



Appeal Decision

Site visit made on 16 February 2016

by Robert J Jackson BA MPhil DMS MRTPI MCI

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

Decision date: 12 May 2016

Appeal Ref: APP/W0530/W/15/3139078

18 Boxworth End, Swavesey, Cambridgeshire CB24 4RA

- 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 Mr & Mrs R Mallindine against the decision of South Cambridgeshire District Council.
 - The application Ref S/0875/15/OL, dated 25 March 2015, was refused by notice dated 28 October 2015.
 - The development proposed is development of 30 new dwellings comprising 18 market and 12 affordable units plus open space, children's play area and landscaping with all matters reserved save for access.
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Decision

1. The appeal is allowed and planning permission is granted for development of 30 new dwellings comprising 18 market and 12 affordable units plus open space, children's play area and landscaping with all matters reserved save for access at 18 Boxworth End, Swavesey, Cambridgeshire CB24 4RA in accordance with the terms of the application, Ref S/0875/15/OL, dated 25 March 2015, subject to the conditions set out in the attached Schedule.

Application for costs

2. An application for costs was made by Mr & Mrs R Mallindine against South Cambridgeshire District Council. This application is the subject of a separate Decision.

Procedural matters

3. The application is for outline planning permission with all matters except access reserved. The application was accompanied by a Proposed Masterplan but this is stated only to be illustrative. I have dealt with the appeal on this basis.
4. A completed revised Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 (as amended) dated 7 March 2016 was submitted. This provides for affordable housing, open space, contributions towards education, household waste receptacles and a monitoring contribution. I will discuss the implications of this later in this decision.
5. Following the decision of the Court of Appeal in the case of Suffolk Coastal District Council & Hopkins Homes v SSCLG¹ the parties were given the

¹ [2016] EWCA Civ 168

opportunity of commenting on the issues raised by this case. I have had regard to the responses received in my decision.

Main Issues

6. The main issues in this appeal are:

- whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply;
- the effect on the character and appearance of the area;
- whether the proposal would set a precedent for other development; and
- the effect of the proposal on the provision of affordable housing, open space, education and household waste receptacles.

Reasons

7. The appeal site lies towards the southern end of the village of Swavesey in an area known as Boxworth End. The pattern of development in the area is predominantly made up of frontage development, although there is some development in depth. In particular, a short way and separate to the north is the Swavesey Village College where the buildings are set back from the road with the playing fields behind that.
8. The countryside is generally flat although there are variations in the topography which mean that the village can only be seen from certain viewpoints. The fields are surrounded by hedgerows which also have the effect of limiting views of the village.
9. The appeal site currently forms the side garden of 18 Boxworth End which is laid to lawn. The appeal site then extends to an area of less well maintained ground which was previously an orchard and beyond that into a rectangular field (the housing field) which is currently enclosed by hedgerows. These hedgerows are of varying quality and height appearing from within the site to be quite gappy or made up of brambles. However, when viewed from further distance these gaps are less pronounced.
10. Further to the west is another field surrounded by hedgerows which is in the same ownership as the appeal site. This field (the recreation field) lies behind the Village College playing fields and is subject to the Planning Obligation.
11. To the north of the appeal site is a detached dwelling, 10 Boxworth End, with a number of outbuildings including some recently constructed stables. I am informed that planning permission has been granted for a single dwelling to the rear of this dwelling.
12. Access would be created to Boxworth End by demolishing the existing boundary wall. The illustrative layout shows two detached dwellings a short distance to the rear of Nos 10 and 18 with the remainder of the dwellings on the housing field. A Local Area of Play is shown to the west of an existing pond towards the middle of the site.

