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## Appeal Decision

Site visit made on 29 May 2018

**by C Cresswell BSc (Hons) MA MBA MRTPI**

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

**Decision date: 21 June 2018**

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**Appeal Ref: APP/R3325/W/17/3190400**

**North Street Trading Estate, North Street, Crewkerne, Somerset TA18 7AW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Stonewater Ltd against the decision of South Somerset District Council.
  - The application Ref 15/04770/FUL, dated 21 October 2015, was refused by notice dated 26 July 2017.
  - The development proposed is the erection of 42 No. dwellings and associated works including access improvements onto North Street, parking for Ashlands School and separate footpath link to North Street via Ashlands School.
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### Decision

1. The appeal is allowed and planning permission is granted for 'the erection of 42No dwellings and associated works including access improvements onto North Street, parking for Ashlands School and separate footpath link to North Street via Ashlands School' at North Street Trading Estate, North Street, Crewkerne, Somerset TA18 7AW in accordance with the terms of the application, Ref 15/04770/FUL, dated 21 October 2015, subject to the conditions set out in the Schedule at the end of this Decision.

### Application for costs

2. An application for costs was made by Stonewater Ltd against South Somerset District Council. This application is the subject of a separate Decision.

### Procedural Matter

3. The description of the development in the heading above is taken from the Appeal Form as it more accurately describes the proposal which was before the Council when the planning application was determined.

### Main Issue

4. The main issue is the effect of the proposal on the safe and efficient operation of the highway network in the vicinity of the appeal site.

### Reasons

5. The appeal concerns a site on the edge of Crewkerne which was previously used as a trading estate. I understand that it contained a number of buildings which have now been demolished, although much of the site is now overgrown with trees and mature vegetation. However, there remains a sizeable area of

hardstanding which appears to be used for parking. Vehicular access is from North Street via a single lane which runs between existing dwellings. Towards the end of the lane nearest the site there are also commercial units. Adjoining land has been designated as a Site of Special Scientific Interest (SSSI) and a County Wildlife Site due to its ecological interest. The site also adjoins Ashlands Church of England First School, which is Grade II listed.

6. It is proposed to construct 42 dwellings on the site, with vehicular access from the existing lane. There would also be a separate pedestrian only footpath onto North Street next to the school. Although the site previously had planning permission for 24 dwellings, this lapsed on 30 July 2017 and hence there is no fallback position in the event of this appeal being dismissed. The fact that the Council has granted permission for housing on the site in the past has very little bearing on the current appeal, which is for an entirely different proposal supported by a different evidence base.
7. A number of measures are proposed to improve the ability of the access road to accommodate the traffic generated by the proposed housing. This includes road widening works combined with built out areas of kerb to help improve visibility. The plans indicate that the modified access road would be at least 4.8 metres wide, apart from an intentionally narrowed section which would be introduced for traffic calming purposes. According to the *Manual for Streets*<sup>1</sup> this is a sufficient width to allow two cars to pass, or for a lorry and a car to pass. Although neighbouring occupiers question whether the land necessary for these alterations is under the appellant's control, these are private matters between the relevant parties. Planning permission does not negate any legal rights relating to land ownership or damage to property.
8. Detailed highways objections are set out in the appeal statement prepared by Mark Baker Consultants (MBC) on behalf of the Council and dated March 2018. This argues that the access arrangements would compromise highway safety, both within the existing lane and also within North Street. This is refuted by the appellant's own highway consultants, Peter Evans Partnership (PEP) whose most recent statement is also dated March 2018. I have had close regard to both sets of technical evidence in reaching my decision in this appeal.
9. The ability of the lane to provide safe access is partly contingent on the volume of traffic that would be generated as a result of the proposed development. With this in mind, MBC argue that traffic flows from the proposed affordable housing units have been underestimated. However, the subsequent response from PEP directly addresses this matter and shows that differences between the methods of calculation would only have a marginal effect on the estimated traffic flows. Overall, there is little to indicate that the traffic flows from the development would be substantially higher than anticipated.
10. The Road Safety Audit was carried out by an independent auditor (Go-Surveys) on behalf of the appellant. This concludes that the access arrangements would be safe. MBC suggest that the audit is flawed because it is based on the assumption that the traffic impacts of the development would be no greater than they are at present. However, I have been supplied with an email from Go-Surveys confirming that they were aware that the development would increase total traffic movements throughout the day. It is only during certain times when traffic movements were forecast to decline.

