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## Appeal Decision

Hearing held on 8 April 2014

Site visit made on 8 April 2014

**by Martin Whitehead LLB BSc(Hons) CEng MICE**

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

**Decision date: 19 May 2014**

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**Appeal Ref: APP/F2415/A/14/2211933**

**Land to the north of Waterfield Place, Market Harborough, Leicestershire LE16 7ER**

- 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 Charles Church (North Midlands) Ltd against the decision of Harborough District Council.
  - The application Ref 13/00930/FUL, dated 14 June 2013, was refused by notice dated 9 October 2013.
  - The development proposed is the erection of 24 residential dwellings and formation of vehicular access road and provision of ancillary open space.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of 24 residential dwellings and formation of vehicular access road and provision of ancillary open space on land to the north of Waterfield Place, Market Harborough, Leicestershire LE16 7ER in accordance with the terms of the application, Ref 13/00930/FUL, dated 14 June 2013, subject to the conditions in the attached schedule.

### Main Issues

2. The main issues are whether a 5 year supply of deliverable housing land has been demonstrated in accordance with the National Planning Policy Framework (Framework); the effect of the proposal on the purpose and function of the area of separation between Market Harborough and Great Bowden; and its effect on the character and appearance of the surrounding countryside.

### Reasons

#### *Housing Supply*

3. With regard to the housing supply targets, Harborough Core Strategy 2006-2028, November 2011, (HCS) Policy CS2 establishes an overall housing provision of at least 7,700 dwellings in the plan period with at least 3,300 in Market Harborough. It indicates in paragraph (a) that housing development will not be permitted outside 'Limits to Development' unless there is less than a 5 year supply of deliverable housing sites and the development is in keeping with the scale and character of the settlement concerned. Although it also indicates that 'Limits to Development' boundaries around settlements will be

reviewed through the Allocations DPD in order to enable the scale of new housing envisaged to be accommodated, this has not yet been completed.

4. A report to the Council's Executive Meeting of 29 October 2012, which recommends the preparation of a new Local Plan, refers to the Leicester and Leicestershire Housing Requirements Project study by GL Hearn, published in September 2011. The report suggests that the study identified a range of alternative views on likely future housing requirements for Harborough, but clearly demonstrates a higher need than the 350 dwellings per annum (dpa) planned for by the HCS. The HCS figure was based on the 7,000 dwellings required by the Regional Plan for the East Midlands, which has since been revoked, and was increased to 7,700 following the Examination to take account of an additional 2 years of the plan period.
5. The Harborough Housing Requirements Study, March 2013, carried out for the Council by GL Hearn, indicates that the study was prepared to inform the update of the SHMA<sup>1</sup> for the Leicester & Leicestershire HMA<sup>2</sup> but also to help with the evidence base for a new Local Plan. It recommends that the provision of 440 dpa over the 2011-31 plan period would provide a positive, realistic and defensible framework for strategic planning. This latest study indicates that the objectively assessed housing needs are higher than those set out in the HCS. The Local Planning Advisory Panel report of 30 January 2014 recommends using the figure of 440 dpa as the basis for the new Local Plan preparation work until replaced by more updated information from the SHMA. The Council confirmed at the hearing that the SHMA has not yet been published, although it was due in the Spring of 2014.
6. Whilst the appellant company has questioned the Council's housing supply projections, at the hearing it accepted the Council's latest supply calculations of 2,279 dwellings in the 5 year period as being, on balance, reasonable. I have therefore been given no valid reason to justify not using the Council's housing supply figures. This gives the Council's position in September 2013 on housing supply against the HCS requirements, allowing a 5% buffer, as providing a 6.45 year supply. The appellant has agreed with the use of a 5% buffer but has suggested that, using the GL Hearn study requirement of 440 dpa, the Council's housing supply would only represent a 4.93 year supply. The Council has not contested this housing supply figure calculation.
7. The appellant company has also provided details to justify using a housing requirement of 532 dpa, which gives a 4.08 year supply. The appellant has claimed that this figure more accurately reflects the advice given in the National Planning Policy Framework (Framework) and the Planning Practice Guidance (planning guidance) and does not factor in issues to do with declining headship and employment, which could further increase the housing requirement.
8. From the evidence provided, it is clear to me that the housing requirements given in HCS Policy CS2 are not based on the most up-to-date data and therefore are unlikely to meet the full, objectively assessed needs for market housing, in accordance with the advice given in paragraph 47 of the Framework. Whilst the GL Hearn study requirements have not been subject to the same level of consultation and examination as the figures in the HCS, they

