



Appeal Decision

Inquiry held on 3 February 2015

Site visit made on 4 February 2015

by R J Yuille Msc DipTP MRTPI

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

Decision date: 17 March 2015

Appeal Ref: APP/R0660/A/14/2219069

Land South of Holmes Chapel Road, Congleton, CW12 4QB.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Hourigan Connolly against Cheshire East Council.
 - The application Ref: 14/0134/C is dated 20/12/13.
 - The development proposed is the development of land for up to 70 dwellings and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for up to 70 dwellings and associated works at land South of Holmes Chapel Road, Congleton, CW12 4QB in accordance with the terms of the application, Ref: 14/0134/C, dated 20/12/13 subject to the conditions set out in the attached annex.

Application for costs

2. At the Inquiry an application for costs was made by Hourigan Connolly against Cheshire East Council. This application is the subject of a separate decision.

The Application

3. The planning application the subject of this appeal was made in outline with all matters reserved apart from access. Subsequently details of the means of access have been withdrawn and, with the agreement of the Council, I will determine this appeal on the basis that all matters have been reserved.
4. The appellant has submitted a Section 106 Agreement in connection with the appeal scheme. This will be discussed subsequently in this decision letter.

Planning History

5. Initially the Council resolved at its Strategic Planning Board meeting of 17 September 2014 that it would have refused planning permission for the appeal scheme for 5 putative reasons. On the 15 October 2014 the Council refused planning permission for a second, duplicate, outline planning application (Ref: 14/2685/C) on the site for the same 5 reasons. On 8 December 2014 a third duplicate outline planning application was validated by the Council (Ref: 14/5675/C).

6. On the 10 December 2014 the Council resolved to withdraw its 5 putative reasons for refusal in relation to the appeal scheme and not to contest the appeal. On the 21 January 2015 the Council resolved to grant planning permission for the third outline planning application on the site subject to planning conditions and the signing of a Section 106 Agreement.

Planning Policy

7. It was agreed at the Inquiry that the saved policies of the Congleton Borough Local Plan Review (the Local Plan) are the most relevant in determining this appeal although it was argued that a number of these, particularly Policies PS8, H6 and GR5, should be treated as being out of date and limited weight given to them. These policies will be discussed subsequently.
8. It was also common ground at the Inquiry that the policies of the emerging Cheshire East Local Plan Strategy should be given very limited weight. I agree. The policies of this plan are in a state of some uncertainty with the Inspector conducting the Examination into the soundness of this plan having issued his Interim Findings, in which, amongst other things, he identified shortcomings in the Council's objective assessment of housing need. The Examination has, therefore, been suspended to enable further supporting work to be done.

Main Issue

9. On the basis of the uncontested evidence before me I am satisfied that the proposed development would not have a severe impact on the local highway network in terms of safety and congestion. That being so I consider the main issue in this appeal to be whether the appeal scheme, which is located in the open countryside as defined in the Local Plan, amounts to sustainable development.

Reasons

10. There are three mutually dependent dimensions to sustainable development; the environmental dimension, the social dimension and the economic dimension.

Environmental Dimension – Open Countryside

11. The appeal site lies immediately outside the Settlement Zone Line for Congleton as defined in the Local Plan. Consequently it is treated as part of the open countryside where Policies PS8 and H6 seek to restrict large scale residential development of the type proposed in the appeal scheme. This scheme would, therefore, conflict with the aims of those policies.
12. However, it was common ground at the Inquiry that these policies should be treated as housing policies. I agree that this is sensible as their effect is to restrict the supply of housing land. It was also common ground at the Inquiry that the Council is not in a position to demonstrate a 5 year supply of housing land. Under these circumstances housing policies, such as policies PS8 and H6, are not to be treated as up to date¹. I will, therefore, attach only limited weight to the fact that these policies would be breached.

¹ National Planning Policy Framework. Paragraph 49.

Environmental Dimension – Agricultural Land

13. The whole of the appeal site, some 3.7 ha, is best and most versatile agricultural land. Such land is a national resource that should be safeguarded. The proposed development would result in the loss of this land to agriculture. However much of Cheshire East comprises best and most versatile agricultural land and the use of such land will be necessary if an adequate supply of housing land is to be provided. In other words this is not a situation in which development could be directed towards poorer quality agricultural land. In these circumstances the loss of best and most versatile agricultural land is a factor that can only be given neutral weight as other potential sites would involve a similar loss.

