



Appeal Decision

Hearing held on 22 July 2014

Site visit made on 22 July 2014

by Beverley Doward BSc BTP MRTPI

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

Decision date: 29 August 2014

Appeal Ref: APP/H1840/A/14/2218149

Land at Stonebow Road, Drakes Broughton, Worcestershire

- 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 North Oak Homes Ltd against the decision of Wychavon District Council.
 - The application Ref W/13/02240/OU, dated 24 October 2013, was refused by notice dated 25 April 2014.
 - The development proposed is described as "outline application for residential development of 39 residential units of which 16 will be affordable (41% affordable housing) with all matters reserved except access".
-

Decision

1. The appeal is allowed and outline planning permission is granted for residential development of 39 residential units of which 16 will be affordable (41% affordable housing) with all matters reserved except access at land at Stonebow Road, Drakes Broughton, Worcestershire in accordance with the terms of the application, Ref W/13/02240/OU, dated 24 October 2013, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by North Oak Homes Ltd against Wychavon District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The application was made in outline, with all matters other than access reserved for future approval. Accordingly, I have considered the appeal on this basis.
4. At the Hearing the Council explained that, notwithstanding the position outlined in its Committee report detailing its consideration of the planning application in relation to housing land, the current appeal should have regard to the position detailed in its most recent Five Year Housing Land Supply Report (HLSR), published in July 2014. I return to this matter below.
5. The appellant submitted a completed Unilateral Undertaking at the Hearing containing planning obligations to provide for affordable housing and various contributions towards local infrastructure and services. The Council indicated that the Unilateral Undertaking addressed its second and third reasons for refusal and that it would not now be seeking to defend those reasons.

However, as the decision maker, it is my responsibility to consider its provisions and therefore I consider it further in the reasoning below.

Background and Main Issues

6. In its consideration of the planning application subject to this appeal the Planning Committee was advised by its officers that the appeal proposal comprised sustainable development in the terms set out in the National Planning Policy Framework (the Framework) and should therefore be approved to further improve its housing land supply position, so as to accord with the advice in the Framework. However, the officer recommendation to approve the proposal was not accepted principally because it was not considered that it represents sustainable development having regard to the adequacy of the information regarding the sufficiency and capacity of the existing wastewater system to support the development.
7. The submitted Statement of Common Ground (SCG) indicates that the Council has evidence to demonstrate a deliverable 5 year supply of housing land but that this evidence has yet to be tested. It goes on to state that the Council's current position is that it will continue to support proposals which constitute sustainable development in sustainable locations where they are in accordance with guidance within the Framework.
8. However, it was put to me at the Hearing that following the recent publication of its latest HLSR, the Council considers it is now able to demonstrate a robust five year supply of housing land. Accordingly, it contends that its policies for the supply of housing are up to date for the purposes of paragraphs 14 and 49 of the Framework and that the proposal should be determined in accordance with the development plan unless material considerations indicate otherwise.
9. Having regard to all that I have read and the discussion at the Hearing I consider the main issues in this case to be:
 - whether having regard to the provisions of the Framework there is a five year supply of housing land;
 - whether the proposal comprises sustainable development having particular regard to the adequacy of the information regarding the sufficiency and capacity of the existing wastewater system; and
 - whether the proposal makes adequate provision in respect of local infrastructure and services and affordable housing.

Reasons

10. The appeal site is former agricultural/grazing land. It lies outside, albeit directly adjacent to, the development boundary of Drakes Broughton as defined by the Wychavon District Local Plan 2006 (Local Plan).

Five year housing land supply

11. On the basis of its latest HLSR, the Council contends that it has 5.96 years supply of deliverable housing land when considered against the objectively assessed housing need figure. This need is based on the figure recommended by the Inspector in his further Interim Conclusions on the Outstanding Stage 1 Matters on the Examination of the South Worcestershire Development Plan (SWDP) dated 31 March 2014. The Council considers that this is the best

available assessment of housing need and I see no reason to take an alternative view.

