



Appeal Decisions

Hearing held on 25 July 2017 & 12 September 2017

Site visit made on 12 September 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 13 October 2017

Appeal A Ref: APP/J0405/W/17/3173201

Land to the west of New Road, Dinton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Rectory Homes Limited against the decision of Aylesbury Vale District Council.
 - The application Ref 16/02519/APP, dated 8 July 2016, was refused by notice dated 7 October 2016.
 - The development proposed is erection of 10 no. two-storey dwellings with associated access, parking, garaging, public open space, landscaping and all enabling works.
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Appeal B Ref: APP/J0405/W/17/3173203

Land to the west of New Road, Dinton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Rectory Homes Limited against the decision of Aylesbury Vale District Council.
 - The application Ref 16/04408/APP, dated 8 December 2016, was refused by notice dated 2 March 2017.
 - The development proposed is erection of 4 no. two storey detached and semi-detached dwellings with garaging, together with associated access, parking, landscaping and all enabling works.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is allowed and planning permission is granted for erection of 4 no. two storey detached and semi-detached dwellings with garaging, together with associated access, parking, landscaping and all enabling works at Land to the west of New Road, Dinton in accordance with the terms of the application, Ref 16/04408/APP, dated 8 December 2016, subject to the conditions set out in the attached schedule.

Application for costs

3. At the hearing an application for costs was made by Rectory Homes Limited against Aylesbury Vale District Council. This application is the subject of a separate decision.

Procedural Matters

4. The hearing opened on 25 July 2017 but was adjourned after it was established that the Council had not notified all interested parties. The substantive discussions and site visit took place when the event resumed.
5. During the adjournment the Council submitted its latest five-year housing land supply position statement dated August 2017. The appellant was given the opportunity to comment on this document before resumption of the hearing.

Main Issues

6. The main issues common to both cases are:
 - a) the effect of the proposed development on the character and appearance of the area, with particular reference to whether the scheme would lead to a harmful coalescence of Dinton and Gibraltar;
 - b) whether the scheme would result in an unacceptable loss of best and most versatile agricultural land;
 - c) whether future occupants of the development would have reasonable access to shops and services; and
 - d) whether, in light of my findings on the above matters and the Council's housing land supply position, the proposal would constitute sustainable development.

Reasons

Character and appearance

7. The settlement of Dinton lies to the south of the A418 which follows the top of the ridgeline between Aylesbury and Thame. The village was established some distance from the main road, but subsequent development has brought it closer, with modern housing extended in a linear fashion along New Road to a point approximately 130 m short of the A418.
8. The cluster of housing which comprises Gibraltar is significantly smaller. There are a couple of residential properties on the south side of the A418 but the main built-up part of the settlement lies to the north, concentrated on the Bottle and Glass public house and a short spur of lane which runs perpendicular to the main road. This contains a number of attractive thatched cottages which contribute to a distinctive rural character. Despite being relatively close to its neighbour, Gibraltar maintains its own separate identity.
9. Both appeals relate to parcels of grazing land in between the two settlements, immediately to the north of existing development in New Road. This general area contains a patchwork of smaller fields and paddocks, with occasional small holdings, running down the gently sloping valley sides adjacent to the A418. In contrast to the open intensively arable landscapes further to the west, this area feels more intimate with mature hedges providing a high degree of enclosure.

