



Appeal Decision

Inquiry held on 14 July 2015

Site visit made on 15 July 2015

by **C Thorby MRTPI IHBC**

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

Decision date: 26 August 2015

Appeal Ref: APP/A0665/A/13/2209026

Land south of Ledsham Road, Little Sutton, Ellesmere Port, CH66 4QG

- 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 Redrow Homes NW against the decision of Cheshire West & Chester Council.
 - The application Ref 12/02091/OUT dated 3 December 2012, was refused by notice dated 15 July 2013.
 - The development proposed is up to 2000 homes, up to 400 square metres of retail floor space for a local shop, a new primary school, a community building, a new linear Park, playing fields and other public open space, new allotments together with new accessed streets and other related infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for up to 2000 homes, up to 400 square metres of retail floor space for a local shop, a new primary school, a community building, a new linear Park, playing fields and other public open space, new allotments together with new accessed streets and other related infrastructure at land south of Ledsham Road, Little Sutton, Ellesmere Port, CH66 4QG in accordance with the terms of the application, Ref 12/02091/OUT dated 3 December 2012, subject to the conditions set out in Annex A.

Application for costs

2. At the Inquiry an application for costs was made by Redrow Homes NW against Cheshire West and Chester Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Following the Council's decision to refuse planning permission, the Cheshire West and Chester Local Plan (part one) Strategic Policies (2015) was adopted. Policy STRAT 4 identified the appeal site for:

"up to 2,000 dwellings providing for a range and mix of housing types, including affordable housing in line with Policy SOC 1 delivering affordable housing, together with essential community infrastructure including the provision of a new primary school. Development should be brought forward in line with an agreed development brief for the site to ensure the delivery of a high quality urban extension to Ellesmere Port."

In addition the Council resolved to grant outline planning permission subject to planning obligations for 1570 dwellings at the appeal site, covering the same area as the appeal scheme on 5 December 2013.

4. Planning permission was granted for 145 dwellings on the eastern corner of the appeal site (Redrow Homes NW was the applicant) on 9 September 2014. This covers land forming phase one of the appeal scheme.
5. For these reasons, the Council were satisfied that subject to appropriate conditions and planning obligations the proposed scheme was acceptable and there were no outstanding areas of dispute. At the Inquiry, the Council did not formally present evidence or cross examine the appellant's witnesses.
6. The appeal was subject to an Environmental Impact Assessment (EIA) and was accompanied by an Environmental Statement (ES). The ES is considered to meet the requirements of the EIA Regulations and provides the data and information necessary to adequately assess the environment of the proposed development.
7. A legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (referred to hereafter as "the legal agreement") was submitted during the appeal process. It contains planning obligations directed towards transport and social infrastructure, affordable housing and biodiversity.
8. The appeal scheme was submitted in outline only with all matters reserved except access.

Main Issues

9. Taking into account views of interested parties, the evidence heard at the Inquiry and the site visit, the main issues are the effect on: the character and appearance of the area and the loss of agricultural land; the transport network and highway safety; local infrastructure and biodiversity, considered within the context of local plan policy and the aim of the National Planning Policy Framework (NPPF) to deliver sustainable development.

Reasons

Background

10. Policy STRAT 4 is a strategic policy for Ellesmere Port, indicating that the town is a key employment location where significant housing is planned to complement the town's economic role. The appeal scheme is part of the planned housing identified as a substantial urban extension to the town. Although there is not an agreed development brief for the site, a comprehensive master-plan forms part of the appeal scheme. The detailed plans are illustrative only, but they show that a garden suburb style neighbourhood could be achieved with dwellings set in an extensive framework of public and private green infrastructure, including parkland, playing fields, allotments, tree-lined streets and smaller play spaces.
11. The plans demonstrate that the pattern of development could be logical and legible integrating well with surrounding development and that a high quality residential environment could be created. In line with the policy, the scheme proposes a new primary school, local retail space and a community building. The level of affordable housing would be appropriate given other infrastructure

commitments and a satisfactory mix could be achieved at the reserved matters stage. There is no dispute that the appeal proposal would be in accordance with policy STRAT 4.

Character and appearance of the area and loss of agricultural land.

12. The appeal site is an extensive area of land (105 hectares) adjoining Little Sutton, which is on the western edge of Ellesmere Port. The site comprises mostly open, green fields in arable use. There are a number of public footpaths, a WWII Blister Hanger, the locally listed Sutton New Hall Farm and its associated courtyards, all located within the site.
13. As open, arable land the appeal site provides a countryside setting to the built up area of Little Sutton, imparting a rural character which can be appreciated from several local viewpoints and from walks within and around the appeal site. There would undoubtedly be a significant change in character and appearance arising from the proposal from a rural to an urban environment and this would adversely affect the contribution the appeal site makes to the character and appearance of the wider countryside and the setting of Little Sutton.
14. Although there are some smaller areas of grade two agricultural land the majority of the site is assessed as grade three agricultural land. It is actively farmed and as a large scale site it would contribute to delivering food and non food crops for future generations. The appeal scheme would change the use of the land to residential and the agricultural land and its potential for food/crop production would be lost. This would be an adverse effect of the appeal scheme.
15. However, whether the site is suitable for housing, including, the effect on the character and appearance of the area, and the loss of agricultural land, was considered in the development plan process. In allocating the site for housing in policy STRAT 4 the LP accepts the consequential effect of loss of open, rural and agricultural land. The LP recognises that the land has a more important role to play as part of the wider, strategic consideration for the provision of housing within Cheshire West and Chester. The appeal scheme would provide up to 2000 new dwellings (including 25% affordable housing) making a significant contribution to housing need in Ellesmere Port, and to Cheshire West and Chester as a whole. This would complement and support a key strategic aim, expressed in the LP for Ellesmere Port, of economic growth. For these reasons, although there would be harm to the local character and appearance, and there would be loss of agricultural land, the appeal would not fail in this respect.
16. I have also taken into account the recent planning permission for 1570 dwellings at the appeal site covering the same site area where there would be a similar effect in terms of character and appearance and loss of agricultural land. The Council considered this scheme acceptable, the committee report reinforcing the view that the strategic benefits of the scheme in meeting housing need would outweigh the harm to the character and appearance of the area and the loss of agricultural land.
17. *Transport and highways.* The highway network surrounding Ellesmere Port is dominated by Motorways and 'A' roads providing important links to towns and cities, North Wales and other parts of the country. Subject to improvements to the junction of the A550 Welsh Road and Ledsham Road, (which is part of the

strategic link between the M53 motorway and the A55 North Wales Expressway), Highways England (formerly the Highways Agency) would be satisfied that there would be no harmful effect on Motorways and trunk roads arising from the traffic generated by the appeal scheme. The necessary works to the junction would be secured by conditions or the legal agreement and I am satisfied that there would be no adverse effect on roads of national importance.

18. Nevertheless, development of the site for up to 2000 houses would inevitably generate a large increase in the numbers of people using the roads, footpaths and public transport and one of the greatest concerns for local residents is the effect on the local transport network and highway safety. The main points raised include the effect of traffic generation and distribution on local roads and junctions, the level of public transport and that mitigation would not be sufficient or put in at the right time to cope with the increased burden on the transport network. This is summed up in the letter from Mr J Madders MP of 10 July 2015 which encompasses many local residents' views.
19. The site is bounded by the aforementioned Ledsham Road to the north, which provides a cut through from the Chester Road (A41) to the Welsh Road (A550) as well as providing access to residential areas including Badgers Green, Ledsham Park and Sutton Green Estate estates. Sutton Green estate is a large residential area adjoining the east of the appeal site. Certain roads within the estate, including Wetherby Way, Ripon Avenue, Gleneagles Road and Green Road, are local distributor roads, and, together with other connecting roads are also used as short cut for traffic travelling from Chester Road to the Welsh Road.
20. All of the distributor roads in the area are likely to be subject to significant increases in traffic, particularly those leading to the town centre, Hooton Station, local facilities and to the national road network. In order to reduce the number of potential journeys by vehicle a series of improvements to existing routes to cater for and promote walking and cycling are proposed including: a new pedestrian and cycle link between the appeal site and Ledsham Road as part of a Linear Park; cycle improvements to Badges Rake Lane and Sutton Way; new cycle parking facilities in the Little Sutton Shopping Area; street lighting on the pedestrian route between Wetherby Way and Black Lion Lane; upgraded local road junctions to incorporate/improve facilities for pedestrians and cyclists, and improvements to a pedestrian crossing on Chester Road. Also proposed is the extension of the existing 30 mph speed limit on the Ledsham Road to reduce traffic speeds and improve the street environment for pedestrians and cyclists.
21. To cope with the additional movements and to encourage the use of public transport the following measures are proposed: a new or amended bus route to the town centre; a new bus link to Hooton rail station; a new 'Circular Bus Route' linking the appeal site with Little Sutton Shopping Area and Ellesmere Port Town Centre; a bus priority system for junctions along the A41 between its junctions with Sutton Way and Station Road and bus stop improvements on Ledsham Road and Wetherby Way. A detailed Travel Plan is also proposed aiming to encourage new occupants to make use of the buses, cycle routes and footpaths.
22. These measures would be secured by the legal agreement or by conditions and they would offer a wide choice of sustainable means of travel as well as reduce

the reliance on vehicles. However, it is inevitable that the appeal scheme would generate a significant amount of traffic using roads in the local area. The majority of traffic generated would be directed towards Ledsham Road where there would be two main vehicular access points, but there would be limited access from Gerrard Avenue and Green Lane both within the Sutton Green housing estate.