12. The Council has clearly been improving its 5 year housing land supply position by the recent approval of a significant number of dwellings. However, at the Hearing doubts were cast on the supply identified in the HLSR by reference to a number of recent appeal decisions in the District, particularly in terms of the deliverability of sites which had been carried forward from the Local Plan and sites allocated in the emerging SWDP, the lapse rate applied and the inclusion of a windfall allowance in the early years of the supply.
13. I note that the future lapse rate of 5% currently being applied to the housing land supply was considered to be 'robust and sound' by the Inspector conducting the SWDP Examination and that the approach to windfalls is also consistent with his further Interim Conclusions on the Outstanding Stage 1 Matters. I also note that in preparing its latest HLSR the Council has sought to address the issue of uncertainty raised at recent appeals regarding the deliverability of some sites by engaging with relevant stakeholders. However, from the evidence presented and the discussion at the Hearing, it seems to me that there remain uncertainties over the deliverability of a number of sites within the current identified supply. As indicated in the HLSR (paragraph 14.3) therefore, whilst the Council may be well on the way to being able to demonstrate a robust five year housing land supply in its next HLSR in 2015, I am not satisfied from the evidence that this is currently the position. Accordingly, I consider that the Council is unable to demonstrate a five year supply of deliverable housing land to meet the requirements of the Framework and the Planning Practice Guidance (PPG).
14. In these circumstances, in accordance with the advice in paragraph 49 of the Framework, the relevant policies for the supply of housing cannot be considered up to date. Accordingly, in so far as policy GD1 of the Local Plan which sets out the Council's locational strategy for new development and directs new development to within the defined development boundaries of settlements is relevant to the supply of housing, it cannot be considered up to date. The proposal should therefore be considered in the context of the presumption in favour of sustainable development as set out in paragraphs 14 and 49 of the Framework.

Whether the proposal comprises sustainable development

15. The presumption in favour relates to sustainable development. Therefore, it is necessary to consider whether the proposed development would comprise sustainable development. Paragraph 7 of the Framework sets out the three dimensions of sustainable development: economic, social and environmental. These dimensions are mutually dependent and should be jointly sought.
16. The Council does not dispute that the appeal proposal would achieve an economic and social role when assessed against the three dimensions of sustainable development. It would make a significant contribution to the economy by supporting the growth of the housing market which in turn can help support employment. It would also provide a social role by providing open market and affordable housing which would contribute to the supply of housing to help meet the housing needs of the present and future generations in an area where there is not a demonstrated five year supply of housing land in accordance with the Framework.

17. In relation to the environmental role, it is common ground between the main parties that the appeal site is in a sustainable location, being adjacent to the defined settlement boundary of Drakes Broughton, having good access to services, facilities and public transport and relating well to the built form of the village. It was put to me by third parties that the appeal site is unconnected and remote from the centre of the village which, it is argued, is centred on the school, church and hall. However, I concur with the Council's view that it relates well to the built form of the village. Therefore, the proposed development would not appear as isolated dwellings in the countryside.
18. The Council however considers that the development would fail to comply with the environmental role because inadequate information has been provided to demonstrate the sufficiency and capacity of the existing wastewater infrastructure to deal with foul drainage and consequently it cannot be considered to be sustainable development.
19. The PPG indicates that adequate water and wastewater infrastructure is needed to support sustainable development (paragraph 001 Reference ID: 34-001-20140306). Therefore, it is not unreasonable that the Council should give this matter due consideration in its assessment of whether the proposal comprises sustainable development.
20. The existing wastewater system in the vicinity of the appeal site is a public system which is a combined surface water and foul drainage system. It was evident from the discussion at the Hearing that it is a matter of concern to local residents and the Parish Council and I do not doubt that problems encountered with blockages in the system are far from pleasant to deal with. The PPG indicates (paragraph 020 Reference ID: 34-020-20-140306) that if there are concerns arising from a planning application regarding the capacity of wastewater infrastructure, applicants will be asked to provide information about how the proposed development would be drained and wastewater dealt with.
21. The proposed development would be served by separate surface water and foul drainage systems. Foul drainage from the proposed development would be connected to the existing public system. Severn Trent Water Limited (STW), the relevant utility provider, raised no objection to the planning application but recommended that a hydraulic modelling exercise be undertaken to assess the impact of the appeal proposal on the existing network.
22. Following the deferral of consideration of the planning application and the Planning Committee's request for more information, STW confirmed that it considered it would be reasonable to undertake the hydraulic modelling exercise following the certainty provided by the granting of an outline planning permission for the development and that any improvements to the system indicated by the modelling exercise would subsequently be carried out by STW. It also indicated that it would not carry out any such works until the development had the benefit of planning permission in order to avoid abortive expenditure.
23. In this case the appellant is willing to fund the necessary modelling exercise at the reserved matters stage and the utility provider has indicated that it is willing to fund and implement any improvements required to ensure adequate capacity in the system to serve the proposed development. It seems to me therefore that on the basis of this information it is not unreasonable to