Sustainable Development

Development Plan policies

13. The development plan for the area comprises the South Cambridgeshire Core Strategy DPD (CS) and the Development Control Policies (DCP) adopted respectively in January and July 2007. I have not been provided with the text of Policy DP/7 of the DCP but from the officer report it is clear this normally only permits development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside.
14. The majority of the site, that is the housing field, lies outside the village framework of Swavesey and this would therefore represent development in the countryside. As such the proposal would be contrary to the development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 makes it clear that this determination should be in accordance with the terms of the development plan unless other material considerations indicate otherwise.
15. Policy ST/6 of the CS defines Swavesey as a Group Village where residential development up to an indicative maximum scheme size of 8 dwellings will be permitted within the village framework. The policy indicates, exceptionally, that schemes of up to 15 dwellings may be permitted where this would make the best use of a single brownfield site.
16. I have also been referred to three specific policies of the DCP. Policy DC/2 which sets out various criteria for the design of new development, including that any development should preserve or enhance the character of the local area. Policy DC/3 sets out various requirements for development, subject to the nature, scale and economic viability. These include the provision of affordable housing, appropriate access, and outdoor play space. It also indicates that permission will not be granted where the proposal would have an unacceptable adverse impact on, amongst others, village character and the countryside and landscape character.
17. Thirdly, Policy NE/4 indicates that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the Landscape Character Area in which the site is located. In this, the site lies within Natural England's national character area of the Bedfordshire and Cambridgeshire Claylands.

Policies for the supply of housing

18. The National Planning Policy Framework (the Framework) indicates in paragraph 47 that it seeks to boost significantly the supply of housing, and seeks local planning authorities to ensure that they have a five-year supply of deliverable housing sites. Paragraph 49 makes it clear that relevant policies for the supply of housing should be not considered up-to-date if a five-year supply of deliverable housing land cannot be demonstrated.
19. The Council in its statement indicates that it cannot deliver such a five-year supply, although it has set out in some length the efforts that it has sought to deliver this through the submission of the South Cambridgeshire Local Plan (SCLP). The Inspectors appointed to examine this plan and the Cambridge Local Plan indicated in May 2015 that they had a number of issues including as to how the housing need had been derived and whether it had taken account of

the advice in the national Planning Practice Guidance (the PPG) as to market signals. This has led to the examination being suspended and further modifications being published in December 2015.

20. The Council has also indicated that if looked at in the wider Cambridge City and South Cambridgeshire area, a five-year supply of housing land can be shown, and point to the Memorandum of Understanding between the two Councils relating to the Greater Cambridge Joint Housing Trajectory. However, as my colleague Inspector in the appeal relating to land to the west of Cody Road, Waterbeach², also in South Cambridgeshire, made clear, paragraph 47 of the Framework is directed to each Local Planning Authority and this is not a case where a joint Local Plan has been submitted for consideration. I agree with this analysis. Therefore there is a requirement that each Local Planning Authority individually needs to show a five-year supply of housing land.
21. I would accept that the SCLP is further advanced than was the situation when the Cody Road, Waterbeach appeal was determined in 2014, and is thus due more weight than at that time in line with paragraph 216 of the Framework. However, as the Inspectors have yet to report there are still unresolved objections. This means that the policies in the SCLP can still only have limited weight. Having said that, the policies in the SCLP are similar to those in the SCS and DCP, although Swavesey is indicated as a "Minor Rural Centre" where developments of up to an indicative maximum of 30 dwellings will be permitted within the development framework.
22. On the basis that a five-year supply of housing land cannot be demonstrated policies which relate to the supply of housing must be considered to be out-of-date in the terms of the Framework and should be given limited weight. Therefore, in line with paragraph 14 of the Framework planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. For completeness this site is not one where any of the specific policies set out in footnote 9 of the Framework apply.
23. In assessing which policies relate to the supply of housing land it is clear that policies which restrict development in the countryside fall within this category. It also seems to me that a policy which limits the number of dwellings on a site inside a village framework is also a policy which relates to the supply of housing. However, as the majority of this site lies outside the village framework of Swavesey Policy ST/6 would not be engaged for that part. Furthermore, for that part of the site within the village framework, only two dwellings are proposed and thus would comply with Policy ST/6 for that part.
24. Both main parties agree that Policies DC/2 and DC/3 do not relate to the supply of housing land and I also agree. However, they disagree as regards Policy NE/4. In my view Policy NE/4 does not represent a policy for the supply of housing land as it deals with whether a proposal would be appropriate within the landscape, in the same way as if it had a suitable design as required in Policy DC/2, and does not constrain housing supply of itself. All three policies would be in general conformity in intent with the relevant sections of the Framework, even so some are written in negative form. Therefore in line with paragraph 215 of the Framework can be given due weight.

