as the local ward councillor set out the limitations of the village with regard to shops and services and I find that there would be limited access to essential

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<sup>1</sup> APP/W0530/A/13/2207961 and APP/W0530/A/13/2209166

- shops and services needed on a day-to-day basis. The village is served by a primary school although not a secondary school. Nevertheless some Rural Centres do not have secondary schools.
21. Paragraph 3.4 of the SoCG describes the range of employment opportunities within 5 miles of Duxford. A number of the most recent employment facilities are located within walking distance of the appeal site. In addition to these opportunities I find that Duxford has good access to a wide range of employment opportunities within a short distance.
  22. In terms of sustainable transport links I note that there is no segregated cycle route from Greenacres to Whittlesford Parkway Station and that use of the Public Right of Way to the north of the site to gain access to the station would be limited. Nevertheless, for pedestrians the route has a footpath along Moorfield Road and is lit although the distance of approximately 1.1 miles is long. The village is also served by the Citi7 bus service which links it to Sawston, Saffron Walden and Cambridge.
  23. Councillor Harford the Chairman of the Council's Planning Committee spoke about the difficult decision which the Committee had taken to refuse planning permission in the light of the officer recommendation. She explained that the Council was not resistant to development but considered that the appeal site was not a sustainable development and that the appellant's was reliant upon the lack of a 5 year land supply.
  24. Nevertheless, I find that on balance, in terms of the Core Strategy objective ST/b the appeal site would provide a sustainable location for development.
  25. It is also necessary to consider sustainability in terms of the Framework as a whole. Three roles of sustainable development are identified in the Framework. The proposed development would contribute to the economic role as house building promotes economic growth through construction activity and future occupiers of houses providing custom for existing shops and services.
  26. The social role of sustainable development is referenced in the Framework with regard to widening the choice of high quality homes and ensuring that sufficient housing, including affordable housing is provided to meet the needs of present and future generations. On the basis of the shortfall in housing supply generally, as identified above and in particular the shortage of affordable housing across the district and within Duxford there would be considerable benefit arising from the scheme in line with paragraph 47 of the Framework which identifies the need to boost significantly the supply of housing in an area of market stress and economic growth and I attach significant weight to this.
  27. With regard to the environmental role of sustainable development I find that the proposed development secured by a number of conditions would comply with wider objectives of the Framework including the requirement for good design, promoting sustainable transport, meeting the challenge of climate change and conserving and enhancing the natural environment.
  28. Paragraph 8 of the Framework states that the three roles should not be undertaken in isolation as they are mutually dependent and economic, social and environmental gains should be sought jointly and simultaneously through the planning system. On this basis I find that the proposed development would

provide a suitable site for housing having regard to the principles of sustainable development and the supply of housing.

*The Effect of the Proposed Access*

29. It is proposed that the appeal site would be accessed via Greenacres for both construction traffic and new residents. Policy DP/6 of the DCP concerns construction methods as does Policy CC/6 of the emerging Local Plan although I attach limited weight to the latter policy.
30. Greenacres is a quiet cul-de-sac of family housing. It has a 20mph speed limit and the road alignment also encourages vehicles to travel slowly. I have been told that children play within the street and on the area of grass which provides a focal point to the road notwithstanding that it is privately owned.
31. Construction traffic would undoubtedly involve the introduction to the road of additional large vehicles. Whilst some of these would be larger than private vehicles they need to be considered in the context of other large vehicles which use the road such as to make deliveries and to collect refuse. During construction the frequency of vehicles would be greater than at present although the construction activity would be temporary.
32. As part of the application the appellant provided an initial scoping Construction Environmental Management Plan which includes a range of measures to reduce or restrict noise and disturbance associated with construction activity and address highway safety. As the proposed development would be unlikely to give rise to construction issues arising on other sites within the district I consider that the application of these measures secured through an appropriate planning condition would go some way to ensuring that the construction impacts would be limited as far as possible.
33. A number of representations highlighted the fact that many residents of Greenacres work at home or are retired and therefore would be inconvenienced by construction activity during the daytime. Whilst construction activity would alter the character of Greenacres I note that both Cambridgeshire County Council as the highway authority and the Council's own environmental health officer have not objected to the proposal on the grounds of highway safety or noise. Nevertheless, I find that on the basis of the additional traffic there would be short term harm to the living conditions of residents of Greenacres as a result of construction.
34. During the hearing both Dr. Rae and Councillor Harford raised concerns about the effect of construction activity on the local area and suggested that developers often failed to manage construction impacts in spite of controls being in place. In response Mr. McCann on behalf of the prospective developer indicated a willingness to work with the local community should permission be granted and it is hoped that this spirit of co-operation can be taken forward.
35. The proposed development would result in the traffic generated from up to 34 additional properties using Greenacres. A number of interested parties questioned the basis on which the traffic generation figures were produced and stated that more extensive traffic surveys should have been undertaken by the appellant. Taking account of the fact that the highway authority did not object to the proposal I do not consider that the traffic generation arising from the proposed development would result in an adverse effect upon the living

