



Appeal Decision

Hearing held on 13 June 2017

Site visit made on 13 June 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 14th July 2017

Appeal Ref: APP/X0360/W/17/3167142

Sonning Golf Club, Duffield Road, Woodley RG4 6GJ

- 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 Sonning Golf Club against the decision of Wokingham Borough Council.
 - The application Ref 161529, dated 3 June 2016, was refused by notice dated 11 November 2016.
 - The development proposed is the erection of 13 dwellings with associated highway works, public open space and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 13 dwellings with associated highway works, public open space and landscaping at Sonning Golf Club, Duffield Road, Woodley RG4 6GJ in accordance with the terms of the application, Ref 161529, dated 3 June 2016, subject to the schedule of 19 conditions attached to the end of this decision.

Procedural Matters

2. The planning application was in outline with all matters reserved except for access. I have had regard to the illustrative masterplans and street scenes, but have regarded all elements of these drawings as indicative apart from details of the access shown on drawings 0598-1002-OPT1 and 0598-1002-OPT2.
3. One of the illustrative masterplan drawings shows a temporary police compound requested by the Home Office in place of one of the dwellings. Both main parties confirmed at the hearing that this was not a planning matter and so I have had little regard to this element.

Main Issues

4. The main issues are:
 - (a) whether or not the Council is able to demonstrate a five year supply of housing land;
 - (b) the effect of the development on the character and appearance of the area; and
 - (c) whether the development would provide a suitable location for housing having regard to the accessibility of services and facilities.
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Reasons

Housing land supply

5. The statement of common ground between the main parties agrees that the housing requirement within the Wokingham Borough Core Strategy 2010 (the Core Strategy) is out of date. The Council consider the Objectively Assessed Need (OAN) for Wokingham is 856 dwellings per annum based on the Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) dated February 2016. In their appeal statement, the appellant does not dispute the OAN figure. However, just before and during the hearing, they drew my attention to a recent appeal decision¹ for a site in Charvil where the Inspector concluded the OAN was 894. Another appeal decision at Stanbury House² concluded that the OAN was between 862 and 890 dwellings. As a result, the appellant argued at the hearing that the OAN was between 856 and 894 dwellings.
6. The Council has sought to better explain the rationale behind their OAN figure of 856 in their Five Year Housing Land Supply Statement March 2017 (HLS Statement 2017). The statement highlights that the SHMA OAN figure is derived from the 2012 government household projections of 680 homes per year, whereas the 2014 projections, published after the SHMA, suggest 542 homes per year. However, the Council is not seeking to rely on the 2014 projections to inform its OAN and so, in the absence of any clear evidence to indicate otherwise, I can afford little weight to the 2014 figures.
7. The Council has reviewed matters in light of the two appeal decisions and the 2014 projections. It maintains that the SHMA OAN figure is the most robust starting point from which to calculate housing land supply. The HLS Statement 2017 clarifies the economic data that underpins the SHMA and the OAN figure of 856. However, there is little information from the Council on the affordability issues raised by the Inspectors in both the Stanbury House and Charvil appeals. Both Inspectors noted that the persistent under delivery of housing would have a detrimental effect on affordability and the delivery of affordable units in the borough. The additional uplift applied by the Inspectors in light of affordability issues therefore seems reasonable.
8. It is not the role of the planning appeal process to provide a decisive position on a Council's OAN figure, but I am minded to agree with the two previous Inspectors that the figure of 856 is too conservative. I have not had the benefit of the evidence that they had tested in their respective public inquiries, but equally, I have had little evidence from the Council to demonstrate that their conclusions were wrong. Thus, I am minded to consider that the OAN lies between 862 and 894.
9. Based on an OAN of 856 dwellings, the Council considers its five year housing need to be 6,229 dwellings between 1 April 2017 and 31 March 2022. In coming to this figure, the Council has applied the Sedgefield methodology to deal with the undersupply in housing delivery since 1 April 2013. The Council has also applied a 20% buffer to both the OAN figure and the undersupply, which they argue goes beyond the requirements of national policy and guidance. Based on this figure, the number of houses needing to be delivered

¹ APP/X0360/W/15/3130829

² APP/X0360/W/15/3097721

per year over the next five years is 1,245.8. The Council states that there is total housing supply of 6,563 over the next five years, which gives a housing land supply of 5.27 years.