23. In order to cope with the traffic generation and the reliance on existing local roads there would be a range of improvements to junctions and roads, secured by condition or legal agreement, including to the junctions of Ledsham Road with the Welsh Road (with new traffic signals) and Ledsham Road with Chester Road. Part of Ledsham Road would be widened to ensure that it would be suitable to accommodate the expected levels of growth and type of traffic including buses and large vehicles. New traffic signals are proposed at the junction of Wetherby Way and Chester Road. Improvements to other local junctions would take place including at Hooton Crossroads and the Welsh Road/Chester Road signals. In effect, the majority of the key local junctions would be improved and together with new signalled junctions would increase capacity, reduce congestion and ensure that the traffic generated could be accommodated in a safe manner.
24. The legal agreement also contains a provision for consultation on and implementation of traffic calming measures within Sutton Green estate. Wetherby Way and other distributor roads would be appropriate for use by traffic generated from the appeal scheme. However, consultation would take place during phases of development and offer local residents the chance to consider options relating to the controlling of vehicle speeds, maintaining road safety, and limiting impacts on residential amenity as development of the site progresses and more traffic uses local roads.
25. The measures described above would be phased, tied to the building and occupation of dwellings. Although local residents are worried that the impact on the transport network would occur before the mitigation is in place, it is reasonable to phase measures as the scheme would take some 18 years to complete. The impacts would not occur all at once, but would arise over a long period of time. The phasing would be appropriate and put measures in place within a realistic timescale.
26. Notwithstanding this, the proposed transport and highway works would be sufficient to cope with a limit of between 1286 and 1,170 vehicle trips during morning and evening peak hours respectively. If it rises above this number further mitigation measures may be necessary. Although it is envisaged that a proportion of movements from the appeal scheme would take place by means other than a car, the appellant's transport assessment recognises that traffic generation is difficult to predict. Therefore, the legal agreement provides for monitoring of traffic levels from the occupation of 950 dwellings onwards. If the monitoring identifies that traffic movements exceed the agreed levels, a new transport assessment would be required identifying measures to accommodate additional traffic and means of putting these in place.
27. In the circumstances, I am satisfied that the improvements would limit the impact of the scheme and there would not be an adverse effect on the transport network or highway safety. It would meet the aims of LP policy STRAT 10 relating to transport and accessibility.

Local Infrastructure

28. Although the scheme makes significant provision for social infrastructure within the site to meet the needs of the future occupiers, the legal agreement contains a number of planning obligations for contributions towards education, health care and playing pitches. The details provided justify why the contributions are necessary, they give the basis for the calculations and indicate that the contributions would be spent on specific infrastructure, necessary for future occupiers which cannot be met with the on-site facilities.
29. With regard to other critical infrastructure, the Ellesmere Port Waste Water Treatment Works has limited capacity. However, planned upgrades are to be undertaken to the works in the near future and as such it is anticipated that the upgrade works would provide sufficient capacity to serve the needs of the proposed development in accordance with its phased implementation. Although local residents are concerned about flooding and surface water drainage, the site is at low risk of flooding and information submitted with the appeal demonstrates that the surface water run off can be accommodated utilising sustainable drainage methods to ensure that there would be no increased risk of flooding arising from the development.
30. The appeal scheme would comply with LP policy STRAT 11 relating to the delivery of infrastructure.

Biodiversity

31. The effect on the integrity of the Mersey Estuary Special Site of Scientific interest (SSSI)/Special Protection Area/Ramsar site and the Dee Estuary SSSI/Special Area of Conservation/Ramsar site was considered in the EIA. The appeal site was shown to be of little importance for foraging or roosting, and for recreational use, the distance from the appeal site to the designated areas was more than 5 kilometres, with few points of access to the foreshore from Ellesmere Port. The EIA concluded that this, together with the provision of recreational land as part of the appeal scheme, would ensure that either on its own or cumulatively the appeal proposal was not likely to result in a significant effect on the designated sites. This was confirmed by Natural England. An Appropriate Assessment under the Habitats Regulations would not, therefore, be required.
32. The appeal site itself is of reasonably low ecological value due to the long term pattern of arable agriculture which has led to the cultivation and fragmentation of most semi-natural habitats. Nevertheless, the remaining habitats of principal importance to biodiversity are hedgerows, deciduous woodland, watercourses, ponds and arable field margins. Protected species likely to be roosting/breeding at the site are barn owls, birds and bats. The Great Crested Newt and Badgers are not known to breed at the site, but may breed close by. There are signs that the badgers use the appeal site for foraging. There are also farmland birds and toads at the site which are species of importance to biodiversity.
33. The appeal scheme seeks to minimise the adverse impacts on biodiversity and offers opportunities for enhancement of habitats for specials of local and national importance. The master-plan shows that a detailed scheme could be successfully shaped by existing features of ecological value, taking account of species diversity, and trees, hedgerows, watercourses and ponds would be

retained, protected or replaced where possible. The Biodiversity Strategy and its appended Landscape Phasing Plan set out in detail measures to be undertaken to improve biodiversity, protect species during construction and show how green infrastructure (including wild and more formal recreational areas) would be delivered in advance of the nearby development plots. The Biodiversity Strategy is incorporated in the legal agreement which also seeks a Landscape and Community Areas Management Plan to develop the principles of the strategy.

34. Specific provision is made for Barn Owls which over time would be displaced from the existing farm buildings at the site. However, this would be compensated for by 5 new nesting boxes in a dedicated area and funding to repair some 20 boxes outside the appeal site.
35. The measures would protect/enhance or create habitats for all of the species found at the appeal, minimising the long term impacts on biodiversity and providing net gains where possible. The substantial benefits of the scheme, which through the LP allocation of STRAT 4 is an acceptable location for housing, would outweigh any harm in this respect.

Other matters.

36. There would be a complete loss of the farmland setting for the locally listed Farmhouse, but the building and associated courtyards and garden would be retained. The loss would be less than substantial and clearly outweighed by the very significant benefits arising from the provision of housing. The WWII blister hanger has not been identified as an historic asset. It would be subject to a basic level of building recording before it is removed secured through the archaeology condition and there would be no harm arising from this matter.
37. The appeal site is close to a water treatment works and a hazardous installation, licensed nuclear site at Capenhurst. The appeal site falls outside the consultation zone in relation to the Capenhurst nuclear site and there are no restrictions imposed by the water works. There is residual risk of flooding associated with the reservoir at the water works; however, mitigation is proposed to direct flows away from sensitive areas and the risk of flooding would be low. Noise studies indicate that there would be no harm in this respect and there has been no objection from the operators of both facilities.

Planning obligation

38. An agreed Community Infrastructure Levy (CIL) Regulations compliance schedule was put forward and discussed at the Inquiry. The necessity for contributions towards transport, education, community and ecological measures is addressed earlier in my decision letter. Other provisions are for affordable housing, securing the on-site community building and serviced school site, setting the phasing of the linear park and the playing pitches, specifying details of the expected travel plans and providing a public rights of way/footpath scheme. All of the provisions of the legal agreement would meet the Council's policy requirements and the tests set out in paragraph 204 of the NPPF and CIL regulations 122 and 123 relating to pooled contributions and I am taking them into account.

