
Appeal Decision

Site visit made on 16 May 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 23 June 2017

Appeal Ref: APP/R0660/W/17/3170338

Land to the south of Close Lane, Alsager ST7 2TR

- 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 Muller Property Group against the decision of Cheshire East Council.
 - The application Ref 16/4792N, dated 30 September 2016, was refused by a notice dated 1 February 2017.
 - The development proposed is an outline planning application for residential development and access, all other matters reserved.
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Decision

1. The appeal is allowed and planning permission is granted for residential development and access, at Land to the south of Close Lane, Alsager ST7 2TR in accordance with the terms of the application, Ref 16/4792N, dated 30 September 2016, subject to the conditions set out in the attached Schedule.

Application for Costs

2. An application for costs was made by Muller Property Group against Cheshire East Council. That application is the subject of a separate Decision.

Procedural Matters

3. The application was for outline planning permission with all matters except for access reserved for subsequent approval. Drawings showing an indicative site layout of 74 houses and an area of public open space were submitted with the application, and I have had regard to these in determining the appeal.
4. A completed planning obligation under Section 106 of the Town and Country Planning Act 1990, which includes obligations to come into effect if planning permission is granted, has been submitted by the appellant. I will address this matter later on in my decision.
5. Since the appeal was submitted, a recent judgement has been handed down by the Supreme Court.¹ Both parties have had an opportunity to comment on it, and therefore neither party has been prejudiced by my taking the judgement into my consideration of this appeal.

¹ [2017] UKSC 37 on appeals from: [2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC 410 (Admin)

Main Issue

6. The main issue in this case is whether the proposed development would be acceptable in principle in this location, having regard to local and national planning policies.

Planning Policy

7. The development plan for the area comprises the saved policies of the Borough of Crewe and Nantwich Replacement Local Plan 2011, which was adopted in 2005 (Local Plan).
8. The Cheshire East Local Plan: Local Plan Strategy Submission Version was published in March 2014 (CELP). Paragraph 216 of the National Planning Policy Framework (The Framework) states that decision makers should give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plans; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework. The CELP is at a fairly advanced stage, given that it has now gone through some elements of the independent examination, albeit that the Local Plan Inspector's Final report has not yet been issued. Even though further work will be required to resolve the remaining issues and ensure that the Local Plan Strategy is sound (as set out in the 'Inspector's views on further modifications needed to the Local Plan Strategy (Proposed Changes)' which was published in 13 December 2016), I consider that the relevant policies in the emerging CELP for this case are broadly in accordance with The Framework and should carry at least moderate weight.
9. There is no dispute between the parties that the Council cannot currently demonstrate a five year housing land supply at the present time. Consequently, having regard to paragraph 49 of The Framework, relevant policies for the supply of housing are out of date. Paragraph 14 of The Framework says that at its heart is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means where the development plan is absent, silent, or relevant policies are out of date, granting planning permission 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.

Reasons

10. The appeal site is located outside of the defined settlement limits of Alsager in an area of countryside as defined in the Local Plan, approximately two and a half kilometres from the town centre. It is a single field comprising 2.7 hectares of agricultural land which adjoins new residential development currently under construction off Close Lane to the east, which was granted planning permission on appeal (Phase 1² and Phase 2³). The land to the north, west and south west of the appeal site is open countryside, and the sites northern and western boundaries are delineated by public rights of way and Moss End Farm. Vehicular access to serve the proposed development would be provided via the new access road from Close Lane and through the adjoining

² APP/R0660/A/13/2203282

³ APP/R0660/A/16/3142921

Phase 1 and Phase 2 development. I noted on my site visit that Phase 1 of this development is substantially complete.