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<sup>1</sup> Strategic Housing Market Assessment

<sup>2</sup> Housing Market Area

- do represent the latest objectively assessed needs for market housing in the District.
9. The Secretary of State has agreed with the Inspector in a report regarding proposals for new development at Broughton Astley<sup>3</sup> that the need figure of 440 dpa represents the most up-to-date evidence available and renders the regional strategy-based housing requirements in the HCS out-of-date. Furthermore, the Council has recognised in its Committee reports that the objectively assessed needs will result in the production of a significantly higher housing need for the District than that in the HCS. Therefore, I have used the housing supply figure of 440 dpa in determining whether the Council has demonstrated a 5 year supply of deliverable housing sites.
  10. In terms of the other housing need figures that have been suggested by the appellant, it is not part of my determination of this appeal to seek to carry out any local plan process so as to arrive at a constrained housing requirement figure. It is not possible for an assessment similar to a local plan process to be done for this appeal. In this respect, I have considered the findings of the 'Hunston' High Court Judgment, referred to by the appellant.
  11. Turning to the supply of affordable housing, the Council has accepted that it has been unable to meet the requirements of 264 affordable dpa, and the figures provided show a considerable shortfall. HCS Policy CS3 requires all new residential developments within the District to contribute towards meeting affordable housing needs. Although, in the area that includes the appeal site, it requires a minimum of 30% of the total number of dwellings to be affordable, the Council has accepted the provision of 5 affordable homes, as the proposal would provide 2 affordable bungalows which, due to their exceptional need, are counted on a 2:1 ratio.
  12. In concluding on this main issue, I have found that a 5 year supply of deliverable housing land has not been demonstrated in accordance with the Framework. Therefore, relevant policies for the supply of housing are not to be considered up-to-date, in accordance with paragraph 49 of the Framework. A presumption in favour of sustainable development should apply to the proposed development in accordance with paragraph 14 of the Framework. In the context of the relevant policies being out-of-date, the test in this appeal is whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, as no specific policies in the Framework indicate development should be restricted.

### ***Area of Separation and Character and Appearance***

13. The appeal site consists of an area of mainly open grassland, bounded on three sides by hedges and mature trees. It contains some relatively small structures and I understand that it has previously been used as grazing land for horses. It abuts the settlement boundary of Market Harborough and is located on ground that gently rises up to its northern boundary, which forms part of a prominent ridgeline when viewed from the north. The northern boundary of the site is roughly in line with the boundaries of the curtilages to houses in Ridge View to the west and the grounds of 'The Ridgeway Primary School', to

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<sup>3</sup> Appeal Ref APP/F2415/A/12/2183653

- the east. The village of Great Bowden is separated from the site by mainly open fields within a valley that rises relatively steeply up to the ridgeline.
14. Based on the settlement boundaries and the character of the appeal site, it is clear to me that the site is part of the countryside surrounding Market Harborough. It is also within the area defined on Harborough District Local Plan (HDLP) Proposals Map inset that separates Market Harborough and Great Bowden, in which Policy EV/3 indicates that planning permission will be refused for new development that adversely affects the predominantly open character of the land or results in a reduction in the existing open land separating the settlements. The protection of this area of separation is reinforced in HCS Policy CS1 (h), which seeks to safeguard the individual character of settlements by maintaining in principle the separation between a number of places that include Great Bowden and Market Harborough; and Policy CS13 (f), which seeks, amongst other things, to maintain the principle of a separation area between Great Bowden and Market Harborough to ensure the retention of identity and distinctiveness of neighbouring settlements.
  15. The Market Harborough Landscape Character Assessment and Landscape Capacity Study, 2009, identifies the appeal site, together with land immediately to the north, as 'Parcel 14', which is part of the 'Burnmill Farm Scarp Slopes' Landscape Character Area. It comments that the Parcel has a good relationship to the existing built edge of Market Harborough but that, given its current visual prominence, it is not considered appropriate to develop it, and that development would also compromise the separation between Market Harborough and Great Bowden. However, the appeal site is more physically enclosed than the remainder of Parcel 14, and the Council's Areas of Separation Review, prepared in December 2011, recommends further assessment of the two areas south of the ridgeline adjacent to Ridgeway School which it suggests appear not to impact on the separation function of the area. The appeal site seems to me to be part of one of these two areas.
  16. The appellant has submitted a Landscape and Visual Appraisal (LVA), which has been produced using the most up-to-date guidelines. I have not been provided with any recognised alternative appraisal. The LVA includes sections and views of the site from different vantage points, which I am satisfied cover the most sensitive views. It also includes Drawing No EMWS.2063\_18A, showing soft landscape buffer proposals. The Council confirmed at the hearing that, should the appeal be allowed, this proposed landscaping should be provided. Whilst the proposals indicate that the new planting would take 5 years to reach the 6 metre height of the existing boundary planting, it would be relatively thick and some of it would be at a height of up to 4 metres in the first year.
  17. The proposed buffer would include about an 8 metre deep strip of planting between the northern boundary of the site and the rear gardens of the proposed single storey dwellings. These dwellings would have a maximum ridge height of 5.8 metres and their floor slab levels would be able to be controlled under a planning condition. They would be a similar height to, and about as near to the ridgeline as, a recently constructed building at the adjacent school. However, there would be a significantly greater level of existing and new planting to screen them from views from the north than is provided on the boundary of the school.