Appeal A

10. The land to which Appeal A relates is hedged on both roadside boundaries and its frontage onto New Road contains a number of trees which contribute positively to the rural scene. Although the mature hedging along the A418 provides an effective screen to passing road users, there is sufficient permeability in the vegetation along New Road, including at the northern corner where it meets the A418, to facilitate public views across the site. I saw during my site inspection that this is the case even when the trees are in leaf.
11. The appellant argued at the hearing that most public views are brief glimpses from vehicles. This may be true for those traveling along the A418 corridor, but for persons heading into and out of Dinton along New Road there is greater opportunity to take in the surroundings. The appeal site is nothing out of the ordinary in landscape terms, but it is attractive and in my view it forms part of the rural setting for Dinton.
12. The proposed development of 10 dwellings would represent a harmful erosion of this setting. That the new houses would only be visible in localised views does not alter my opinion on this point. The cul-de-sac layout would be uncharacteristically suburban and at odds with the linear pattern of housing development along New Road. The provision of a narrow strip of public open space at the end of the site closest to the A418 would not provide adequate mitigation for the urbanising effects that would result from this in-depth estate type development.
13. It is contended that existing paddocks between the site and Hare Folly would maintain sufficient separation between Dinton and Gibraltar. Whilst the settlements would not physically coalesce, the gap between them would significantly reduce and the perception of leaving one settlement and entering another would be all but lost. This would compromise the sense of identity of each settlement, particularly Gibraltar.
14. Relevant development plan policy is contained within saved Policies RA2 and GP35 of the Aylesbury Vale District Local Plan (2004) (AVDLP). Policy RA2 of the AVDLP states that in considering applications for building in rural areas regard will be had to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements. Policy GP35 is a general development management policy which seeks to ensure that the design of proposals respects and complements the surrounding context.
15. Although the above policies pre-date publication of the National Planning Policy Framework (the Framework) they are broadly consistent with its core principle that planning should take account of the different roles and characters of different areas. By eroding the rural setting of Dinton and reducing the gap with the neighbouring settlement of Gibraltar, I conclude that the proposal would cause significant harm to the character and appearance of the area. This would bring the scheme into conflict with saved Policies RA2 and GP35.

Appeal B

16. Appeal B relates to a significantly smaller parcel of land than Appeal A. At 0.25 ha the site is less than a third of the size. The frontage onto New Road stops approximately 50 m short of the junction with the A418 and the site is shallower. The proposed layout of dwellings fronting the road would be in general conformity with the prevailing grain of single plot depth development along New Road. Some harm would arise from the encroachment of built form into this previously undeveloped paddock. However, the adverse impacts could be satisfactorily mitigated by the planting of a landscape buffer along the rear and north-west boundaries of the development.
17. The Council's Landscape Architect contended at the hearing that the planting buffer would have no relationship with the surrounding landscape and would exist only to justify the scheme. My attention was drawn to the Guidelines for Landscape and Visual Impact Assessment which warn that mitigation measures can themselves have a detrimental impact. Given the enclosed nature of the landscape local to the site and the variety of field shapes and sizes in the area, I do not consider that the proposed buffer would result in appreciable harm to landscape interests. It would be important to prevent individual householders removing sections of planting, but this objective can be met using a planning condition to secure long term management and maintenance.
18. I acknowledge that the proposal would reduce the distance between the settlements of Dinton and Gibraltar. However, the development would relate more closely to Dinton than under Appeal A and it would retain sufficient land within the paddock to maintain both a physical gap and the perception of separation. Open views across undeveloped paddocks from the vicinity of the A418 junction would be maintained.
19. The appeal site is identified within the latest draft of the Aylesbury Vale Housing and Economic Land Availability Assessment (HELAA) as having the potential to accommodate 3 or 4 dwellings. The Council contended at the hearing that its inclusion does not prejudge the outcome of a planning application. Whilst I agree, it is evident from the text of the HELAA that some consideration has been given to landscape issues, informed by the earlier application for 10-units. Although not determinative, this lends some weight to my findings on this issue.
20. Accordingly, I conclude that with appropriate mitigation in place the proposal would not cause material harm to the character or appearance of the area, or result in actual or perceived coalescence of neighbouring settlements. The scheme would therefore comply with saved Policies RA2 and GP35 of the AVDLP.

Agricultural land

21. There can be no disputing that the proposals would result in the loss of agricultural land. The submitted soil quality report concludes that much of the land falls within Grade 3a of the Agricultural Land Classification. This places it within the best and most versatile agricultural land category, albeit at the lower end.

22. Paragraph 112 of the Framework states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of a higher quality.
23. The Framework does not explain the meaning of 'significant' but in my judgement neither site would fall into this category. Although the Council has suggested that the land could revert from paddock to arable use, this seems unlikely given the limited size of the field parcel. Moreover, I give some weight to the appellant's point that much of the land surrounding Dinton is of similar quality, making it difficult to identify a preferable site.
24. The Council conceded at the hearing that the harm arising from the loss of best and most versatile agricultural land would be limited. I concur. Neither appeal turns on this issue, but it is a small negative factor to be weighed in the planning balance.