conclude that the existing wastewater system either would be, or would be capable of being made, sufficient to support the proposed development. In my view it is reasonable to defer the hydraulic modelling exercise until the development benefits from the grant of outline planning permission in order to ensure that it accurately reflects the development loads of the scheme proposed at the reserved matters stage. These matters would be capable of being addressed by an appropriately worded condition.

24. Therefore, I am satisfied that taking all of the above into account the proposal would comprise sustainable development. In this respect it would accord with policy GD2 of the Local Plan which requires all development proposals to follow the principles of sustainable development.

Local infrastructure and services and affordable housing.

25. The Framework (paragraph 203) indicates that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It goes on to say that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 204 of the Framework sets out the tests which should be met by planning obligations. These are the same as the tests included in paragraph 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 which indicate that in order to be 'CIL-compliant' an obligation should be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
26. Policy GD3 of the Local Plan indicates that planning obligations will be sought to ensure that development proposals meet the objectives of sustainable development and of the Plan strategy and can be accommodated with acceptable impacts on the community and the environment.
27. The submitted Unilateral Undertaking includes obligations providing for contributions towards education provision, recycling facilities, off site public open space, sports facilities, cycling infrastructure and the cost of a package of schemes to accommodate the travel demands generated by the development on the Worcester transport network as set out in the Worcester Transport Strategy 2011(WTS).
28. The contributions sought in respect of education provision, recycling facilities, off site public open space, sports facilities and cycling infrastructure are supported by policy GD1 of the Local Plan, policy COM12 in relation to the provision of public open space, the Council's Supplementary Planning Guidance on 'Developer Contributions towards Service Infrastructure' and in relation to education the County Council's Supplementary Planning Document on 'Developer Contributions for Education Facilities' . These are not disputed and on the basis of the information provided at the Hearing I am satisfied that the contributions towards education provision, recycling facilities, off site public open space, sports facilities and cycling infrastructure are necessary to make the development acceptable in planning terms, directly related to the development and are fairly and reasonably related to it in scale and kind.
29. As detailed above the Unilateral Undertaking provides for a contribution of £38,649.07 toward the WTS. At the Hearing my attention was drawn to the appeal decision at Ronkswood Hospital where the main issue was whether a

planning obligation to provide contributions towards transport infrastructure would meet the tests in Community Infrastructure Levy (CIL) Regulation 122. The Inspector concluded that the request for payment to the WTS in that case was not 'CIL-compliant' because the evidence provided did not show how the schemes set out in the WTS were directly related to the development and that furthermore there was no adopted development plan policy to support the contribution. I was informed that the validity of that appeal decision had been subject to a High Court challenge although the parties were not aware of its outcome. I have had regard to the Ronkswood Hospital case in my consideration of this appeal. However, from the information provided I consider that there are material differences and that the WTS contribution sought in this appeal is more robustly and precisely justified.

