



Appeal Decision

Hearing held on 3 April 2012

Site visit made on 3 April 2012

by Stephen Roscoe BEng MSc CEng MICE

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

Decision date: 17 May 2012

Appeal Ref: APP/H1840/A/11/2165772

Land at Allesborough Farm, Pershore

- 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 Hannick Homes and Developments Ltd against the decision of Wychavon District Council.
 - The application Ref W/11/00752/OU, dated 31 March 2011, was refused by notice dated 13 October 2011.
 - The development proposed comprises 45 dwellings, including affordable housing and open space.
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Procedural Matters

1. The above application was submitted in outline with all matters reserved for future consideration. At the Hearing, the appellant offered a revised unilateral undertaking to seek to address the Council's concerns in respect of that previously submitted. The opportunity was given to make such a submission, together with comments from the Council on any submission. The main parties were content that this was an appropriate course of action, and both made further submissions.

Decision

2. The appeal is allowed and outline planning permission granted for 45 dwellings, including affordable housing and open space, at Land at Allesborough Farm, Pershore in accordance with the terms of the application, Ref W/11/00752/OU, dated 31 March 2011, and subject to the conditions listed at the end of this decision.

Main Issues

3. The main issues in this case are:
 - (i) the effect of the proposal on the character and appearance of the surrounding area;
 - (ii) whether the proposal would represent a meaningful contribution to the supply of housing land in the surrounding area; and
 - (iii) the effect of the proposal on the provision of community infrastructure in the surrounding area.

Reasons

Character and Appearance

4. The appeal site lies outside the development boundary for the town of Pershore. The proposal would therefore encroach into the open countryside surrounding Pershore and create a new urban edge. This encroachment would conflict with Local Plan¹ (LP) Saved Policy GD1, and the change in the character of the landscape would conflict with LP Saved Policy ENV1. These policies exhibit a good degree of consistency with the National Planning Policy Framework in relation to the matters under consideration in this case.
5. The site, which carries no statutory landscape designation, comprises a relatively flat plateau situated on part of a crest in the local topography and is readily visible over a wide area. Land to the north of the site lies at a similar level and is occupied by large agricultural buildings. To the north west is the tree lined Salters Lane. To the south, on Holloway, bungalows and detached and semi-detached houses also lie at a similar level. To the east, on Holloway Drive and Willows Close, bungalows are situated at a lower level, giving an open aspect from the site over their roofs which affords wide ranging views.
6. The proposal would comprise dwellings which would have a maximum height of 8.5m. From the east, the proposed development would be likely to be visible over the roofs of the bungalows on Holloway Drive and Willow Close, but it would also be likely to appear alongside the houses on Holloway. Whilst the proposal would be likely to result in some infilling of the skyline above the bungalows, this would take place between the Holloway houses, the nearby Allesborough farmhouse and a wooded area. As a result of these surroundings and context, the proposal would not be prominent in these views. The indicative proposal would also include a tree belt along the northern boundary of the site and, in the medium and longer term, the development would be seen against and below this vegetation, which would further reduce any impact. From the south, the appeal site lies behind the houses on Holloway, and the development would only be likely to be readily visible above the bungalows, as in views from the east.
7. From the north, the proposed development would generally lie behind the farm and its agricultural buildings. Whilst it is intended to demolish some of these and convert others, many are historic and would be likely to be retained for conversion. In these views, the tree belt would also soften and then screen the new urban edge in the medium to long term. In views from Salters Lane, the Holloway houses are already visible and again, in time, the tree screen would mask views of these and the proposed development.
8. The Council has suggested that, without any mitigation planting, the proposed development would occupy a moderate extent of the more distant views from the north west on Worcester Road. This would however only be the case until the tree screen became established. Whilst the trees would take some 20 years to fully mature, any impact that would exist beforehand would not be unduly harmful bearing in mind its likely timescale of impact, which would reduce over the 20 years, in comparison with the life of the development.