Access to shops and services

25. The Council does not seek to rely upon the housing supply policies within the AVDLP as it considers them to be 'time expired' and therefore out-of-date. Regardless of their age, the saved policies form part of the development plan until such time as they are superseded or replaced. They are therefore my starting point.
26. Paragraph 10.43 of the AVDLP explains that it is appropriate to allow limited small-scale development at settlements that have some community facilities like shops, pubs and post offices, are reasonably accessible and may provide some employment opportunities. The settlements are listed in Appendix 4 and this list includes Dinton.
27. Saved Policies RA13 and RA14 of the AVDLP, which set out the detailed criteria for assessing applications at Appendix 4 villages, impose a maximum size limit of 5 dwellings on sites not exceeding 0.2 ha. Whilst the policies are conditional upon certain requirements being met, they are demonstrative of the fact that the Council has historically been supportive of some housing development in Dinton, at least in principle.
28. The Council's latest thinking is set out in the Draft Settlement Hierarchy Assessment (July 2016) (SHA) which forms part of the evidence base for the Vale of Aylesbury Local Plan. It is common ground that the emerging plan is not sufficiently far advanced to carry any significant weight in decision making. However, I give some weight to the evidence base which provides a clear indication as to the Council's direction of travel.
29. The SHA lists Dinton as a 'Smaller Village'. These are described as smaller, less sustainable villages which have poor access to services and facilities. According to the definition within Table 2, it is expected that small scale development could be accommodated without causing any environmental harm. Such development is likely to help maintain existing communities.

30. The Council did not divulge how the forthcoming draft local plan will interpret the term 'small scale development'. Nonetheless, there is no compelling evidence to persuade me that the Council is intending to shift away from the general approach taken under Policies RA13 and RA14.
31. Dinton has a population of 325. The settlement contains a basic core of services and facilities which include a junior school¹, church, village hall, public house and cricket ground. There is also a restaurant and residents are able to walk the short distance to the Bottle and Glass public house at Gibraltar.
32. It is contended that there would be significant reliance upon the private car, making both appeal schemes locationally unsustainable. I appreciate that occupants of the new dwellings would need to travel to other settlements to access key services such as shops, secondary schooling and healthcare. Some of those residents may choose to drive. However, they would also have the option to use public transport. There are good quality bus services operating from passenger shelters within 100 m of both sites. These provide access to larger higher order settlements² and connections to the mainline rail network. The services are frequent and provide genuine opportunities to use the bus for the daily commute to work or school and evening/weekend leisure trips.
33. I recognise that the larger of the two schemes would exceed the 5-unit threshold set out in saved Policies RA13 and RA14. However, by the Council's own admission these policies are out-of-date. I consider that both schemes would be a proportionate addition to the village housing stock. In arriving at this view I have given considerable weight to Paragraph 55 of the Framework which states that in the interests of promoting sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.
34. Paragraph 29 of the Framework places an emphasis on facilitating the use of sustainable modes of transport and giving people a real choice of how they travel. It recognises that the opportunities to do so will vary from urban to rural areas. Having regard to this aspect of national policy, the development plan and the evidence base for the emerging local plan, I am satisfied that future occupants of the proposed developments would have reasonable access to shops and services.

Housing land supply

35. The latest five-year housing land supply position statement concludes that the Council can demonstrate a 9.0 year supply of housing land. This figure is challenged on the basis that it does not take account of unmet need in adjoining authorities that form part of the Housing Market Area. The Council has recently signed a Memorandum of Understanding (MoU) in which it agrees to accommodate an additional 8,000 dwellings within the emerging Vale of Aylesbury Local Plan. It was put to me that this figure should be included as part of the five-year land requirement. The appellant calculates that, were this to be done, the supply of housing land would reduce to around 4 years.