11. Policy NE.2 of the Local Plan treats all land outside its settlement boundaries as open countryside, where only development essential for certain purposes would be permitted. Policy RES.5 restricts new dwellings in the countryside to limited infilling, and for persons engaged in agriculture or forestry. The appeal proposal is not for a development provided for by either Policy NE.2 or Policy RES.5 of the Local Plan. There is conflict with the development plan in this regard.
12. The settlement boundary within the Local Plan would have been defined in order to allow for sufficient growth to meet future land use needs for the plan period, which was up to 2011. As such, post 2011, the settlement boundary would have the effect of constraining development, including new housing. The restrictions imposed upon development within the open countryside, outside the settlement boundaries, by Policies NE.2 and RES.5 of the Local Plan is therefore time expired. However, it is clear that these policies serve a dual purpose in seeking to protect the open countryside from development in order to preserve its character and amenity. In my opinion, the aspects of these Local Plan policies which seek to safeguard character and amenity are consistent with one of the core planning principles of The Framework, namely the need to recognise the intrinsic character and beauty of the countryside. On balance, therefore, whilst not up to date, I afford these policies moderate weight.
13. Whilst it is clear that some land outside of the currently defined settlement boundary will be required to meet future housing needs, the emerging CELP continues to categorise the appeal site as countryside, with Policy PG5 of the CELP seeking to restrict new housing development in a similar manner to Policy NE.2 of the Local Plan. However, Policy PG2 of the CELP identifies four types of settlements within Cheshire East. Alsager is classed as a Key Service Centre where development of a scale, location and nature that recognises and reinforces the distinctiveness of the town will be supported to maintain its vitality and viability. I also note Policy PG6 states that, as a Key Service Centre, Alsager is expected to accommodate some 35 hectares of employment land and 1,600 new houses.
14. Paragraph 7 of The Framework advises that there are three dimensions to sustainable development: economic, social and environment. Paragraph 8 goes on to say that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is therefore necessary to consider the sustainability of the proposed development in the light of those mutually dependent dimensions.

Landscape and visual effects

15. The site is an arable field, which is level and enclosed by a mixture of native hedgerows and post and wire fencing. There are a number of mature trees within the site which are protected by a Tree Preservation Order, but the site is not subject to any national or local landscape designation. The application was accompanied by a Landscape & Visual Impact Appraisal⁴ (LVIA) which identifies the site as falling within a landscape characterised by small scale farmsteads.

⁴ Landscape & Visual Impact Appraisal, Close Lane, Alsager, Prepared by TMP Landscape Ltd, September 2016.

16. With the exception of the neighbouring Moss End Farm, the site is currently surrounded by open fields. However, once Phase 2 of the neighbouring sites has been developed, the appeal site will be located adjacent to Alsager's suburban settlement. There are clear public views across the appeal site from the adjacent footpaths that border the site (Haslington FP19 and FP20) and private views from Moss End Farm.
17. The LVIA acknowledges that there would be a substantial visual effect on the occupiers of existing neighbouring residential properties due to the close proximity of the proposed development. It further recognises that there would be some substantial visual effects to users of the neighbouring public rights of ways. The site is not however remote, and existing housing off Close Lane is clearly visible from the appeal site. Furthermore, once Phase 2 of the approved development on the adjacent land is completed, the proposal would be viewed as part of a larger consolidated form of development, the limits of which would be clearly defined and enclosed by the existing public footpaths (Haslington FP19 and FP20). The Council has not raised any specific objections to the appeal proposal in respect of any potential landscape harm, and I note that the Council's Landscape Architect has advised that any urbanising impact of the proposal could be mitigated by a high quality new landscape framework, including open spaces, trees, structure planning, hedgerows and other mixed habitats, a matter that would be secured by condition were the appeal to succeed.
18. I acknowledge that there would be a substantial impact on the views particularly from Moss End Farm and the neighbouring public rights of way. However, given the nature of the development proposed, on an existing greenfield site on the edge of a settlement, it is inevitable that some degree of landscape harm would occur. The application is in outline, and there are therefore opportunities to ensure through reserved matters that the development would be of an appropriate design and that a new landscape framework was created and maintained, particularly where the site boundaries adjoin Moss End Farm and the public rights of way.
19. I conclude, therefore, that the proposed development would cause some harm to the character and appearance of the area, in particular to those views experienced by the public using the adjoining public rights of way and neighbouring residents. However, in view of the very modest nature of those impacts and the ability to mitigate the harm through appropriate landscaping, I consider that only limited weight should be afforded to the landscape changes that would result from the proposed development.

