



Appeal Decision

Inquiry held on 10 October 2023

Site visit made on 10 October 2023

by **S Edwards BA MATCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th November 2023

Appeal Ref: APP/Y3940/W/23/3322502

Land at Saltersford Lane, Chippenham (Easting 390549 Northing 172073)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Waddeton Park Ltd against Wiltshire Council.
 - The application Ref PL/2022/06612, is dated 23 August 2022.
 - The development proposed is described as "Outline application for residential development of up to 70 dwellings with associated access, landscaping and open space. All matters reserved except for means of access".
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Decision

1. The appeal is allowed and outline planning permission is granted for "residential development of up to 70 dwellings, with associated access, landscaping and open space. All matters reserved except for means of access" at Land at Saltersford Lane, Chippenham (Easting 390549 Northing 172073) in accordance with the terms of the application, Ref PL/2022/06612, dated 23 August 2022, subject to the attached Schedule of Conditions.

Preliminary Matters

1. The description of development as detailed in the application form has been amended in subsequent documents. For clarity, I have taken the description of development included in section 4 of the Statement of Common Ground, and this is the description which I have also used in my formal Decision.
2. The application was submitted in outline. The application form indicates that approval is only sought for access. Appearance, landscaping, layout and scale are reserved for subsequent determination. I have had regard to the drawings showing the illustrative masterplan only insofar as they indicate how the site could be developed, and demonstrate the quantum of development that could be accommodated on the site.
3. The appeal is against the Council's failure to give notice within the prescribed period of a decision on an application seeking outline planning permission. As detailed in their Statement of Case, the Council initially indicated that had they been in a position to determine the application, it would have been refused. The Council provided four putative reasons for refusal, which included those relating to my main issues set out below. However, prior to the start of the Inquiry, following the submission of additional evidence by the appellant, the Council confirmed that their objections on highway safety grounds, noise

grounds, and archaeological matters had been resolved, subject to the imposition of suitable conditions and the completion of a legal agreement.

4. The appellant has submitted a legal agreement (the S106) signed and dated 20 October 2023, pursuant to Section 106 of the Town and Country Planning Act 1990. The S106, which would take effect should planning permission be granted, is intended to address the Council's fourth putative reason for refusal, which I shall return to later in this decision.

Main Issues

5. Having regard to the above considerations, my main issues for the purposes of this appeal are:
 - The effect of the proposal on highway safety;
 - Whether the proposal would provide satisfactory living conditions for future occupiers of the development, having particular regard to noise from surrounding industrial activities; and
 - The effect of the proposal on the significance of heritage assets, having particular regard to potential archaeological remains.

Reasons

Site description

6. Located to the south-west of Chippenham, the appeal site comprises two distinct parcels of agricultural land separated by hedgerow. The northern boundary of the site is formed by the Pudding Brook, whilst Saltersford Lane marks its western boundary. The railway line lies along the site's eastern boundary. This is a well contained site which, despite its proximity to built development, displays a distinct rural character, due to its undeveloped nature and the presence of mature vegetation, particularly along its outer boundaries.

Highway safety

7. The proposed development would introduce new vehicular and pedestrian access onto Saltersford Lane, which is subject to a 50mph speed limit. Saltersford Lane displays rural characteristics, being an unmarked two-lane carriageway which is to a large extent bordered either side by narrow verges and high bounding hedgerow, and does not benefit from a continuous footway. The site's immediate surroundings have been subject to major development in recent years, and the character of Saltersford Lane is as a result becoming increasingly urbanised.
8. The scheme as originally submitted proposed to reduce the speed limit along Saltersford Lane to 30mph from the Pheasant Roundabout for approximately 200 metres south of the Saltersford Lane's junction with Easton Lane. I understand that this was amongst other things justified by the increased urbanisation of the area. The scheme also proposed a number of improvements and traffic calming features to reinforce the proposed speed limit reduction.
9. The Council's submissions initially raised concerns in respect of the proposed speed limit reduction to 30mph, notably because the Hunters Moon development is largely screened by mature vegetation. The proposed development would be similarly screened by the existing hedgerow which, to a

large extent, is proposed to be retained. Without additional traffic calming measures, the Council considered that the presence of built development either side of the lane would therefore not be necessarily obvious to drivers, who may still feel like they are driving in a rural area, thus not prompting them to reduce their speed.