¹ Wychavon District Local Plan: June 2006

- In all other views assessed in the landscape SoCG², the Council suggests that the extent that it would occupy would be minor or very minor.
9. Furthermore, the LCA³ suggests that a key visual element of the Wadborough Wooded Estatelands Landscape Description Unit is ancient woodlands that are often prominently located on low landform crests. In time, the proposed tree planting could replicate such a feature in general landscape views. It could also tie in with woodland to the north of Worcester Road. The proposal could thus be screened by a feature that would be compatible with the character and appearance of the surrounding area.
 10. In summary therefore, the ridgeline at the appeal site has already been breached by development of the houses on Holloway and the buildings of Allesborough Farm, including the tall chimneys on the farmhouse. The proposal therefore would not be a prominent feature in the landscape, and any impact would be softened by associated tree planting. It therefore would not have an adverse effect on the appearance of the rural landscape in conflict with LP Saved Policy GD2.
 11. There would however be likely to be some short and medium term change to the skyline, and any adverse effect on this locally distinctive hill feature would conflict with Structure Plan⁴ (SP) Saved Policies CTC.1 and CTC.2. These policies are however somewhat dated and indeed, in the Hearing, both parties accorded them limited weight in view of the publication of the Framework. The appeal site has no statutory or local designation, and there is no reasoned evidence to suggest that it contributes to any wider ecological network. The protection offered by these policies inhibits the sustainable growth of Pershore on the appeal site and is thus inconsistent with the Framework. In this case therefore, the Framework is a material consideration to which I attach great weight, to the extent that it overrides the protection given by these SP Saved Policies to the undeveloped appeal site as a hill feature.
 12. It has been suggested that hill features are particularly sensitive, and that they are cherished by local people. This is not however reflected in the LP. The existing urban edge comprises residential gardens which provide little transition in this area. The proposed tree belt however would create a transition zone in addition to its screening function. The proposed density would not be unusual for new development, and it is important to maximise the use of the site in the interests of sustainable development. It would also be similar to the apparent densities of development on Holloway, Holloway Drive and Willow Close.
 13. I therefore conclude that the proposal would have a harmful effect on the character of the surrounding area in conflict with Local Plan Saved Policies GD1 and ENV1. I further conclude however that it would not have a harmful effect on the appearance of the surrounding area and that it would accord with Local Plan Saved Policy GD2 in this regard.

² Statement of Common Ground

³ Worcestershire County Council Landscape Character Assessment

⁴ Worcestershire County Structure Plan; June 2001

Housing

14. At April 2011, the Council's housing land supply amounted to 3.9 years based on demand identified in the Regional Spatial Strategy⁵ (RS). It is the Government's policy intention to revoke existing RSs outside London, following the completion of strategic environmental assessments. The RS however currently remains part of the development plan, and the intention to revoke it can only be given limited weight in this appeal. In any event, the housing demand figures are still relevant. The Framework seeks to ensure that local planning authorities have a five year supply with an additional 5% buffer moved forward from later in the plan period. The existing supply is therefore unsatisfactory.
15. The Council is of the view that this situation has arisen because the allocated LP sites have been developed without sufficient new allocations. The Council is a party to the emerging SWDP⁶, and there may well be sufficient supply identified in the emerging plan. This plan is however at an early consultation stage, and indeed the Council has not yet adopted it as a material consideration. It could potentially be fully adopted in 2014, but at present it can be given little weight. The Council has however already had the opportunity to put a five year housing land supply in place over a number of years, and the proposal therefore would not pre-empt the strategic housing plan in the SWDP. Recent planning permissions in the Evesham area will also help the situation, but again these will not feature until supply figures for last year have been calculated, by which time the supply target will have moved on. The conclusion on an unsatisfactory supply situation therefore remains.
16. The appeal site adjoins the settlement boundary of one of the district's three main market towns and is in a reasonably sustainable location. It is readily available without any identified constraints that are specific to the site, and it could realistically be developed within the forthcoming five years, as acknowledged in the submitted SoCG. The site has been the subject of a positive marketing report, and another similarly unallocated edge of settlement site, at Three Springs Road, has had many houses completed with several pre-sales. The proposal would include local sustainable travel improvements, and the development of the site would be likely to improve the viability of the Pershore settlement, including its High Street. All of these matters support the appeal.
17. The Pershore settlement boundary has been in its current location for some time, and there may well be more sustainable development locations in the town centre. There is however no evidence that these alone would satisfy the Council's housing land supply shortfall. It has been suggested that the site would be sold on if the appeal was successful, and that this could delay development. Such a situation is however relatively common, and would be likely to accelerate rather than delay development. In coming to the overall views in terms of this main issue, the appeals at Badsey and Bredon have also been taken into account, Refs APP/H1840/A/10/2124085 & 2127303.