30. The Technical Note prepared by Worcestershire County Council (WCC) and submitted at the Hearing by the Council indicates that the Worcester transport network is congested and subject to poor performance. Development projected in the SWDP will create additional traffic, cumulatively causing severe network performance deterioration, as shown by the Worcester Transport Model (WTM). The WTS will support the emerging SWDP by improving the performance of the network. As 17.7% of the proposed development's traffic will route to congested sections of the Worcester network (allowing for travel plan measures), the impact of development traffic forms part of the cumulative impacts shown by the WTM, so that I am satisfied that mitigation secured by the s106 planning obligation is required to make the development acceptable.
31. The WTS will mitigate the cumulative impacts, of which this development's traffic would form a part, and the specific locations the contribution would be dedicated to are those most used by development traffic routing to Worcester, so the planning obligation is directly linked to the development.
32. The WTS contribution is proportionately calculated according to the amount of development traffic routing to the Worcester network so is reasonably related in scale. Furthermore policies SWDP04 and SWDP07 of the emerging SWDP provide for development to contribute to infrastructure requirements. In my view these policies are consistent with the NPPF and therefore carry some weight. The proposed contribution consequently accords with the emerging development plan policy. The contribution is also in conformity with the Local Transport Plan (LTP3) policies providing for development to contribute to infrastructure requirements which is a material consideration of some weight.
33. Accordingly, I am satisfied that the WTS contribution complies with the requirements of Regulation 122 of the CIL Regulations 2010.
34. Policy COM2 of the Local Plan indicates the need for up to 30% affordable housing on larger sites. It is intended that 16 (41%) of the 39 dwellings would be affordable housing and the submitted Unilateral Undertaking includes planning obligations setting out appropriate provisions in relation to these units. In the context of the need identified in the Strategic Housing Market Assessment 2011/12, the level of provision proposed is not excessive. It would also accord with policy SWDP15 of the emerging SWDP. Therefore, based on the information given I am satisfied that these obligations are reasonable and necessary to make the development acceptable in planning terms.
35. To conclude on this issue therefore, the proposal makes adequate provision in respect of local infrastructure and services and affordable housing through the

provisions of the Unilateral Undertaking and I am satisfied that the contributions and affordable homes secured through it are necessary, directly related to the development and fairly and reasonably related to its scale and kind.

Other matters

36. The appeal site lies within Flood Zone 1. From the evidence submitted with the appeal documentation and the discussion at the Hearing it is clear that the site experiences some surface water flooding primarily along its northern and eastern boundaries. Whilst I note the concerns of third parties that the proposed means of dealing with surface water will not work because of the geology of the site there is no detailed technical evidence to substantiate this view. The SCG between the main parties indicates that, subject to conditions and a reserved matters application which complies with the indicative layout submitted with the outline planning application, the proposed development would not have an adverse impact upon surface water drainage or flooding. I see no reason to take an alternative view.
37. I note the concerns of third parties regarding the proximity of the site to the adjacent railway line and the potential impact of noise from it on the living conditions of the future occupiers of the proposed dwellings. I also note the concerns regarding the adequacy of the Noise and Vibration Assessment submitted with the planning application. However, the assessment has been considered in detail by Worcestershire Regulatory Services and the Council indicates that it is satisfied that the recommendations set out in the assessment are adequate to address any noise/vibration nuisance emanating from the railway line. I see no reason to depart from this view.
38. I note that there is an intention to prepare a Neighbourhood Plan in order to develop a framework for future development within Drakes Broughton. However, this is at a very early stage. Therefore, I am not persuaded that there is any justification to refuse planning permission on the grounds of prematurity. I also note that there is a site nearby which is being progressed through the SWDP that local residents and the Parish Council consider more sustainable than the appeal proposal. However, I have found above that the appeal proposal would comprise sustainable development for which there is a presumption in favour.
39. In coming to my conclusions I have taken full account of all the representations that have been made including concerns about the loss of agricultural land, the impact of the proposal on highway safety, wildlife, biodiversity, the natural environment, landscape, residential amenity, school capacity and the character of the surrounding area. However, I find no harm in any of these regards.

Planning balance and conclusions

40. As set out, I have found that the relevant Local Plan policies for the supply of housing are out of date and that in the round, the appeal proposal would comprise sustainable development when assessed against the three dimensions set out in paragraph 7 of the Framework. It is necessary to determine the appeal in the light of paragraph 14 of the Framework which sets out the general presumption in favour of sustainable development and says that for decision making, this means where the development plan is amongst other

things, out of date, granting planning permission unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole'. There are no adverse impacts which would significantly and demonstrably outweigh the benefits assessed against the policies in the Framework as a whole. Furthermore, adequate provision would be made in respect of local infrastructure and services and affordable housing through the provisions of the Unilateral Undertaking. Therefore, taking all of the above into account I consider the balance is clearly in favour of the development and the appeal should be allowed.