Conditions

39. An agreed schedule of conditions was put forward and discussed at the Inquiry. The conditions are attached at Annex A together with the reason for imposition. This sets out their purpose with reference where appropriate to the relevant policy background and I am satisfied that the conditions comply with the tests set out in paragraph 204 of the NPPF.

Local and national plan policy context

40. The NPPF recognises that one of the three dimensions to sustainable development is environmental and that the environmental role encompasses protecting and enhancing the natural and built environment (including biodiversity, the character of the countryside, agricultural land and the quality of the residential environment). There are several LP policies consistent with these aims, including policies ENV 2, ENV 3, ENV 4 and ENV6.
41. However, a core planning principle of the NPPF is that planning should be planned. It further advises that local plans are the key to delivering sustainable development. The overarching aims of the LP are clear. They address key spatial implications for economic, social and environmental change in Cheshire West and Chester, they set out joint social, environmental and economic gains for Ellesmere Port and they provide a sound framework for sustainable development. The scheme accords with the aims of the spatial strategy policies, in particular policies STRAT1 and STRAT4, in achieving significant social, economic and environmental benefits to the area and it is considered to be sustainable development. There are no significant material considerations that indicate otherwise and the appeal is allowed.

INSPECTOR

Christine Thorby

Richborough Estates

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ms Osmund-Smith of Counsel
She called no witnesses

FOR THE APPELLANT:

Mr P Tucker QC	
He called	
Ms J Mulliner	Terence O'Rourke Ltd
Mr F Hesketh	Director of the Environmental Partnership
Mr D Roberts	Director SCP

INTERESTED PERSONS:

Mr Penness	Ledsham and Manor Action Group
Mrs Penness	Local resident
Mr Weston	Local resident
Mrs Byrne	Local resident
Mr Byrne	Local resident
Mr Griffiths	Local resident
Mr Allsopp	Local resident
Mr McLannahan	Local resident

Documents submitted at the Inquiry

Doc 1	Attendance sheet
Doc 2	Transport Statement of Common Ground and correction
Doc 3	Agreed planning conditions
Doc 4	Cheshire West and Chester Playing Pitch Strategy submitted by the Council
Doc 5	Ellesmere Port and Neston Borough Council Open Spaces Supplementary Planning Document submitted by the Council
Doc 6	Rebuttal to the Cheshire Wildlife Trust dated 8 July 2015 submitted by the appellant
Doc 7	Direction letter from Highways England (the Highways Agency)
Doc 8	Legal agreement - planning obligation
Doc 9	Letter from Cheshire Wildlife trust
Doc 10	Breeding Bird Survey
Doc 11	Letter from Councillor Anderson
Doc 12	High Court judgements

ANNEX A Conditions

1. Outline planning condition – phased submission of reserved matters (layout, scale, appearance, landscaping) and development in accordance with details

Before any phase of the development begins, written approval shall first be obtained from the local planning authority for details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") relating to that phase, and thereafter the development shall be carried out in accordance with the details as approved for each phase of development.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004, and having regard to the development being phased.

2. Outline planning condition – period for submission of reserved matters (10 years; extendable to a maximum of 18 years, provided that submission made within 3 years of last reserved matters approval on previous phase)

Application for approval of the reserved matters shall be made to the Local Planning Authority before either

(i) the expiration of ten years from the date of this permission; or

(ii) the expiration of 18 years, provided that any submission after ten years of the date of this permission shall be made within three years of the last reserved matters approval on the preceding phase of development hereby permitted; whichever is the later.

Thereafter the development shall only be carried out in accordance with the details as approved.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004, and to allow sufficient time for the submission of reserved matters details having regard to the scale of development.

3. Outline planning condition – commencement of development in phases - (3 years from final approval of reserved matters for relevant phase)

Development in each phase of the development hereby permitted, as shown on the Phasing Plan built development and landscape phasing plan 16818_U_ComPHA_D02, (or such other replacement phasing plan to be submitted to and approved in writing by the local planning authority as a non-material amendment to this planning permission, or as an updated phasing plan accompanying an application for a reserved matters approval), shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters for that phase of development, whichever is the later.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004, and to allow sufficient time for the submission of reserved matters details having regard to the scale of development.

4. Related plans and documents (conformity with parameter plans) and revised design & access statement/ 'design code' for each phase – showing development from planning conditions and principles in illustrative plans listed)

The 'reserved matters' details to be submitted pursuant to condition 1 above, shall, subject to the planning conditions attached to this permission, be in general conformity with the principles shown on the following illustrative plans/details:

Design and Access Statement (DAS), Brooklands, Ledsham Road, Little Sutton (as updated by submissions accompanying Terence O'Rourke's letter of 29 November 2012) including:

An updated character plan for the 'village greens' area – reference to DAS pages 85 & 86.

Updated Drawing 161816 Brooklands Garden Neighbourhood – Master plan – reference to DAS page 55.

Associated updated parameter plans – reference to ES Chapter 2 figures (2.4 'Illustrative Master Plan, 2.5 'Land Use', 2.6 'Housing Density' & 2.7 'Building Heights').

Updated Rights of Way diversion plan – reference to DAS page 69.

In conjunction with the 'reserved matters' details submitted for approval pursuant to condition 1 above, there shall be submitted to the local planning authority a revised design and access statement, which may be submitted on a phase by phase basis, for the development hereby permitted.

The revised design and access statement (D&A) shall demonstrate how the D&A has developed from the requirements of the planning conditions attached to this planning permission. The D&A shall include the following key components:

(a) Plans and information instructive to: massing; layout; orientation; distribution of uses; densities; materials; channelled views; building lines; spaces, landmarks and focal points. The design section of the D&A shall clearly illustrate the delivery of the key elements of the development including informal amenity open space/play space, formal recreation space, landscaping, Sustainable Urban Drainage System (SUDS) infrastructure, affordable housing, roads and access arrangements and footpath/cycleway linkages.

Each phase of the development hereby permitted shall be carried out in accordance with the approved D&A for that phase.

Reason: It is to promote good design in accordance with paragraph 59 of the Framework (2012). The condition is to ensure that the development is delivered in a coherent manner and to a high standard across all phases.

5. Approved Plans – (Site Plan; Access Plans etc)

Subject to the detailed requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the following plans, but only in respect of those matters not reserved for later approval:

161816 PP: SLP – Site Location Plan

SCP/11071/PL01 Rev A - Site Context of Proposed Infrastructure Improvements

SCP/11071/PL03 Rev B - J2: Site Access to Ledsham Road (Roxburgh Road)

SCP/11071/PL04 Rev C - J4: Site Access to Ledsham Road (Sutton Hall Drive)

SCP/11071/PL05 Rev A - Access Arrangement: Footway/Cycleway to Wetherby Way

SCP/11071/PL06 – Access Arrangement: Footway/Cycleway to Penistone Drive

SCP/11071/PL07 Rev B - Access Arrangement: Gerrard Avenue

SCP/11071/PL08 – Access Arrangement: Footway/Cycleway to Pennington Green

SCP/11071/PL09 Rev A -Access Arrangement: Green Lane

Reason: For the avoidance of doubt and in the interests of proper planning.

6. Phasing scheme details (notwithstanding phasing plans submitted)

(i) In advance of, or in conjunction with, the first 'reserved matters' details submitted pursuant to condition 1 above, there shall be submitted for the written approval of the local planning authority details of phasing for implementation of the development hereby permitted. The development shall thereafter be carried out in accordance with the approved details. Thereafter, subsequent applications for approval of 'reserved matters' shall be accompanied by any variations to the approved phasing details to be submitted for written approval of the local planning authority. The details to be submitted shall identify the order of commencement and completion of key elements of the scheme, including construction of landscaped areas, amenity and open spaces, habitat areas, Sustainable Urban Drainage Systems (SUDS) infrastructure, provision of roads and access arrangements; and provision of the footpath/cycleway linkages. The phasing details shall include the phasing of the removal/undergrounding of pylons and overhead cables (as appropriate). The details shall develop the details shown for illustrative purposes on the Drawing 161816 Brooklands Garden Neighbourhood Master Plan (submitted 28 November 2012) and Drawing 161816_U_ComPHA_002 Phasing Plan Built Development and Landscape Phasing Plan. Development shall only be carried out only in accordance with the approved details. No development on subsequent phases shall commence until the identified key elements within the preceding phase of development are complete unless otherwise approved in writing by the local planning authority.

