



Appeal Decision

Inquiry held on 12-14 July 2016

Site visit made on 14 July 2016

by Lesley Coffey BA Hons BTP MRTPI

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

Decision date: 7 September 2016

Appeal Ref: APP/R0660/W/15/3136431

Land to the rear of Cheerbrook Road, Willaston, Cheshire

- 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 Wainhomes (North West) Ltd against the decision of Cheshire East Council.
 - The application Ref 14/5825N, dated 19 December 2014, was refused by notice dated 16 April 2015.
 - The development proposed is a residential development of up to 120 dwellings with access and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for a residential development of up to 100 dwellings with access and associated works at Land to the rear of Cheerbrook Road, Willaston, Cheshire in accordance with the terms of the application, Ref 14/5825N, dated 19 December 2014, and the plans submitted with it, subject to the conditions in the attached schedule.

Procedural Matters

2. The description above is taken from the application form, however, during the course of the application the number of dwellings was amended to 100 dwellings, and I have considered the proposal accordingly.
3. The proposal is an outline application with all matters, except the access, reserved for subsequent approval. The appellant submitted a plan showing how the development might be accommodated, but the plan is for illustrative purposes only and there could be alternative layouts for the site. It nevertheless provides a useful guide when considering the proposal before me.
4. The third reason for refusal related to the failure of the Transport Assessment to take account of other committed development within the area. This matter was addressed by way of *Technical Note 1: Highway Matters (TN1)*, dated March 2016. On the basis of this additional information and the highway works specified within it, the Council is satisfied that the proposal would not have an adverse impact on the highway network. Notwithstanding this, some local residents remain concerned about the highway implications of the proposal, and I address these concerns below.

5. The appellant submitted an agreement under S106 of the Act. This covenants to provide affordable housing, public open space, a management plan, a bus pass contribution, and an education contribution.

Main Issues

6. I consider the main issues to be the effect of the proposal on:
 - The objectives of the Green Gap and the visual character of the landscape;
 - The supply of the Best and Most Versatile Agricultural Land; and
 - Whether having regard to the housing land supply position and all other relevant considerations, the proposal would be sustainable development.

Reasons

7. The appeal site is an agricultural field about 4.4 hectares in area. It is situated outside, but adjacent to the settlement boundary for Willaston. There are number of trees and hedgerows to the boundary of the site. Four of these trees are safeguarded by a Tree Preservation Order (TPO).
8. The land immediately to the south of the site is in the appellant's ownership and is currently being developed for residential purposes. The appeal scheme would use the recently constructed access with Cheerbrook Road. The site is bound by the railway line to the north, Lettie Spenser Playing Fields to the east, and the residential properties of the Fields. The land to the west of the site is in agricultural use. The western boundary of the site would broadly align with the western boundary of the dwellings at Beech Tree Close and would largely infill the part of Willaston that extends between Park Road and Cheerbrook Road.

Development Plan

9. The development plan is the *Crewe and Nantwich Replacement Local Plan 2011* (adopted 2005). This provides the development strategy for the area for the period up to 2011. A number of policies, including those relevant to this appeal, were formally saved by virtue of a direction from the Secretary of State. Paragraph 215 of the National Planning Policy Framework (NPPF) provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
10. The Cheshire East Local Plan Strategy was submitted for examination in May 2014. The examining inspector issued interim views in November 2014 and December 2015. Following public consultation on revisions to the submission version of the plan, further hearings are scheduled for September 2016. On the basis of the submitted evidence it is unclear whether there remain unresolved objections to the plan, and having regard to the stage it has reached I afford it limited weight.
11. The parties agree that the Council cannot demonstrate a five year supply of housing land and therefore, in accordance with paragraph 49 of the NPPF, the policies for the supply of housing should not be considered up to date. In the

light of the Richborough Judgement¹ the parties agree that policies NE.4, NE.2, and NE.12 are policies for the supply of housing. Accordingly the weight to be afforded to these policies is reduced.