10. During the course of the planning application, minor changes to the access arrangements were made and additional evidence was submitted by the appellant, to substantiate the proposed speed limit reduction and address the Council's concerns. The speed surveys carried out along Saltersford Lane in November and December 2022 show that whilst the recorded 85th percentile speeds are well below the posted 50mph limit, those recorded to the south of Easton Lane are typically between 36 and 39mph.
11. These show that a speed limit reduction in this area would be achievable, subject to the implementation of a subsequent Traffic Regulation Order (TRO). Even if a 30mph speed limit reduction cannot be achieved, for example due to objections raised as part of the TRO process, the appellant's submissions demonstrate that suitable visibility splays would be achievable with a 40mph speed limit. On this basis, I am satisfied that the mechanisms included within the S106 would ensure that suitable arrangements are implemented to provide safe access to the development.
12. Furthermore, the access arrangements would, together with the proposed traffic calming measures and a speed limit reduction in this area, represent improvements to the environment for pedestrians and cyclists compared with the existing situation. Additionally, the proposed crossings for pedestrians and cyclists would promote a greater integration with the nearby Hunters Moon development.
13. Subject to suitable conditions and obligations included within the S106, the appeal scheme would not have an unacceptable impact on highway safety and it would encourage alternative modes of transport to the private car. It would therefore accord with paragraph 111 of the National Planning Policy Framework (the Framework) and Core Policies 57 and 61 of the Wiltshire Core Strategy¹ (WCS), which aim to ensure that new development is designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

Noise

14. The appeal site lies within proximity to the railway line, roads and commercial premises. The Environmental Noise Impact Assessment² submitted as part of the outline planning application focuses primarily on transport noise and potential vibration issues due to the proximity of some of the new dwellings to the railway line.
15. During the course of the planning application, the Council raised concerns regarding the absence of detailed assessment focused on neighbouring commercial noise sources surrounding the site, which include a builders merchant and a logistics/haulage company. In the absence of detailed noise assessment carried out in accordance with BS4142:2019, the Council felt unable to establish whether the appeal scheme would provide satisfactory

¹ Adopted January 2015.

² Assessment carried out by Acoustic associates sw ltd (Project Ref: 7680, Rev: 2, dated 19 August 2022).

living conditions for future occupiers of the development, and whether any issues could be adequately mitigated.

16. The Addendum Report³ submitted by the appellant during the course of the appeal provides additional information regarding the noise survey, which was carried out in August 2023. This survey focuses on noise from the neighbouring Builders Merchant, and the likely impact that this would have on the living conditions of future occupiers of the appeal development. Prior to the Inquiry, it was agreed by the main parties that the appeal proposals could be 'accommodated without any material noise impact from the activities at the builders merchant's yard', and there are no reasons for me to reach an alternative view.
17. Having regard to the presented evidence, I am satisfied that noise sources surrounding the appeal site have been appropriately considered. Accordingly, and subject to the imposition of conditions, the appeal scheme would provide satisfactory living conditions for future occupiers of the development, and accord with paragraph 185 of the Framework and the requirements of Core Policy 57(vii) of the WCS. This policy seeks to ensure that appropriate levels of amenity are achievable within the development itself.

Heritage assets

18. The appellant's submissions are supported by an Historic Environment Desk-Based Assessment⁴ (the DBA), setting out a 1km study area measured from the boundaries of the appeal site. The DBA confirms that a number of archaeological investigations have previously been undertaken within the study area. Mesolithic findspots were recorded within the study area, but also settlement features and artefactual evidence from the Neolithic period, and archaeological evidence of extensive human activity throughout the Bronze Age and the Iron Age. Additionally, significant Roman activity was recorded within the study area.
19. Given the wealth of recorded prehistoric and Roman activity within the site's immediate surroundings, the DBA identified potential for remains dating from these periods to have survived within the site. A number of uncertain features were also identified as part of the geophysical survey, which may be of prehistoric or Roman in nature, or could alternatively be of natural origin. The DBA also recognised that there could be archaeological remains within the site, which had not been detected during the geophysical survey.
20. The appellant commissioned a Written Scheme of Investigation⁵ (WSI) for an archaeological evaluation of the appeal site, comprising the excavation of trenches, firstly within the southern parcel and then within the northern field. The trenches were inspected by the County Archaeologist, who subsequently confirmed that a very low level of archaeological features had been identified.
21. For the above reasons, it is agreed by the main parties that the archaeological potential of the appeal site has now been sufficiently characterised. I have no reasons to disagree with this view or impose any conditions to deal with this

³ Addendum Report – Assessment of Builders' Merchant noise, carried out by Acoustic associates sw ltd (Project Ref: 7680-2, Rev: 1, dated 14 August 2023).