Environmental Dimension – Location

14. The undisputed evidence at the Inquiry was that the appeal site, which is located on the edge of Congleton, is in a sustainable location with reasonable access to local services and facilities. I see no reason to dispute this evidence. The sustainable location of the appeal scheme is a factor which weighs heavily in its favour.

Environmental Dimension – Landscape.

15. The appeal site is an open, arable field on the western edge of Congleton. The loss of an agricultural field to accommodate development would have some unavoidable adverse impact on the landscape. It would, therefore, conflict with the terms of Policy GR5 which states that development which would impact adversely on landscape character will not be permitted. However, the terms of this policy amount to a ban on anything other than small scale residential development in open countryside and as such are inconsistent with the approach taken in the Framework which requires the benefits of a scheme to be weighed against its adverse impacts². To that extent, therefore, this policy is out of date and only limited weight can be attached to it.
16. Nonetheless, it was common ground at the Inquiry that the objective of directing development towards sustainable locations away from valued landscapes remains relevant. It is necessary, therefore, to evaluate the impact of the proposed development on the landscape.
17. The appeal site is located on the western edge of Congleton. It lies to the south of Holmes Chapel Road and its road frontage is marked by a clipped hedgerow in which a small number of mature trees are set. To the north of this road is a line of predominantly detached, two storey dwellings. The level of the site falls gently away from the road towards Loach Brook beyond which to the south east is Congleton High School and its playing fields. To the south of the site, also beyond the brook, a housing development of some 200 houses at Loachbrook Farm is under construction. Looking from the road across the site to the south west and west there are clear views of the open countryside which rises towards Sandy Lane on the skyline. These views include a wooded mound (a former scheduled ancient monument) which is the most significant landscape feature in the area.

² National Planning Policy Framework. Paragraph 14.

18. While the appeal site forms part of a pleasant rural landscape it is clearly on the edge of a settlement and, being contained by existing buildings and the lie of the land, it is not widely visible. Nonetheless it is set alongside one of the main approaches to Congleton and, even allowing for the benefits of additional planting along the Holmes Chapel Road and for the fact that the site falls away from the road, the presence of a housing development would partially block existing views of open countryside, including the wooded mound, when seen from the road, the footway that runs alongside it and the houses to the north of it. In my judgement the proposed development would, by extending the existing built up area of the town into open countryside, have a moderately harmful impact on the character and appearance of the local landscape.

Environmental Dimension – Trees and Hedges

19. The Council's previous concerns about the loss of trees on the site have now been resolved and no further such problems have been identified. Policy NR3 seeks, amongst other things, to avoid the loss of habitats created by important hedgerows. Hedges bordering the site are defined as having important historic value. However, it is the line of these hedges that is considered to be important rather than the species within them or the habitat they create. The appeal scheme would only require the creation of small gaps in the hedgerow running alongside the Holmes Chapel Road and as long as the proposed footpath/cycleway were constructed behind the hedge its historic line could still be traced in the landscape after development. Given that the route of the footpath/cycleway could be controlled by a planning condition, I consider that the harm that the appeal scheme would cause by reason of its conflict with Policy NR3 would be minimal.

Environmental Dimension - Traffic

20. There would be an increase in the number of vehicles entering and leaving the site but there is no evidence to suggest that this would have a significant effect on the environment. This is, therefore, a matter to which very limited weight can be attached.

Social Dimension – Housing

21. The proposed development would increase the supply of housing, both market housing and affordable housing, in the area. Given that it is Government policy to boost significantly the supply of housing this is a matter which I give very considerable weight.

Social Dimension - Other

22. The appeal scheme would also provide a new equipped play area and provide enhanced footpath and cycle links to the surrounding countryside. Although, arguably, these would be largely for the use of the occupants of the proposed development, particularly the play area, they could be used by the wider community. I will, therefore, attach limited weight to their provision.

Economic Dimension

23. The construction of up to 70 dwellings would provide jobs in the building industry and spending in the building supply chain during the estimated 28 month build period. Once it was completed and occupied its residents would

spend something in the order of £1.5 million gross per annum on goods and services in the local economy. These are matters to which I attach considerable weight.

Conclusions on Sustainability

24. The development plan policies most relevant to the appeal scheme are out of date. Having considered the environmental, social and economic dimensions of the appeal scheme I consider that it does amount to sustainable development. Moreover, in my opinion, the adverse impacts of this scheme, most particularly the moderate harm it would cause to the landscape by developing in open countryside, does not significantly and demonstrably outweigh its benefits, in particular the boost that it would provide to the local economy and to housing supply by developing additional dwellings in a sustainable location. The presumption in favour of sustainable development set out in the Framework³ therefore applies to the appeal scheme.