conditions of residents of Greenacres or St John Street. There is also no evidence to back up the suggestion that access to the development for larger vehicles cannot be achieved although the precise layout would be confirmed at reserved matters stage.

36. Additionally, whilst some residents highlighted the difficulties locally arising from poor visibility at junctions the highway authority has confirmed that adequate visibility splays exist at the junction of Greenacres and St John's Street and therefore I find that the development would not give rise to additional harm in terms of highway safety. A Travel Plan submitted by the appellant promotes a range of measures to support and encourage sustainable travel and thereby reduce the use of private cars. Whilst there can be no guarantees as to its effectiveness it is appropriate to promote sustainable transport and for the Travel Plan to be secured through the S106 agreement.
37. In terms of the effect of the proposed access on highway safety and on the living conditions of local residents I find that there would be limited short term harm to the living conditions of residents during construction. However, I have not heard compelling evidence that the proposed development would give rise to issues of highway safety either during the construction or operational phases of the scheme.

#### *Other Matters*

38. A number of local residents consider that there is insufficient capacity within Duxford Primary School to accommodate the demand for school places which would increase if the development were allowed. The S106 agreement addresses this matter through a contribution of £65,000 which is the cost of converting existing space at the school to meet increased demand.
39. As confirmed by Anglian Water, the sewerage system in the village has adequate capacity and whilst concerns have been raised about pollution arising from the proposed development there have been no objections from statutory bodies or the Council's own environmental health officer. With regard to ecology, trees and hedgerows no objections have come from statutory bodies.

#### *Conditions and Obligations*

40. A list of conditions agreed between the main parties was provided during the hearing (Document 10). I have had regard to these in the light of Planning Practice Guidance (PPG).
41. Conditions relating to the submission of reserved matters and the timing of commencement are needed due to the outline nature of the application (Conditions 1, 2 and 3). The timescales for the submission of the reserved matters and the timing of commencement are shorter than is usual and reflect the fact that the appellant does not wish to cause additional inconvenience through delaying construction. The plan showing the details of the access forms part of the permission and should be referred to as this provides certainty (4).
42. Condition 5 is necessary to address the landscaping scheme submitted under condition 1, and a condition to enhance ecological interests (10) is also necessary. Conditions are required in order to protect trees and to enhance the biodiversity of the area (6 and 7) and to avoid harm to nesting birds (9). A condition is also required to minimise the effects of the proposed development

- on the living conditions of occupiers of the proposed development and neighbouring residents and to address matters of highway safety during the construction phase (12) and when the scheme is completed (13, 15 and 16).
43. It is necessary to impose a condition to address any ground contamination associated with the previous use and require its remediation before residential occupation (11). Conditions are also required to ensure appropriate arrangements for sustainable waste management (14), to provide satisfactory methods of surface and foul water drainage and reduce the risk of pollution (17 and 18). A condition to ensure that adequate water supply is available for emergency use is also appropriate (8).
44. PPG advises that care should be taken when using conditions which prevent any development authorised by the planning permission from beginning until the condition has been complied with. In this respect it is necessary for conditions 7, 10, 11, 12, 15, 17 and 18 to be conditions precedent as they are so fundamental to the development that it would otherwise be necessary to refuse the application. I do not consider conditions 8 and 13 need to be conditions precedent and therefore I have amended each of them.
45. It is not necessary to have conditions relating to housing mix, materials to be used in construction or details of landscaping as these would be dealt with at reserved matters stage. Other amendments to conditions which I have made include addressing the duplication regarding tree protection in conditions 5, 6 and 7, the deletion of references to sub-phases in condition 12, as I am not aware that the development will be phased, the deletion of a proposed condition regarding a substation as there is no indication in the submission that a substation is required. I have also merged conditions relating to the proposed driveways as it is not necessary for them to be separate.
46. In addition to the provision of a contribution to Duxford Primary School as described above, the measures provided for through the Section 106 Agreement dated 16 March 2016 include financial contributions to libraries and lifelong learning, community facilities, off-site public open space, household waste bins collection and a monitoring contribution. The proposal would also provide for 40% of the total net dwellings to be affordable. I consider that these measures comply with the relevant development plan policies and supplementary planning guidance and meet the tests in Regulation 122 of the Community Infrastructure Regulations, 2010. In terms of Regulation 123 which requires obligations to relate to projects where fewer than five contributions have already been provided, I have no reason to believe that this test has not been met.
47. During the hearing the Council's solicitor raised the issue of a mortgagee in possession clause as set out in section 6 (d) of the s106 agreement. This concerns the situation where, if a mortgage was taken out on the property and the mortgagee had to take possession upon default of payment, the mortgagee could sell the site without the need to comply with the affordable housing obligations. On the basis of the evidence submitted, and with reference to paragraph 4.23 of the Affordable Housing SPD I find that the lack of the clause could result in no interest from a Registered Provider which would adversely impact upon the delivery of the scheme. I therefore find that the inclusion of the clause is appropriate.