Agricultural Land

20. The appeal site extends to 2.5ha and has most recently been planted with maize. The planning application was supported by an Agricultural Quality Report⁵ (AQR) which advised that the land, according to the Ministry of Agriculture, Fisheries and Food (MAFF) Soil Survey of England and Wales, 1969, shows an Agricultural Land Classification (ALC) on the boundary of Grade 2 and Grade 3. Furthermore, the AQR advises that site is shown on

⁵ Agricultural Quality Report, Land at Close Lane, Prepared by Fisher German LLP, dated 25 July 2016.

the Soil Series of England and Wales map produced by Cranfield University as being of low fertility and best suited to arable and grass production.

21. Paragraph 122 of The Framework advises that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. This includes land that is classified as Grade 1, 2, and 3a. The AQR further advises that a number of the sites across the County were re-surveyed following the introduction of the 1988 ALC and many were re-classified and re-graded. As a result of the AQR undertaken, it is the opinion of the Surveyor, that due to the moderate level of annual rainfall experienced within the region, the soil type identified, and the effect of plant growth due to the interactions with the soil type and climate, it is likely that if were to be re-surveyed, that the land would be reclassified as Grade 3B.
22. The Council does not dispute the conclusions of this report or indeed the methodology used to undertake the assessment. Therefore, in the absence of any substantive evidence which would lead me to a different conclusion, I see no reason to disagree with the findings of the report. Moreover, it is clear that in order to provide the number of homes required to provide the Council with a five year supply of housing land, as set out in the emerging CELP, it will be necessary to include some land within this category.
23. I conclude, for the reasons given above, that even if the proposed development would lead to the loss of some of the best and most versatile agricultural land, it would not be a significant loss, and consequently the weight I afford to such loss is limited.

Access to local services and facilities

24. As noted earlier, in recognition of the good range of services and opportunities for employment, retail and education alongside a good public transport links Alsager is identified as a Key Service Centre in the emerging CELP. There is however, some dispute between the main parties regarding how accessible the services it provides would be to any future occupiers of the appeal site.
25. The main parties do not dispute that having secured a contribution towards improving the frequency of the local bus service by means of a Section 106 planning obligation, Phases 1 and 2 of the adjacent development are considered to be sustainably located.
26. In support of the appeal the appellant has provided an Accessibility Assessment⁶ for the site. The assessment is based on walking distances using the North West Sustainability Checklist. It is clear from this evidence that a number of services and facilities would lie beyond what is considered by this toolkit to be a desirable walking distance from both the appeal site and indeed adjacent phases 1 & 2. However, the local primary school and secondary school, play grounds and public open space are all within the desired distance for walking. Furthermore, a good range of facilities, including the town centre, employment sites and access to the train station would be readily accessible by a bicycle. Moreover, it is not unusual for an

⁶ Accessibility Assessment, Prepared by S. Bourne, Muller Property Group, dated May 2017.

edge of centre site not to be able to meet the distance criteria for walking, and I am not persuaded that the distances involved to access the majority of the services and facilities required on a day to day basis would, in view of the nature of the road network, including its terrain, availability of footways and street lighting, be completely prohibitive to walking or cycling.

27. The Council has expressed particular concern about the ability of future occupiers of the site to access public transport. The nearest bus stop to the site is on Close Lane which, although there were initial disagreements over its distance from the site between the main parties, both parties now accept that it would be some 477/8metres (m) away, using the pedestrian links through Phase 1 & 2, and when measured from a central point within the proposed development. I have taken into consideration the evidence provided by the Council,⁷ which suggests that the maximum walking distance to a bus stop should be 400m. However, it seems to me that the additional time it would take to walk less than a 100m above the distance recommended, on pedestrian footways through a residential estate, would be unlikely to deter the use of this public transport facility. Furthermore, I note that the North West Sustainability Checklist states that 500m would be a desirable walking distance to a bus stop.
28. I understand that the bus service is only hourly, and that there are some breaks in the service throughout the day. However, the planning obligation secured as part of the already approved Phase 1 would subsidise an extension to this service to cover peak hours. In so doing, the service provides a reasonable alternative mode of transport for occupiers of the appeal site. Despite the Strategic Highway Officer's concern that the service may not remain viable now that Phase 1 does not include a sheltered housing provision, I have not been provided with any substantive evidence to support that view. Moreover, to my mind further residential development in this location, could provide additional support for the improved service.
29. I accept that the site lies on the edge of the town and that the walking distances to some day to day services are beyond what might be considered as desirable. However, for the reasons I have set out above I do not consider the distances to be prohibitive. Furthermore, there are alternative modes of transport available, including cycling and a bus service which mean that future occupants would not be wholly reliant of the use of a private car. In addition, I note that when the site was considered by the Council for selection to deliver residential development in Alsager,⁸ the site was considered to be sustainably located as it met the minimum standards for access to the majority of services identified in the Sustainability Appraisal, Accessibility Assessment.
30. From the evidence I have before me, and from my visit to the site, I conclude that the site is sustainable in terms of its accessibility to the services and facilities that would be required by future residents on an everyday basis. There would therefore be no conflict with one of the core planning principles of The Framework, which seeks to actively manage patterns of growth to