¹ The infant site is located in Cuddington

² This includes Aylesbury, Haddenham, Thame and Oxford

36. Notwithstanding the clear intent on the part of the Council to accommodate its neighbours' unmet housing needs, the figures within the MoU have yet to be tested through the local plan process. Consequently, I agree with the Inspectors for the Buckingham Road and Long Chilton Road appeals³ that to include figures which have not been examined and found to be sound within the five-year housing supply requirement would amount to the application of a 'policy-on' approach. This would not be appropriate in the context of a S78 appeal.
37. The appellant contends that the Council's calculation of Objectively Assessed Need (OAN) is similarly untested and therefore the above approach is inconsistent. However, in the absence of any up-to-date housing requirement in the development plan, the Council's assessment of OAN – which has been accepted by a number of S78 appeal Inspectors – is the best available figure upon which to base land supply calculations.
38. Even if I am wrong, neither appeal turns on this point. The Council accepts that the housing supply policies in the AVDLP are out-of-date and this in itself is sufficient to trigger the 'tilted balance' within Paragraph 14 of the Framework.

Other Matters

39. Although I have had regard to the appeal decisions supplied by the appellant in relation to sites at Chearsley⁴ and Blunsdon⁵, full details are not before me and therefore I am unable to establish whether the circumstances in those cases are directly comparable. I have determined the appeals before me on their own planning merits.
40. The Council has confirmed that the submitted unilateral undertaking (UU) would address the second refusal reason in respect of the 10-unit scheme. The UU would secure financial contributions towards education infrastructure and sports and leisure projects in the village. It would also ensure the provision and future ongoing maintenance of public open space on the appeal site, including delivery of a sustainable drainage scheme. The secured measures, which are either specific to the development or mitigate for its impact on local services, are neutral factors in the overall planning balance.
41. Concerns are raised regarding the effect of the developments on the local primary school. The UU would secure monies to mitigate the impact of the 10-unit development on the school. However, based on the figures provided by the Education Authority, sufficient capacity exists to meet the demands of the 4-unit scheme.
42. Both appeal sites lie some distance outside of the conservation area boundaries for Gibraltar and Dinton. Agricultural land surrounding the settlements forms a component part of the setting to these heritage assets. That said, I have seen nothing to persuade me that the scale of agricultural land loss in either scheme would cause demonstrable harm to heritage significance.

³ PINS References APP/J0405/W/16/3154432 and APP/J0405/W/16/3142524

⁴ APP/J0405/A/14/2223105

⁵ APP/U3935/W/15/3133674

43. I have noted the concerns regarding the design of the proposed dwellings. However, I do not consider that they would appear out of keeping given the varied mix of building types and architectural styles along New Road.
44. Although concerns have been raised over traffic, neither proposal is likely to generate a significant number of vehicle movements. Most would head directly onto the A418 without needing to pass other residential properties in the village.
45. The parish council has argued that the developments would overload the sewerage facilities in Boot Lane. However, the water authority has not objected. In the absence of any firm evidence this issue would not constitute a reason to dismiss either appeal.
46. All other matters raised have been taken into account, including the loss of greenfield land and the potential for residents to be affected by noise and air pollution from the A418. However, no other matter is of such strength or significance, individually or cumulatively, as to outweigh the considerations that led me to my conclusions.

Planning balance

47. Paragraph 14 of the Framework explains that where relevant policies of the development plan are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. The outcome of this balancing exercise dictates whether the proposal constitutes sustainable development within the terms of the Framework.

Appeal A

48. The 10-unit scheme would deliver market housing for which there is a requirement both locally and nationally. I attach this benefit considerable weight. The Council's stated ability to demonstrate a five-year supply of housing land is not a ceiling to development, particularly if – as seems likely – it needs to accelerate the future rate of housing growth to accommodate unmet need in neighbouring authorities.
49. The additional population in the village would enhance the vitality of the rural community and this would constitute a further social benefit. The scheme would also bring economic benefits by providing employment in the construction phase and in the longer term the additional spending power would help to support local services such as the public houses.
50. Against these benefits I must balance the significant harm to the character and appearance of the area and the small loss of best and most versatile agricultural land. These combined environmental harms would significantly and demonstrably outweigh the benefits of the scheme. As such, I find that the proposal would not constitute sustainable development.