Conditions

41. The Council has suggested a number of conditions that it considers would be appropriate were I minded to allow the appeal. Where necessary, I have amended or replaced some of the suggested wording for clarity, to more closely reflect the circumstances of the appeal proposal and to ensure consistency with national policy and guidance¹.
42. The application was made in outline with all matters except access reserved. It is therefore, necessary to impose conditions relating to the submission of reserved matters. Given my findings in relation to housing land, it is reasonable to shorten the time period for the approval of all reserved matters as requested by the Council in order to ensure delivery within 5 years. In the interests of good planning it is necessary to impose conditions requiring the development to be carried out in accordance with the approved plans, principles and parameters contained within the submitted documents and to ensure that the proposal is not adversely affected by surface water flooding.
43. Requiring details of floor slab levels is reasonable in the interests of the character and appearance of the area, the living conditions of the occupiers of adjacent residential properties and to ensure that the proposal is not adversely impacted upon from surface water flooding. Conditions relating to surface water drainage and foul drainage (including hydraulic modelling) are necessary to ensure proper provision is made for drainage in these respects.
44. In the interests of the character and appearance of the area it is reasonable and necessary to specify in more detail what will be required as part of the landscaping reserved matter submission, given the context of existing trees/vegetation on and around the site. It is reasonable to include boundary treatments and a requirement for a management plan for those areas outside individual properties to be included in such a condition. A condition is necessary to ensure the proposed development does not cause avoidable harm to any features of archaeological interest. Conditions requiring a construction environmental plan and restricting the hours of demolition, clearance or construction work are reasonable to protect the living conditions of neighbours.
45. A condition relating to ecological matters is reasonable and necessary in the interests of biodiversity and to preclude any harm to protected species. It is reasonable to include a condition which relates to renewable energy and is required to ensure the prudent use of natural resources. Conditions are necessary in the interests of highway safety and to ensure the free flow of

¹ National Planning Policy Framework (2012) paragraphs 203 and 206, and National Planning Practice Guidance (2014): Use of Planning Conditions.

traffic using the adjoining highway and to ensure adequate access is provided to the dwellings. In the interests of the living conditions of the future occupiers of the dwellings a condition is necessary to ensure the recommendations set out in the noise and vibration assessment are carried out.

46. As appearance is a reserved matter it is not necessary to impose conditions relating to external materials and the details of the facilities for the storage of refuse at this stage; if details submitted at the reserved matters are not sufficient the Council would be able to request further information or add a condition to any approval of those matters.
47. For the reasons set out above, and having considered all matters presented in the evidence and at the Hearing I conclude that the appeal should be allowed.

Beverley Doward

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Siân Griffiths MRTPI MRICS	Director, RCA Regeneration Ltd
Victoria Lane	RCA Regeneration Ltd
Nick Moore	THDA

FOR THE LOCAL PLANNING AUTHORITY:

Neil Pearce	Development Manager, Wychavon District Council
Fred Davies	Policy Manager, Wychavon District Council
Rebecca Burrige	Policy Officer, Wychavon District Council

INTERESTED PERSONS:

Paul Middleborough	Ward Councillor
Michelle Elliott	Clerk, Parish Council
Ken Skillern	Chair, Parish Council
Richard Griffiths	Vice Chair, Parish Council
Steve Williams	Chair, Drakes Broughton Steering Group
Les Wild	Vice Chair, Drakes Broughton Steering Group

DOCUMENTS SUBMITTED AT HEARING

1. Wychavon Five Year Housing Land Supply Report and Appendices 2014
2. Appellant's Critique of Council's Five Year Housing Land Supply and set of tables relating to specific sites
3. Copy of report to Planning Committee – 17 July 2014 on Wychavon Five Year Housing Land Supply Report 2014
4. Stage 1 of Examination of the South Worcestershire Development Plan: Inspector's Further Interim Conclusions on the Outstanding Stage 1 Matters
5. Revised Timetable: Next Stages of the SWDP process
6. Copy of policy GD1 of Wychavon District Local Plan 2006
7. Signed copy of Unilateral Undertaking
8. Plan showing site and existing sewage network submitted by Parish Council
9. OS extract of site and surrounding area and plan of site showing contours of land submitted by Parish Council
10. Plan showing relationship of site to village submitted by Parish Council
11. Written submission by Les Wild, Vice Chair, Drakes Broughton Steering Group relating to Foul Drainage, Surface Water, Site Geology and Railway Line
12. Copy of presentation slides summarising responses of Neighbourhood Plan Questionnaire February 2014
13. Community Infrastructure Levy Regulation 122 – Compliance Statement submitted by Wychavon District Council
14. Technical Note - CIL compliance prepared by Worcestershire County Council submitted by Wychavon District Council
15. Costs Rebuttal Statement submitted by Wychavon District Council