18. At my site visit, I observed that the angle of view from the side of the ridge would ensure that the proposed dwellings would not be visible close to the site from the north when using footpath A52 to the north west of the site. Whilst this footpath separates the site from the school to the east, the existing hedgerow along the eastern boundary, together with the proposed area of storm attenuation and public open space, would provide a wide area of planting separating the proposed buildings from the footpath. This, and the rear gardens of the 2 storey dwellings that would be the closest to the footpath, would not only provide a screen, but would ensure that views of the buildings from the footpath would be relatively distant. The buildings would also be seen from that part of the footpath against the backdrop of existing dwellings that are near to the southern and western boundaries of the site.
19. Based on my observations at the site visit, together with the cross sections provided in the LVA, I am satisfied that the existing planting on the northern boundary, combined with additional new planting within the 8 metre deep landscape strip, would be sufficient to screen the proposed buildings from views across the valley so that only occasional glimpses of their roofs would be visible from Great Bowden, Leicester Lane and footpaths A48, to the north east, and A52. Furthermore, these views would be from a significant distance away so that the roofs would hardly be noticeable and the buildings would probably not be visible in the summer months when the trees and hedges would have their full foliage.
20. Taking account of the above, I conclude on these main issues that the proposal would introduce additional urban built development onto the site, which would alter its rural character. However, it would also introduce new landscaping features that would be beneficial to its character, and the change in its overall character would be confined to the area of development and would not be particularly noticeable from the countryside to the north. The development would result in a reduction in the area of separation between Market Harborough and Great Bowden, but it would leave a similar separation distance to that between other buildings within the two settlement boundaries. As such, the proposal would not have a significant harmful effect on the purpose and function of the area of separation between Market Harborough and Great Bowden or on the character and appearance of the surrounding countryside.
21. In terms of development plan policies, the proposal would be outside the 'Limits to Development' but would accord with HCS Policy CS2 (a), as I have found that there is less than a 5 year supply of deliverable housing sites and the development would be in keeping with the scale and character of the settlement concerned. It would be contrary to HCS Policy CS17, which provides strict control over new development in the countryside. However, the settlement boundaries are to be reviewed to accommodate the new housing envisaged.
22. With regard to the other relevant policies, I am satisfied that the proposal would accord with HCS Policy CS11, as it would represent a good design that would respect the context in which it is taking place and respond to the unique characteristics of the individual site and the wider local environment. Whilst the proposal would fail to accord with HDLP Policy EV/3, as it would result in a reduction in the existing open land separating the settlements, it would not have a significant harmful effect on the objectives of that Policy or conflict with HCS Policies CS1 (h) and CS13 (f), as it would maintain the principle of a

separation area between Great Bowden and Market Harborough and retain the identity and distinctiveness of the two settlements without adversely affecting the predominantly open character of the land.