² APP/W0530/A/13/2207961, paragraph 41

Character and appearance

25. Insofar as providing housing on this open field would result in an urbanisation of this area of land it would be detrimental to the character and appearance of the area and thus be harmful to the intrinsic character and beauty of the countryside contrary to the core planning principle set out in paragraph 17 of the Framework. The issue is the degree of that harm.
26. At the site visit I drove and walked around Swavesey and noted that the majority of building is laid out as frontage development. This is particularly true in the Boxworth End part of the village. This represents the character of the area and what makes it locally distinctive. However, there is some development in depth back from the historic road pattern in particular a short way to the north along Middle Watch and the Swavesey Village College extends significantly back into its site, and this is noticeable through the visibility of the rugby posts on the pitches on the south side of the College buildings.
27. There are a number of small developments which extend into the countryside in depth, and the Council has commented on these as well as the slightly more historic developments in the northern part of the village. These developments in depth do make up part of the existing character and are identified within the District Design Guide as commonplace in fen edge villages.
28. Thus while development would be out of character with the pattern of development in this immediate area, it would not be so discordant in the slightly wider area that it would be significantly harmful or have an unacceptable adverse impact on the overall village character.
29. As noted above, the site lies within the Bedfordshire and Cambridge Claylands National Character Area. The characteristics of this are set out in the submissions, but I note in particular that the landscape characteristics of this include a broad, gently undulating lowland plateau, with large rectilinear fields, and scattered woodland. Towns, villages and linear settlements are widely dispersed giving a rural feel, and fen-edge villages are often in linear form along roads. While the wider landscape is of these larger fields, the fields closer to Swavesey seemed to me to be smaller in scale.
30. In support of the application, the appellants' provided a Landscape and Visual Impact Assessment of the proposal which was commented on by the Council's Landscape Officer. Both agree the overall sensitivity of the existing landscape resource as moderate, the landscape character area has a moderate to minor value and a moderate condition and therefore would tolerate some change. I concur as to this sensitivity for the same reasons.
31. The Assessment considered a number of viewpoints and both main parties agree that the magnitude of change to the north and east would be negligible. The Council's concern relates to the views to the south and west and particularly from viewpoint 5 at Scotland Drove Mobile Caravan Park on the Rose and Crown Road looking north to northeast. This was assessed by the appellants as having high magnitude of visual impact during construction and moderate upon completion. This analysis is subject to the retention and enhancement works along the south and west boundaries.
32. However, the Council considers that the hedgerow would be insufficient to mitigate landscape and visual harm and that additional native buffer planting

should be included along these south and west boundaries. This is because the hedgerow is of insufficient height to screen any new dwellings. It is noticeable that the appellants' landscape consultants recommended planting off site, but this was not followed through in the submission or illustrative layout.

33. At the site visit I viewed the site from the main viewpoints and in particular from viewpoint 5. In visual terms the appeal site would appear intrusive into the landscape and I agree would have a moderate effect once completed. As an outline application the layout is not fixed, although I am conscious that this proposal is for a specific number of dwellings and any layout would have to accommodate this. However, as an outline application there should be sufficient flexibility in layout or mix of house sizes to allow for additional landscaping to be provided on site along the south and west boundaries, particularly if the on-site public open space did not need to be provided in line with the Planning Obligation. This can be secured as part of any reserved matters approval.
34. If this landscaping were to be provided this would mitigate the effect of the development on the appearance of the area. Consequently the proposal would comply with Policy NE/4 of the DCP in that it would respect and retain the local character and distinctiveness of the Landscape Character Area. It would also comply with Policy DP/2 of the DCP in that it would preserve the character of the local area.