Appeal B

51. The 4-unit proposal would bring similar benefits to the larger scheme, albeit the scale of those benefits would be tempered by the reduced number of units. The development would make a modest but nonetheless important contribution to the supply of new homes. It would generate employment during the construction phase and thereafter the additional residents in the village would enhance the vitality of the rural community and provide support for local services and facilities.
52. The smaller scheme would cause some harm to the character and appearance of the area but, unlike the 10-unit proposal, this harm would be modest in scale and it would be capable of being satisfactorily mitigated. Any residual harm would not be of such magnitude, even combined with the limited loss of agricultural land, as to significantly and demonstrably outweigh the benefits. Accordingly, I conclude that the scheme would constitute a sustainable form of development for which the Framework provides a presumption in favour.

Conditions

53. The Council has provided a list of suggested conditions for the 4-unit scheme and these were discussed at the hearing. I have considered each condition against the six tests set out in paragraph 206 of the Framework and advice within the Planning Practice Guidance (PPG). Where necessary I have adjusted the wording to improve precision and enforceability.
54. In addition to the standard time limit condition it is necessary to include a condition to define the plans with which the scheme shall accord. This will provide certainty regarding the scope of the permission. To safeguard the character and appearance of the area it will also be necessary to require the submission of details of materials, slab levels and a hard and soft landscaping scheme.
55. To prevent flooding conditions are required to procure a sustainable drainage scheme and a management plan to secure its long term maintenance. I have modified the latter condition to include provision for the long term maintenance of the landscape buffer.
56. In the interests of highway and pedestrian safety conditions are necessary in relation to the laying out and surfacing of the access, parking and turning areas, and to secure the provision a new section of footway with crossing point on New Road.
57. An Ecological Management Plan will be needed secure the mitigation and enhancement measures which are set out in the Phase 1 Habitat Survey Report. This should include protection for retained sections of hedgerow and trees along the site's road frontage.
58. The Council has suggested a requirement for a Construction Environmental Management Plan, but this would be too onerous given the limited size and location of the development. Similarly, a condition to remove permitted development rights for the erection of extensions and garages cannot be

justified. The PPG advises that this type of condition will rarely pass the test of necessity and should only be used in exceptional circumstances.

Conclusion

59. For the reasons given above, and taking all other matters raised into account, I conclude that Appeal A should be dismissed and Appeal B allowed.

Robert Parker

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Tim Northey BA (Hons) MRTPI	Planning Manager, Rectory Homes Ltd
Jolande Bowater BSc Dip TP MRTPI	Planning Manager, Rectory Homes Ltd
Ben Croot BSc MSc CMLI PIEMA FRGS	Landscape Architect, LDA Design

FOR THE LOCAL PLANNING AUTHORITY:

Anne James ⁶	Consultant Planner
James Wilson ⁷	Consultant Planner
Hanna McGrory BA (Hons) MLA CMLI	Landscape Architect
Louise Anderson BSc MSc MRTPI	Senior Planning Policy Officer
David Broadley	Senior Planning Policy Officer

INTERESTED PARTIES:

Martin Usherwood	Chairman, Dinton with Ford and Upton Parish Council
Judy Brandis	Councillor (AVDC)

⁶ Present on 25 July 2017

⁷ Present on 12 September 2017

DOCUMENTS SUBMITTED AFTER OPENING OF HEARING

1. Missing application documents in respect of the 10-unit scheme:
 - Arboricultural Report Rev A
 - Heritage Statement version 1.2
 - Soils, Agricultural Use & Quality of Land Report
2. Missing application documents in respect of the 4-unit scheme:
 - Third party representations
 - Planning Statement
 - Phase 1 Habitat Survey dated November 2016
 - Drawing no. P.189.P3+4.02
3. Missing appendix from the appellant's statement of case:
 - Appeal Decision Ref: APP/U3935/W/15/3133674 – Land north of High Street, Blunsdon
4. Lists of suggested conditions for both appeals
5. Draft Statements of Common Ground (unsigned)
6. Hearing notification letters and circulation list for second sitting
7. Certified copy of unilateral undertaking in respect of the 10-unit scheme
8. Extract (p.167) from Final Aylesbury Vale Draft Housing and Economic Development Land Availability Assessment Report v4 (January 2017)
9. Buckinghamshire Memorandum of Understanding dated 13 July 2017
10. Appeal Decision Refs: APP/J0405/W/16/3152120 & APP/J0405/W/16/3152132 Littleton Manor Farm, Bicester Road, Waddesdon, Buckinghamshire HP18 0JR
11. Appeal Decision Ref: APP/J0405/W/16/3142524 - Land adjacent to 80 Long Chilton Road, Long Crendon, Buckinghamshire
12. Five year housing land supply position statement (AVDC, August 2017)
13. Appellant's response to five year housing land supply position statement
14. Policies RA13 and RA14 and Appendix 4 of the Aylesbury Vale District Local Plan
15. Supplementary Planning Guidance 'Sport and Leisure Facilities' (2004)
16. Appendix 1 Buckinghamshire County Council Guidance on Planning Obligations for Education Provision
17. Education Statement, Buckinghamshire County Council