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<sup>1</sup> *Manual for Streets*, Department for Transport, 2007.

11. I note that the auditors undertook a site visit and would have therefore been in a position to understand the characteristics of the site, together with the likely impact of vehicles and their swept paths. A local resident has informed me of a recent accident in North Street where a car emerged from the access road into the path of a motorcyclist. While I accept that accidents can occur, there is little evidence before me to indicate that this particular access is unduly dangerous. Furthermore, the auditors have based their conclusions on the modified junction which would include works to improve visibility.
12. It is accepted by both parties that lorries and service vehicles would encroach onto both sides of North Street when turning into the access and would occupy the full width of the road. This has clearly has some potential to hold up traffic in North Street as well as blocking the path of vehicles exiting the site. In the event of two vehicles being unable to pass each other, it is possible that reversing in either direction would need to take place. This may include back out onto North Street, or around the bend into the site.
13. Despite this, the evidence indicates that lorries and service vehicles would be unlikely to enter the site on a very frequent basis throughout the day and so this would not be an especially regular occurrence. I am also mindful that large vehicles already use the access to reach the commercial units and there is little before me to indicate that this had led to rear end shunts or other safety problems in the past. Although traffic flow would increase as a result of the development, the road would also be widened and overall visibility would be improved. This would include at the junction along North Street and where the access road bends in to the site. Hence, overall safety would not be compromised as a result of the proposal. Furthermore, there is little before me to indicate that emergency services could not access the site.
14. I am aware that vehicles need to reverse onto the access road from existing housing. However, drivers reversing from these properties would benefit from the improvements to visibility. Considering that traffic would be travelling at low speeds with less than 100 vehicles per hour each way at peak times, this arrangement would not be unduly harmful. Similarly, the Manual for Streets indicates that such a route could be safely shared by vehicles, cyclists and pedestrians. It is likely that a good deal of pedestrians would make use of the proposed footpath next to the school and this would further reduce the potential for conflicts between users of the access road.
15. I have been provided with a letter from the Highway Authority in connection with an application which sought to lawfully establish the use of the site as a car park for the school. Although the road is described as narrow and having a poor quality access, these comments were not made on the basis of the widening works currently being proposed.
16. The site is currently accessed by vehicles in order to drop children off to school. According to MBC, around 50% of those currently using the site to collect and drop off children would continue to use it. However, this would still result in peak traffic flows of less than 100 vehicles per hour each way. While it could not be guaranteed that the remaining 50% would make use of the North Street car park, it would nonetheless offer some alternative to vehicles stopping on the main road and disrupting the flow of traffic. I also understand that the current use of the site for school parking and dropping off is an informal arrangement which could potentially be withdrawn at any time.

17. This leads me to conclude on the main issue that the proposed development would have an acceptable effect on the safe and efficient operation of the highway network in the vicinity of the appeal site. There would be no conflict with Policy TA5 of the South Somerset Local Plan 2015 or paragraph 32 of the National Planning Policy Framework (the Framework) in this regard. These seek to ensure safe and suitable access arrangements.

#### *Other matters*

18. I am aware that the site is overgrown with mature vegetation and is likely to contain wildlife. However, conditions could be imposed to ensure that the site is surveyed and appropriate mitigation measures are put in place to protect valued species. Similarly, fencing and other measures can be used to ensure adequate separation of the site from the adjacent SSSI.
19. Whilst the site is within Flood Zone 2, the evidence before me suggests that engineering measures can be put in place to help minimise the risk of flooding taking place. Although the school is Grade II listed, the proposed housing would be set below the building. As such, the visual setting of school would not be harmed as a result of the development.