⁵ West Midlands Regional Spatial Strategy: 2008

⁶ South Worcestershire Development Plan

18. I therefore conclude that the proposal would represent a meaningful contribution to the supply of housing land in the surrounding area and that it would thus accord with the National Planning Policy Framework in this regard.

Community Infrastructure

19. The appellant has submitted a planning obligation in the form of a unilateral undertaking to the Council and the County Council dated 16 April 2012. This provides for: an affordable housing scheme; contributions towards a cycling strategy, education facilities, highways, off-site built sport and leisure facilities, on-site POS⁷ and recycling contributions; a bus stop shelter; the transfer of on-site POS to the Council; and the formation of a management company. The Council's requirements have been met apart from the provision of two footways which is considered later.
20. The latest monitoring update for the sub-regional SHMA⁸ has identified a low to medium need for affordable housing with the Pershore LHMA⁹ of 30 units per annum. The proposal would assist in meeting this need, and the provision of affordable housing is also supported by LP Saved Policy COM2 and the Council's SPG¹⁰. This element of the undertaking would therefore be necessary and would satisfy the tests set out in the Framework.
21. The proposal would result in a direct need for additional school facilities at Abbey Park First and Middle Schools and Pershore High School. The education contribution would therefore be necessary in accordance with LP Saved Policy GD3 and the Council's SPD¹¹ and would satisfy the statutory tests set out in Regulation 122 of the CIL¹² Regulations 2010.
22. The contributions towards cycling, highway cycling and footway measures, off-site built sport and leisure, on-site POS and recycling would be necessary in the interests of sustainable development. They would be supported by LP Saved Policies GD3, SR5 and COM12 together with the Council's SPG on Service Infrastructure¹³ and Development Guide on POS¹⁴. The contributions would satisfy the statutory tests set out in Regulation 122 of the CIL Regulations 2010. The provision of the bus stop shelter would accord with the principles of sustainable development, and this element of the undertaking would therefore be necessary and would satisfy the tests set out in the Framework.
23. I therefore conclude that the proposal would not have a harmful effect on the provision of community infrastructure in the surrounding area. I further conclude that it would thus accord with Local Plan Saved Policies COM2, COM12, SR5 and GD3, the Council's SPGs for affordable housing and service infrastructure and its SPD on education.

⁷ public open space

⁸ Strategic Housing Market Assessment for the South Housing Market Area of the West Midlands Region: Monitoring Up-date: 2009/10

⁹ Local Housing Market Area

¹⁰ Affordable Housing: Supplementary Planning Guidance: Wychavon District Council: 21 November 2002

¹¹ Wychavon District Council: Developer Contributions (S106) for Education Facilities: Supplementary Planning Document: 24 April 2007

¹² Community Infrastructure Levy

¹³ Wychavon District Council: Developer Contributions Towards Service Infrastructure: October 2003

¹⁴ Wychavon District Council: Development Guide: Developer Contributions To Public Open Space

Other Matters

24. The bungalows on Holloway Drive and Willow Close are at a lower level than the appeal site and visually they are much separated by the intervening change in ground levels. The visibility of development on the site from the bungalows and the more sensitive areas of their gardens nearer the dwellings themselves would depend on the location and ground floor level of the development. To avoid harmful visual intrusion however, it would not be necessary for the existing skyline at the rear of the bungalows to remain undisturbed. This is therefore a matter that could be satisfactorily addressed at reserved matters stage by the separation between development and the site boundary. Any harm to the living conditions of nearby occupiers in relation to privacy or from light pollution could also be addressed at reserved matters stage.
25. Allesborough Farm has accommodated an operating grain dryer for some years. It is however present for a relatively limited duration, and its presence near to a farm complex, with associated disturbance, is to be expected in a rural area. This prospect of the dryer returning is therefore no reason to dismiss the appeal.
26. The proposal has been the subject of a flood risk assessment, and the level of surface water flow from the site has been set by the local water company. The proposal therefore would not necessarily worsen any downstream flooding problems. Moreover, the site is sufficiently large to accommodate flood storage if necessary and a water management strategy could be required by condition, to include measures to deal with any hilltop springs.
27. The construction access for the site would be likely to be some distance from the residential development which adjoins the site, and construction activities would take place beyond the rear boundaries of the existing gardens. Furthermore, the approval of a construction management plan could be required by condition. It is therefore unlikely that any unreasonable construction disturbance would occur. The Highway Authority has not objected to the proposal, and there is no reasoned evidence that it would have a harmful effect on highway safety, particularly on Holloway. Furthermore, the position of the access would be the subject of a further reserved matters application.
28. The farmhouse and a barn at Allesborough Farm are Grade II listed buildings. The proposed development however would not generally be seen in the same views as the listed buildings, and it would therefore preserve their setting. Although the appeal site is at a higher level than much of the surrounding area, there is no reasoned evidence to suggest that the appeal should be dismissed due to difficulty in water supply. There has also been no objection to the proposal from any statutory body concerning ecology.