10. While not challenging the Council's application of the Sedgefield methodology and the 20% buffer to both the OAN and the undersupply, the appellant has argued for a 10% lapse or non-implementation rate to be applied to the total housing supply figure. The appellant points towards a persistent under delivery of housing against annual projections since 2007 as one of the key reasons for applying such a rate. They note that the Stanbury House decision applied a 10% rate for similar reasons including site specific projections and site lead-in times that were artificially constrained.
11. I am aware that the Council has challenged the Stanbury House decision on the grounds, inter alia, that the application of the 10% rate is flawed. They argue that it would result in a deduction from deliverable sites in the absence of clear evidence, contrary to footnote 11 of the National Planning Policy Framework (NPPF). It would also overlap with the 20% buffer that the Council applies to its five year housing need target. I am also conscious that the HLS Statement 2017 sets out improvements in methodology in terms of contacting landowners about site deliverability and a more refined approach to lead-in times.
12. However, at the time of writing this decision the Stanbury House decision remains relevant. The persistent under delivery of homes against projected figures over the past 10 years and the amount of under delivery is significant. The Council point towards the delivery of 933 dwellings in 2016/17 as the start of a considerable upturn in housing delivery as part of the Council's positive actions to addressing supply issues, but it is still too early to tell whether this is the case. The 2016/17 figure is still 327 dwellings below the average projection for this year based on the 5 years leading up to 2017 according to figures provided by the appellant. Moreover, based on the same figures, the difference between the projected housing delivery for 2012 to 2017 and the actual delivery is substantial at 2,780 dwellings. From the evidence before me, based on the persistent under delivery, I consider that the application of a 10% non-implementation rate is necessary and reasonable to reflect the non-implementation of dwellings.
13. Even with an OAN of 856, a 10% non-implementation rate would result in a housing land supply of less than five years. This is because the Council's forecasted delivery of 6,563 houses over the next five years would be reduced to 5,907. Set against an annual requirement of 1,245.8 dwellings per year, the housing land supply would be 4.74 years. At the highest end of the spectrum, with an OAN of 894, the housing land supply would be 4.45 years.
14. Turning to matters of site specific deliverability, the appellant and the Council disagreed on two sites in the HLS Statement 2017. The dispute focuses on a total of 300 dwellings split equally between the two sites over the next five years. The sites are Land at Hogwood Farm, Sheerlands Road, Finchampstead and Land in South Wokingham Strategic Development Location (South of Railway). It would appear likely that somewhere between the figure of 0 and 300 will be delivered on these two sites. This is based on progress with regard to securing consents and required infrastructure and getting developers on board. However, given my findings on OAN and the non-implementation rate,

it is not necessary to come to a conclusion on the deliverability of these two sites in terms of whether the Council has a five year housing land supply.

15. Concluding on this main issue, based on the evidence before me I consider that the Council cannot demonstrate a five year supply of housing land. In such circumstances, paragraph 49 of the NPPF applies which states that relevant policies for the supply of housing should not be considered up to date. Paragraph 14 of the NPPF and Policy CC01 of the Wokingham Borough Managing Development Delivery Local Plan document (MDD) states that where relevant policies 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 NPPF taken as whole or specific policies in the NPPF indicate development should be restricted. The planning balance section below undertakes this exercise.