## Conclusion

48. In addressing the presumption in favour of sustainable development paragraph 14 of the Framework states that where relevant policies of the development plan are out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicating that development should be restricted. I have not been presented with evidence of specific policies of the type identified in the Framework which would justify withholding planning permission.
49. In respect of the planning balance which the Framework requires the adverse impacts of the proposed development can be identified as follows. Although the appeal site is outside of the defined settlement boundary because DCP Policy DP/7 is a policy for the supply of housing and the Council cannot demonstrate a five year supply of housing land this does not justify refusing permission. In addition, although the proposed development would conflict with the Core Strategy's spatial strategy as set out in Policies ST/2 and ST/6 these too are policies for the supply of housing and therefore not up-to-date. I have also attached limited weight to the emerging Local Plan for the reasons given. I have also identified the adverse impact of construction traffic to which I attach limited weight.
50. I therefore find that there are no adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme. The benefits include the potential of the scheme to meet the urgent housing need in the area including the chronic shortage of affordable housing. The provision of 40% of the total net dwellings as affordable dwellings which is policy compliant in terms of amount and tenure carries considerable weight in favour of the proposal. Other financial contributions to community infrastructure are essentially provided as mitigation. On the basis of the benefits of the proposed development other material considerations clearly outweigh the conflict with the out of date policies of the development plan.
51. For these reasons the appeal is allowed.

*Kevin Gleeson*

INSPECTOR



## **APPEARANCES**

### FOR THE APPELLANT

Colin Campbell	Savills
Paul McCann	Cala Homes (Prospective Purchaser)
Alex Scarrett	Odyssey Markides
Sarah Whydle	WSP Group

### FOR THE LOCAL PLANNING AUTHORITY

Sarah Ballantyne-Way	SBW Planning
David Roberts	South Cambridgeshire District Council
Stephen Reid	South Cambridgeshire District Council
Judit Carballo	Cambridgeshire County Council

### INTERESTED PERSONS

Lynda Harford	Councillor
Mick Martin	Councillor
Alastair Rae	Local Resident

## **DOCUMENTS SUBMITTED AT THE HEARING**

1. Agreed Statement of Common Ground.
2. Drawing 14-283-110 Proposed Site Access 3
3. South Cambridgeshire Adopted Proposals Map, Inset No.27 Duxford, submitted by the Council.
4. Housing Land Supply, November 2015 submitted by the Council.
5. Revision to Appendix 6 of Appellant's Statement: Five Year Land Supply based on Proposed Modifications, submitted by the appellant.
6. Revision to Appendix 8 of Appellant's Statement: Five Year Land Supply based on Proposed Modifications excluding Cambourne West from supply, submitted by the appellant.
7. Letter from Collyer Bristow dated 10 November 2014 submitted by the appellant.
8. Affordable Housing Supplementary Planning Document submitted by the Council.

9. Draft Planning Obligation Agreement submitted by the appellant.
10. Suggested Planning Conditions and Informatives submitted by the Council.
11. Report to Planning Committee on Application to Vary Section 106 Agreement to Include a Mortgagee in Possession Clause, 4 November 2015 submitted by the Council.
12. Secretary of State Decision in respect of APP/R0660/A/10/2141564 submitted by the Council.