Green Gap

12. The appeal site lies within the Nantwich/Willaston Green Gap as defined by policy NE.4 of the Local Plan. It is adjoined on three sides by the settlement boundary. Policy NE.4 states that new buildings will not be permitted in the Green Gaps where they would result in the erosion of the physical gap between built up areas, or adversely affect the visual character of the landscape. The aim of the policy is to maintain the definition and separation between existing communities and to prevent the settlements of Crewe, Willaston, Wistaston, Nantwich, Haslington and Shavington from merging. Exceptions to the policy will only be considered where it can be demonstrated that no suitable alternative location is available.
13. The Green Gap varies in width from 1380 metres (where the appeal site is located) to 458 metres at its narrowest point. The appeal proposal would reduce the width of the gap by about 270 metres and would therefore erode the gap contrary to policy NE.4. Notwithstanding this, Willaston and Nantwich would still be separated by a distance of about 1110 metres and would remain physically separate. The extent of the separation would remain greater than is evident in other many other parts of the gap and there would be no inter-visibility between the settlements.
14. The Council state that the Green Gap is essential in order to maintain the separate identity of Nantwich, a historic market town and Willaston, a satellite of Crewe with its own sense of local identity. This aim is consistent with paragraph 17 of the NPPF in so far as it seeks to take account of the different roles and character of different areas and the social role of sustainability, which includes supporting strong, vibrant and healthy communities.
15. Whilst the purpose of the Green Gap could be considered to be consistent with the NPPF, the boundaries on which policy NE.4 relies were established by the Local Plan and sought to provide sufficient land for 7,600 dwellings for the period up to 2011 and were not intended to meet the housing needs of Crewe and Nantwich beyond that period. The emerging plan seeks to deliver at least 36,000 dwellings over the plan period, albeit over a larger geographical area than the Local Plan. The boundaries on which policy NE.4 is predicated were fixed having regard to the need to accommodate the development planned for in the Local Plan and therefore are inextricably linked with the housing requirements within it. As a consequence, housing land outside of the built-up area boundaries will inevitably be required to meet the post-2011 housing needs. Accordingly the boundaries on which policy NE.4 relies are time expired and policy NE.4 is out of date on its own terms. It also conflicts with the Framework's determination to meet development needs and significantly boost the supply of housing. I therefore afford limited weight to the Green Gap boundaries as defined by policy NE.4.
16. I am aware that policy PG 5 of the emerging plan includes the retention of gaps between settlements in order to maintain the definition and separation of

¹ Suffolk Coastal DC v Hopkins Homes Ltd & SSCLG / Richborough Estates Partnership LLP v Cheshire East BC & SSCLG [2016] EWCA Civ 168

existing communities and the individual character of such settlements. The supporting text explains that the spatial extent of the open countryside, which includes the Green Gaps is as defined by the saved policies of the Local Plan until detailed boundaries are established through the Cheshire East Local Plan. Whether this approach is found sound will be a matter for the examining inspector and will be assessed in the context of the available housing land supply. However at the present time, the Council accepts that it does not have a five year supply of housing land and that there has been a considerable shortfall in housing delivery in recent years. Therefore whilst I accept that the aims of policy NE.4 are not inconsistent with the NPPF, the boundaries on which it relies restrict the supply of housing and conflict with the NPPF.