⁴ Cotswold Archaeology (CA Report: CR1079_1, dated August 2022).

⁵ Written Scheme of Investigation for an Archaeological Evaluation, Cotswold Archaeology (CA Project: CR1412, dated April 2023).

matter, given the investigative work that has already been carried out. Overall, the site appears to have low archaeological value, and the appeal scheme is therefore unlikely to have a harmful effect on heritage assets. I thus find no conflict with section 16 of the Framework and Core Policy 58 of the WCS, which states that development should protect, conserve and where possible enhance the historic environment.

Other Matters

22. In coming to my conclusions on the various issues that have been raised, I have given due consideration to all the representations that have been made, which I have balanced against the provisions of the development plan, the Framework and other material considerations.

Planning Obligations

23. In the event that planning permission is granted and implemented, the S106 would secure the provision of on-site affordable housing and public open space, including a play area. The S106 would also secure the delivery of off-site highway works, including pedestrian and cycleway links and crossings, as well as a financial contribution towards the costs incurred by the Council to prepare the TRO. Additionally, there would be financial contributions towards the provision of early years education places, off-site sports facilities, waste and recycling equipment for the new dwellings, and a public art scheme which would be delivered on site.
24. Prior to the Inquiry, a Community Infrastructure Levy (CIL) Compliance Statement was submitted by the Council. However, and whilst the main parties are satisfied with the content of the S106, I am required to assess whether the obligations are necessary to make the development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind to the development.
25. The need for affordable housing in the Chippenham Community Area is clearly evidenced. The appeal scheme would deliver at least 40% of the residential properties as affordable dwellings, which would meet the requirements of Core Policy 43 of the WCS. The S106 requires the provision of affordable housing to include a mix of affordable rented units, shared ownership units and First Homes. Moreover, some of these dwellings would have to be adapted units. These obligations would contribute towards meeting the identified housing need within Wiltshire, but also the needs of local vulnerable and older people, in accordance with the requirements of Core Policies 45 and 46 of the WCS.
26. The provision of public open space, which would incorporate a play area, reflects the requirements of Core Policies 3 and 52 of the WCS. The Council's submissions clearly identify the need for these facilities and explain the methodology followed to calculate the size of the open space, which is required as part of the development, as set out in the revised Wiltshire Planning Obligations Supplementary Planning Document⁶ (the Planning Obligations SPD) and Saved Policy CF3 of the North Wiltshire Local Plan (NWLP) (adopted 2006).
27. The need for the financial contributions towards early years education places, off-site sports facilities, public art, waste and recycling equipment for the new dwellings has been adequately substantiated. In each case, the relevant

⁶ Adopted October 2016.

policies to justify the need for the contributions have been clearly identified, and the methodology followed for their calculation has been explained in detail. It is also clear how, for each contribution sought, the money would be spent.

28. The off-site highway works are required in the interests of highway safety and thus to make the development acceptable in planning terms. The S106 also includes provisions setting out the mechanisms by which highway works will be implemented, as well as a financial contribution to cover the costs of the preparatory work for the TRO. On the basis of the presented evidence, I am satisfied that all these obligations meet the relevant tests set out in paragraph 57 of the Framework and the Community Infrastructure Levy Regulations.

Planning Balance

29. The appeal site lies adjacent to but nevertheless outside the defined limits of development for Chippenham, which Core Policy 1 of the WCS identifies as one of the principal settlements. These are strategically important centres and the primary focus for development in Wiltshire. As set out in Core Policy 2, development will however not be permitted outside the limits of development, other than in circumstances envisaged by other policies in the WCS.
30. The appeal scheme does not meet any of these exceptions listed in paragraph 4.25 of the WCS or in Saved Policy H4 of the NWLP. Furthermore, the site has not been allocated for development as part of the Chippenham Site Allocations Plan (adopted May 2017) or the Wiltshire Housing Site Allocations Plan (adopted February 2020).
31. Whilst the appeal site is increasingly surrounded by built form and the context of its immediate surroundings may have significantly changed since the WCS was adopted, the proposed development does not accord with the Council's delivery strategy. It therefore conflicts with Core Policy 2 of the WCS and Saved Policy H4 of the NWLP.
32. There is no dispute between the main parties that the Council is presently unable to demonstrate a five-year housing land supply. They however disagree regarding the extent of the shortfall. The evidence presented by the appellant and the Council indicates that the supply lies in the range of 3.58 years to 4.6 years. Whichever is correct, the extent of the shortfall is not insignificant.
33. In situations such as these where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11d(ii) of the Framework states that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
34. The appeal scheme would make an important contribution towards housing supply and choice, by delivering a range of market and affordable homes. Given the housing land supply situation, these are considerations which I ascribe significant weight to. Furthermore, the proposed dwellings would be situated in an accessible location, within relative proximity to a range of services and facilities.
35. The provision of public open space and public art would also benefit future residents and the wider community. Moreover, there would be economic