Conditions and Planning Obligation

29. Conditions in relation to open space, external materials, floor levels, landscaping, building heights, boundary treatment and existing trees and hedges would be necessary to protect the character and appearance of the surrounding area. Conditions in respect of refuse storage, a Construction Environmental Management Plan, a phasing plan, a surface water regulation system, foul water drainage and construction hours would be required to protect the living conditions of existing and future occupiers. Conditions to require a Site Waste Management Plan, energy conservation measures,

- footway access, a Residential Travel Plan and secure cycle parking would be necessary in the interests of sustainable development. Footway, construction access and wheel cleaning conditions would be required in the interests of highway safety. A Reptile Mitigation Strategy, ecological enhancement measures and a Written Scheme of Archaeological Investigation would be required to protect the natural and historic environments respectively.
30. Condition 15 was suggested by the Council, and no comments were made concerning its provisions during the Hearing. It refers to two footways: one that would connect the existing bus stop on Worcester Road to the application site fronting Salters Lane; and one on Holloway. These are shown on the submitted indicative sketch layout Drg No 11.018.01 Rev A. The footways would be necessary to promote pedestrian access to and from the proposed development in the interests of sustainable development.
 31. The footways would be located outside the site. The suggested condition would require the submission to, and the approval by, the Council of footway details and would prevent the occupation of the development before the footways were provided. As the footways would lie on land outside the appellant's control, the condition would act in a negative manner in preventing occupation before footway provision in accordance with the approved details. The approval of details would however prevent this restriction on occupation being applied in an unreasonable manner, as the appellant would have submitted the details in the first instance. In the absence of any disagreement over the principle of the footways, their provision would be a realistic prospect.
 32. The unilateral undertaking requires the owners to pay the highway contribution, towards the footways amongst other things, to the County Council upon occupation of the 11th dwelling. The combination of the condition and the undertaking would therefore appear to provide a satisfactory mechanism whereby the footways could be in place at an appropriate time and to an appropriate standard with the benefit of a retrospective contribution from the site owner.
 33. The Council has suggested that the appellant should provide, and thereby fund, the footways, as was the position in an earlier draft of the unilateral undertaking. This would suggest that the Council or the County Council may not have the funding for this work. The level of funding required however would not be significant in relation to the development as a whole, and the absence of identified funding at the present time would not be sufficient reason to dismiss the appeal.
 34. The conditions suggested by the Council would need to be amended in the interests of precision and enforceability. In order to meet the local housing shortfall at the earliest opportunity, it would also be necessary to reduce the usual time limits for the submission of reserved matters and commencement on site. In view of the surrounding topography, a lower limit on the height of buildings or a prohibition on roof space development on the site would not be necessary to make the proposal acceptable in planning terms. A condition to limit grain dryer noise would also not be necessary.
 35. A number of the suggested conditions also include for the approval of alternative details by the Council or to an alternative timescale. Section 73 of the 1990 Act, as amended, provides the proper mechanism for the reconsideration of the conditions attached to any permission. Such elements of

the suggested conditions would therefore be unnecessary and indeed would seek to circumvent the mechanism.

36. The maintenance of on-site public open space, including a play area, and the provision of affordable housing would be regulated by the submitted unilateral undertaking, and related conditions would not be necessary. Various conditions also refer to matters which are reserved, and it would not be necessary to impose these conditions at the present time.

