



Appeal Decision

Site visit made on 11 December 2019

by Stephen Wilkinson BA (Hons) BPI Dip LA MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 March 2020

Appeal Ref: APP/D0840/W/19/3228471

Land off Antron Way, Antron Way, Mabe Burnthouse, TR10 9HS

- 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 Helford Atlantic Ltd against the decision of Cornwall Council.
 - The application Ref PA18/04092, dated 1 May 2018, was refused by notice dated 11 February 2019.
 - The proposed development is for residential development of 27 dwellings including access, estate roads and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for residential development of 27 dwellings including access, estate roads and landscaping on land off Antron Way, Antron Way, Mabe Burnthouse, TR10 9HS in accordance with the terms of the application, Ref PA18/49092, dated 1 May 2018, and, subject to the conditions included in the schedule to this decision.

Application for costs

2. An application for costs has been made by Helford Atlantic Ltd against Cornwall Council. This application is the subject of a separate decision.

Procedural Matters

3. In support of their appeal, the appellant submitted a Landscape and Visual Impact Assessment. Despite the Council's concerns that there has been insufficient time to consider and consult on this document, I have accepted this report as part of the appellant's evidence given that landscape and visual impacts of the proposed scheme formed one of the Council's reason for refusal. I consider that all parties have now had sufficient time through the appeal process to consider it.
4. I am in receipt of a completed legal agreement, dated 8 October 2019 made under Section 106 of the Town and Country Planning Act 1990, as amended. This is required to overcome the Council's second reason for refusal, concerning the absence of a mechanism to secure the provision of affordable housing, off site financial contributions to deliver improvements to mitigate the pressures on education, open space provisions and contributions for the Falmouth and Helford Special Area of Conservation. I provide further comment on this agreement later in this letter.

Main Issues

5. The main issues raised by the appeal are:

- effect of the proposals on the character, appearance and landscape setting of the settlement of Mabe Burnthouse, and
- whether the proposals include adequate provision for the necessary infrastructure directly required by this development.

Reasons

Character and appearance

6. The appeal site forms part of the Carnmenellis Landscape Character Area (LCA) characterised by a rugged and undulating upland plateau with permanent pasture and rough grazing in small fields defined by hedgerows and walls. The site does not have any formal landscape designations. Although interested parties have expressed concerns that the proposals would impact on the UNESCO¹ landscape of outstanding universal value, the site lies beyond this area.
7. The appeal site includes features which are common to those of the LCA. It lies on the south western edge of Mabe Burnthouse ('Mabe') and comprises part of a field surrounded by low walls and thick hedgerows. Two hedgerows run across the site, one close to its northern boundary and the other further south. The site slopes steeply along two axes broadly from south – north by approximately 14m and as a continuation of Antron Way running east to west by approximately 4m. To the north of the site are industrial buildings located within an old quarry surrounded by a belt of mature trees.
8. The proposals would be contained within the existing field boundaries of the site. The boundary walls and hedges would be retained as part of the scheme. The existing hedgerow adjacent to the site entrance would be partially removed whilst the one towards the southern part of the site would be reduced in length to accommodate the proposed access road. In total, however, the Phase 2 Ecological Appraisal identifies that there would be a loss of 125m of hedgerows but through additional planting there would be a net gain of 115m of hedgerows.
9. Overall the proposed development as demonstrated by the cross sections included with the submitted drawings would respect the site's sloping profile with ridge heights of the proposed housing reducing by approximately 16m from north to south across the site and by an approximate 6m drop from its western edge to the properties in Antron Way.
10. The location of the site on the south western edge of Mabe limits immediate views of the proposed development to those properties in Eston Close and Antron Way and to a lesser extent Spargo Court which share a common boundary with the appeal site. Whilst no occupier is entitled to a view, I acknowledge the concerns of residents over the visual impact of the proposals which due to their proximity would be clearly visible from their properties. I believe that the design of the scheme involving adequate separation distances to the existing properties, together with their proposed height and design, e.g.

¹ United Nations Education and Science Organisation

hipped gables would minimise visual impacts and preserve views through the site for existing occupiers.