⁷ Chartered Institute of Highways & Transportation, Planning for Public Transport in Developments 1999 & Department for Transport, A Guide to the Best Practice on access to Pedestrian and Transport Infrastructure.

⁸ Appendix 16 of the Appellant's Statement of Case.

make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable.

Other Matters

31. I have had regard to third party concerns regarding the capacity of the existing infrastructure within Alsager to accommodate further residential development. With the exception of details regarding the capacity of the local schools, I have no substantiated evidence before me that would lead me to believe that other services or facilities are at capacity. The planning obligation would provide for the developer to make the necessary financial contribution to meet the additional demands on primary, secondary and special educational needs facilities arising from the proposed development.
32. I have also had regard to concerns from third parties regarding the capacity of the site access and local highway network to accommodate the proposed development. The planning application was accompanied by a Transport Assessment⁹, which concluded that the provision of a single access point to serve the development would be acceptable, but there would be a requirement for mitigation measures to be provided at the junction of Close Lane/Crewe Road to improve its capacity at peak times. The signalisation of this junction is proposed to mitigate the effects of additional traffic that would be associated with the appeal proposal. The Council does not dispute these findings, and have recommended that that a condition is imposed on any consent granted to require a traffic signal junction improvement scheme to be agreed with the Council, and implemented prior to the first occupation of any dwelling approved as part of the development proposed. From the evidence I have before me, I am satisfied that in the interests of the safe and efficient operation of the adjoining highway network this condition would be reasonable and necessary.

Planning Obligation

33. The completed, signed and dated planning obligation under Section 106 of the Town and Country Planning Act, 1990, includes a number of obligations. Consideration of planning obligations is to be undertaken having regard to paragraph 204 of the Framework and the statutory requirements contained in Regulation 122 and 123 of The Community Infrastructure Levy (CIL) Regulations 2010.
34. The planning obligation provides financial contributions towards primary, secondary and special educational needs. It also secures the provision of open space within the development, including arrangements for the ongoing management and maintenance of that space. In addition, it sets out detailed obligations regarding the provision of 30% of the dwellings proposed as affordable housing as part of the development.
35. A CIL Regulations 2010 Compliance Statement has been provided by the Council. The justification for the infrastructure contributions secured demonstrates that they would be directly related to the development proposed, are fairly and reasonably related in scale and kind, and are necessary to make the development acceptable. The statement also confirms that the

⁹ Transport Assessment, Phase 3 of Close Lane, Alsager, Prepared by SCP, Ref: PT/15180/TA/03, dated September 2016.

contributions secured are compliant with the provisions concerning the pooling of infrastructure monies. I conclude that the obligations, which also have policy support, would comply with the requirements of Regulation 122 and 123 of the CIL regulations and with the tests in the Framework.

Benefits of the Development Proposed

36. The Framework advises that significant weight should be placed on the need to support economic growth through the planning system. Evidence in support of the appeal estimates that for each of the new dwellings built there would be around 1.5 direct construction jobs created and 2.25 jobs created elsewhere in the supply chain and wider UK economy, including within local service sectors. It is further estimated that there would be additional expenditure of approximately £1.2 million within the local economy by residents on occupation of the new dwellings. In addition the Council would benefit from the New Homes Bonus. These are all economic benefits which carry a significant positive weight in the planning balance.
37. In terms of the social role, the proposed development would provide 74 new dwellings. New homes at a time when the Council cannot demonstrate a five year supply of housing land is a significant benefit. Furthermore, the planning obligation would provide 30% of the homes as affordable housing at a time of pressing need. Again, that is a significant benefit of the scheme.