Reason: It is to ensure comprehensive and co-ordinated development and to secure sustainable development in accordance with the Framework (2012).

7. Travel plan

(i) No phase of development shall be occupied until a Travel Plan for that phase has been submitted to and approved in writing by the local planning authority. The Travel Plan for each phase of development shall be developed in accordance with the Framework Travel Plan IRW/11071/TP/1. In addition, the travel plan arrangements shall include the following:

- a. A single travel plan coordinator (TPC) will be appointed by the developer for the overall development for the entire construction period and 5 years beyond completion;
- b. Funding of the travel plan measures for a period of 5 years on a phase by phase basis;
- c. Details of monitoring and arrangements for the review of targets, confirming that monitoring will take place annually for the entire construction period and 5 years beyond completion;
- d. Arrangements for issuing households with pre-loaded Cheshire Travelcards (or similar),

(ii) The Primary School hereby permitted shall not be occupied until a School Travel Plan has been submitted to and approved in writing by the local planning authority;

The Travel Plan for each phase of development, and the School Travel Plan, shall set out proposals (including the provision for the appointment of a Travel Plan Co-

ordinator, targets, phasing details and a timetable for implementation and enforcement mechanism for failure to meet travel plan targets) and shall include arrangements for monitoring and review thereof. The Travel Plan for each phase of development and School Travel Plan shall be implemented and maintained as long as any part of the relevant phase of the development/school is occupied.

Reason: To encourage the use of alternative forms of transport and enhance opportunities for sustainable modes of travel. This condition is imposed having regard to guidance in the Framework (2012).

8. Development not to exceed 2000 dwellings

The development hereby permitted shall not exceed 2000 dwelling units and no phase shall be developed at less than 27 dwellings per hectare net, or over 50 dwellings per ha. The maximum developable area within the application site shall not exceed 59ha. In calculating the number of dwellings this shall include any of the (145) dwellings constructed under planning permission reference 12/03849/FUL or the resubmission application 13/04015/OUT. Similarly, in calculating the number of dwellings and 'number of dwellings hereby permitted' as referred to in the other planning conditions attached to this permission with regard to (i) restrictions on the occupation of dwellings until various specified actions or works have been carried out and completed, and (ii) restrictions on the number of dwellings provided with vehicular access, the calculation of the number of dwellings referred to in those conditions shall include any of the (145) dwellings constructed and occupied under the planning permission 12/03849/FUL or the resubmission application 13/04015/OUT.

The above refers to conditions 49, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68.

Reason: It is in accordance with the application; to retain control over the development to achieve development that is sympathetic to the character, appearance and form of residential development in the locality and that is promoted through the Design and Access Statement. It is also to promote sustainable development in accordance with the Framework (2012);

9. Maximum 3 storey for 'local centre' (13m)

The retail and community buildings hereby permitted as shown for illustrative purposes on Drawing 161816 Brooklands Garden Neighbourhood Master Plan (submitted 28 November 2012) shall be a maximum of 3 storey development and a maximum of 13m in height; and in accordance with details to be submitted as part of the reserved matters pursuant to condition 1 above.

Reason: It is in accordance with the application and to retain control over the development. This condition is imposed having regard to guidance in the Chapter 7 of the Framework (2012) relating to good design.

10. Maximum areas for local centre uses (mix of A1, D1 and D2 uses)

(i) The retail buildings hereby permitted as shown for illustrative purposes on Drawing 161816 Brooklands Garden Neighbourhood Master Plan (submitted 28 November 2012) shall be a maximum of 400 square metres gross internal floorspace for retail use (Class A1 of the Town and Country Planning Use Classes

Order 1987 as amended). The retail development shall occupy a site of not more than 0.14ha.

(ii) The retail building hereby permitted shall be used as a retail convenience store falling within class A1 of the Town and Country Planning (Use Classes) Order (as amended) and for no other purpose, including any other purpose in Class A1 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To promote and encourage sustainable development in accordance with the Framework (2012). The retail convenience store is an important element of the development hereby permitted; to provide access to services without the need to use the private car.

11. Maximum 2 storey for school (12m height)

The school building hereby permitted shall be a maximum of 2 storeys high and a maximum of 12m in height; and in accordance with details to be submitted as part of the reserved matters pursuant to condition 1 above.

Reason: To promote good design consistent with the Chapter 7 of the Framework (2012) relating to good design.

12. Provide LPA with Finished Floor Levels (set no lower than 34.50 metres above Ordnance Datum)

Finished floor levels of the development hereby permitted shall be set no lower than 34.50 metres above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development and future occupants.

13. Scheme for compensatory flood storage (up to and including the 1 in 100 year standard)

The development in any phase of the development hereby permitted shall not be occupied until such time as a scheme for the provision of compensatory flood storage (up to and including the 1 in 100 year standard) for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of phasing of the compensatory flood storage, and the development shall be carried out in accordance with the approved scheme. No dwelling in any phase shall be occupied until the scheme is complete, unless specifically authorised under the approved scheme.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

14. Surface water regulation system / assessment for disposing of surface water by means of Sustainable Drainage Systems (SuDS) (inc management & maintenance plan for lifetime of development)

The development in any phase of the development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a

surface water regulation system for that phase of development has been submitted to, and approved in writing by, the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority. The surface water regulation system scheme shall include details of management and a maintenance plan for lifetime of the development. Thereafter the development in each phase shall be carried out in accordance with the approved scheme for that phase.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

15. Overland Flow

The development in any phase of the development hereby permitted shall not be occupied until such time as a scheme for the management of overland flow from surcharging of the site's surface water drainage system for that phase of development is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed ground levels and proposed building finished floor levels, and identify how safe access and egress is to be provided. Thereafter the development in each phase shall be carried out in accordance with the approved scheme for that phase.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

16. Scheme for 8m wide buffer zone (Dibbinsdale Brook).

Prior to the commencement of development in any phase of the development where the development phase is adjacent to or within 25m of Dibbinsdale Brook, a scheme for the provision and management of an undeveloped buffer zone (at least 8 metres wide) from the banktop of Dibbinsdale Brook shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme. The scheme shall include:

- i) plans showing the extent and layout of the buffer zone;
- ii) details of any planting scheme (for example, native species);
- iii) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term; and
- iv) details of any footpaths, fencing, or other relevant features.

Reason: To ensure a safe form of development that protects Dibbinsdale Brook from any unnecessary impact to its ecological value and potential having regard to Policies ENV5 and ENV9 of the Ellesmere Port and Neston Borough Local Plan (2002) and ENV1 and ENV4 of the Cheshire West and Chester Borough Local Plan and the Framework;

17. Scheme to investigate and deal with any contamination of the site

No development on any phase of the development hereby permitted shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development on that phase of development begins. If any contamination is found

during the site investigation, a report specifying the strategy / measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The above report shall include a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Each phase of development shall be remediated in accordance with the approved measures before development on that phase begins, or in accordance with a phasing plan to be approved as part of the approved measures.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks having regard to Policy SOC5 of the Cheshire West and Chester Local Plan (Part One) Strategic Policies.

18. Verification Report

No part of the development site approved by this permission shall be occupied until:

- a) all components of the pre-approved or revised remediation measures to deal with the risks associated with actual or potential contamination of the site, relevant to that part, have been completed, and
- b) written evidence of satisfactory remediation completion and of the suitability of that part of the site for occupation has been submitted to and accepted by the LPA, and
- c) written evidence of satisfactory implementation of any long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action included in the verification plan have been submitted to and accepted by the LPA.

Reason - to protect human health and other sensitive receptors having regard to Policy SOC5 of the Cheshire West and Chester Local Plan (Part One) Strategic Policies.

19. Condition dealing with 'unexpected contamination' during construction

If during site preparation, demolition or development works contamination is encountered or is suspected in areas where it had not been anticipated

- being from an existing risk assessed source, and
- containing comparable risk assessed substances, and
- affecting an already risk assessed pathway or receptor

that could be addressed by simple extension of the approved measures to a larger area, then the LPA shall be notified promptly in writing confirming:- the areas affected, the approved investigation, remediation and validation measures to be applied and the anticipated completion timescale.