17. I acknowledge that in the case of the Park Road appeal² it was found that the development of that site, which lies to the north west of the appeal site, would contribute to a perceived narrowing of the Green Gap. However, the current proposal would not have a similar effect due to the considerably greater width of the gap at this point and its greater distance from FP10 and the A51.
18. I have some sympathy for the Council's view that the cumulative nibbling away of the gap could eventually negate its purpose, particularly in the light of the development pressure in this part of the borough. Nonetheless, although the proposal would erode the gap between the built up areas of Nantwich and Willaston, contrary to policy NE.4, given the extent of the separation within this part of the Green Gap, I am satisfied the proposal would not materially compromise the purpose of the gap.
19. The second criterion of policy NE.4 resists proposals that would adversely affect the visual character of the landscape. Whilst the proposed development would be noticeable in private views from the rear of properties adjoining the site, the parties agree that the most significant public views are those from the Lettie Spenser Playing Fields and from Footpath FP10 which is situated to the west of the appeal site and separated from it by a distance of about 300 metres.
20. Views of the proposed development from the adjacent playing fields would be limited to some extent by the existing hedgerow, which it is intended to retain. Although there are a number of gaps in the hedgerow, supplementary planting would enhance the screening currently provided by the hedge. The illustrative layout indicates an area of public open space adjacent to the boundary with the playing field, which together with additional boundary planting would provide a buffer between the proposed dwellings and the playing field. Although those using the playing field would be aware of the proposed dwellings on the appeal site, much of the playing field is adjoined by residential development or the railway line. Therefore whilst there would be a noticeable change in the character and appearance of the appeal site, having regard to the surrounding residential development, including that to the north of the railway line, and the relatively contained nature of the appeal site, I consider that the proposal would not significantly harm the visual character of the landscape when viewed from the playing fields.
21. Views from footpath FP10, which runs close to the A51 would be filtered by some of the existing trees. The proposal includes a 10 metre deep landscape buffer along the western boundary which would filter the views of the proposed

² APP/R0660/W/15/3011872

housing. The proposed development would be noticeable in distant views from FP 10. Such views would be confined to a short section of the footpath. Although the dwellings may be discernible in such views, in the context of the existing built development and the proposed landscaped buffer, they would not significantly reduce the perceived extent of the gap. Pedestrians using the footpath would not perceive any significant reduction in the extent of the Green Gap.

22. Due to the boundary hedgerow, and its distance from the appeal site, views from the A51 would be both fleeting and glimpsed. The current lack of inter-visibility between Nantwich and Willaston would be maintained. Overall, I conclude that whilst the proposal would erode the Green Gap, it would nevertheless comply with the objectives of policy NE.4 and would not significantly harm the visual character of the landscape.
23. The site also lies within the open countryside where Local Plan policy NE.2 restricts development to that which is essential for agriculture, forestry, outdoor recreation and other specified development. The appellant does not dispute that the appeal proposal falls outside of these exceptions.
24. In so far as it seeks to protect the character and amenity of the countryside, policy NE.2 could be considered to be consistent with the NPPF, one of the core principles of which is to safeguard the intrinsic character and beauty of the countryside. However the NPPF does not seek to protect all countryside from development but focuses on valued and distinctive landscapes, therefore policy NE.2 is more restrictive than the NPPF. In addition, for the reasons given above, the boundaries on which it relies cannot be considered to be up to date. As such the weight to be afforded to policy NE.2 is significantly reduced.

Agricultural Land

25. The appeal site comprises Grade 2 agricultural land. Policy NE.12 seeks to protect the Best and Most Versatile (BMV) agricultural land and states that the development of such land will not be permitted other than in certain circumstances.
26. The NPPF provides that the economic and other benefits of BMV land should be taken into account and that areas of poorer quality land should be used in preference to that of a higher quality where significant development of agricultural land is demonstrated to be necessary.
27. The loss of BMV land is undesirable and unsustainable in that it is a finite resource. Nevertheless, the loss would be relatively small, and the Council acknowledges that much of the land within the borough is of similar quality and that some of it will be required to meet housing needs. At the inquiry the Council conceded that whilst the loss of BMV land weighs against the proposal, it is not a determinative factor in this appeal. I share this view.

Sustainable Development

28. Sustainable development is at the heart of the NPPF. There is no specific definition of sustainable development in the NPPF, but the Ministerial Foreword to the NPPF states that it is about positive growth – making economic, environmental and social progress for this and future generations.