Conclusion

37. Although the proposal would have a harmful effect on the character of the surrounding area, this would be outweighed by the positive and meaningful contribution that it would make to housing land supply. Furthermore, the proposal would not have a harmful effect on the appearance of, and the provision of community infrastructure in, the surrounding area. Having taken into account all other matters raised, none carry sufficient weight to alter the decision. I therefore conclude that the appeal should be allowed.

Stephen Roscoe

INSPECTOR

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Mr P Fong BA(Hons) MRTPI	Hunter Page Planning, Thornbury House, 18 High Street, Cheltenham GL50 1DZ
Mr P Harris BA(Hons) DipLA CMLI	Managing Director, MHP Design Ltd, Corinth House, 117 Bath Road, Cheltenham GL53 7SL
Mr J Lewis DipTP MRTPI	Hunter Page Planning, Thornbury House, 18 High Street, Cheltenham GL50 1DZ
Ms A Treby BA(Hons) DipLA CMLI	MHP Design Ltd, Corinth House, 117 Bath Road, Cheltenham GL53 7SL
Mr D Woodward	Hannick Homes and Developments Ltd, Dammas House, Dammas Lane, Swindon SN1 3EF

FOR THE LOCAL PLANNING AUTHORITY:

Mr D Nash BA BPI MSc MRTPI	Assistant Development Manager, Wychavon District Council
Ms E Marshall BSc (SpHons) DipLA MA MIHort	Landscape Officer, Wychavon District Council
Ms C Roberts LLB(Hons)	Wychavon District Council

INTERESTED PERSONS:

Ms V Bilton	Local Resident
Mr D Chapman	Local Resident
Mr P Griffiths	Local Resident
Mr D Hutt	Pershore Civic Society
Cllr C Tucker	Wychavon District Council
Mr R Hall	Local Resident
Mr T Harris	Local Resident
Cllr Ms V Wood	Wychavon District Council and Pershore Town Council
Cllr D Brotheridge	Wychavon District Council
Ms Bevan	Local Resident

Mrs L Spiers	Local Resident
Mr R Croft	Local Resident
Cllr Parsons	Pershore Town Council

DOCUMENTS

- DOC 1 Appeal Notification Letter and list of those notified
- DOC 2 Statements of Common Ground (Planning and Landscape)
- DOC 3 Wychavon DC comments on the impact of the National Planning Policy Framework
- DOC 4 Wychavon DC comments on Planning Obligations dated April 2012
- DOC 5 Replacement Appendix 1 – Revised Schedule of Proposed Conditions
- DOC 6 Email from V Bilton dated 28 March 2012 to the Planning Inspectorate
- DOC 7 Email from D Chapman dated 28 March 2012 to the Planning Inspectorate concerning the appellant's 20 January 2012 Proof of Evidence
- DOC 8 Email from D Chapman dated 28 March 2012 to the Planning Inspectorate concerning photographic evidence of the mobile grain dryer
- DOC 9 Hunter Page Planning: Statement of Compliance with the National Planning Policy Framework: dated March 2012
- DOC 10 MHP Design Ltd: NPPF Policy Compliant Statement: 28 March 2012
- DOC 11 Photograph of the rear garden at No 78 Holloway
- DOC 12 Landscape Statement of Common Ground: Draft 5: 30 March 2012: Section 5 Included LPA's Assessment
- DOC 13 Badsey and Bredon Appeal References
- DOC 14 Example Contributions Condition
- DOC 15 Example Recreational Facilities Condition
- DOC 16 Unilateral Undertaking dated 16 April 2012 from PJA Bomford, ES Bomford, SW Fullard and Hannick Homes and Developments Limited to Wychavon District Council and Worcestershire County Council delivered by hand to the Planning Inspectorate on 19/4/12
- DOC 17 Email dated 17 April 2012 from the Council (Mr D Nash) to the Planning Inspectorate

DOC 18 Email dated 18 April 2012 from the appellant (Mr M Chadwick) to the Planning Inspectorate

DOC 19 Email dated 18 April 2012 from the Council (Mr D Nash) to the Planning Inspectorate

DOC 20 Email dated 19 April 2012 from the appellant (J Rodrigues) to the Planning Inspectorate