If the contamination is

- from a different source, or
- contains a new contaminative substance, or
- affects a new pathway or receptor,

then revised proposals for detailed investigation, risk assessment, remediation and verification shall be submitted for the written approval of the LPA prior to all but urgent remediation works necessary to secure the area and control pollution risks.

The remediation of the site shall incorporate the approved additional measures.

Reason - to protect human health and other sensitive receptors having regard to Policy SOC5 of the Cheshire West and Chester Local Plan (Part One) Strategic Policies.

20. Treatment of invasive species

Prior to the commencement of any phase, where Giant Hogweed or other invasive species of plants as listed in Schedule 9 of the Wildlife and Countryside Act 1981 are present within than phase, or within such a time as approved in writing by the Local Planning Authority full details of a scheme and programme to eradicate Giant Hogweed and other invasive species from the site shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved programme. Prior to the occupation of any part of the development within the relevant phase of development a verification report confirming the treatment carried out and results of treatment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent the proliferation of invasive species in the interests of local biodiversity having regard to Policies ENV5 and ENV9 of the Ellesmere Port and Neston Borough Local Plan (2002) and ENV4 of the Cheshire West and Chester Borough Local Plan; Giant Hogweed is listed in Schedule 9, Part II of the Wildlife and Countryside Act 1981 making it an offence under section 14(2) of that Act to "plant or otherwise cause Giant Hogweed to grow in the wild".

21. Recreational open space provision (including details of equipment)

The landscaping and layout reserved matters to be submitted for the relevant phase of development pursuant to the requirements of condition 1 above, shall include details of a scheme, including a programme for implementation, (as appropriate to the particular phase) for the provision of equipped and informal play areas, formal and informal recreational and amenity open space, as illustrated on the Drawing 161816 Brooklands Garden Neighbourhood Master Plan (submitted 28 November 2012). The details shall include details of levels, drainage, planting, enclosure, street furniture, surfacing, bridges, seating and play structures. Development shall be carried out in accordance with the approved details. Thereafter, the play areas and recreational / amenity open space shall not be used for any purpose other than play space, recreational or amenity space as prescribed.

Reason: To ensure the quantity, quality and accessibility of recreational and amenity open space is appropriate for the development hereby permitted having regard to Policy and SOC6 of the Cheshire West and Chester Borough Local Plan; and guidance in the Framework (2012).

22. Community Use Policy – School Facilities

Before the school hereby permitted is first brought into use a community use policy for the indoor and outdoor sports and recreation facilities provided as part of the school premises shall be submitted to and approved in writing by the Local Planning Authority. The community use policy shall include details of pricing policy, hours of use, access by non-educational establishment users, management

responsibilities and a mechanism for review. The school shall not be used at any time other than in strict compliance with the approved community use policy.

Reason: To secure well managed safe community access to the sports facilities. having regard to Policy SOC6 of the Cheshire West and Chester Borough Local Plan; and guidance in the Framework (2012) to promote community health and well-being.

23. Update habitat and species report(s)

At each reserved matters application stage an up-to-date habitat and protected species survey shall be submitted for the approval of the local planning authority. The ecological survey shall include recommendations for the protection, mitigation (including compensation) and enhancement of the biodiversity interests for the approval of the local planning authority. Thereafter the development shall be carried out in accordance with the recommendations, which shall be completed in full in accordance with phasing to be included in the recommendations.

Reason: To provide adequate safeguards for the protection of wildlife and supporting habitat and / or compensation for loss and to secure opportunities for the enhancement of the nature conservation value of the site in line with the Framework (2012) having regard to Policy ENV5 of the Ellesmere Port and Neston Borough Local Plan (2002) and Policy ENV4 of the Cheshire West and Chester Council Local Plan, and guidance in the Framework (2012) (in particular Chapter 11 'Conserving and enhancing the natural environment').

24. Archaeology

No development shall take place within (i) the area measuring 40m by 40m centred on grid reference SJ3676 7606, which is the area associated with Trench 7 of the Land South of Ledsham Road, Great Sutton, Ellesmere Port, Cheshire – An Archaeological Evaluation (Hayes 2002) or (ii) the area within 100m of Sutton New Hall Farm until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for the relevant area in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

Reason: It is in line with the guidance set out in Paragraph 141, Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2012) having regard to Policy ENV5 of the Cheshire West and Chester Council Local Plan.

25. Updated tree & hedgerow survey and arboricultural method statement / hedge protection

The plans and particulars submitted for each phase of development in accordance with condition 1 above shall include a tree and hedgerow survey and arboricultural impact assessment in accordance with BS 5837 2012: Trees in relation to design, demolition and construction - Recommendations. The details of which shall include the following:

- (a) a plan showing the location of existing trees / hedgerows on the site, showing which trees and hedges are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter, and the approximate height, and an assessment of the general state of health and stability, of the trees;

(c) details of the species and an assessment of the general state of the hedgerows;

(d) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site (including details of a phasing programme for carrying out the approved works);

(e) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree, hedge, or of any tree on land adjacent to the site;

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved details. No retained hedge shall be cut down, uprooted or destroyed, nor shall any retained hedge be reduced in height other than in accordance with details of hedge works to be submitted and approved.

No site clearance, preparatory work (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) or development shall take place within any phase until a scheme for the protection of the retained trees and hedges (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme for protection shall include a Construction Specification/Arboricultural Method Statement for road construction/walls/services beneath tree canopies; and details of underground service and foul and surface water drainage layout which shall provide for the long-term retention of the trees. The approved protection plan and method statement scheme(s) shall be carried out as described and approved; and the approved tree protection for each phase of development shall be erected prior to all work starting on site and retained for the complete period of works on that phase, unless otherwise approved as part of the tree protection plan / arboricultural method statement;

Unless otherwise approved as part of the approved scheme of protection, the retained hedgerows shall be protected during construction through the installation of protective fencing a minimum of 1 metre from the base of the hedge.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To protect trees and in the interests of visual amenity and biodiversity having regard to policies ENV2 and ENV3 of the Cheshire West and Chester Local Plan (2002) and guidance in the Framework (2012).

26. Construction Environmental Management Plan (inc. ES matters 5.53 Air Quality)Construction Method Statement (relating to measures to control dust, noise, vibration, light and odour, details of management, hours of working, site preparation, control of runoff during construction, and control over piling, construction accesses, construction traffic routing scheme) (inc. matters in 13.33 of ES to minimise the potential for adverse effects on the water environment).

Notwithstanding the provisions of Schedule 2 Class A of Part 4 'Temporary Buildings and Uses' of the Town and Country Planning (General Permitted

Development) England Order 2015 as amended no development in any phase shall commence, including preparatory work (tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery), until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. Thereafter, no development shall take place except in accordance with the approved CEMP, which shall be adhered to throughout the construction period. The CEMP shall include the following:

- a) Measures to control dust (preferably controlled at source by the use of best practice measures including appropriate plant handling techniques, good maintenance and housekeeping);
- b) Erection of solid barriers to the site boundary;
- c) No bonfires permitted;
- d) Planning the site layout to locate machinery and dust-causing activities away from sensitive receptors;
- e) Hard surfacing and effective cleaning of site haul routes and an appropriate speed limit around the site;
- f) All vehicle engines to be switched off when not in use;
- g) Effective vehicle cleaning and wheel-washing on leaving site;
- h) Relevant loads entering and leaving the site to be covered;
- i) All non-road mobile machinery to use ultra-low sulphur tax-exempt diesel fuel where available;
- j) Water to be used as a dust suppressant where necessary;
- k) Measures to attenuate water run-off and prevent silt/pollution entering surface water bodies during construction;
- l) Semi-natural habitats should be inspected prior to their removal for the presence of hedgehogs;
- m) Mitigation measures to be employed to prevent mammals becoming trapped in trenches etc during construction;
- n) Details of construction compound; site offices (including location and elevations); temporary vehicle and pedestrian access/routes during construction; delivery area(s) and car parking in connection with the construction of the development (including parking for site operatives and visitors); and details of loading, unloading and storage areas for plant and materials; and erection of site hoardings.
- o) Details of a topsoil management plan to protect the soil resource, including phasing of development and protection, removal and relocation of soil.
- p) Details of a waste audit and waste management plan

Notwithstanding the provision of Schedule 2 Class B of part 2 "minor works" or Class A of Part 4 "temporary buildings and uses" of the Town and Country Planning (GPD) (England)) Order 2015 no temporary vehicular means of access shall be formed or laid out or constructed.