### **Planning Obligations**

23. After the closure of the hearing, the appellant submitted a signed and dated Section 106 Unilateral Undertaking (UU). The planning obligations would secure affordable housing, and contributions towards civic amenities, education, health, library facilities, improvements to a bus stop, a travel pack and the maintenance of the public open space that would form part of the scheme. I have considered the evidence provided in writing and at the hearing in support of the contributions to satisfy myself that the obligations meet the tests in Community Infrastructure Levy (CIL) Regulation 122.
24. The Council has indicated that the obligation to secure the provision of 5 of the dwellings as affordable housing would be sufficient to satisfy HCS Policy CS3, regarding the provision of affordable housing in new residential development. Without the obligation to secure this affordable housing, the proposal would fail to accord with HCS Policy CS3 and would have a harmful effect on the provision of affordable housing in the District.
25. The civic amenity contribution would be used towards the improvement or extension of the Market Harborough Civic Amenity Site, which is the nearest facility to the site. I am satisfied that Leicestershire County Council, as the waste disposal authority, has provided sufficient evidence to show that such a contribution would be necessary to address the increased demand on the local waste facilities that would result from the future residents of the dwellings.
26. The education contribution has been calculated to reflect the shortage of places at the local high school and upper school as a result of the future demand from the proposed development. Leicestershire County Council, as the education authority, has indicated that it would use the contribution to accommodate the deficit generated by the proposed development by the reconfiguration or remodelling of the existing teaching room facilities at one of the 2 local secondary schools. As such, I am satisfied that the obligation to provide the contribution would be necessary to address this deficit.
27. The health contributions have been calculated to reflect the likely impact of the resulting residents of the proposed development on the local healthcare facilities. It would be used to assist with funding additional capacity at the medical centre on Coventry Road in Market Harborough, which is near to the appeal site. The evidence provided shows that both of the 2 practices that are nearest to the site currently have deficiencies in facilities. As such, the contribution secured by the obligation is reasonable to cater for the additional demands due to the future occupants of the proposed dwellings.
28. Leicestershire County Council has provided sufficient evidence to demonstrate that the proposed development would place additional demands on library facilities that would not be able to be addressed without increased funding. The contribution has been calculated in accordance with the standards contained in the County Council's adopted *Statement of Requirements for Developer Contributions in Leicestershire*. I am satisfied that this contribution would be required to ensure that there would be adequate library provision to cater for future occupants of the proposed dwellings.

29. The contributions towards improvements to the bus stop that is nearest to the site and travel packs, including bus passes where required, would be necessary to mitigate the impact of the development on local transport services and promote sustainable transport, in accordance with policies in the Framework. The UU would also secure any necessary contributions towards the maintenance of the open space that would be provided on the site in accordance with HCS Policy CS8.
30. Based on the above, I am satisfied that the obligations in the UU would meet the tests in CIL Regulation 122 and paragraph 204 of the Framework, particularly in terms of being necessary to make the development acceptable in planning terms. The UU is necessary to ensure that the proposal would accord with HCS Policy CS12 regarding the delivery of development and supporting infrastructure through contributions. Without the obligations, the proposal would fail to accord with the relevant development plan policies and would have unacceptable impacts on local facilities and services and affordable housing in the District.
31. At the hearing, the appellant submitted a draft UU that includes an obligation to secure a contribution towards cemeteries and burial grounds. However, I have been provided with insufficient information to demonstrate that such an obligation would be necessary to make the development acceptable in planning terms. As such, I find that it does not meet the tests in CIL Regulation 122.

#### **Other Matters**

32. I have considered the findings of the Inspector in a previous appeal decision regarding a proposal for 20 dwellings on the current appeal site. The current appeal involves significantly different circumstances from those of the previous appeal, particularly with regard to the design of the proposed development and its impact on the character and appearance of the area and the area of separation. Furthermore, the previous appeal was determined before the introduction of the Framework. Whilst I have taken account of the matters raised in the previous appeal, I am satisfied that they have been adequately addressed by changes to the design and layout in the current appeal proposal to overcome the reasons given for dismissing that appeal.
33. I acknowledge that a significant number of local residents and councillors have objected to the proposal. I have dealt with some of these concerns expressed in my reasoning on the main issues. I am satisfied that other concerns would be adequately addressed by planning conditions. There is very little evidence to show that wildlife would be harmed by the proposal, particularly as any works to trees that would be affected would be controlled by planning condition. Furthermore, it is likely that the proposed landscaping would provide more scope for wildlife habitats than the existing open field.
34. I have had regard to concerns that allowing this appeal would result in the Council finding it difficult to resist other development in the areas of separation, which would harm their purpose and their character and appearance. However, I have not been provided with sufficient information about other development proposals to show that they would be comparable with this appeal proposal. Furthermore, each case should be determined on its own individual planning merits in the light of prevailing policies and guidance.