PLANS

A Site Location Plan - Figure 1

B Concept Plan - SK2 Rev B

C Indicative Sketch Layout – 11.018.01 Rev A

D Landscape Strategy (for information only) – 10.44.101 Rev A

Richborough Estates

CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to, and approved in writing by, the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 18 months from the date of this permission.
- 3) The development hereby permitted shall begin not later than one year from the date of approval of the last of the reserved matters to be approved.
- 4) Any reserved matters application relating to the appearance, layout and scale of the development shall include a statement providing an explanation as to how the design of the development has had regard to the Design and Access Statement submitted with the planning application.
- 5) Any reserved matters application relating to the appearance, layout and scale of the development shall include details of the facilities for the storage of refuse for all proposed dwellings. No individual dwelling shall be occupied until refuse storage facilities to serve that dwelling have been constructed in accordance with approved details. The facilities shall thereafter be retained.
- 6) Any reserved matters application relating to the appearance, landscaping and layout of the development shall include details of on-site children's play space and general open space. The submitted details shall include a management plan, landscaping, planting and equipment to be provided on the play and open spaces.
- 7) Any reserved matters application relating to appearance shall include details of the materials to be used in the construction of the external surfaces of any building.
- 8) Any reserved matters application relating to appearance shall include details of the floor levels of the proposed buildings.
- 9) Any reserved matters application relating to landscaping shall include:
 - i) survey information of all existing trees and hedges on the application site, and branches from trees on adjacent land that overhang the site. The survey shall include for each tree or hedge:
 - a) the accurate position, canopy spread and species plotted on a plan;
 - b) an assessment of its general health and stability;
 - c) an indication of any proposals for felling or pruning; and
 - d) details of any proposed changes in ground level, or other works to be carried out, within the canopy spread.

- ii) a landscape scheme which shall include:
 - a) plans showing the planting layout of proposed tree, hedge, shrub and grass areas. Notwithstanding the Landscape Strategy submitted with the planning application, the plans shall include revised proposals for the provision of a landscape buffer between the residential units and the adjacent Salters Lane and Allesborough Farm to the north of the site;
 - b) a schedule of proposed planting (indicating species, size at time of planting and numbers or densities of plants);
 - c) a written specification outlining cultivation and other operations associated with plant and grass establishment; and
 - d) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
- 10) No building on any part of the development hereby permitted shall exceed 8.5m in height.
- 11) No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected around the site and residential properties. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.
- 12) No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:
 - i) the parking of vehicles of site operatives;
 - ii) the storage of materials used in constructing the development;
 - iii) the location of site operatives' facilities, including offices and toilets;
 - iv) measures to protect the amenities of nearby properties from noise, vibration and dust during construction.
- 13) No development shall take place until a phasing plan for the development hereby permitted has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan shall include details of:
 - i) the timing of the provision of infrastructure to serve the proposed development, including road improvements and drainage facilities, in relation to the provision of any new residential units; and
 - ii) the timing of the provision of a minimum of 1,165m² of on-site children's play and general open space in relation to the provision of any new residential units.

- 14) No development shall take place until a Site Waste Management Plan has been submitted to, and approved in writing by, the local planning authority. The plan shall include commentary and details on the issues set out in the submitted Waste Statement. Development shall be carried out in accordance with the approved plan.
- 15) No development shall take place until details of the route, alignment and specification for a 2m wide footway on the south side of Worcester Road, the B4084, from the existing bus stop and shelter to the application site fronting Salters Lane, the C2056, and a footway along Holloway have been submitted to, and approved in writing by, the local planning authority. The development hereby permitted shall not be occupied until the footways have been provided in accordance with the approved details.
- 16) No development shall take place until details of a scheme for the provision and implementation of a surface water regulation system have been submitted to, and approved in writing by, the local planning authority. The scheme shall include a flood risk assessment, drainage details to show how the development complies with the submitted water management statement and proposals for maintenance and adoption of the system. The scheme shall ensure no increase in run-off from the site for all flood events up to a 1 in 100 year event with allowances for climate change. The scheme shall identify any possible overland flood flow routes that could occur, and ensure that no properties are affected. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and thereafter maintained in accordance with the approved scheme.
- 17) No development shall take place until details of foul water drainage works to serve the development have been submitted to, and approved in writing by, the local planning authority. The details shall include an implementation timetable. Development shall be carried out in accordance with the approved details.
- 18) No development shall take place until further reptile surveys have been carried out in accordance with the Natural England Technical Information Note TIN102: Reptile Mitigation Guidelines to confirm the presence or absence of reptiles on the site and to inform a Reptile Mitigation Strategy, which shall include suitable habitat enhancement measures.
- 19) No development shall take place until a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation which has been submitted to, and approved in writing by, the local planning authority. No demolition or development shall take place other than in accordance with the approved scheme. The scheme shall include:
 - i) an assessment of significance and research questions;
 - ii) a programme and methodology for site investigation and recording;
 - iii) a programme for post investigation assessment;
 - iv) provision for analysis of the site investigation;
 - v) provision for the publication and dissemination of the records and analysis of the site investigation;