benefits associated with the appeal scheme, firstly as part of the construction of the development and subsequently as future residents would support local facilities. There would also be benefits from the biodiversity net gain which would result from the proposed development. I ascribe moderate weight to these considerations.

36. Overall, the appeal scheme's conflict with the Council's delivery strategy and thus the development plan would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The appeal should therefore succeed, as there are material considerations which indicate that it should be determined, other than in accordance with the development plan.

Conditions

37. The Council's list of suggested conditions was to a large extent agreed with the appellant prior to the Inquiry. I have considered these in the light of government guidance and policy on the use of conditions, making minor amendments where necessary. The appellant has confirmed his agreement to the suggested pre-commencement conditions, which are fundamental to the acceptability of the proposed development.
38. Conditions are necessary to identify the period within which development is to commence, ensure that reserved matters are submitted, confirm the timescale for the submission of the reserved matters application(s), as well as the drawings which the reserved matters will have to be in general accordance with. A condition requiring the development to be carried out in accordance with the approved plans and documents is also considered necessary. Those are all required to ensure certainty in the planning process and consistency with national policy and guidance.
39. Conditions requiring details of building materials, but also the submission of an Arboricultural Method Statement and details of a soft and hard landscaping scheme are required, to protect the character and appearance of the area, as well as important landscape features. As agreed by the main parties, I shall also impose a number of conditions to protect and mitigate for ecological receptors and conserve biodiversity. These notably include details of external artificial lighting and a Landscape and Ecology Management Plan (LEMP), which would have to be agreed in writing by the Local Planning Authority.
40. For similar reasons, I shall add a condition requiring a Construction and Environmental Management Plan (CEMP), to mitigate environmental impacts during the construction phase. Given the level of information which would have to be submitted to ensure that appropriate mitigation for reptiles is implemented, I am not satisfied that the conditions requiring the submission of a LEMP and CEMP would be sufficient in this instance. I therefore consider that a separate pre-commencement condition requiring details of a reptile management strategy is necessary.
41. Furthermore, I shall impose conditions requiring details of an acoustic design scheme and vibration survey to ensure that a suitable standard of accommodation is provided for future occupiers of the development. A condition regarding drainage details is considered necessary to reduce the risk of flooding. I shall also add a condition requiring a full travel plan, to promote non-private transport modes and active forms of travel. Additionally, conditions

are considered necessary in the interests of highway safety regarding access arrangements and the provision of visibility splays. Lastly, a condition requiring the development to be carried out in accordance with the Outline Sustainability Strategy is considered necessary to promote sustainable construction and low-carbon energy, as set out in the development plan and the Framework.

Conclusion

42. For the reasons detailed above, I conclude that the appeal should be allowed and outline planning permission should be granted, subject to the conditions set in the attached Schedule.

S Edwards

INSPECTOR

Richborough

APPEARANCES

FOR THE APPELLANT:

Charles Banner KC, of Keating Chambers	Instructed by Savills
Nick Matthews	Savills (Planning)
John Lloyd	Vectos (Transport)
David Richardson	Ashfords (Legal Agreement)

FOR THE LOCAL PLANNING AUTHORITY:

Ned Helme, of 39 Essex Chambers	Instructed by Wiltshire Council
Mark Flood	Insight Town Planning Ltd (Planning)
David Lear	Jacobs Engineering UK (Transport)
Simon Smith	Wiltshire Council (Planning)
Aimée Pearce	Wiltshire Council (Legal Agreement)

DOCUMENTS

- ID1 Opening statement on behalf of the appellant
- ID2 Opening statement on behalf of the Council
- ID3 CIL Compliance statement
- ID4 Schedule of planning conditions (as at 9 October 2023)
- ID5 Executed Legal Agreement
- ID6 Post Inquiry updated planning conditions (19 October 2023)

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun either before the expiration of three 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 to be approved, whichever is the later.
- 2) No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by the Local Planning Authority:
 - a) The scale of the development;
 - b) The layout of the development;
 - c) The external appearance of the development;
 - d) The landscaping of the site.