Precedent

35. It is a long established principle that each planning application should be determined on its individual merits based on the planning considerations applicable at the time of the decision. However, where a proposal could be used to justify a proposal on another piece of land and that development would cumulatively add to harm then this may weigh against an initial development.
36. The Council has specifically referred to the area of land to the north of the appeal site. The appeal site and the land to the north were put forward as a site in the Council's Strategic Housing Land Availability Assessment (SHLAA) drawn up as part of the SCLP preparation. This wider site was rejected from the SHLAA on the basis that it would have an adverse effect on the landscape and townscape setting of Swavesey and would have an adverse effect on the setting of several Grade II Listed Buildings. It was also considered that the wider site would result in the loss of existing landscape features and detract from views of Swavesey.
37. As I understand, the wider SHLAA site has been withdrawn from consideration, but this does not mean that it would not be put forward at a later date for reconsideration. It is rare that the issues relating to two sites are identical in consideration, particularly as here the issue of land supply is material to my decision. The main parties concur that this proposal would preserve the settings of the Listed Buildings. From this comment it is clear that there are differences between this site and the wide SHLAA land. I am therefore satisfied that there are sufficient differences between the two sites so that the granting of planning permission for the appeal site would not compromise any decision making on the land to the north, which, if an application were to be submitted, must be considered on its own merits.

Infrastructure

38. Regulation 122 of the Community Infrastructure Levy Regulations (CIL Regulations) states a planning obligation may only constitute a reason for granting planning permission if the obligation passes three requirements. This is reiterated in paragraph 204 of the Framework. These requirements are that the obligation is necessary to make the development acceptable in planning terms, that it is directly related to the development and fairly and reasonably related in scale and kind to the development.
39. Regulation 123 of the CIL Regulations also states a planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure where five or more separate planning obligations provide for the funding or provision of that project or provide for the funding or provision of that type of infrastructure.
40. As noted above I have been provided with a copy of a Planning Obligation to the Council and County Council dealing with various matters. I note that the Obligation is drafted so that should I conclude that any obligation is incompatible with any of the above tests then that element of the obligation will cease to have effect.
41. The first matter deals with the provision of affordable housing which does not represent 'infrastructure' for the purposes of the CIL Regulations. This would provide for 12 of the dwellings to be affordable. The Strategic Housing Market Assessment indicates that there is a need for affordable housing within the area. The Obligation is thus necessary to ensure that the proposal meets this need. It also complies with Policy HG/3 of the DCP which seeks 40% or more affordable housing on sites of two or more dwellings.
42. The second matter in the Obligation deals with Open Space. DCP Policy SF/10 requires all residential developments to contribute towards Outdoor Playing Space, including children's play space, formal outdoor sports, and informal open space in accordance with Policy SF/11. The evidence in front of me indicates that there is a deficiency of all these in the area and to ensure that the proposal does not exacerbate these deficiencies I consider contributions are necessary. The Council has adopted a methodology in the Open Space in New Developments SPD as to how contributions are derived to ensure consistency. This is acceptable in terms of the PPG.
43. The Council has explained that in the current situation, with a lack of a 5-year supply of housing land, has meant it has had particular difficulties in delivering larger infrastructure schemes, such as playing fields, as individual schemes are of insufficient size to deliver a comprehensive scheme. To this end the Planning Obligation sets out a "cascade" approach, with the Obligation requiring the owners to offer to the Swavesey Parish Council the recreation field as a playing field. If this is accepted then the relevant and otherwise necessary financial contributions, namely off-site Outdoor Sports Contribution, and the Children's Playspace Contribution would not be made. In addition, there would be no on-site Informal Open Space, Informal Children's Playspace or Formal Children's Playspace provided. However, if the Parish Council declined to accept the recreation field then these requirements would be delivered.