35. In terms of the design, the Council has suggested that it is satisfied with the overall design. The Design and Access Statement demonstrates that the development has been designed to reflect the buildings and landscape in the surrounding area. It has also been designed at a relatively low density to take account of its location on the edge of the settlement.
36. The effect of the proposal on the living conditions of neighbouring residents has been considered to be acceptable by the Council, subject to planning conditions, and at the hearing the Council accepted that there would not be any justification for a restriction on permitted development rights to protect these living conditions. I am satisfied that the separation distances of the proposed dwellings from existing dwellings would ensure that the proposal would not unacceptably compromise the living conditions of neighbouring residents.
37. With regard to concerns about highway safety and transport issues, the Highway Authority has not objected, subject to planning conditions. Whilst there have been concerns expressed about on street parking and the safety at road junctions, particularly that between Waterfield Place and Pochin Drive, I have been provided with insufficient substantive evidence to show that the residual cumulative impact of the proposal on transport would be severe.

### ***Whether Sustainable Development***

38. Paragraph 7 of the Framework identifies 3 dimensions to sustainable development: economic, social and environmental. With regard to the economic role, the proposal would provide construction jobs and enhance the local economy through a resulting increase in economic activity in the area.
39. The social role would benefit from the proposed provision of 24 dwellings, which would make a contribution towards the need for housing in the future, on what the Council has accepted is a sustainable site. I have found that a 5 year housing supply has not been demonstrated and the evidence indicates that the new Local Plan will require a higher level of housing provision than that provided in the HCS. As such, the proposal would help to meet this additional need and boost the supply of housing, in accordance with the objective given in paragraph 47 of the Framework. It would also make a much needed contribution towards affordable housing, including the provision of affordable bungalows, which the Council has indicated are in the greatest demand.
40. In terms of the environmental role, the proposal would result in additional built development that would be outside the defined settlement boundary and within an area of separation. However, I am satisfied that the proposal would include a sufficient level of mitigation to ensure that its overall impact on the character and appearance of the surrounding countryside would not be significant. Therefore, taking the above roles together, I find that, on balance, the proposal would represent sustainable development in accordance with the Framework.

### ***Overall Conclusions***

41. For the reasons given, I have found that a 5 year supply of deliverable housing land has not been demonstrated in accordance with the Framework. I have concluded that the proposal would not have a significant adverse effect on the purpose and function of the area of separation between Market Harborough and Great Bowden or on the character and appearance of the surrounding countryside. In addition, it would represent sustainable development in



accordance with the Framework. As such, I find that any adverse impacts and the proposal's conflict with HDLP Policy EV/3 and HCS Policy CS17 are insufficient to significantly and demonstrably outweigh its benefits, when assessed against the policies in this Framework taken as a whole. Therefore, having regard to all matters raised, I conclude that the appeal should succeed.

### **Conditions**

42. I have considered the 30 conditions suggested by the Council should the appeal be allowed, which were discussed at the hearing. These include a condition regarding the standard time for commencement of development. A condition to ensure compliance with the plans is necessary for the avoidance of doubt and in the interests of proper planning. Conditions to control the levels of the development, materials and landscaping, including the protection of retained trees, the provision of a footpath link and the management of the soft buffer landscaping, are necessary to protect the character and appearance of the area. A condition regarding refuse storage is necessary to safeguard the appearance of the area and ensure the provision of adequate facilities.
43. A condition regarding sustainable drainage is necessary to reduce the risk of flooding and promote sustainability. Conditions to ensure the provision of parking and manoeuvring areas and to protect visibility splays are necessary in the interests of highway safety. A condition to ensure that work is carried out in accordance with a Construction Method Statement, including agreed times of working, is necessary to protect the living conditions of local residents, given the location of the site near to residential properties. A condition requiring archaeological investigation works is necessary in the interests of the history of the site, based on the evidence provided.
44. I have combined some of the suggested conditions and amended them to reflect the model conditions. I am satisfied that all these conditions are reasonable and necessary and meet the tests in the planning guidance.
45. The Council accepted that suggested conditions to restrict permitted development rights have not been shown to meet the tests given in the planning guidance. Given the nature of the proposed road and the detailed layout of the development, conditions to control the erection of gates and other barriers, garage doors, the height of boundary treatment, visibility splays at shared driveways and widths of access drives are unnecessary. Also, a condition requiring compliance with the design standards of Leicestershire County Council is not necessary, as they would be complied with to ensure that the highway would be adopted.
46. No details have been provided to show that conditions requiring a contamination assessment and measures to deal with contamination on the site are necessary, as any contamination that would be encountered should be appropriately dealt with under other legislation. A condition requiring the upgrading of part of footpath A52 does not meet the tests given in the planning guidance and would involve works outside the boundaries of the site.