- vi) provision for the archive deposition of the records and analysis of the site investigation; and
 - vii) the nomination of a competent person, persons or organisation to undertake the work in the approved scheme;
- 20) Notwithstanding the information submitted with the planning application, no development shall take place until the following details have been submitted to, and approved in writing by, the local planning authority:
- i) renewable energy measures to be incorporated into the proposed development;
 - ii) measures to conserve and recycle water to be incorporated into the proposed development;
 - iii) energy efficiency measures to be incorporated into the proposed development; and
 - iv) construction materials to be used in the proposed development with the aim of minimising the use of primary non-sustainable materials.

The approved measures shall be incorporated into the development in accordance with a timetable to be submitted to, and approved in writing by, the local planning authority prior to the commencement of development and thereafter retained.

- 21) Demolition, clearance or construction works and deliveries to or from the site shall not take place outside 08.00 to 18.00 hours Mondays to Fridays and 08.00 to 13.00 hours on Saturdays nor at any time on Sundays or Bank Holidays.
- 22) The means of vehicular access for site operatives and construction traffic to and from the site shall be via Worcester Road, the B4084, and Salters Lane, the C2056, only.
- 23) No development shall take place until wheel cleaning apparatus has been provided within the site in accordance with details to be submitted to, and approved in writing by, the local planning authority and this apparatus shall be retained and operated throughout the construction period.
- 24) The development shall be carried out in accordance with the mitigation and enhancement measures listed in the ecological assessment by Ecology Solutions dated February 2011. Any reserved matters application relating to landscaping shall include specific recommendations from the assessment, such as the incorporation of bird nesting boxes and bat roosting features within the dwellings and on existing trees together with habitat enhancements for a variety of fauna including invertebrates, and the Reptile Mitigation Strategy.
- 25) All existing trees and hedges on the site, or branches from trees on adjacent land that overhang the site, unless indicated on the approved plans to be removed, shall be retained and shall not be felled or pruned or otherwise removed within a period of five years from the completion of the development. If any retained tree or hedge is removed, uprooted, destroyed or dies, replacement planting shall be carried out in the first available planting season of such species, sizes and numbers and in positions on site as may be specified by the local planning authority.

- 26) Temporary fencing for the protection of all retained trees and hedges on the site during development shall be erected, to a minimum height of 1.2m, below the outermost limit of the branch spread or at a distance equal to half the height of the tree, whichever is the further from the tree. Such fencing shall be erected, in accordance with BS 5837: 2012, before any materials or machinery are brought onto site and before any demolition or development, including the erection of site huts, is commenced. This fencing shall be retained until the completion of development, and nothing shall be stored or placed, nor shall any ground levels be altered, within the fenced areas. There shall be no burning of any material within 10m of the extent of the canopy of any retained tree or hedge.
- 27) The development hereby permitted shall not be occupied until a footway to provide pedestrian access within the application site from Salters Lane to Holloway has been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority.
- 28) The development hereby permitted shall not be occupied until a Residential Travel Plan (in accordance with the County Council's Travel Plan Guidelines for Developers) has been submitted to, and approved in writing by, the local planning authority. The plan shall include measures to encourage travel to and from the site by means other than the private car together with an implementation programme. The approved measures shall be carried out in accordance with the implementation programme.
- 29) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the approved archaeological Written Scheme of Investigation and the analysis, publication, dissemination and archive deposition of the records and analysis of the site investigation has been secured.
- 30) No individual dwelling shall be occupied until secure cycle parking to serve that dwelling, in accordance with the Council's standards, has been provided within the curtilage of the dwelling, and these facilities shall thereafter be retained for the parking of cycles only.