Reason: It is to minimise pollution and in the interests of amenity and biodiversity. It is in the interests of conserving natural resources and having regard to the quality of the agricultural land, and in order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the development. It is important that the protection of soil as a finite resource is given recognition having regard to Policies STRAT1, SOC5 and ENV4 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012) and to comply with the Environmental Statement: (Chapter 5: Table 5.13).

27. Piling

No operations requiring piling or subsurface vibration ground improvement techniques shall be carried out (within 50m of any residential property) on the site unless, details of the work, monitoring and environmental controls proposed have been submitted to and agreed in writing by the local planning authority. All such works to be undertaken in complete accordance with the approved scheme unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected; and in accordance with guidance in the Framework (2012) in particular para 123;

28. No housing within Urenco, Capenhurst and National Grid Major Pipeline Consultation Zones (close to south west corner/boundary)

The details submitted in relation to condition 1 above shall exclude the siting of any dwellings hereby permitted within:

- (i) the 1km Inner Zone of the Consultation Zone for nuclear installation at Capenhurst (Ref No: ND09); or
- (ii) the middle zone of the Consultation Zone for the hazardous pipeline; National Grid Ellesmere Port to Woodchurch Pipeline (HSE 6974);

unless specifically approved in writing by the local planning authority.

Reason: It is in the interests of public safety. This condition is in accordance with Policy HAZ2 of the Ellesmere Port and Neston Borough Local Plan (2002) and guidance in the National Planning Policy Framework (2012);

29. Retention of farm access

The existing vehicular access to Sutton New Hall Farm shall be retained during construction of the development hereby permitted. No dwelling hereby permitted shall be served with vehicular access off the Sutton New Hall Farm access. Within three months of the permanent cessation of the use of the Sutton New Hall Farm for agricultural purposes (or such other period as may be approved in writing by the local planning authority) details of a scheme for the treatment of the access to Sutton New Hall Farm shall be submitted to and approved by the local planning authority. The scheme shall be compatible with the intended use as primarily a pedestrian/cycle link (notwithstanding continued vehicular use of the access to serve Sutton New Hall Farm and the associated buildings). The scheme shall include details of surface treatment, signage, pedestrian /cycle connections, boundary treatment and landscaping, together with a phasing programme for implementation. The scheme shall be carried out as approved in accordance with the programme for implementation.

Reason: It is to ensure that the access is retained for farm / farmhouse use and for pedestrian/cycle access; and that the environmental quality of the access is protected and enhanced.

30. Recording of WWII blister hanger

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 as amended; and prior to the commencement of it being dismantled or demolished, a record of building recording to Level 2 as prescribed in the document 'Understanding Historic Buildings: A guide to good recording practice' (2006) published by English Heritage in respect of the former aircraft hangar shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving a record of the non-designated heritage asset having regard to guidance in the Framework, in particular Section 12 'Conserving and Enhancing the Historic Environment';

31. Flood resilience and flood resistant measures (flood risk from Reservoir)

Before the commencement of development in any phase of development hereby permitted that is within the area of the site at potential risk from reservoir flooding (as shown on the Environment Agency's map for risk of flooding from reservoirs), details of a scheme of flood resilience and flood resistant measures, including programme for implementation, to protect the development in that phase from the impacts of flooding, shall be submitted to and approved in writing by the local planning authority. The scheme shall be carried out in full and in accordance with the approved details and implementation programme.

Reason: It is in the interests of safety and convenience of intended occupiers and to protect the development having regard to the potential risk from flooding having regard to guidance in the Framework (2012).

32. Noise scheme (to achieve internal noise levels, and outdoor living areas)

Prior to commencement of development a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. development shall be carried out in accordance with the approved scheme.

Reason: To protect residential amenity and minimise potential noise disturbance. The scheme shall take into account noise from continuing farm activities during the carrying out of the development.

33. Plant Noise scheme

Prior to the installation of any plant / mechanical extraction for the proposed development, including pumping station(s), a scheme to control noise from the premises shall be submitted to and approved in writing by the Local Planning Authority.

i) The scheme shall ensure that the rating level of noise emitted from all plant is 10dB(A) or more below background noise at the nearest noise sensitive location. The measurements shall be made in accordance with BS 4142.1997 'Method for rating industrial noise affecting mixed residential and industrial areas'.

ii) The scheme shall be implemented in full prior to operation and retained thereafter; any variation to the approved scheme shall be approved in writing with the Local Planning Authority prior to any works being undertaken. All equipment shall be maintained according to manufacturers' recommendations.

Reason: To protect residential amenity and minimise potential noise disturbance and in accordance with guidance in the Framework (2012) in particular para 123;

34. Electromagnetic Fields Survey – overhead powerlines and National Grid plant

In the event that overhead cables are not relocated underground an electromagnetic field survey shall be undertaken to ensure all areas of development are below 0.4uT, in any event no structures should be constructed in the corridor of land immediately below the path of the overhead cables and with a minimum clearance of 10 metres either side to allow for fluctuations in the magnetic field. Irrespective of the above an electromagnetic field survey should be

conducted in the vicinity of the National Grid plant to ensure no relevant exposure is likely to occur.

Reason: In the interests of public safety.

35. Lighting details (inc. farm access, communal parking, pedestrian and cycle routes, open spaces, local centre, linear park)

No dwelling in any phase of the development hereby permitted shall be occupied until details of external lighting, including for the pedestrian and cycle access routes, communal parking areas and, as appropriate, for any amenity and recreational open space areas within that phase, has been installed in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority, and is operational. The lighting installed shall be retained thereafter.

Reason: It is in the interests of visual amenity, public safety and convenience and biodiversity interests having regard to guidance in Policies ENV4 and ENV6 of the Cheshire West and Chester Local Plan, retained Policy ENV5 of the Ellesmere Port and Neston Borough Local Plan and the Framework (2012).

36. Pumping stations

No pumping stations are to be constructed within the site; except in accordance with details submitted and approved as part of reserved matters details. Pumping stations shall not be serviced except between the hours of 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and at no time on Sundays or public holidays except for the purposes of emergency repairs, unless otherwise approved in writing by the local planning authority.

Reason: It is to avoid unsympathetic siting and appearance that would undermine the landscaping and layout to be approved, or residential amenity of neighbouring properties. In the interests of neighbouring residential and visual amenity in accordance with Policy SOCS and ENV6 of the Cheshire West and Chester Local Plan

37. Local procurement and employment scheme

No development in any phase of development hereby permitted shall commence until a framework strategy for promotion of local employment and local procurement during the course of carrying out the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the measures to be undertaken by the developer to encourage the use of local labour, and in particular to encourage opportunities for the long-term unemployed, drawn from the administrative area of Cheshire West and Chester during construction, and to offer apprenticeships and training. The scheme shall also include details of local procurement initiatives for goods and services. The strategy shall include provision for monitoring, reporting and adjustment of the detailed measures to secure the objectives of the approved framework strategy. Thereafter, the framework strategy shall be implemented on any phase of the development, with details of any amendments for each phase of development submitted for the written approval of the local planning authority prior to such amendment being implemented. No development shall commence until the approved framework strategy has been established and is operational.

Reason: For the benefit of the area generally, and to promote sustainable development and diversification in the local economy, a scheme to secure local employment and procurement throughout the build is needed.

38. No vehicular accesses (unless otherwise approved)

No permanent vehicular means of access shall be formed, laid out or constructed between the application site and Pennington Green, Penistone Drive, or the existing access road between 175 and 177 Wetherby Way.

Reason: It is in the interests of highway safety, residential amenity of residents in Pennington Green, the convenience of highway users, and to promote and encourage sustainable transport.

39. Railway boundary

Prior to the commencement of the any development within 50m of the railway boundary, full details (including implementation programme) of ground levels, earthworks and excavations to be carried out within 50m of the railway boundary, together with details of proposed temporary and permanent boundary treatment to the railway, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out as approved.

Reason: To protect the adjacent railway. This condition is imposed having regard to guidance in the Framework (2012);

Highways

Three Highways Agency (now Highways England (HE)) conditions are subject to a Direction (11 Feb 2013).