Other Matters

25. The appellant and the Council submitted a signed s.106 Agreement which contains obligations relating to the provision of affordable housing, open space, highways and healthcare. It is a matter of law⁴ and policy⁵ that such obligations should only be sought where they meet all of the following tests. That they are necessary to make the development acceptable in planning terms, that they are directly related to the development and that they are fairly and reasonably related to it in scale and kind. The submitted agreement contains a clause which provides that if it is determined that any individual obligation does not comply with law and policy then it shall cease to have effect.
26. It was common ground at the Inquiry that the affordable housing, open space and highways obligations do comply with law and policy. I agree. They are necessary to meet the need for low cost housing, access to open space and access to public transport facilities. The affordable housing and open space would form part of the proposed development and the additional bus stop would serve that development: they are all, therefore, directly related to it. The contributions that each of these obligations would require are based on either the number of proposed dwellings or the number of proposed residents. They would, therefore, relate fairly and reasonably to the proposed development.
27. However, the appellant does not consider that the healthcare contribution meets all of these tests. He does accept that the contribution sought towards healthcare provision would be fairly related to it in scale and kind because it has been calculated on the basis of the number of proposed residents on the site. I agree as, clearly, more residents will place additional demands on healthcare facilities and the scale of provision should be related to the number of such residents.
28. He does not, however, accept that the need for such facilities has been demonstrated and points to the fact that the existing General Practitioner practices in Congleton are still accepting patients. The appellant does not

³ National Planning Policy Framework. Paragraph 14.

⁴ Community Infrastructure Levy Regulations 2010. Regulation 122.

⁵ National Planning Policy Framework. Paragraph 204.

consider that it has been demonstrated that the proposed development on its own would stretch the capacity of those practices to breaking point.

29. To deal with this point it is necessary to look more closely at the situation in Congleton. The Department of Health standard for General Practitioner provision is 1,800 patients per doctor. The practices in Congleton have an average of 2241 patients per doctor. These practices are, therefore, operating above capacity and in this context NHS England has confirmed its opinion that the appeal scheme would have a very significant impact on the physical infrastructure necessary to provide health services to the local population. I agree. While the number of additional patients resulting from the appeal scheme would be small (0.5% of the numbers on the existing registers) it is entirely credible that, in a finely balanced situation such as exists in Congleton, this would have a very significant impact on the ability to deliver adequate healthcare. I consider, therefore, that the proposed healthcare obligation is necessary.
30. However, the Council was unable to point to any particular project or area of improvement that the obligation would fund or help fund. Healthcare infrastructure decisions are not taken on an incremental basis and strategic forward planning is essential. To that end a Strategic Health Investment Plan is being prepared which will determine the size, location and configuration of new health infrastructure taking into account national agendas, guidance and regulations. However, no details of when this plan is likely to be finalised or what proposals it will include were available at the Inquiry. In the absence of any details of where and on what the money will be spent it is impossible to conclude that the healthcare obligation is directly related to the proposed development.
31. It is, of course, necessary for the proposed obligations to meet all of the tests discussed above in order to comply with the law and policy. The affordable housing, open space and highways obligations meet all these tests and I will accord full weight to them in making my decision on this appeal. However, the healthcare obligation fails to meet all three tests in that it is not directly related to the proposed development. I will, therefore, give no weight to the healthcare obligation.

Conditions

32. In addition to the standard conditions covering the submission of reserved matters, commencement of development and the approved plans a range of other conditions were discussed at the Inquiry and agreed between the parties.
33. A condition would be needed to restrict the development to no more than 70 dwellings as the restriction inherent in the description of development in the planning application cannot be relied on. A condition dealing with the levels of the proposed buildings would be necessary in the interests of the appearance of the scheme as would a condition requiring the submission of samples of materials to be used in its construction.
34. Further conditions would be needed to ensure that adequate surface and foul water drainage was achieved on the site and the risk of flooding adequately managed. To provide the necessary environmental protection conditions dealing with the following would be required; the investigation and, if

necessary, remediation of contaminated land; the submission of an Environmental Management Plan and a Travel Management Plan; the submission of a Construction Management Statement; the installation of Electric Vehicle Infrastructure; and the submission of a Scheme of Noise Mitigation and a Noise Validation Report.