44. It seems to me that this is a practical response to the situation. Instead of taking contributions for individual projects the delivery of the recreational field on its own would be reasonably related in scale and kind to the development and, as the occupiers of the dwellings would add to the need for playing fields, be directly related. The provision of the recreation field or on-site projects would be the first contribution towards such a project and the Council has confirmed that in respect of the off-site schemes it has not received five community infrastructure contributions. The Obligation would therefore comply with Regulation 123 of the CIL Regulations.
45. The third matter in the Obligation deals with contributions towards Education. The County Council has confirmed that there is insufficient capacity at Early Years, Primary and Secondary levels to accommodate the additional pupils being derived from the development, and I note the concerns of the Parish Council, local residents and the representative of the school on this matter. Contributions are therefore necessary in planning terms to ensure that this deficiency is not made worse, and the County Council has confirmed that expansion is planned. Again there are standard methodologies to ensure that the contributions are reasonably related in scale and kind to the development. The County Council has also confirmed that no more than five planning obligations are providing contributions towards these projects. This element of the Planning Obligation therefore complies with Regulations 122 and 123 of the CIL Regulations.
46. The fourth matter in the Obligation provides a contribution towards Household Waste Receptacles. These are not infrastructure and would therefore not be subject to Regulation 123 of the CIL Regulations. Policy DP/4 of the DCP requires the delivery of such receptacles. As I have no evidence to the contrary it seems that this requirement is necessary to ensure that the proper delivery of the scheme and thus this part of the Obligation is necessary.
47. The final matter in the Obligation provides a contribution towards the Council's Monitoring costs associated with the Planning Obligation. However, it seems to me that the lack of a monitoring of the contributions or physical infrastructure is not necessary to make the development acceptable in planning terms. Consequently this provision, only, would not comply with Regulation 122 of the CIL Regulations and therefore I am giving this element no weight in my decision.
48. Overall, therefore, the proposal would comply with DPD Policy DP/4 which indicates that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure.

Other matters

49. Third parties have raised concern that the site may be susceptible to flooding. However, I note that the site lies within Flood Zone 1 which is defined as having a less than 1 in 1,000 year annual probability of flooding and is thus suitable for all land uses as set out in the PPG. On this basis, and as the Environment Agency has not raised any objection, I am satisfied that planning permission should not be withheld. However, I am conscious that the concerns relate to surface water flooding. Therefore, taking into account the comments of the Lead Local Flood Authority to ensure that discharge levels remain at the Greenfield rate to protect adjoining land, conditions should be imposed to

provide details of drainage including on-site balancing. The retention of the on-site pond and wetland facilities would also protect the Great Crested Newts and other ecology on site.

50. I am also conscious of local concerns regarding existing traffic issues, but note that the Local Highway Authority has not objected to the proposal subject to conditions. A Highways Impact Statement was submitted by the appellants, which concluded that a proposal of up to 45 dwellings could be accommodated with only minimal traffic increases and no significant off site impacts on flows. I am therefore satisfied that, based on the amount of traffic that the proposed development might generate, the proposal would not result in severe residual cumulative impacts in the area to the extent that, in line with paragraph 32 of the Framework, development should be prevented or refused.
51. At the application stage the Local Highway Authority indicated that it would be seeking a financial contribution towards sustainable transport improvements, but at the appeal stage this has been clarified so that instead the footway outside the site at Boxworth End would be widened. This would ensure that the footway would be useable by all non-vehicular users and to this end this provision is necessary. A preliminary scheme has been drawn up and I have been provided with a drawing and a suggested condition to ensure its delivery. It seems to be that a condition to deliver this necessary improvement prior to the first occupation of any dwelling would be necessary to ensure that the scheme complies with DCP Policies DP/2, DP/3 and DP/4 which seek that development is accessible for all sections of the community and enhances pedestrian infrastructure. I have drafted the condition (number 16) to require the delivery of the infrastructure as the mechanism of its delivery is covered by other legislation.

Planning Balance

52. While the proposal would be contrary to the terms of the development plan in that it would represent development in the countryside, due to the lack of a five-year supply of housing land the relevant policies in the development plan identified in this decision in respect of the supply of land for housing cannot be considered up-to-date. While contrary to the policies of the emerging development plan for the same reasons, this plan also can only be given limited weight for the reasons set out above. The proposal would provide a significant benefit as it would provide additional housing to address the identified shortfall, and a significant proportion of these would be affordable introducing additional weight.
53. The proposed scheme would therefore be beneficial in both the economic and social roles of sustainable development as set out in paragraphs 7 and 8 of the Framework. While there would be some harm to the local environment this can be mitigated by additional on site planting. I am satisfied that there are identifiable differences between this site and land to the north so that the proposal would not set an undesirable precedent. Consequently, it has not been demonstrated that the proposal would be significantly and demonstrably harmful when assessed against the policies in the Framework taken as a whole, and on the evidence before me I consider that the proposal would represent sustainable development for which a presumption in favour is set out in the Framework.