40. HE condition 1: details of junction improvements (Phase 1 & Phase 2 for Ledsham Road (B5463) and Welsh Road (A550));

No phase of development pursuant to planning application number 12/02091/OUT shall commence unless and until the developer has submitted full design and construction details of the required improvements to the junction of A550 (Welsh Road) and Ledsham Road (B5463); such details to be agreed by the local authority, in consultation with the Secretary of State for Transport, and shown in outline on submitted drawing numbers SCP/11071/PL10B (for first phase improvements) and SCP/11071/PL11A (2nd phase improvements), each to include as follow:

- i) how the scheme interfaces with the existing highway alignment, carriageway markings and lane designations;
- ii) full signing and lighting details;
- iii) confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards);
- iv) an independent Stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with Departmental Standards (DMRB) and Advice Notes.

Reason: The condition is to ensure that the A550 trunk road might continue to fulfil its purpose as part of the national system of routes for through traffic, in

accordance with Section 10(2) of the Highways Act 1980, and maintaining the safety of this trunk road for highway users;

41. HE condition 2: no occupation until implementation of Phase 1 junction improvements for Ledsham Road (B5463) and Welsh Road (A550);

No part of the development shall be brought into its intended use unless and until the highway improvements, as shown in outline on drawing numbers SCP/11071/PL10B and as furthermore agreed in detail in accordance with condition no (*HA condition 1*) above, has been implemented to satisfaction of the local planning authority in consultation with the Secretary of State for Transport.

Reason: The condition is to ensure that the A550 trunk road might continue to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, and maintaining the safety of this trunk road for highway users;

42. HE condition 3: no more than 900 dwellings occupied until implementation of Phase 2 junction improvements for Ledsham Road (B5463) and Welsh Road (A550);

No more than 900 dwellings shall be first occupied until the junction improvement scheme (identified as 2nd phase) on drawing number SCP/11071/PL11A and as furthermore agreed in detail in accordance with condition *HE condition 1* above, has been implemented to the satisfaction of the local planning authority in consultation with the Secretary of State for Transport.

Reason: The condition is to ensure that the A550 trunk road might continue to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, and maintaining the safety of this trunk road for highway users;

LPA Highways

43. Details of eastern site access roundabout and details of signalised controlled pedestrian crossing on Ledsham Road located between Ledsham Park Drive and Sutton Hall Drive;

(i) Before the occupation of any dwelling hereby permitted, the eastern site access roundabout on Ledsham Road, as shown for illustrative purposes on drawing SCP/11071/04 rev C, shall be completed in accordance with details to be submitted to and approved in writing by the local planning authority;

(ii) Notwithstanding the details on the drawings SCP/11071/PL02 Rev C; SCP/11071/PL18 Rev B and SCP/11071/PL24 Rev B, prior to the first occupation of any dwelling hereby permitted a scheme for the laying out of a signalised pedestrian crossing on Ledsham Road between Ledsham Park Drive and Sutton Hall Drive shall be submitted to, approved in writing by the Local Planning Authority, and completed in accordance with the approved scheme.

Reason; It is to secure completion of the eastern roundabout and signalised pedestrian crossing to serve the development hereby permitted at an appropriate stage in the development in the interests of highway safety and the convenience of highway users.

44. Details of street lighting improvements along pedestrian route between Wetherby Way and Black Lion Lane (notwithstanding SCP/11071/30);

No dwelling hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement of street lighting along the pedestrian route between Wetherby Way and Black Lion Lane (as illustrated on drawing SCP/11071/30) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is in the interests of highway safety and the convenience of highway users and to encourage and enhance opportunities for sustainable modes of travel in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012);

45. No dwelling to be occupied until the wayfinder signage on Ledsham Road/Wetherby Way (SCP/11071/19A) has been completed;

Notwithstanding the details on the submitted drawing SCP/11071/19 Rev A, no dwelling hereby permitted shall be occupied until a scheme for the provision of pedestrian route signposting has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of any dwelling hereby permitted, unless other phasing is approved as part of the scheme.

Reason: To encourage and enhance opportunities for sustainable modes of travel in accordance with Policy TRANS1 of the Ellesmere Port and Neston Borough Local Plan (200 Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012);

46. Details of upgrade for two bus stops on Wetherby Way and one bus stop on Ledsham Road (notwithstanding SCP/11071/PL05), to provide shelters with lighting and seating, subject to consultation;

Notwithstanding the details on the drawings SCP/11071/PL05 rev A a detailed scheme for the provision of upgrading the two bus stops on Wetherby Way (locations as shown on SCP/11071/PL01 Rev A), to include provision of shelters with lighting and seating, and tactile crossing points on Wetherby Way, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any dwelling hereby permitted. For the avoidance of doubt, the scheme shall omit the traffic calming table shown on drawing SCP/11071/PL05 rev A. No more than 50 dwellings hereby permitted shall be first occupied until the scheme has been completed unless other phasing is approved in writing by the local planning authority as part of the detailed scheme.

Reason; It is in the interests of highway safety and the convenience of highway users and to encourage and enhance opportunities for sustainable modes of travel in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012);

47. Details of improvements to the cycle way along Badgers Rake Lane (notwithstanding SCP/11071/28 rev A);

No more than 50 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement of the cycle way along Badgers Rake Lane (as illustrated on drawing SCP/11071/28 rev A) has been submitted to and

approved in writing by the local planning authority; and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is in the interests of highway safety and the convenience of highway users and to encourage and enhance opportunities for sustainable modes of travel in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012);

48. Details of upgrade for the A41 / Ledsham Road junction with improved signalised layout including UTC control;

No more than 175 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the upgrading of the A41 Chester Road / Ledsham Road junction with improved signalised layout including Urban Traffic Control (UTC) (as illustrated on drawing SCP/11071/12 rev D) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for upgrading has been completed in accordance with the approved details.

Reason; It is to secure completion of the upgrade of the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan and guidance in the Framework (2012).

49. Details of upgrade the A41 / Station Road junction with improved signalised layout including UTC control (notwithstanding SCP/11071/13 rev D);

No more than 175 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the upgrading of the A41 Chester Road / Station Road junction with improved signalised layout including Urban Traffic Control (UTC) (as illustrated on drawing SCP/11071/13 rev D) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for upgrading has been completed in accordance with the approved details.

Reason; It is to secure completion of the upgrade of the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan. This condition is imposed having regard to guidance in the Framework (2012).

50. Details of converting A41 / Wetherby Way junction to signalised layout (notwithstanding SCP/11071/15 rev C);

No more than 175 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the conversion of the A41 Chester Road / Wetherby Way junction to a signalised layout including Urban Traffic Control (UTC) (as illustrated on drawing SCP/11071/15 rev C) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for the provision of the signalised junction has been completed in accordance with the approved details.

Reason; It is to secure completion of the signalisation of the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

51. Details of upgrade for the existing pedestrian crossing located on the A41 near to Smithy Lane to a Puffin crossing (notwithstanding SCP/11071/14 rev B);

No more than 175 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the upgrading of the existing pedestrian crossing located on the A41 near to Smithy Lane to a Puffin crossing (as illustrated on drawing SCP/11071/14 rev B) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for upgrading has been completed in accordance with the approved details.

Reason; It is to secure completion of the upgrade of the pedestrian crossing at an appropriate stage in the development in the interests of highway safety; the convenience of highway users and to promote sustainable development/walking. In conformance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and having regard to guidance in the Framework (2012).

52. Details of upgrade for the A41 / Sutton Way junction to improve the signalised layout (notwithstanding SCP/11071/16 rev C);

No more than 360 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the upgrading of the A41 Chester Road / Sutton Way junction with improved signalised layout including Urban Traffic Control (UTC) (as illustrated on drawing SCP/11071/16 rev C) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for upgrading has been completed in accordance with the approved details.