35. In the interests of ecology and, in some instances, of amenity conditions would be necessary dealing with; the provision and management of an undeveloped buffer zone; the completion of a survey of nesting birds; the incorporation into the proposed development of features suitable for use by breeding birds; and a method for the eradication of Himalayan Balsam from the site.
36. Conditions would be necessary to make provision for the replacement of hedgerows and to provide an Arboricultural Method Statement in order to protect trees and hedgerows on the site. In the interests of amenity conditions requiring the provision and management of open space on the proposed development would be needed. Any highway works that are subsequently approved should, in the interests of highway safety, be implemented prior to the occupation of the proposed development - a condition requiring this would, therefore, be needed. A scheme of cycle and highway provision would also be needed if safe access to the site were to be achieved. This would also ensure that any such works safeguarded the hedgerow along Holmes Chapel Road.
37. In order to ensure that the proposed development has a satisfactory appearance conditions requiring the submission of details in relation to bin stores and boundary treatments would be necessary.

Overall Conclusions

38. The policies of most relevance to the appeal scheme are out of date. Moreover, the appeal scheme would be sustainable development and its adverse impacts would not significantly and demonstrably outweigh its benefits. The presumption in favour of sustainable development applies to the appeal scheme. For these reasons I conclude that planning permission should be granted.

RJ Yuille

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Graeme Keen of Counsel	Appointed by the Head of Legal Services, Cheshire East Council.
He called Ben Haywood	Major Applications Team Leader, Cheshire East Council.

FOR THE APPELLANT:

John Barrett of Counsel	
He called Keith Nye	Associate Director FPCR Environment and Design Ltd.
Michael Watts	Director, Nathaniel Lichfield and Partners.

DOCUMENTS

Document 1.	Letters announcing the date, time and venue of the Inquiry.
Document 2.	List of those attending the Inquiry.
Document 3.	Planning Statement of Common Ground.
Document 4.	Highways and Transport Statement of Common Ground including appendix and addendum.
Document 5.	Costs Submission, Cheshire East Council.
Document 6.	CIL Compliance Statement, Cheshire East Council.
Document 7.	Opening on behalf of the appellant.
Document 8.	[2014] Anita Coleman v SOS & North Devon DC & N Power Renewables Ltd.
Document 9.	Certified copy of the Section 106 Agreement between the Council and the appellant.
Document 10.	Costs application on behalf of the appellant.
Document 11.	CIL Compliance Statement, appellant.

Annex – Schedule of Conditions

- (1) Details of the means of access, 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 not later than three years from the date of this permission.
- (3) The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.
- (4) Details of the Reserved Matters and implementation of the details hereby permitted shall be substantially in accordance with the details shown on Development Framework 5912-L03 Rev E.
- (5) This permission shall refer to the following drawing numbers unless any other condition attached to the permission indicates otherwise:
Site Location Plan 5912-L01-B.
- (6) The development hereby permitted shall comprise no more than 70 dwellings.
- (7) No development shall take place until details of existing ground levels, proposed ground levels and the level of proposed floor slabs have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- (8) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings to be erected have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- (9) No development shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to the first occupation of the dwellings.
- (10) The development hereby permitted shall not be commenced until such time as a scheme to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the dwellings.
- (11) The development hereby permitted shall not be commenced until such time as a scheme for the disposal of foul water has been submitted and approved in writing by the local planning authority. For the avoidance of doubt, surface water must drain separately from the foul and no surface water will be permitted to discharge directly or indirectly into the existing public sewerage system. The approved scheme shall be implemented prior to the first occupation of the dwellings.
- (12) Prior to the development commencing:
 - (a) A Phase II contaminated land investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority (LPA).

- (b) If the Phase II investigations indicate that remediation is necessary, then a Remediation Strategy shall be submitted to, and approved in writing by, the LPA. The remediation scheme in the approved Remediation Strategy shall then be carried out.
- (c) If remediation is required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.
- (13) Prior to the development commencing, an Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. In particular the plan shall include:-
- (i) The hours of construction work and deliveries;
 - (ii) The parking of vehicles of site operatives and visitors;
 - (iii) Loading and unloading of plant and materials;
 - (iv) Storage of plant and materials used in constructing the development;
 - (v) Wheel washing facilities;
 - (vi) Details of any piling required including, method (best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties), hours, duration, prior notification to the occupiers of potentially affected properties;
 - (vii) Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
 - (viii) Mitigation measures in respect of noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
 - (ix) Waste Management: There shall be no burning of materials on site during demolition / construction;
 - (x) A scheme to minimise dust emissions arising from demolition / construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
- (14) Prior to the first occupation of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, inter alia, a timetable for implementation and provision for monitoring and review. No part of the development hereby permitted shall be occupied until those parts of the approved Travel Plan that are identified as being capable of implementation after occupation have been carried out. All other measures contained within the approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented, in accordance with the approved scheme of monitoring and review, as long as any part of the development is occupied.
- (15) Prior to the first occupation of the development hereby permitted, details of Electric Vehicle Infrastructure to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. No property shall be occupied until the approved