PHOTOGRAPHS

1. 2 x photographs of site showing flooding

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of 12 months from the date of this permission.
- 3) The development hereby permitted shall begin no later than 12 months 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 location plan and the access point indicated on drawing no: ZEB667/002 Revision G.
- 5) The details of the appearance, scale and layout of the development to be submitted pursuant to condition 1 shall be broadly in accordance with the amended Design and Access Statement (dated 10/01/14) and site plan ZEB667/002 Revision G and shall include a statement providing an explanation as to how the design of the development responds to the details submitted as part of the outline application.
- 6) As part of any reserved matters application details of the floor-slab levels of each new dwelling hereby permitted, relative to the existing development on the boundary of the site shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7) As part of any reserved matters application a comprehensive surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of any of the dwellings hereby approved and thereafter managed and maintained in accordance with the approved details which 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;
 - iii) potential overland flood routes during an extreme rainfall event.
- 8) As part of any reserved matters application details of foul drainage works (including Hydraulic Modelling) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter.
- 9) The details of landscaping to be submitted pursuant to condition 1 shall include:
 - i) a survey plan showing the accurate position, canopy spread and species of all existing trees and hedges on or immediately adjacent to the site, with details of their condition and of any proposals for pruning, felling or alteration of ground levels around them, together with details of any necessary measures for the protection during the course of development of those trees and hedging to be retained;

- ii) a plan showing the planting layout of proposed tree, hedge and shrub planting and grassed areas, together with details of species, sizes at planting, numbers/densities, a specification for cultivation to establish the new planting;
 - iii) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting;
 - iv) ecological mitigation/enhancement planting;
 - v) details of the location, type, design and materials of any boundary treatments;
 - vi) an implementation programme for the landscape works; a landscape management plan, including management responsibilities and maintenance schedules for all landscape areas, other than those which will be privately owned domestic gardens.
- 10) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 11) No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be carried out fully in accordance with the approved details and adhered to throughout the construction period. The Plan 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 location of any site office;
 - v) wheel washing facilities.
- 12) Demolition, clearance or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.
- 13) No development shall take place until an ecological mitigation and enhancement scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the recommendations contained within sections 4.3-4.6 of the Updated Phase 1 Habitat Survey and Protected Species Survey Assessment by Worcestershire Wildlife Consultancy dated October 2013 and shall also include lighting information in relation to bat roosting and foraging habitat, suitable precautionary measures in respect of mammals; amphibians and birds and details of long term management. The ecological mitigation and enhancement scheme shall be implemented as approved.
- 14) Notwithstanding the information submitted with the application, no development shall take place until the following details have been submitted to and approved in writing by the local planning authority.
- i) Details on how renewable energy measures are to be incorporated into the proposed development;

- ii) Details of measures to conserve and recycle water to be incorporated into the proposed development;
- iii) Details of energy efficiency measures to be incorporated into the development; and
- iv) Details of construction materials to be used in the development with the aim of minimising the use of primary non-sustainable materials.

The approved measures shall be implemented and incorporated into the approved development in line with an implementation timetable to be submitted and approved in writing by the local planning authority prior to the commencement of development.

- 15) No development shall take place until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the road works necessary to provide access from the nearest publicly maintained highway have been completed in accordance with details submitted to and approved in writing by the local planning authority.
- 16) No development shall take place until details of a footpath connecting the site to the nearest footway on Stonebow Road have been submitted to and approved in writing by the local planning authority. No dwelling hereby permitted shall be occupied until the footpath has been constructed in accordance with the approved details.
- 17) No dwelling hereby permitted shall be occupied until the access, turning area and parking facilities shown on the approved plan have been constructed in accordance with details to be submitted and approved in writing by the local planning authority and these areas shall thereafter be retained and kept available for use at all times.
- 18) Prior to the first occupation of the dwellings hereby approved the recommendations set out in the Hepworth Acoustics Noise and Vibration Consultants Report (October 2013) shall be implemented and thereafter retained.