SCHEDULE OF CONDITIONS

(Appeal Ref: APP/J0405/W/17/3173203)

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. P.189.LP.01 B, P.189.SP.01 D, P.189.SP.02 D, P.189.P1.01, P.189.P1.02, P.189.P2.01 A, P.189.P2.02, P.189.P3+4.01 A, P.189.P3+4.02, P.189.G1.01 and P.186.SS.01 A.
- 3) No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include the following:
 - a) finished levels or contours in relation to existing levels and a fixed datum point;
 - b) details of any walls, fences or other means of enclosure;
 - c) specification for all surface treatments for footpaths, driveways and parking/manoeuvring areas;
 - d) a plan showing all new planting, which shall include those existing trees and hedging which are to be retained;
 - e) a schedule of new plants, including species, plant sizes and plant numbers/densities; and
 - f) written specifications for all new planting (including cultivation and other operations associated with plant and grass establishment).

These works shall be carried out as approved prior to the first occupation of the dwellings so far as hard landscaping is concerned and, for soft landscaping, within the first planting season following the first occupation of the dwellings or the completion of the development whichever is the sooner.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the local planning authority.

- 4) No development shall commence until details of the slab levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land (with reference to a fixed datum point) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall commence until samples and details of the materials for the external walls and roofs of the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 6) No development shall commence until an Ecological Management Plan has been submitted to and approved in writing by the local planning authority. The submitted details shall incorporate the recommendations of the Phase 1 Habitat Survey. The approved Ecological Management Plan shall be implemented in full.
- 7) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- Discharge Rates
- Discharge Volumes
- Sizing of features - attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers complete with full construction details, together with storage volumes of all SuDS features
- An investigation of all SuDS components and the suitability of their inclusion in a drainage strategy. Justification must be provided for all SuDS excluded.
- Details of any phasing of construction
- Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any on-site flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

The surface water drainage scheme shall be implemented in accordance with the approved details before the development is first occupied.

- 8) No development shall commence until a whole life management and maintenance plan for the site has been submitted to and approved in writing by the local planning authority. This plan should set out:
- a) how and when the surface water drainage system will be maintained (e.g. a maintenance schedule for each drainage/SuDS component) following construction with details of who is to be responsible for the maintenance; and
 - b) the means by which the landscape buffer to the rear and north-west boundaries of the site will be managed and maintained over the lifetime of the development, and by whom, such details to preclude the removal of trees and hedging plants by individual householders.

The plan shall subsequently be implemented strictly in accordance with the approved details.

- 9) No dwelling shall be occupied until:
 - a) the vehicular and pedestrian accesses onto New Road have been constructed in accordance with details to be first submitted to and approved in writing by the local planning authority;
 - b) the parking and manoeuvring areas have been laid out and properly surfaced in accordance with the landscaping scheme approved under condition 3; and
 - c) the proposed footway along the site frontage and uncontrolled pedestrian crossing have been constructed in accordance with details to be first submitted to and approved in writing by the local planning authority.
- 10) No dwelling shall be occupied until minimum vehicular visibility splays of 113m from 2.4m back from the edge of the carriageway from both sides of the access onto New Road have been provided in accordance with the approved plans. Thereafter the visibility splays shall be kept clear from any obstruction between 0.6m and 2.0m above ground level.

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Richborough Estates