Character and appearance

16. The appeal site is located within the southern part of Sonning between the A4 Bath Road to the north and the railway line to the south. Within this area, Pound Lane and adjoining roads such as Duffield Road are characterised by large detached properties set on spacious plots with numerous trees and hedges. While many properties face onto the adjoining roads, there are examples of recent cul-de-sac developments such as Sonning Gate as well as an apartment complex at West Court. To the east of this area is Sonning Golf Club which occupies a large tract of land between the A4 and railway line as far as Charvil, and forms a green backdrop to existing properties.
17. The appeal site is situated on the edge of the golf club between the clubhouse and 101a Pound Lane. The site was previously used for golfing purposes but is currently little used according to both the appellant and the Council. It comprises an open area of short grass, bordered by a line of protected trees along the Pound Lane/Duffield Road boundary with a tall hedge between it and the clubhouse car park. Trees and other vegetation line the boundary with 101a Pound Lane. A low level fence runs along the remainder of the site boundary separating it from the rest of the golf course.
18. The appeal site adjoins the development limits boundary for Sonning and is considered to fall within the open countryside by the Council. As an undeveloped area of land it has some value as part of the green backdrop viewed from properties to the north and north-west in particular. Nevertheless, it is largely hidden from public view by the protected trees along the Pound Lane/Duffield Road boundary. It has little aesthetic value other than the boundary planting and is peripheral to the rest of the golf course. It is a gap site between buildings along Pound Lane and Duffield Road, rather than forming part of the separation between settlements and makes only a moderate contribution to the character and appearance of the area.
19. As an outline application with all matters reserved apart from access, it is not possible to be certain of the precise appearance, layout, scale and landscaping at this stage. It is clear that the development would result in the loss of an undeveloped area of land and part of the green backdrop visible from existing properties. There would be a degree of urbanisation from built development and an encroachment into the countryside. The quantum and density of development would be greater than many nearby properties with the exception

of West Court, and development would not be as spacious. As such, this would result in harm to the character and appearance of the area.

20. The harm would be mitigated by a number of factors. The development would be sited between existing buildings along Pound Lane and Duffield Road and would not reduce the separation between settlements or encroach significantly into the countryside. The retention and strengthening of boundary planting including the protected trees along the road frontage would help to screen much of the development. The site forms a modest and peripheral part of the overall golf course and is on the fringes of existing built development. A cul-de-sac layout as suggested by the indicative masterplans would not look out of keeping given recent development and the West Court complex opposite. Utilising a scale of larger two storey buildings with architectural details picking up on existing properties would also be appropriate. While the quantum and density is high for the area, the site is large enough to accommodate 13 dwellings and associated space without appearing cramped.
21. Concluding on this main issue, there would be harm to the character and appearance of the area through the urbanisation and encroachment of a development that has a greater quantum and density of housing than most in the area. This harm would be mitigated by the site's location and condition and the detailed design, but would still be of a moderate level. Therefore, the development would not accord with Policies CP1, CP3, CP9 and CP11 of the Core Strategy and MDD Policies CC02, CC03 and TB21. Amongst other things, these policies seek to restrict development outside development limits and maintain the quality of the environment and landscape.

Accessibility to services and facilities

22. Pound Lane forms one of the main routes into Woodley to the south and is busy particularly at peak times with traffic. South of the A4 roundabout, the speed limit along Pound Lane and Duffield Road is 30mph with street lighting on Pound Lane. There are pavements along much of these two roads with the exception of a stretch between the appeal site and the eastern end of the golf clubhouse on Duffield Road and at the narrow railway bridge between Pound Lane and Butts Hill Road. There are bus stops on Pound Lane and on the A4 Bath Road with a number of services. A national cycle route runs parallel with the A4 between Twyford and Reading.
23. The nearest schools to the appeal site are Sonning Primary School and Willow Bank Junior School. The former requires the crossing of the A4, but a pedestrian crossing a short distance to the south-west of the roundabout provides safe access and is not significantly off-route for a pedestrian. The latter requires walking on the road or grass verges of Duffield Road past the golf clubhouse. At my mid to late afternoon site visit, this stretch of road was quieter than Pound Lane and it was not particularly unsafe to walk on the road or verge. Duffield Road is identified by the Council's cycle routes map as a quiet or traffic calmed road. Furthermore, the appellant has offered to implement off-site improvements to provide a new footway along this stretch of Duffield Road and junction improvements with Pound Lane. This would help to improve the attractiveness of walking as an option to access the junior school.
24. Walking to Woodley town centre avoiding the narrow railway bridge would necessitate a longer walk via Duffield Road and is less likely to be desirable. However, cycling along Pound Lane and Butts Hill Road to the town centre is

feasible given the speed limit and lighting, notwithstanding busier traffic periods. Cycling south-west parallel to the A4 along quieter and off-road routes to a number of retail units at the London Road roundabout and a major employment site at Thames Valley Park is possible. Cycling to the primary and junior schools, as well as Waingels College slightly further to the east, is also possible.