Richborough Estates

## **SCHEDULE OF CONDITIONS**

1. Approval of the details of the layout of the site, the scale and appearance of buildings and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.
3. The development hereby permitted shall begin not later than the expiration of one year from the date of approval of the last of the reserved matters to be approved
4. The development hereby permitted shall be carried out in accordance with the following approved plans: 22145B\_110 Rev E in respect of access only; 14-283-110.
5. The landscaping scheme to be submitted under Condition 1 should include full details of both hard and soft landscape works. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
6. In this condition "retained tree" means an existing tree which is to be retained in accordance with condition no. 5; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the first occupation of the dwellings hereby approved.
  - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with the relevant British Standard.
  - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
  - (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with condition no. 7 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
7. Prior to the commencement of development, details of the measures to protect all trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures

shall be maintained for the duration of construction of development. Any tree(s) removed without consent or dying or being severely damaged or becoming seriously diseased during the period of development operations shall be replaced in the next planting season with tree(s) of such size and species as shall have been previously agreed in writing with the Local Planning Authority.

8. A scheme for the provision and location of fire hydrants to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.
9. Any removal of trees, scrub or hedgerow shall not take place in the bird breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been previously submitted to and approved in writing by the Local Planning Authority.
10. No development shall take place until a scheme of ecological enhancement including a nature conservation plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
11. No development shall take place, unless otherwise agreed in writing until:
  - (a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through a risk assessment and agreed in writing by the Local Planning Authority.
  - (b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority.
  - (c) The works specified in the Remediation Method Statement have been completed and a verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
  - (d) If, during the remediation works, any contamination is identified that has not been considered in the Remediation Method Statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.
12. Prior to the commencement of development, a Construction Management Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall follow the Initial Scoping Document - Construction Environmental Management Plan - Land to the rear of Greenacres dated 12 May 2015 and shall also include details of the following:
  - (i) Drawings of any temporary highway works and the phasing of the highway works;

- (ii) Contractor access arrangements for vehicles, plant and personnel including the location of construction traffic routes and details of their signing, monitoring and enforcement measure;
- (iii) Location of areas to be used for contractor offices, unloading / loading / reception and storage of building materials, parking for those employed in developing the site and visitors, turning and parking of delivery / construction vehicles;
- (iv) Screening and hoarding details including the contractor company name and contact numbers covering office and out of office hours;
- (v) Soil management and storage areas;
- (vi) Measures to control the emission of dust and dirt during the construction period
- (vii) A scheme for recycling disposing of waste resulting from demolition and construction works;
- (viii) Wheel and underside chassis cleaning facilities to prevent the deposition of mud and other debris onto the highway network / public areas;
- (ix) Site lighting;
- (x) Drainage control measures;
- (xi) Measures to safeguard use of the Public Right of Way and to manage any crossings of the public highway during the construction period;
- (xii) Access and protection arrangements around the site for pedestrians, cyclists and other road users including external safety and information signing and notices;
- (xiii) Liaison, consultation and publicity arrangements including dedicated points of contact and complaints procedures;
- (xiv) Consideration of sensitive receptors.

The approved statement shall be adhered to throughout the duration of the construction period of the development.

13. An artificial lighting scheme, to include details of any external lighting of the site such as street lighting, flood lighting, security / residential lighting and an assessment of impact on any sensitive residential premises on and off site, shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures unless the Local Planning Authority gives its written consent to any variation.
14. Any reserved matters application, pursuant to this outline approval shall be accompanied by a Waste Management & Minimisation Strategy, including the completed RECAP Waste Management Design Guide Toolkit and supporting reference material, addressing the management of municipal waste generation during the occupation stage of the development. No development shall take place until the strategy has been approved in writing by the Local Planning Authority and thereafter implemented in accordance

with the approved details prior to the occupation of the dwellings to which it relates and shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

15. Prior to the commencement of the development details of all visibility splays associated with the proposed development shall be submitted to and approved in writing by the Local Planning Authority. These include two 2.0 x 2.0 metre visibility splays. The splays are to be included within the curtilage of each new car parking space that is to exit directly onto the proposed adopted public highway. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. The splays for each parking space or block should also be shown. All visibility splays shall be provided prior to first occupation of the development. The areas defined by the visibility splays shall be kept clear of all planting, fencing and walls exceeding 600mm in height.
16. The proposed driveways shall be constructed using a bound material so that their falls and levels are such that no private water from the site drains across or onto the adopted public highway and to prevent debris spreading onto the adopted public highway.
17. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
18. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.