#### *Planning Obligation*

20. I have been provided with a signed and dated unilateral undertaking. This proposes that the development comprises at least 35% affordable housing to be retained in perpetuity. A financial contribution of £24,000 is also proposed towards improvements of the Henhayes Recreation Ground. Such contributions are necessary to comply with the relevant development plan policies.
21. The Officer Report advises that the proposed development should make a contribution of £171,798 towards leisure facilities. However, the appellant argues that a contribution of no more than £24,000 should be made in order to ensure the scheme remains viable. I understand that the District Valuer agrees with this assessment. Yet while the unilateral undertaking proposes a contribution of £24,000 towards leisure facilities, the Council say that it should contain a clause that would enable a larger contribution to be made in the event of market conditions improving.
22. Although paragraph 205 of the Framework advises that account should be taken of changing market conditions where obligations are being sought, this is in the context of preventing planned development from being stalled. Of more direct relevance is paragraph 17<sup>2</sup> of the National Planning Practice Guidance which states *that viability assessment in decision-taking should be based on current costs and values. Planning applications should be considered in today's circumstances. However, where a scheme requires phased delivery over the medium and longer term, changes in the value of development and changes in costs of delivery may be considered.* In this particular case, a phased delivery is not being proposed and therefore I consider that the clause suggested by the Council is unnecessary.
23. The Council in their letter dated 23 March 2018 say that a 45% affordable housing contribution is required. I am informed that this was an error and the Council would be satisfied with a 35% affordable housing contribution as referred to in the Officer Report and other appeal documents.

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<sup>2</sup> Reference ID: 10-017-20140306

24. The Council also argue that a financial contribution should be made towards a travel plan. However, both parties agree that the residual cumulative impacts of the development would not be 'severe'. Hence, in my view the objectives of Local Plan Policy TA4 would not be compromised if a travel statement were to be secured through a condition, such as that suggested by the Council.
25. Overall, I consider the proposed planning obligation to be necessary, directly related to the development and fairly related in scale and kind. It would therefore meet the statutory tests.

### **Conclusion**

26. I do appreciate that there is local opposition to the proposed development and have carefully considered the objections lodged during both the application stage and the appeal stage. However, the evidence has led me to conclude that the appeal should be allowed.

### **Conditions**

27. In the interests of clarity, standard conditions requiring the development to be carried out in accordance with the plans and within a time limit have been imposed. To protect the character and appearance of the area there are conditions requiring further details of materials and other elements of the proposal including landscaping. For similar reasons, some permitted development rights are also removed. There are also conditions to protect the site from flooding, including conditions requiring details of flood alleviation measures and surface water drainage. Given the former use of the site as a trading estate, potential contamination risks are also addressed.
28. In the interests of wildlife protection, there are conditions to safeguard the adjacent SSSI, including further details of fencing and hydrological measures. There are also conditions requiring wildlife surveys of the existing site and appropriate mitigation measures to ensure valued species are not unduly harmed. To protect local residents during construction there is a condition requiring a construction management plan. For highway safety reasons, there are conditions requiring the proposed road improvements to be implemented, with further details to be approved by the Council. There is also a condition to ensure car park space is reserved for school use. As discussed above, a condition is imposed requiring a travel statement. Other conditions require details of refuse collection arrangements and boundary treatments.