All applications for approval of the reserved matters shall be submitted to the Local Planning Authority before the expiration of three years from the date of this permission. The development shall be carried out in accordance with the approved details.

- 3) The reserved matters as submitted shall be in general accordance with the following drawings:

- Illustrative masterplan 220304 L 02 01
 - Access, land use and building heights plan 220304 PP 02 01
 - Green infrastructure plan 220304 PP 02 02
 - Ecological Parameters Plan (EPP), Ref: 211220_EPP_REV01, by Environmental Gain Ltd
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
- Application form dated 23 August 2022
 - Location Plan 220304 L 01 01
 - Tree Protection Plan, Ref: 05823 TPP 19.8.22, by Aspect Tree Consultancy Ltd.

The following drawings only to the extent that they show the means of vehicular, cycle and pedestrian access between the site and the public highway:

194931/PD04.C;
194931/PD04.1A;
194931/PD04.2A;
194931/PD04.3C;
194931/PD04.5A;
194931/PD04.6A;
194931/PD04.8A;
194931/PD04.9.

- 5) The development hereby approved shall not commence (including site clearance, vegetation clearance and boundary treatment works) until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the CEMP as approved. The CEMP shall include details of the following relevant measures:
- a) Amenity, Hours and Safety
 - An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
 - A description of management responsibilities;
 - A description of the construction programme;
 - Site working hours and a named person for residents to contact;
 - Detailed site logistics arrangements;
 - Details regarding parking, turning, deliveries and storage;
 - Details regarding dust and noise mitigation;
 - Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the

highway network, including road cleaning and measures to prevent excessive mud and dust being deposited on the public highway;

- Communication procedures with the Local Planning Authority and local community regarding key construction issues – newsletters, fliers, etc; and
- Monitoring of, and measures to retain the existing vegetation across the site, together with details of drainage arrangements during the construction phase.

There shall be no burning undertaken on site at any time.

Construction works shall take place only between 0800 and 1800 hours [Monday to Friday], 0800 and 1300 hours [Saturday], and shall not take place at any time on Sundays or on Bank or Public Holidays.

b) Ecology

The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- Identification of ecological protection areas/buffer zones and tree protection areas and details of physical means of protection, e.g. exclusion fencing;
- Working method statements for protected/priority species, such as nesting birds, amphibians and reptiles;
- Mitigation strategies already agreed with the Local Planning Authority prior to determination, such as for great crested newts, reptiles, birds, badgers, bats; this should comprise the pre-construction /construction related elements of strategies only;
- Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site;
- Key personnel, responsibilities and contact details (including site manager and ecologist/ECoW; and
- Timeframe for provision of a compliance report to the Local Planning Authority, to be completed by the ecologist/ECoW and to include photographic evidence.

- 6) Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment work, a Reptile Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the details of how the site and the reptile receptor site will be managed prior to, during and post-construction of the development hereby permitted. The methodology of the reptile translocation shall be included in the strategy along with how the site will be protected during the operational phase of the development and confirmation of who is responsible for each task. The strategy shall be implemented in full and for the lifetime of the development, in accordance with the approved details.

- 7) Prior to the start of construction of the development hereby permitted, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.
- 8) Prior to development starting on site, details of an acoustic design scheme for protecting the dwellings hereby permitted from external traffic and railway noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that, upon completion of the development, the following noise criteria shall be met, in accordance with the Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017) (or subsequent versions):
- a) Bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LMax, F of 45dB;
 - b) Living rooms and dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A);
 - c) External amenity spaces shall achieve a 16-hour LAeq (07:00 to 23:00) of 55dB(A);

Using closed windows to achieve the internal noise level target shall only be considered if necessary and once all other acoustic design and mitigation measures have been utilised. The details as approved shall be implemented prior to occupation of the development and be permanently retained thereafter.