25. Bus services also provide access to Woodley town centre and the London Road roundabout as well as destinations further afield. They do not meet the Council's definition of good public transport services in paragraph 4.37 of the Core Strategy that supports Policy CP6 in terms of half hourly evening peak services, late evening or Sunday services. However, the bus route along the A4 offers a near half hourly service in the morning peak Monday to Friday and then hourly services until mid-evening and hourly services on Saturdays. The bus route along Pound Lane is less frequent but there are still hourly services from the morning peak to early evening Mondays to Saturdays. Taken together, the bus services within walking distance of the appeal site offer a reasonable degree of frequency for much of the week.
26. Based on the above evidence, there is a sufficient variety of transport options and routes that provide realistic and sustainable alternatives to the private car. While it is unlikely that occupants of the development would not have access to a car, neither would they necessarily have a high dependency on this mode of transport. The site is not physically or functionally remote. The proposed off-site works to Duffield Road offered by the appellant would also help to improve accessibility by pedestrians. The appellant has also offered to provide a Travel Plan to reduce private car use in favour of more sustainable modes of travel. Both elements could be secured by planning conditions. In terms of the off-site works, it seemed realistic from the discussions at the hearing that they could be agreed and implemented before the development is occupied.
27. In conclusion, the site would provide a suitable location for housing having regard to the accessibility of services and facilities. Therefore, it would accord with Policies CP1 and CP6 of the Core Strategy. Amongst other things, these policies seek development that is located where there are choices in transport modes and minimise the distance people need to travel, particularly by private car, while improving the existing infrastructure. The development would also meet the aims of the NPPF which seek to promote sustainable transport modes.

Other Matters

28. A completed unilateral undertaking has been submitted by the appellant as part of their appeal. This would provide for 5 affordable housing dwellings within the overall scheme plus a financial contribution. This is intended to meet the 40% requirement set out in Policy CP5 of the Core Strategy to address the borough's affordable housing need. Having considered the unilateral undertaking, including the monitoring fee, the provision would be necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development. I can therefore take the unilateral undertaking into account in my overall decision.
29. A number of interested parties have expressed concerns regarding the proposed access onto Pound Lane and its effect on highway safety. From my site visit observations, Pound Lane can be a busy road at times for traffic

travelling between Sonning and Woodley. However, the visibility splays that would be provided at the access would provide reasonable visibility in both directions. Moreover, the development would not generate significant numbers of vehicle movements onto a road with a 30mph speed limit. Although an access could be provided via the clubhouse car park, as suggested by some interested parties, the proposed access onto Pound Lane would have an acceptable effect on highway safety.

30. Notwithstanding concerns regarding flooding on Pound Lane, a flood risk assessment has been provided by the appellant, which demonstrates that the development would be able to address surface water management and not increase the risk of flooding elsewhere. A planning condition can be imposed to monitor groundwater levels. With regards to biodiversity effects, there is no evidence before me that the development would necessarily have adverse effects, with the opportunity to secure adequate management and mitigation via conditions.
31. Although 101a Pound Lane adjoins the site, it would be possible via the reserved matters applications to provide sufficient screening and separation between this property and the proposed development. As such, there would be an acceptable effect on the living conditions of occupiers of No 101a in terms of privacy, light, noise and disturbance. There would also be sufficient distance to other properties to the north to avoid adverse effects to living conditions for occupiers of these properties in terms of their outlook.
32. Although the development would result in the loss of open space that has been used for sporting purposes, there is little evidence before me that this would result in a deficiency of such space. Similarly, I have little evidence that the development would result in adverse effects on local services.