11. The more distant views would be experienced from receptor points to the south and west of the site. The undulating character and varied landscape comprising woods, hedgerows and walls which are a feature of the LCA further restrict its visibility. For example, views of the site from Church Road, lying immediately to the south of the site are restricted due to the rise in land and thick hedgerow.
12. Given the nature of the LCA, views of the site are distant and identifying the site is difficult. From my unaccompanied site visit to several of the receptor points identified within the submitted LVIA I found that the site is most visible from points to the south from around the A39. However, the proposals would not breach the skyline as this would still be dominated by the trees which lie around the quarry. Set within this context, the proposals would not adversely impact on the setting of Mabe.
13. To the west, from receptor points near Trevera and closer by Mabe Church, the site is difficult to identify because of the undulating landscape, clumps of trees and farm buildings which interrupt views. The proposed development of 2 storey properties would not adversely impact on this landscape when viewed from this aspect.
14. Policies 1, 2, 12 and 23 of the Cornwall Local Plan Strategic Policies (CLPSP) 2016 require new development to respect and enhance the quality of place and in particular to ensure that it is of an appropriate scale, density, mass, layout and height, in relation to its landscape setting. Despite the nature of the LCA the proposed development would sit within this context and although areas of hedgerow within the site would be removed these would be compensated through proposed additional planting.
15. Although not part of the CLPSP 2016 a Community Network Area (CNA) requires the delivery of an appropriate mix of housing and seeks to ensure that villages preserve their separate identities. The site's location on the western edge of the Mabe and its distance from surrounding settlements means that there is little chance of the development coalescing with them. The distinct settlement pattern would not be prejudiced by this proposal.
16. On this issue I conclude that proposed layout would not result in harm to the LCA. The design, scale and layout of the proposed scheme together with the site's topography which forms the essential character of the LCA results in the proposals having only limited landscape and visual impact. Whilst the greatest impacts would be experienced by occupiers of the residential properties in Eston Close, Antron Way and Spargo Court which share a boundary to the appeal site these could be satisfactorily resolved through boundary treatment. For these reasons I conclude that the proposals would not be contrary to policies 1, 2, 12 and 23 of the CLPSP 2010-2030 (2016). Furthermore, the proposals are not in conflict with paragraphs 8, 124 and 127 of the Framework 2019.

Infrastructure

17. The completed section 106 agreement submitted with the appeal papers includes a range of provisions. These cover affordable housing, financial

contributions to improvements to open space at Spargo Court, additional school places at Mabe CP school and for the mitigation of recreational impacts on the Falmouth and Helford Special Area of Conservation (FHSAC).

18. Interested parties have raised several matters related to the content and scope of the completed legal agreement. However, I consider that the matters included in the agreement are appropriate, compliant with policy and overcome the Council's second reason for refusal. Regarding the financial contributions to the local school it is not within my remit to comment on the amount of money or how it will be managed as this is something governed by the County. The contribution towards the FHSAC is required to fund mitigation measures on the basis that the additional residents of this scheme could place additional pressure on the FHSAC which could undermine its unique environmental qualities.
19. Overall the obligations included in the agreement are directly related to the requirements of development plan policies and are necessary and fairly and reasonably related in scale and kind to the proposed scheme. I conclude that the obligations comply with Section 122 (2) of the Community Infrastructure Regulations 2010 and with paragraphs 56-57 of the National Planning Policy Framework (the Framework) 2019.

Other Matters

20. Interested parties raised a broad range of other matters which I address in turn below.

Compliance with strategic policies of the adopted local plan

21. I consider that the proposal complies with the adopted strategic policies included in the Cornwall Local Plan 2010-2030 (CLP) 2016. Development in Mabe is consistent with Policies 1, 2, 2A and 3 which seek a dispersed pattern of growth predicated on principles of sustainable development. In particular, the scheme is consistent with Policy 2A which requires the provision of affordable housing within the requirement for 52,500 new dwellings across the County. Whilst policies identify that growth should be directed towards the major settlements in the County, policy 8 requires the provision of affordable housing on sites.
22. I consider that within this framework of strategic policies the provision of 17 affordable homes on this site complies with Policy 9 as a 'rural exception' site where affordable housing either for rent or sale will be secured with market housing only included to ensure that the scheme is viable. Given that Mabe is an existing settlement with a range of services the location of affordable housing on the appeal site is compliant with policy. Although I have not seen the financial appraisal for the scheme the affordable mix was determined by officers who have done so.