*C Cresswell*

INSPECTOR

## **Schedule of Conditions**

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

3609/PL/30 (Topographical Survey)

3609/040 (Plots 2 & 3 Floor Plans)

3609/041 (Plots 2 & 3 Elevations)

3609/074 (Retaining Wall Details)

CLD55 Rev A (Landscaping)

CLD55/02 (Nature Reserve Planting Plan)

3609/001 Rev C (Location Plan)

3609/PL/27 Rev H (Street Scenes / Sections)

3609/042 Rev A (Plot 5, 6, 7, 15, 16, 25, 26, 27, 30, 31 - Floor Plans),

3609/043 Rev A (Plot 5, 6, 7, 15, 16, 25, 26, 27, 30, 31 - Elevations),

3609/044 Rev A (Plot 21, 22, 23 - Floor Plans)

3609/045 Rev A (Plot 21, 22, 23 - Elevations)

3609/046 Rev A (Plot 1, 17, 18 - Plans)

3609/047 Rev A (Plot 1, 17, 18 - Elevations)

3609/048 Rev A (Plot 4, 8, 24, 29, 32 - Plans and Section)

3609/049 Rev A (Plot 4, 8, 24, 29, 32)

3609/050 Rev A \*Plot 20, 28 - Floor Plans and Section)

3609/051 Rev A (Plot 20, 28 - Elevations)

3609/052 Rev A (Plot 19 - Floor Plans and Section)

3609/053 Rev A (Plot 19 - Elevations)

3609/054 Rev A (Plot 9 - 14 - Floor Plans 1)

3609/055 Rev A (Plot 9 - 14 - Floor Plans 2)

3609/056 Rev A (Plot 9 - 14 - Elevations)

3609/057 Rev A (Plot 9 - 14 - Elevations 2)

3609/058 Rev A (Plot 33 - 38 - Floor Plans 1)

3609/059 Rev A (Plot 33 - 38 - Floor Plans 2)

3609/060 Rev A (Plot 33 - 38 - Elevations 1)

3609/061 Rev A (Plot 33 - 38 - Elevations 2)

3609/062 Rev B (Plot 39 - 42 - Floor Plans)

3609/063 Rev B (Plot 39 - 42 - Elevations 1)

3609/064 Rev B (Plot 39 - 42 - Elevations 2)

- 2801.01 Rev H (Proposed Vehicular Access)  
3609/PL/10 (Rev BB Site Plan)  
3609/082 Rev D (Proposed Footpath Layout)  
3609/083 Rev A (Footpath Sections).
3. No building operations above damp proof course level of the dwellings shall take place until details of the materials to be used in the construction of the external surfaces, doors, windows, stonework, render, brick and roof finish of the dwellings hereby permitted 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.
  4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
  5. The development hereby permitted shall not be occupied until a scheme for the maintenance of the Nature Reserve (Drawing No. CLD 55/02) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
  6. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping (Landscaping Scheme received 27 May 2016; Arboricultural Report and Method Statement by Clarke Design dated September 2016; Landscape Statement by Clark Landscape Design dated September 2016; Landscape Schedule and Specification Rev A by Clark Landscape Design dated September 2016; Drawing No.'s CLD 55/02 and CLD 55 Rev A) shall be carried out in the first planting and seeding season following the completion of the development; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
  7. No development shall be commenced until details of the surface water drainage design together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. Such works shall be carried out in accordance with the approved details. Those details shall include:
    - (a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
    - (b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant. Including detailed calculations and assessment of downstream affects from the upsizing of the culverted watercourse sections within the site boundary.

- (c) Flood water exceedance routes, both on and off site, note: no part of the site must be subjected to flooding unless specifically designed to do so.
  - (d) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements, including notification of riparian ownership and associated responsibilities, to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.
8. No development approved by this permission shall be commenced until a scheme for the provision; implementation and future maintenance of flood alleviation works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.
9. No development approved by this permission shall be commenced until a scheme for maintaining the flow conveyance of the watercourse during construction of this proposal has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
10. The detailed drawings to be submitted for approval include a topographical survey related to Ordnance Datum of existing ground levels contoured at 0.25 metre intervals, together with details of proposed finished levels.
11. Finished floor levels should be set at least 600mm above the 1 in 100 year flood level of there-engineered brook through the site.
12. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- (a) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - (d) 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 in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.



- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
  14. No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
  15. The development shall not commence until full details of fencing to provide protection to the SSSI, including a plan and timing of installation, has been submitted to and approved in writing, following consultation with Natural England and the site owner, by the local planning authority. The fencing shall be installed in accordance with the approved details and timing.
  16. The development shall not commence until full details of measures for the protection of the hydrological conditions and features of the Millwater Site of Special Scientific Interest have been submitted to and approved in writing, following consultation with Natural England, by the local planning authority. The measures shall be informed by an appropriately qualified hydrological consultant. The drainage plans for the development will need to accord with the protective measures for the SSSI. The approved measures shall be implemented in full.
  17. The development hereby permitted shall not commence (including any tree, scrub or vegetation clearance) until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Dormouse Mitigation Plan detailing timing restrictions and protective measures to avoid and mitigate for harm to dormice, and details of replacement habitat to compensate for loss of dormouse habitat connectivity. The works shall be implemented in accordance with the approved details and timing, as modified to meet the requirements of the 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.
  18. The development hereby permitted shall not commence (including any tree, scrub or vegetation clearance, site clearance nor ground works) until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Great crested newt Mitigation Plan detailing timing restrictions and protective measures to avoid, mitigate and compensate for harm to great crested newts. The works shall be implemented in accordance with the approved details and timing, as modified to meet the requirements of the 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.
  19. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a mitigation plan detailing measures to avoid harm to reptiles, has been submitted to and approved in writing by the

local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan.

20. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, scrub) shall be carried out between 1st March and 31st August inclusive in any year, unless recently checked by a consultant ecologist for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have fledged.
21. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, scrub) shall be carried out between 1st March and 31st August inclusive in any year, unless recently checked by a consultant ecologist for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have fledged.
22. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:
  - (a) Description and evaluation of features to be managed.
  - (b) Aims and objectives of management.
  - (c) Management prescriptions and work schedule.
  - (d) Details of the body or organization responsible for implementation of the plan.
  - (e) Ongoing monitoring and remedial measures.
  - (f) The roles and responsibilities and operations that will be overseen by an Ecological Clerk of Works.

The approved plan will be implemented in accordance with the approved details.

23. No work shall commence on the development hereby permitted until the works to North Street have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details.
24. No work shall commence on the development hereby permitted until a scheme of works for the access road has been submitted to and approved in writing by the Local Planning Authority. Such works shall then be fully implemented in accordance with the approved details, prior to the development hereby permitted first being occupied. The provision of these works will require a legal agreement and contact should be made with the Highway Authority as soon as is practicable to commence this process.
25. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plans shall include:
  - (a) Protection of ecology assets (based on example in British Standard 42020)
  - (b) Construction vehicle movements;
  - (c) Construction operation hours;
  - (d) Construction vehicular routes to and from site;

- (e) Construction delivery hours;
  - (f) Expected number of construction vehicles per day;
  - (g) Car parking for contractors;
  - (h) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
  - (i) A scheme to encourage the use of Public Transport amongst contractors;
  - (j) Measures to avoid traffic congestion impacting upon the Strategic Road Network.
26. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
27. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
28. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.
29. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
30. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
31. No work shall be carried out to erect any boundary treatment and lighting along the pedestrian footpath to the south of Ashlands School unless full details of the boundary treatments, including walls, fences, railings, gates, gateposts and lighting have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and permanently retained and maintained.
32. The school car park hereby permitted shall only be used as parking/dropping off point in association with Ashlands School. Prior to the occupation of any dwelling on site a scheme shall be submitted to and approved in writing by the Local Planning Authority describing how the school car park will be controlled and how to prevent unauthorised parking. The car park shall be operated in

accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

33. Prior to the occupation of any of the dwellings hereby approved adequate provision for the storage and collection of wheeled refuse and recycling bins shall be provided on the site in accordance with details to be submitted and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.
34. No buildings shall be constructed over the top of the culverted main river.
35. Prior to the commencement of development, a travel statement is to be submitted to and approved in writing by the Local Planning Authority. This should include measures to promote sustainable travel along with a timetable for the implementation of the measures. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should then continue to be implemented as long as any part of the development is occupied.