- infrastructure relating to that property has been fully installed and is operational. The approved infrastructure shall thereafter be retained.
- (16) Any future Reserved Matters application shall include a Scheme of Noise Mitigation based on the recommendations of the Noise Assessment Report prepared by Wardell Armstrong, December 2013, Job Number: LE12135, Report Number: 002. The scheme shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be implemented prior to the first occupation of the dwellings.
- (17) Before the use of the development is commenced, a Noise Validation Test of the sound attenuation works (as yet to be finalised and agreed) shall be completed and the results submitted to and approved by the Local Planning Authority. Such validation test shall:
- Be completed in accordance with an approved method statement.
 - Demonstrate that the specified noise levels have been achieved.
 - In the event that the specified noise levels have not been achieved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority.
 - Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.
- (18) No development shall take place until a scheme for the provision and management of an 8 metre wide undeveloped buffer zone alongside the waterbodies shall be submitted to and agreed in writing by the local planning authority. This undeveloped buffer zone shall be measured from bank top, bank top is defined as the point at which the bank meets the level of the surrounding land. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens, footpaths, formal landscaping etc; and could form a vital part of green infrastructure provision. The schemes shall include:
- plans showing the extent and layout of the undeveloped buffer zone. Including
 - cross sections.
 - details of any proposed planting scheme (for example, native species).
 - details demonstrating how the undeveloped buffer zone will be protected during development and managed/maintained over the longer term including adequate
 - financial provision and named body responsible for management plus production of detailed management plan.
 - details of any proposed footpaths, fencing, lighting etc.
- (19) Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey shall be carried out by a suitably qualified person to check for nesting birds and the results submitted to the local planning authority. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report

- submitted to Local Planning Authority before any further works within the exclusion zone take place.
- (20) Any future reserved matters application shall include detailed proposals for the following:
- (a) The incorporation of features into the scheme suitable for use by breeding birds including house sparrow and roosting bats. The approved features shall be permanently installed prior to the first occupation of the development hereby permitted and thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
 - (b) A method statement for the eradication of Himalayan balsam from the site. The eradication shall be carried out prior to the first occupation of the development hereby permitted.
- (21) The reserved matters shall make provision for replacement hedge planting for any hedgerows to be removed as part of the development hereby permitted.
- (22) No development shall commence (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved Method Statement(s). Such Method Statement(s) shall include details of the following:-
- (i) A scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site including trees which are the subject of a Tree Preservation Order currently in force, or are shown to be retained on the approved layout, which shall be in place prior to the commencement of work.
 - (ii) Implementation, supervision and monitoring of the approved Protection Scheme. The approved protection scheme shall be retained intact for the full duration of the development hereby permitted.
 - (iii) A detailed Treework Specification.
 - (iv) Foul and surface water drainage where this may affect retained trees
 - (v) Implementation, supervision and monitoring of the approved Treework Specification.
 - (vi) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
 - (vii) Timing and phasing of Arboricultural works in relation to the approved development.
- (23) The first reserved matters application shall include an Open Space Scheme showing all areas of open space to be provided within the site including public amenity open space and an equipped children's play

- area (LEAP). The scheme shall also include details of the location, layout, size, timing of provision, proposed planting, location and specification of boundary structures, play equipment and materials.
- (24) Prior to the occupation of any dwellings on the site, a Management Plan for the future management and maintenance of the open space shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall identify the maintenance requirements including all ongoing maintenance operations, and shall be thereafter implemented in perpetuity.
- (25) The approved works to form the site accesses and associated works shall be carried out prior to the first occupation of the development hereby permitted.
- (26) The reserved matters shall include a scheme of pedestrian and cycle provision and signage to be approved in writing by the Local Planning Authority. The scheme shall include shared routes for pedestrians and cyclists through the site, including the proposed route along Holmes Chapel Road (which shall be located within the site behind the existing hedgerow) and a timetable for implementation. The approved scheme of pedestrian and cycle provision and signage shall be carried out in accordance with the approved timetable.
- (27) No development shall commence until details of the proposed bin storage facilities has been submitted to and approved in writing by the Local Planning Authority. The details shall ensure that bins are stored securely, and provide facilities for both recyclable and household waste storage.
- (28) No development shall commence until details of the positions, design, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

Richborough Estates