- 9) Prior to the commencement of the development hereby permitted, a detailed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be undertaken and maintained in accordance with the strategy as approved. The submitted strategy shall provide for the following:
- A 40% uplift in peak rainfall intensity taking account of climate change in line with Environment Agency guidance;
 - Calculations which demonstrate that the required 20% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100-year return period storm events;
 - A plan showing overland exceedance routes for flows in excess of the 1 in 100-year plus climate change (40%) rainfall event, that minimise the risk to people and property. The strategy must demonstrate that overland flows are wholly and safely managed on site in order to manage risk to people and property;
 - Confirmation from the sewerage undertaker that the foul water connection will not result in an increase in flood risk, and acceptance

- of an agreed connection point and discharge rate for surface water disposal;
- Detailed calculations demonstrating the performance against the 1 in 30-year plus climate change, and 1 in 100-year plus climate change storm events.
- 10) No development shall commence until a Full Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until those aspects of the Full Travel Plan capable of being implemented prior to occupation have been implemented. Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.
- 11) An appropriate vibration survey shall be carried out with reference to BS 6472-1: 2008 by a competent person and submitted in writing to the Local Planning Authority. If monitored vibration levels exceed the low probability vibration dose value (VDV) thresholds of 0.2 to 0.4 m/s^{1.75} during the day (07:00 hrs to 23:00 hrs) and 0.1 to 0.2 m/s^{1.75} at night (23:00 hrs to 07:00 hrs) as set out in table 1 of BS 6472-1, then a full assessment shall be carried out with reference to BS 6472-1. The assessment shall detail a mitigation scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that there would be no unacceptable impact on residential amenity and shall be implemented in accordance with the approved details, prior to first occupation of the development and permanently retained thereafter. When considering potential impacts and mitigation of vibration, the assessment should consider the VDV as indicators of potential impact and disturbance. The assessment should consider variations between daytime and night-time vibration and whilst the VDV will give an indication of possible response to vibration the variation in peak particle velocity may be a critical concern particularly at night.
- 12) Prior to first occupation of any dwelling hereby permitted, the means of vehicular, pedestrian and cycle access between the public highway and the site, as shown on the highway drawings specified in condition 4 of this permission, shall be fully constructed and made available for use. Each means of access as so provided shall have the following visibility splays (unless alternative visibility splays are agreed in writing with the Local Planning Authority through detailed design):
- a) Vehicular access:
 - Splays as shown in pink on drawing number 194931-PD04.3C;
 - b) Footpath/cycleway parallel to Saltersford Lane:
 - For its two crossing points to Saltersford Lane, splays as shown in pink/orange on drawing number 194931-PD04.3C;
 - For its crossing point with the site's access road, intervisibility splays as shown in blue on drawing number 194931-PD04.3C;

c) The junctions of the footpath/cycleways with Saltersford Lane, to the south of Taffswell Farm:

- Splays as shown in green on drawing number 194931/PD04.2A;

The splays shall thereafter be maintained in perpetuity, with nothing above 600mm in height within them.

- 13) Prior to first occupation of any dwelling hereby permitted, the section of cycleway/footway inside the site linking the two crossings and that around the radius of the Easton Lane junction providing connection to the Easton Lane footway, which are both shown in light grey on drawing number 194931/PD04.1A, shall have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, and shall be retained thereafter.
- 14) The gradient of the vehicular access, which shall be constructed prior to first occupation of the development hereby permitted, shall not exceed 1 in 20 over the first 10 metres from the edge of the Saltersford Lane carriageway. The access shall be retained as such thereafter.
- 15) No dwelling shall be built above ground floor slab level until details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16) No development shall commence above ground floor slab level until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - Location and current canopy spread of all existing trees and hedgerows on the land;
 - Full details of any trees and hedgerows to be retained, together with measures for their protection in the course of development;
 - A detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - Means of enclosure;
 - Car park layouts;
 - Other vehicle and pedestrian access and circulation areas;
 - All hard and soft surfacing materials;
 - The timescales for the implementation of the hard and soft landscaping scheme.

The hard and soft landscaping shall be carried out in accordance with the approved details, and shall thereafter be maintained as such.

- 17) The reserved matters as applied for shall include an Arboricultural Method Statement to provide details of the amount and location of hedgerow required to be removed, details of any no-dig specification, tree protection measures and any other matters which may affect trees and hedgerow on site during the construction process. The development shall be carried out in accordance with the Method Statement as approved.

- 18) No new external artificial lighting shall be installed at the site other than in accordance with details which shall first have been submitted to and agreed in writing with the Local Planning Authority.
- 19) The development hereby permitted shall be carried out in accordance with the principles and approach set out in the Outline Sustainability Energy Strategy (Savills Earth) dated May 2023.

END OF SCHEDULE

Richborough