Planning Balance and Conclusion

38. Section 38 (6) of the Planning and Compulsory Purchase Act, 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework does not change the statutory status of the development plan as the starting point for the decision. Proposed development that accords with an up to date development plan should be approved, and proposed development that conflicts should be refused unless material considerations indicate otherwise.
39. I have found that the appeal proposal would conflict with the Local Plan as it would be for a housing development outside of the settlement boundary not provided for by Policies NE.2 and RES.15. However, the Council cannot demonstrate a five year supply of deliverable housing land, which is a material consideration of substantial weight in this appeal.
40. There would be some loss of open countryside and agricultural land which I have found would cause limited harm. That is tempered however, by knowledge that such harm would be inevitable on an edge of settlement site in this area and there would be some environmental gain through landscaping. Alsager is identified as Key Service Centre and there would be no adverse effect on local services apart from additional demand for education places, from which the planning obligation provides mitigation. There would be no loss of public open space.
41. Local roads would be able to accommodate the additional traffic generated by the development and on the wider network the development would provide for improvement of the Close Lane/Crewe Road junction. These improvements would mitigate the effects of the development but also provide benefits to other road users.

42. In the overall balance, the social and economic benefits set out above significantly and demonstrably outweigh the limited environmental harm I have attributed to the loss of open countryside and agricultural land and the conflict with Policies NE.2 and RES.5 of the Local Plan.
43. The proposed development would therefore be acceptable in principle in this location, in the light of relevant local and national policies and taking into account all other matters raised, I conclude that the appeal should be allowed.

Conditions

44. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some for clarity, consistency, amalgamated and deleted others.
45. In addition to the standard conditions relating to the submission of reserved matters and commencement of development it is necessary to specify the approved plans as this provides certainty.
46. Details of the mix and type of market housing are necessary to secure a sufficiently inclusive and mixed community as required by paragraph 50 of the Framework.
47. In order to protect the living conditions of existing residents, and also in the interests of highway safety, protection of the environment, visual amenity and sustainability, a Construction Method Statement is required for the duration of the works.
48. The potential for contamination has been identified and therefore a condition is required to secure any necessary remediation in this regard.
49. To ensure acceptable living conditions are provided for future residents a condition is necessary to secure a scheme for protecting against road traffic noise.
50. In the interests of wildlife protection details relating to breeding and nesting birds, bats and any external lighting within the development are necessary.
51. In order to address the capacity problems at Close Lane/Crewe Road junction, that are a likely consequence of the proposed development, a condition is necessary to prevent occupation of any dwelling pending completion of an improvement scheme to include a traffic signalisation of the Close Lane and Crewe Road junction. Off-road parking is required for each dwelling in the interests of highway safety, together with cycle parking/storage in order to encourage sustainable travel. Whilst a 'draft' Travel Plan was submitted with the planning application, a Final Travel Plan is required in order to promote more sustainable travel choices.
52. Details of bin stores are required to ensure acceptable living conditions for future residents and in the interests of visual amenity. To help mitigate and adapt to climate change, in accordance with national policy a condition securing the provisions and operation of electric car charging points for each dwelling with the development is justified.

53. In order to avoid pollution and to prevent increased risk from flooding, details of a sustainable surface water drainage scheme and the management of the system and overland flows of surface water are required to ensure that the system continues to be effective.
54. In the interests of visual amenity and biodiversity conditions are necessary to require details of proposed arboricultural works, hedgerow retention/replacement and tree protection.
55. It is not necessary to impose a condition relating to building methods and energy consumption as these matters would be covered by building regulations.
56. There are no Public Rights of Way directly affected by the proposed development and it is not therefore necessary to impose a condition to require a Public Rights of Way Scheme.

Elizabeth Pleasant

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place 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 take place not later than two years 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 plan: Location Plan, 254/100, dated Sept 2016.
- 5) Prior to the commencement of development, details of the mix of type and size of market dwellings to be provided, informed by the latest Strategic Market Housing Assessment, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) No development shall take place, including works of site clearance, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;

- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) any piling required, including method (using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties) hours, duration and arrangement for prior notification of such works to the occupiers of potentially affected properties.
- vii) measures to control the emission of dust and dirt during construction;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix) delivery, demolition and construction working hours.