Trenoweth and Carnsew Quarries

23. Interested parties have also raised concerns that the proposed development would prejudice the operation of the Trenoweth and Carnsew quarries as the appeal site lies in their 'safeguarding area'. The objections are focused on both the principle of development within the safeguarding area resulting in a potential loss of existing and future employment opportunities and on how the introduction of residential development could prevent current operations

continuing (their sterilisation) due to the raising of potential objections from new residents of the proposed housing from noise and dust.

24. Whilst I do not have any evidence before me which points to the potential loss of employment opportunities at these quarries caused by this proposal, the 'agent of change' principle enshrined in the Framework applies to ensure that new development could not prejudice existing operation of an adjacent land use. Furthermore, the fact that land is safeguarded still means that formal applications for Minerals Planning Permission would have to be made. Appendix 5 of the report to the west sub-area Planning Committee, dated 17 December 2018, identified the conditions included in the permission for the quarry, (PA98/00235/FD01) which relate to controls over noise, vibration and dust. In the event that a new mineral planning permission for further works to the quarry it is likely that any permission would be the subject of similar conditions.

Traffic congestion

25. Interested parties have expressed concerns over the impact of the proposals on highway safety given existing levels of traffic generation along local roads, which are the subject of on street parking. I noted on my site visit that on street parking does occur in roads around the appeal site. The appellant's figures for the anticipated levels of peak time traffic generated by the scheme amount to 16 two way trips in the AM peak and 19 trips in the PM peak hour. I have not seen any other traffic figures provided by other parties which would lead me to consider that these are not an accurate estimation of the likely levels of traffic generation.
26. These are modest figures and although there will be additional movements from residents to access services during the day these are unlikely to result in unacceptable levels of traffic generation which could exacerbate the levels of traffic in the area to an extent of adversely affecting highway safety. The proposed scheme includes garage and parking places for each property and this should ensure that the on street parking is not exacerbated on existing roads. Furthermore, I note from the officer's report to Committee that the Council intend to introduce in 2020-2021, a traffic calming scheme in Mabe to improve the local highway network; this could address some of the local concerns. Furthermore, I have included in my decision, a condition for investment in the two bus shelters to encourage use of public transport.
27. I acknowledge that the scheme does not include details of how construction traffic would access the site. However, this is a matter for a planning condition included in any permission, which would require approval at a later stage.
28. Other comments raised by interested parties are concerned that the application marks a phased approach to the development of other land adjacent to the appeal site. On this point, it is not my role to second guess what may happen in the future and on this case I made my decision on the merits of the application before me. In my opinion any future applications would need to be assessed against locally adopted policy.

Housing Need

29. A number of interested parties have questioned the extent of housing need in the local area which would be necessary to support this development. Figures presented by the Council in its appeal statement acknowledge that the local housing need amounts to 19 units of 1 and 2 bed units. The proposals would deliver 17 affordable housing units, of which 10 directly meet the local mix requirements. The officer's report to the West Sub Area Planning Committee (11 February 2019) identified that the recent fall in demand for affordable housing resulted from the introduction of a new registration policy by the local provider, Home Choice, and that there was still sufficient local housing need which could be met by the proposal.

Overlooking

30. Interested parties have expressed concerns over the likely impact of the proposals on the existing residential properties through overlooking. However, the design of the proposed scheme means that where windows serving habitable rooms face on to existing windows in the properties in both Eston Close, Antron Way and Spargo Court there would be sufficient separation distances to preserve privacy. Although there is a height vantage between the proposed and existing dwellings there is sufficient set back to restrict views and to maintain privacy. I have included a condition requiring obscure glazing for all proposed windows for those properties which would have flank walls close to the boundary with existing residential properties.