29. Economically, the development would bring short-term advantages in respect of jobs during the construction period. In the longer term it would increase household spending within the borough. It would also support economic growth through the provision of housing and the creation of jobs in local services to meet the additional demands arising from the development. The proposal would also add to the number of economically active residents within Cheshire East.
30. The environmental role contributes to protecting and enhancing the natural, built and historic environment. A Tree Preservation Order covers part of the site. These trees will all remain as part of the development scheme. The proposal would however, result in the loss of BMV agricultural land and would erode the Green Gap to a limited extent.
31. The appeal site is accessible to local shops and services, including schools. Therefore having regard to public transport services in the area, including Nantwich Station, I conclude that the appeal site occupies an accessible location.
32. Some local residents remain concerned that the proposal would unacceptably add to the traffic using Cheerbrook Road and could potentially be a safety risk to children walking to school. It was also suggested that the sight lines at the entrance to the site were incorrectly drawn and therefore visibility at the entrance to the site would be inadequate.
33. The additional information provided by the appellant proposes improvements to the Crewe Road/A51 Nantwich Bypass/Park Road roundabout (the Peacock roundabout). The Council consider that this roundabout currently operates beyond capacity and that the proposal would add to the delay. It is satisfied that the measures proposed by the appellant would mitigate the effect of the proposal on the roundabout. TN1 also noted that there would be an additional delay at the Crewe Road/Willaston Road junction during the morning peak hour, however the extent of the additional delay was considered to be within acceptable limits. Subject to the improvements at Peacock roundabout the Highway Authority does not object to the proposal. On the basis of the available evidence I have no reason to reach a different conclusion.
34. The appeal proposal would use the recently constructed access to the adjacent development. The sight lines in respect of this access have previously been approved by the Highway Authority. The appellant explained that the correct position for the sightlines was dependant on the position of the 'give way' marking. The access had been designed to achieve the maximum visibility possible (2.4 m x 60 m), but, regardless of its position, it would nonetheless achieve a minimum visibility of 40 metres. This evidence was not disputed by the Council or the Highway Authority. On the basis of the available evidence I am satisfied that the proposal would make satisfactory provision for safe access to the proposal.
35. The *TN2: Public Transport* update submitted by the appellant provides details of bus routes within the locality and the distance of the appeal site from the various bus stops. It indicates that there are 5 bus stops within 10 minutes walking distance of the site. These routes provide services between Willaston and Crewe, Nantwich and Chester. The walking distances have been calculated from the closest part of the site, nevertheless I consider that even those areas furthest from the bus stop would still be within acceptable walking distance.

Moreover, the S106 includes the provision of public transport vouchers for each dwelling, in the form of three x 4 weekly travel cards. These vouchers would encourage future occupants to use public transport. In addition, the appellant's adjacent development included a financial contribution towards the provision of cycle ways/footways, street lighting and bus shelters. These measures will improve the pedestrian environment. Therefore although the appeal proposal would be likely to involve a degree of reliance on the use of a car, there are alternative modes of transport available to residents and taking account of the proximity of employment opportunities in Crewe and Nantwich journeys by car would not necessarily be lengthy.

36. The Council acknowledges that it does not have a 5 year housing land supply. At the present time there is a housing requirement of 1,800 dwellings per annum (dpa) and an existing shortfall of 5,089 dwellings. The Council's preferred approach is to spread the shortfall over the first eight years of the emerging plan which it describes as the Sedgepool Approach. On this basis, including the 20% buffer required by the NPPF due to persistent under-delivery, there would be an annual housing requirement for 2,923 dpa. If the shortfall were to be made up in the first five years of the plan period the requirement would increase to 3,381 dpa.
37. Regardless of the approach adopted it is clear that there is a long standing and pressing need for additional dwellings within Cheshire East. The appeal proposal would make a significant contribution towards meeting this need and would also provide up to 30 affordable dwellings. It would broaden the range and tenure of dwellings available within Cheshire East and assist with meeting the need for affordable housing. It would therefore contribute to the social role of sustainability by providing the supply of housing required to meet the needs of present and future generations.
38. I conclude that looked at in the round, the proposal would be economically, environmentally and socially sustainable.