*M J Whitehead*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

Gary Lees BA(Hons) BTP MRTPI	Pegasus Planning
Jeremy Peachey BSc MLD CMLI	Pegasus Planning
Nigel Hainsworth	Appellant Company

### FOR THE LOCAL PLANNING AUTHORITY:

Adrian Eastwood MRTPI	Development Manager, Harborough District Council
Christopher Brown	Planning Policy Officer, Harborough District Council

### INTERESTED PERSONS:

Sarah Hill	Local Councillor, Harborough District Council
Nisha Varia	Legal Services, Leicestershire County Council
Steve Kettle	Library Services, Leicestershire County Council

## **DOCUMENTS SUBMITTED AFTER OPENING THE HEARING**

- 1 Council's letter of notification and list of those notified, submitted by the Council at the hearing.
- 2 Draft Section 106 Unilateral Undertaking, submitted by the appellant at the hearing.
- 3 Appeal Statement Update Note, submitted by the appellant at the hearing.
- 4 Planning Advisory Panel 30 January 2014 Residual Housing Growth Requirements report, submitted by the appellant at the hearing.
- 5 Review of Core Strategy NPPF Compatibility- Policies in need of review, submitted by the Council at the hearing.
- 6 Note justifying the contribution towards health facilities from medical and Pharmacy Contracts Manager (Leicestershire), submitted by the Council at the hearing.
- 7 Signed and dated Section 106 Unilateral Undertaking, submitted by the appellant after the closure of the hearing.
- 8 Copy of Secretary of State Letter and Inspector's Report Ref APP/F2415/A/12/2183653, submitted by the appellant after the closure of the hearing.

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three 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 EMS.2063\_04-3 D, EMS.2063\_06-1 C (House Type Pack), EMS.2063.101 and EMS.2063\_18A (Soft Landscape Buffer Proposals).
- 3) No development shall take place until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of the provision for the storage of refuse and materials for recycling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and the storage provision shall be retained for these purposes thereafter.
- 5) No development shall take place until schedules and details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been 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 until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - i) a timetable for its implementation; and
  - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- 7) No dwelling hereby permitted shall be occupied until space has been laid out within the curtilage of that dwelling in accordance with Drawing No EMS.2063\_04-3 D for cars to be parked and manoeuvred. The space shall be retained for the parking and manoeuvring of cars thereafter.
- 8) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. 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;
  - v) wheel cleaning facilities;

- vi) measures to control the emission of dust and dirt during construction;
  - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - viii) times of working, including deliveries to and despatches from the site.
- 9) No development shall take place until full details of both hard and soft landscape works to include the soft landscape buffer planting in accordance with the details on Drawing No EMS.2063\_18A have been submitted to and approved in writing by the local planning authority. These details shall include an implementation programme, existing trees, shrubs and hedges to be retained and measures for protection during the course of development; new tree and shrub planting; surface treatments to all footpaths, including the link between the development and footpath A52; fencing and boundary treatments, and all externally visible materials thereof; proposed storm water attenuation; proposed finished levels or contours; and the position of services and drainage runs. The landscape works shall be carried out as approved in accordance with the approved implementation programme. Any trees or shrubs which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation.
- 10) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules, for all the soft landscape buffer planting detailed on Drawing No EMS.2063\_18A shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby permitted. The landscape management plan shall be carried out as approved.
- 11) No development shall take place on the site until a programme of archaeological 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.
- 12) No dwelling hereby permitted shall be occupied until 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on both sides of the vehicular access to that dwelling and no structure or erection exceeding 0.6 metres in height shall be placed within that visibility splay.