Reason; It is to secure completion of the upgrade of the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

53. Details of improvements to the A550 / A540 junction with extended right turn lanes on A540 (notwithstanding SCP/11071/PL23) (in liaison with Highways England);

No more than 750 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement of the A550 Welsh Road / A540 Parkgate Road junction with extended right turn lanes on A540 (as illustrated on drawing SCP/11071/PL23) has been submitted to and approved in writing by the local planning authority (in consultation with Highways England); and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is to secure completion of the improvements to the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

54. Details of a scheme of cycleway improvements to the Sutton Way corridor (notwithstanding SCP1071/PL26 & SCP1071/PL27);

No more than 500 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement of cycle accessibility on Sutton Way, (as illustrated on drawings SCP1071/PL26 & SCP1071/PL27) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is in the interests of highway safety and the convenience of highway users and to encourage and enhance opportunities for sustainable modes of travel

in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012);

55. Details of the western site access roundabout (notwithstanding SCP/11071/03 rev B) to be approved prior to the commencement of the construction of the access roundabout;

No more than 750 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the western site access roundabout on Ledsham Road (as illustrated on drawing SCP/11071/03 rev B), and an associated vehicular link within the site to the eastern roundabout, has been submitted to and approved in writing by the local planning authority; and (ii) the scheme has been completed in accordance with the approved details.

Reason; It is to secure completion of the western roundabout to serve the development hereby permitted at an appropriate stage in the development in the interests of highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

56. Details of a scheme of improvement works for the Sutton Way/Overpool Road roundabout (notwithstanding SCP1071/PL31) to be approved prior to the commencement of the scheme of improvement works;

No more than 1500 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement to the Sutton Way/Overpool Road roundabout (as illustrated on drawing SCP1071/PL31) has been submitted to and approved in writing by the local planning authority; and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is to secure completion of the improvements to the roundabout junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

57. To complete the Ledsham Road corridor improvements as set out on drawings SCP/11071/PL02 rev C and SCP/11071/PL25 rev A.;

(i) No more than 50 dwellings hereby permitted shall be first occupied until a bus shelter (together with lighting and seating and tactile crossing point) has been provided at the northern bus stop on Ledsham Road as shown on drawing SCP/11071/PL25 rev A in accordance with details to be submitted to and approved in writing by the local planning authority.

(ii) No more than 350 dwellings hereby permitted shall be first occupied until a bus shelter (together with lighting and seating and tactile crossing point) has been provided at the southern bus stop on Ledsham Road as indicated on drawing SCP/11071/PL25 rev A in accordance with details to be submitted to and approved in writing by the local planning authority.

(iii) No more than 750 dwellings hereby permitted shall be first occupied until the two proposed bus stops and shelter (together with lighting and seating and tactile crossing points) have been provided on Ledsham Road as shown on drawing SCP/11071/PL02 rev C (as shown located between the proposed new signalised pedestrian crossing and the proposed roundabout at Sutton Hall Drive) in accordance with details to be submitted to and approved in writing by the local planning authority.

(iv) No more than 750 dwellings hereby permitted shall be first occupied until the Ledsham Road corridor improvements, including the proposed bus stop and shelter (together with lighting and seating and tactile crossing point) on the northern side of Ledsham Road to the east of the proposed roundabout at Roxburgh Road, as set out on drawing SCP/11071/PL02 rev C have been completed unless other phasing is approved in writing by the local planning authority.

Reason; It is in the interests of highway safety and the convenience of highway users. It is to secure the corridor improvements in conjunction with the completion of the western roundabout as seen in drawing SCP/11071/03 rev B). This condition is imposed in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and having regard to guidance in the Framework (2012).

58. Details of the internal estate access roads and highway layout for each phase; including details of the new road/pavements/pedestrian and cycle routes. Details including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. Details to include phasing programme. Development to be carried out in accordance with phasing programme;

No development on any phase of the development hereby permitted shall take place until details of the internal estate road layout including new road/pavements for that phase of development have been submitted to and approved in writing by the Local Planning Authority; including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The details shall include phasing of internal roads. Thereafter the development in each phase shall be implemented in accordance with the approved details and phasing.

Reason; It is in the interests of highway safety and the convenience of highway users and to encourage and enhance opportunities for sustainable modes of travel. It is also to have in place traffic calming by horizontal design so as to discourage speed in excess of 20 mph. This condition is in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan and guidance in the Framework (2012), and Section 12 of the Cheshire County Council Act 1980.

59. No more than 120 dwellings served off Green Lane;

No more than 120 dwellings hereby permitted shall be permitted vehicular access to the application site via Green Lane. No dwelling shall be constructed on Phase 11 as shown on Phasing Plan built development and landscape phasing plan 16818_U_CompHA_D02 until a detailed scheme for the Green Lane highway extension (as illustrated on SCP/11071/09 rev A), including a phasing programme, has been submitted to and approved in writing by the local planning authority. The detailed scheme shall make provision for and include measures to allow controlled bus access for buses to access Green Lane to allow for a bus service to be provided via Ledsham Road through the development hereby permitted. Notwithstanding the details shown on SCP/11071/09 rev A, the scheme shall also include (i) details of a cycle link to Lyneal Avenue, and (ii) details of the alignment of the access, and footway to the northern side of Green Lane to allow for retention and protection of existing trees where practical. No dwelling with vehicular access to the application site served off Green Lane shall be occupied until the Green Lane highway extension and associated works are completed in accordance with the approved details.

Reason: It is in the interests of highway safety, residential amenity of residents in Gerrard Avenue, the convenience of highway users, and to promote and encourage sustainable transport in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

60. No more than 50 dwellings served off Gerrard Avenue

No more than 50 dwellings hereby permitted shall be permitted vehicular access to the application site via Gerrard Avenue. No dwelling shall be constructed on Phase 4 as shown on Phasing Plan built development and landscape phasing plan 16818_U_ComPHA_D02 until a detailed scheme for the Gerrard Avenue highway extension (as set out on SCP/11071/PL07 Rev B), including a phasing programme, has been submitted to and approved in writing by the local planning authority. The detailed scheme shall make provision for and include measures to allow controlled bus access for buses to access Gerrard Avenue from Ledsham Road through the development hereby permitted. No dwelling with vehicular access to the application site served off Gerrard Avenue shall be occupied until the Gerrard Avenue highway extension and associated works are completed in accordance with the approved details.

Reason: It is in the interests of highway safety, residential amenity of residents in Gerrard Avenue, the convenience of highway users, and to promote and encourage sustainable transport in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

61. Scheme for Hooton Crossroads (A41/B5133 Hooton Road)

No more than 750 dwellings hereby permitted shall be first occupied, until (i) a detailed scheme for the improvement of the Hooton Crossroads (A41 Chester Road/B5133 Hooton Road) and the A550 (Welsh Road)/A41 (Chester Road) signals has been submitted to and approved in writing by the local planning authority (in consultation with Highways England); and (ii) the scheme for improvement has been completed in accordance with the approved details.

Reason; It is to secure completion of the improvements to the junction at an appropriate stage in the development in the interests of the free flow of traffic, highway safety and the convenience of highway users in accordance with Policy STRAT 10 of the Cheshire West and Chester Local Plan.

62. Scheme for Penistone Drive

Before the commencement of development on Phase 2 as shown on Phasing Plan built development and landscape phasing plan 16818_U_ComPHA_D02 a detailed scheme, including a phasing programme, construction specification and details of tree protection / tree works, for implementation of the shared pedestrian / cycle way from Penistone Drive through the wooded area as set out on SCP/11071/PL06 shall be submitted to and approved in writing by the local planning authority. The shared pedestrian / cycle way and associated works shall be completed in accordance with the approved details. No dwelling within Building Phase 2 shall be occupied until the shared pedestrian / cycle way is complete, unless specifically approved as part of the phasing details.

Reason; It is to encourage and promoted sustainable development and sustainable transport modes to serve the development hereby permitted to increase connectivity between the development and the adjoining residential area, and in the interests of the convenience of intended occupiers. This condition is imposed in

accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan.

63. Scheme for Pennington Green

Before the commencement of development on Phase 11 as shown on Phasing Plan built development and landscape phasing plan 16818_U_ComPHA_D02 a detailed scheme, including a phasing programme, construction specification and details of tree protection / tree works, for implementation of the shared pedestrian / cycle way from Pennington Green through the wooded area as set out on SCP/11071/PL08 shall be submitted to and approved in writing by the local planning authority. The shared pedestrian / cycle way and associated works shall be completed in accordance with the approved details. No dwelling within Phase 11 shall be occupied until the shared pedestrian / cycle way is complete, unless specifically approved as part of the phasing details.

Reason; It is to encourage and promoted sustainable development and sustainable transport modes to serve the development hereby permitted to increase connectivity between the development and the adjoining residential area, and in the interests of the convenience of intended occupiers. This condition is imposed in accordance with Policy STRAT 10 of the Cheshire West and Chester Council Local Plan.

Richborough Estates