Other Matters

39. The local community is currently preparing a Neighbourhood Plan. However this is at a very early stage of preparation and therefore I am unable to afford it any weight.
40. The Agreement under S106 provides for 30% of the dwellings to be affordable. This would be consistent with the aims of the Local Plan and would help to meet the considerable need for affordable housing within Cheshire East. It would also be consistent with paragraph 50 of the NPPF which seeks to deliver a wide choice of high quality homes and create sustainable, inclusive and mixed communities.
41. The provision of a play area, an area of public open space and arrangements for its future management is consistent with policy RT.3 and is necessary to help meet the recreational needs arising from future residents. The educational needs contribution is required to meet any Special Educational Needs(SEN) of children residing within the scheme. There is an existing shortfall of SEN places and the proposed development would add to this shortfall. The contribution would be used to provide additional or alternative accommodation at one of the SEN schools within Cheshire East. The contribution has been calculated in a formula based on the anticipated SEN

needs arising from the scheme and the cost of providing the required number of places. The contribution towards bus passes is consistent with the aim of Local Plan policy TRAN.1 which seeks to increase the use of public transport and will also assist with mitigating the impact of the proposal on the local highway network.

42. In each case I am satisfied that the obligations are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to it. They would therefore comply with the tests within the NPPF and the Community Infrastructure Levy (CIL) Regulations 122 and 123(3) and I have taken them into account in reaching my decision.

Overall Planning Balance

43. Paragraph 14 of the NPPF states that where the development plan is absent, silent, or the relevant policies are out of date, permission should be granted for development, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies within the Framework as a whole, or specific policies within it indicate that development should be restricted.
44. For the reasons given above the policies for the supply of housing, namely NE.2, NE.4 and NE.12 are out of date, both on their own terms and because the Council cannot demonstrate a five year supply of housing land. There would be some harm arising from the encroachment of the development on the Green Gap and the countryside, contrary to policies NE.4 and NE.2. However, for the reasons given above, in the particular circumstances of this appeal the proposal would not compromise the purposes of the Green Gap or materially harm to the character and appearance of the countryside. There would also be some environmental harm arising from the loss of BMV land. Balanced against this, the proposal would be sustainable development and would deliver a number of significant benefits, including the provision of affordable and market housing.
45. I acknowledge that the Council is taking steps to address the housing land supply situation, these include the possibility of releasing Green Belt land in the north of the District. Nevertheless, at the present time the existing shortfall is substantial and there is an urgent and pressing need for additional homes. I therefore conclude that any adverse impacts of the proposal do not significantly and demonstrably outweigh benefits, when assessed against the policies within the Framework as a whole.
46. Although I have found that the proposal conflicts with the development plan, the material considerations in respect of this appeal, including the NPPF, the lack of a five year housing land supply and the fact that the development plan is out of date taken together warrant a decision other than in accordance with the Plan.

Conditions

47. I have considered the suggested conditions in the light of discussions at the inquiry, the advice at paragraphs 203 and 206 of the NPPF and the PPG. I agree that reserved matters need to be submitted for approval. The proposed development will use the access provided for the adjacent development and

this has been implemented. Therefore a condition requiring the access to be provided in accordance with the submitted plan is not necessary.

48. I consider a phasing plan to be unnecessary, in that other conditions allow for details and /or infrastructure to be delivered in a phased manner should this be necessary. Due to the change in levels across the site, details of existing and proposed levels should be submitted. A scheme for the disposal of surface water, in accordance with the principles within the submitted Flood Risk Assessment, is necessary in order to ensure that the proposed dwellings would not be at risk of flooding or increase the risk of flooding elsewhere.
49. The proposal should be implemented in accordance with the submitted Arboricultural Impact Assessment and Method Statement in order to ensure that the trees and hedgerows on the site are safeguarded. Details of proposed external lighting should be submitted for approval to avoid disturbance to bat species and other wildlife, and in the interests of the appearance of the development. In the interests of biodiversity, construction works during the bird nesting season should be limited and habitat mitigation for hedgehogs should be provided.
50. In order to safeguard the amenity of surrounding residents and to limit the effect of the proposal on the highway network, an Environmental Management Plan should be submitted. A Travel Plan should be submitted in the interests of sustainability. For the same reason, the dwellings should be provided with an Electric Vehicle charging point. A scheme for the protection of the proposed dwellings from rail traffic noise is required in order to ensure satisfactory living conditions. A scheme for the improvement to the Peacock roundabout is required in order to ensure that the proposal does not have an adverse impact on traffic flows within the surrounding area.
51. A contaminated land survey was not submitted at the time of the application and there is potential that the site is contaminated. Therefore a condition therefore a condition requiring the investigation and assessment of the extent of any contamination, and measures for its remediation is required.