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

- 7) The development hereby permitted shall not commence, including works of site clearance, until;
 - a) A Phase I Preliminary Risk Assessment has been submitted to, and approved in writing by, the Local Planning Authority (LPA) AND if required:
 - b) A Phase II ground investigation and risk assessment has been completed. A Phase II report shall be submitted to, and approved in writing by, the LPA AND if
 - c) Phase II ground investigations indicate that remediation is necessary, a Remediation Strategy shall be submitted to, and approved in writing, by the LPA.

Prior to the occupation of the development:

- d) The remedial scheme in the approved Remediation Strategy shall be carried out.
 - e) A Validation Report prepared in accordance with the approved Remediation Strategy, shall be submitted to, and approved in writing by, the LPA, prior to the occupation of the development.
- 8) Construction work shall not take place until a scheme for protecting the proposed dwellings from road traffic noise 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 the dwelling is occupied and retained thereafter.
- 9) Development shall not begin until detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds, have been submitted to and approved in writing by the local planning authority. The features shall also include, but not be confined to, details of bat and barn owl boxes. The approved features shall be installed prior to the first occupation of the any part of the development hereby approved and thereafter so maintained.

- 10) Prior to any commencement of works between 1 March and 31 August in any year, including works of site clearance, a detailed survey shall be carried out by a suitably qualified person to check for nesting birds and the result submitted to the local planning authority. Where nests are found in any hedgerow, tree or scrub to be removed, a 4 metre exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to the local planning authority before any further works within the exclusion zone take place.
- 11) Prior to commencement of development, details of a wildlife sensitive lighting scheme for roads and footpaths within the site, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.
- 12) Prior to first occupation of the development hereby permitted, a Final Travel Plan to reduce reliance on the private car shall be submitted to and approved in writing by the local planning authority. The Final Travel Plan shall include arrangements for the appointment of a Travel Plan coordinator for a period to be agreed, objectives, targets, mechanisms and timescales for implementation, together with monitoring and review provisions. The measures contained within the approved Final Travel Plan shall be implemented in accordance with the agreed timetable and retained thereafter.
- 13) No dwelling shall be occupied until an improvement scheme to include a traffic signalisation of the junction of Close Lane and Crewe Road has been carried in accordance with details that have previously been submitted to and approved in writing by the local planning authority.
- 14) No dwelling shall be occupied unless and until related provision for off-road car and cycle parking/storage has been provided in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. Once provided, such facilities shall be retained thereafter for their intended use.
- 15) No dwelling hereby permitted shall be occupied until associated facilities for the storage of refuse and waste, including recyclables have been provided in accordance with details that shall be submitted to and approved in writing by the local planning authority.
- 16) No dwelling hereby permitted shall be occupied unless and until an electric vehicle charging point for that dwelling has been installed and is operational in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. The approved infrastructure shall be permanently retained thereafter.
- 17) No dwelling hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority.

Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and,
 - iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 18) No dwelling hereby permitted shall be occupied until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The scheme shall include details, but not confined to, the proposed ground levels and proposed finished floor level of the dwellings and should include detailed information concerning any culverts on the site.
- 19) The application for approval of the reserved matters shall include a detailed Arboricultural Method Statement which incorporates the conclusions and recommendations contained within the Arboricultural Impact Assessment (AIA) prepared by Shields Arboricultural Consultancy (Ref AIA/CLA/08/16 Rev A), dated 26 September 2016. No development shall take place except in complete accordance with the approved Arboricultural Method Statement. The Method Statement shall include, but is not confined to, details of the following:-
- a. A scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, or are shown to be retained on the approved layout, which shall be in place prior to the commencement of work.
 - b. Implementation, supervision and monitoring of the approved protection scheme. The approved protection scheme shall be retained intact for the full duration of the development hereby permitted and shall not be removed without the prior written permission of the local planning authority.
 - c. A detailed Tree Work Specification.
 - d. Implementation, supervision and monitoring of the approved Tree work Specification.
 - e. Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

- f. Timing and phasing of Arboricultural works in relation to the approved development.
- 20) The landscaping details to be submitted pursuant to condition 1 shall make provision for:
 - i) A five metre undeveloped buffer adjacent to the watercourse;
 - ii) Retention of hedgerows and replacement planting to compensate for any unavailable losses of hedgerow.

End of Condition Schedule

Richborough Estates