Planning Balance

33. In the following planning balance, I have had regard to the shortfall in housing land supply and the weight to be given to relevant development plan policies. In line with paragraphs 14 and 49 of the NPPF, I have applied the presumption in favour of sustainable development.
34. The provision of 13 dwellings would represent a reasonable boost to the borough's housing supply and the 40% affordable housing contribution is important. Given the absence of a five year housing land supply, these benefits weigh significantly in favour of the proposal. The development would provide a moderate level of economic benefits in terms of the construction of the houses and the future support of local services and facilities. The proposed infrastructure works to Duffield Road and the provision of a Travel Plan would also provide small benefits to the area, although they are largely intended to mitigate the effects of development.
35. There would be harm to the character and appearance of the area and conflict with Policies CP1, CP3, CP9 and CP11 of the Core Strategy and MDD Policies CC02, CC03 and TB21. Policies CP9, CP11 and CC02 seek to restrict development outside development limits. This is likely to be having an effect on the delivery of housing, notwithstanding the positive actions by the Council to address supply issues. In the circumstances of this case, where I have found a shortfall in housing land supply at between 4.45 and 4.74 years, I thus can

only give moderate weight to these policies. The other policies are broadly consistent with the NPPF and as such I can afford them considerable weight.

36. I have found that the harm to the character and appearance of the area is of a moderate level only. The location of the site outside the development limits and the conflict with development plan policies is not significant in this instance. There are no other matters arising from the development that indicate any significant adverse impacts either.
37. Thus, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of development. In the circumstances, the proposal would represent sustainable development in accordance with the NPPF and MDD Policy CC01.

Conditions

38. I have imposed standard conditions relating to the submission and timing of reserved matter applications and the commencement of development. It is necessary to require compliance with the illustrative masterplan drawings, but only in relation to access as this is not a reserved matter. I have not imposed conditions relating to building materials, boundary treatments and landscaping, as these can be addressed at the relevant reserved matter application.
39. Conditions relating to biodiversity are necessary to ensure that the development has an acceptable effect on species and habitats. A condition monitoring groundwater levels is necessary to ensure that flood risk issues are minimised and would address the recommendation of the Council's drainage service. An archaeology condition is necessary due to the heritage interest of the site, while conditions relating to tree protection are necessary to safeguard the boundary planting that surrounds the site. It is also necessary on a precautionary basis to require an assessment of potential ground contamination. These conditions are all pre-commencement as these elements need to be addressed before works begin on site.
40. It is necessary to require a construction management plan and control hours of construction to ensure that the construction works have an acceptable effect on the local area. The Council has suggested two similar conditions for a construction management plan and a method statement, which seem to overlap. For simplicity, I have required the provision of a single plan without mentioning specific items, as this can be customised to best fit the site. This condition is pre-commencement as the details of construction need to be established prior to development.
41. A condition for the off-site highway works is necessary, relevant and reasonable to improve the safety and connectivity of pedestrian routes. It is necessary to require details of these works to be agreed before commencement of development to ensure their timely delivery. However, it is reasonable to only require the works to be implemented before the development is first occupied, so that development on-site can commence.
42. A condition for the provision of a travel plan is also necessary to encourage sustainable modes of transport. Conditions relating to turning space and bonded material are necessary in the interests of highway safety. A condition requiring details of cycle storage and parking facilities is necessary to

encourage this mode of transport. These can be addressed after development works have commenced.

Conclusion

43. The proposed development would have a negative effect on the character and appearance of the area, albeit moderate. However, it would provide a suitable location for housing having regard to the accessibility of services and facilities and would provide benefits particularly in the provision of housing. Given the lack of a five year housing land supply and the reduced weight I have given to certain policies, there are no adverse impacts that significantly and demonstrably outweigh the benefits. The proposal would represent sustainable development. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Steven Neal Town Planning Consultant

Stuart Choak Calibro Consultants

FOR THE LOCAL PLANNING AUTHORITY:

Graham Vaughan Wokingham Borough Council

Ian Bellinger Wokingham Borough Council

Roger Johnson Wokingham Borough Council

Simon Taylor Wokingham Borough Council

INTERESTED PERSONS WHO SPOKE AT THE HEARING:

Councillor Kate Haines Wokingham Borough Council

Maurice Lawson Local resident

Richborough Estates

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 plans: 0565-101-1, 0598-1002-OPT1 and 0598-1002-OPT2, but only in respect of access.
- 5) No development shall commence until a construction management plan has been submitted to and approved in writing the Local Planning Authority. The approved plan shall be adhered to throughout the construction of the development.
- 6) No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 8:00a.m. and 6:00p.m. Monday to Friday and 8:00 a.m. to 1.00p.m. Saturdays and at no time on Sundays or bank or national holidays.
- 7) No development shall commence until a scheme to deal with potential 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 when the site is developed. No building shall be occupied until the measures have been carried out and a validation report has been submitted to and approved in writing by the local planning authority.
- 8) No development shall commence until an environmental management plan has been submitted to and approved in writing by the local planning authority. The approved plan shall be implemented prior to the first occupation of the development and shall be retained thereafter. The plan shall provide detail of:
 - (i) Precautionary mitigation strategy for badgers, small mammals and birds;
 - (ii) Measures to maintain ecological permeability for small mammals, reptiles and amphibians;
 - (iii) The biodiversity enhancements recommended in the submitted Extended Phase 1 Habitat Survey (Ecosulis Ltd, Ref 1005676, Jan 2015) for flora, birds, bats, and invertebrates.

- 9) No development shall commence until a lighting design strategy for biodiversity has been submitted to and approved in writing by the local planning authority. The strategy shall:
- (i) Identify those areas on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites or resting places or important routes used to access key areas of their territory, for example for foraging;
 - (ii) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places
- Prior to the first occupation of the development, all external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior written consent from the local planning authority.
- 10) No development shall commence until a reptile mitigation strategy for the site, based on a full reptile survey to give detail of how favourable conservation status of the Species of Principal Importance present on site will be maintained, has been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development, the mitigation and compensation measures contained within the plan shall be implemented in accordance with the approved plan unless otherwise approved in writing by the local planning authority.
- 11) No development shall commence until details for groundwater monitoring have been submitted to and approved in writing by the local planning authority to ensure soakaways at the base of the SuDS features are set at least 1 metre above the maximum ground water levels. The approved details shall be implemented prior to the first occupation of the development and shall be retained thereafter.
- 12) No development shall commence until a programme of archaeological work (which may comprise more than one phase of work) has been implemented in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority.
- 13) No development shall commence on site until an Arboricultural Method Statement and Scheme of Works which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site in accordance with BS5837: 2012 has been submitted to and approved in writing by the local planning authority. No development shall take place except in accordance with the approved details as so-approved (hereinafter referred to as the Approved Scheme). No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Scheme are in place on site. 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 an area designated as being fenced off or

otherwise protected in the Approved Scheme. The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval in writing of the local planning authority has first been sought and obtained.

- 14) No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.
- 15) No development shall commence until details of off-site works comprising (a) the construction of a footway north of Duffield Road from the end of the existing footway to the traffic signals at the Duffield Road railway bridge and (b) the construction of a pedestrian crossing refuge in the junction of Duffield Road and Pound Lane have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been completed in accordance with the approved details.
- 16) Prior to the first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car, and provide for periodic review. The Travel Plan shall be fully implemented, maintained and reviewed as approved.
- 17) Prior to the first occupation of the development, details of vehicle turning space within the site (allowing vehicles to turn so that they may enter and leave the site in a forward gear) shall be submitted to and approved in writing by the local planning authority. The dwellings shall not be occupied until the turning space has been provided in full accordance with the approved details. The turning space shall thereafter be retained and used for no other purpose.
- 18) Prior to the first occupation of the development, details of secure and covered bicycle storage and parking facilities for the development shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development and shall be thereafter retained and used for no other purpose.
- 19) Prior to the first occupation for the development, the vehicular access shall be surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.