Conclusion

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

Lesley Coffey

INSPECTOR

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Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) No dwelling on any phase of the development shall be occupied until the access for the proposed phase of development, as shown on drawing no. AO86806-SK001 has been constructed in accordance with construction details that have been agreed in writing by the Local Planning Authority.
- 5) Details of existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) Prior to the commencement of development and site works a detailed scheme for the disposal of surface water shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include:
 - (i) A scheme of attenuation measures for on site storage and regulated discharge;
 - (ii) Surface water run off shall not exceed the run off from the undeveloped site and not increase the risk of flooding off- site, including the adjacent railway line;
 - (iii) Surface water must drain separate from the foul waters, and no surface water should discharge directly or indirectly into the existing foul or combined sewerage systems ;
 - (iv) Any surface water draining to the public surface water sewer must restricted to a maximum flow of 9 litres per second.The approved drainage scheme shall be completed prior to first occupation of the development.
- 7) The development shall be implemented in accordance with the submitted TBS Landscape Architects Arboricultural Impact Assessment and Method Statement, dated May 2014.

- 8) The protective fencing shown on Tree Protection Plan 4780.02 shall be erected on site prior to the commencement of development and retained for the duration of the construction works.
- 9) The precise details of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall take into account any ecological mitigation measures as identified in the ERAP Consultant Ecologist Ecological Survey and Assessment, dated May 2014. All external lighting shall be installed in accordance with the approved details.
- 10) No construction works in any phase of development shall take place between 1st March and 31st August in any year, until a detailed survey of nesting birds has been submitted to the Local Planning Authority, and a 4m exclusion zone established around any nest found. No development of that phase shall take place within the exclusion zone until a report confirming the completion of nesting has been submitted to and approved in writing by the Local Planning Authority.
- 11) A detailed scheme of measures, including the incorporation of gaps into the design of garden or boundary fencing, to enable access by Hedgehogs in accordance with paragraph 5.5 of the ERAP Consultant Ecologist Ecological Survey and Assessment, dated May 2014, shall be submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented in accordance with the approved details and thereafter retained.
- 12) No development shall take place, until an Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. It shall provide for:
 - i) the parking of vehicles of site operatives and visitors.
 - ii) the hours of construction work and deliveries.
 - iii) loading and unloading of plant and materials.
 - iv) storage of plant and materials used in constructing the development.
 - v) wheel washing facilities.
 - vi) Details of any piling required including, method (best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties), hours, duration, prior notification to the occupiers of potentially affected properties.
 - vii) Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint.
 - viii) Mitigation measures in respect of noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, a detailed specification of plant and equipment to be used and construction traffic routes.
 - ix) Waste Management: There shall be no burning of materials on site during construction.
 - x) A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

- 13) No phase of development shall be occupied until a Travel Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, inter alia, a timetable for implementation and provision for monitoring and review. No part of any phase shall be occupied until those parts of the approved Travel Plan that are identified as being capable of implementation after occupation have been carried out. All other measures contained within the approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented in accordance with the approved scheme of monitoring and review as long as any part of the phase of development is occupied.
- 14) Prior to the occupation of the dwelling to which it relates each garage shall be provided an Electric Vehicle Charging Point. The charging point shall thereafter be permanently retained.
- 15) No development shall commence until a noise mitigation scheme for protecting the proposed dwellings from rail traffic noise in accordance with the recommendations of the Martec Environmental Consultants Noise Assessment, dated December 2014 has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any dwellings to which they relate are occupied.
- 16) Development shall not begin until a Scheme to deal with any contamination of the site has been submitted to and approved in writing by the local planning authority. The Scheme shall include an investigation and assessment to identify the extent of any contamination and the measures to be taken to avoid risk to the development, its users, and the surrounding environment when the site is developed. Development shall not commence until the relevant measures approved in the scheme have been implemented.
- 17) Prior to the commencement of development a scheme for the improvement of the Peacock Roundabout, in accordance with the details shown on plan number A086806-SK005 RevA , together with a programme of implementation, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and programme of implementation.