Conditions

54. I have considered the conditions put forward by the Council against the requirements of the PPG and the Framework. The conditions referred to by numbers are those in the Schedule attached to this decision.
55. A number of the conditions suggested, such as that relating to materials, landscaping and on-site car parking should be properly considered at the reserved matters stage. I am not satisfied that details of fire hydrants or the discharge of surface water on to the public highway are necessary to be approved as these matters are covered under other legislation. For the same reason I do not consider there should be any restriction on burning on site. It has not been shown to me that pile foundations would be used so a condition requiring a method statement in the event that they are is not necessary. The Council's Environmental Health Officer did not recommend a condition relating to contaminated land and I too consider that this is not necessary as there is no evidence that there are previous uses which could be suspected as potentially giving rise to contamination.
56. In addition to the standard reserved matters and timescale conditions (1, 2 3), I have imposed conditions relating to ecological enhancement and the protection of Great Crested Newts to comply with the requirements of the development plan and Framework relating to nature conservation (5, 6, 7, 8). These matters need to be resolved prior to development taking place so as protect these features. Similarly, a condition ensuring that a scheme of lighting is approved is needed to protect bats (9). A condition requiring the investigation and recording of archaeology is necessary to record the history of the site in line with paragraph 128 of the Framework (10). Again this needs to be completed prior to development taking place to ensure that the archaeology is recorded.
57. Given the proximity to existing adjoining properties conditions restricting when construction work can take place on site (11) and a traffic management plan (12) are necessary to ensure that the occupiers of those properties are not adversely affected by construction operations in line with paragraph 17 of the Framework. This needs to be agreed prior to development taking place.
58. As access is not reserved conditions are required to ensure that appropriate visibility splays to Boxworth End are provided before any dwelling is occupied (13, 14) and a surface water drainage scheme is required to address flood risk (15).
59. Otherwise than as set out in this decision and conditions, I have imposed a condition specifying the relevant drawings as this provides certainty (4). Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance.

Conclusion

60. For the reasons given above I conclude that the appeal should be allowed.

Robert J Jackson

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: 214254 DWG 100 and F14183/01 revision A.
- 5) No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall include details of the number and location of bat boxes and wetland planting and a timetable for implementation of the approved measures. The scheme shall be carried out prior to the occupation of any part of the development.
- 6) No development shall take place until a scheme of mitigation for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The scheme of mitigation shall accord with, but not be limited to, the details provided in the letter by Applied Ecology dated 4 September 2015 and include a timetable for the implementation of the proposed mitigation measures. The scheme shall be implemented in accordance with the approved details.
- 7) No development shall take place until the details of the proposed balancing pond including dimensions, depth and gradient of slope of the pond have been submitted to and approved in writing by the Local Planning Authority. The balancing pond shall be constructed in accordance with the details approved and timetable agreed by the Local Planning Authority and shall thereafter be maintained.
- 8) No development shall take place until a Management Plan detailing the measures to be applied to the proposed balancing pond and surrounding area, to ensure that it serves its drainage function and provides habitat enhancement and amenity, has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include, but not be limited to, the details provided in the letter by Applied Ecology dated 4 September 2015. The Management Plan shall be implemented in accordance with an agreed timetable thereafter.
- 9) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
- 10) No development shall take place within the site 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.

- 11) No construction site machinery or plant shall be operated, no works audible at the site boundary shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank Holidays.
- 12) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Local Planning Authority. The plan shall provide details of:
 - (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway);
 - (ii) Contractor parking, all such parking shall be within the curtilage of the site and not on the street;
 - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway); and
 - (iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.
- 13) Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No: F14183/01 revision A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 14) Before any dwelling is occupied 2.0m x 2.0m pedestrian visibility splays on either side of the entrance with Boxworth End are to be provided in accordance with drawings that have been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be kept clear of all planting, fencing, walls and other obstructions exceeding 600mm high.
- 15) The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:
 - (i) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for Climate Change)), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharge from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water.
 - (ii) Flood water exceedance routes, both on and off site;
 - (iii) A timetable for implementation; and
 - (iv) Site Investigation and test results to confirm infiltration rates.
- 16) Prior the occupation of any dwelling the highway works to widen the footway outside the site to 2m width shown in principle hatched red on drawing F14183/01 revision A shall have been completed.

END OF SCHEDULE