Flooding and Drainage

31. The Drainage officer withdrew the original objection to the scheme following testing. The site lies within Flood Zone 1 meaning that it has a 1:1000 chance of flooding. However, I have included a condition covering surface water and foul drainage.

Ecology

32. The Phase 2 Ecological report did not identify that the site includes any specific habitats. However, it may be used for foraging for species such as badgers and hedgehogs. I consider that a condition included with the permission requiring the implementation of the measures included in the Phase 2 report would provide sufficient mitigation and enhancement of the site's ecology.
33. Finally, several interested parties make reference to misleading comments made by both Council officers and the appellants and reservations in how the application has been managed by the Council. These are not matters on which I can comment.

Conditions

34. I have considered the draft list of conditions suggested by the Council and have made some changes in line with the Framework which was updated in 2019 and the Planning Practice Guidance. I have included a condition specifying the drawings on which this decision has been based as this ensures certainty. Three conditions are included in respect of land contamination including a requirement for a risk assessment, a scheme of remediation and procedures required to ensure that in the event that further areas of contamination are identified then measures are put in place to ensure appropriate actions. These are required to ensure both the health of workers and future occupiers of the properties.

35. Given the site's location in relationship to existing residential properties, I have included conditions requiring details of boundary treatment and any external lighting in order to protect the privacy of existing neighbouring occupiers and protect them from light pollution. This includes access to Spargo community space consistent with the planning agreement. A further condition requiring the submission of samples of the proposed materials for the scheme is required to ensure its satisfactory appearance. Details of the parking and turning areas are required to ensure that they can be delivered in the interests of highway safety. Given the slopes across the site and the proximity of neighbouring residential properties, I have suggested planning conditions regarding levels which will be required to ensure that the physical relationship are accurately plotted and understood in advance of any building works proceeding.
36. I have included a condition in respect of a Construction and Environmental Management Plan. This is comprehensive in scope to minimise any adverse environmental impacts on the living conditions of neighbouring occupiers and those on surrounding roads are at least minimised. This would be consistent with both adopted policies and the Framework.
37. The site is known to include Japanese Knotweed and a condition is required to eradicate this from the site and to prevent its spread given the effects this could have on neighbouring properties as well as those on the proposed development. A condition is required to ensure that landscaping of development outside private gardens will ensure that the proposals do not have an adverse impact on the character and appearance of the site and wider area. This includes special regard to the area to the north west of the site where closest to Trenoweth quarry given the nature of works there. I have included a condition requiring that at least 25 percent of all the dwellings hereby approved are designed as 'accessible' homes to ensure that they can be for the benefit of all sectors of the community.
38. In the interests of highway safety a condition is included for the provision, in advance of the occupation of any dwellings, of two bus stops adjacent to the convenience store on Antron Hill. This is designed to encourage greater use of public transport to Mabe. Other conditions are required to ensure that the proposed scheme has foul and surface water related drainage systems to ensure that the scheme can adapt to climate change.

Planning Balance and Conclusions

39. The landscape and visual impacts arising from the location of the appeal site beyond the boundaries of Mabe are localised. Whilst the largest impacts will be experienced by those properties in Antron Way, Eston Close and to a lesser extent Spargo Court, the proposed layout and design which includes some chalet style properties, hipped roofs and adequate separation distances would preserve views through the site. This would limit the extent of the visual impact of the proposals on neighbouring properties.
40. Although the proposals would be visible from a range of receptor points to the south and west the inherent features which define the Carnmenellis landscape result in these impacts being minimised. In this sense where the scheme is visible it would only be seen as an extension to existing development along Antron Way and Eston Close and not as a new form of development at variance with the existing pattern of development which currently defines the south western edge of Mabe. The proposals included in the Phase 2 Ecology report,

which include amongst other matters additional hedgerows for ecological reasons would also serve to enhance landscape features and in so doing would further reduce the visual impacts of the proposals.

41. Although the proposed scheme will have some limited landscape impacts I accord considerable weight to the delivery 27 dwellings, 17 of which would be for affordable accommodation designed to meet local housing needs for 1 and 2 bed accommodation. This is the determining issue in this appeal and the proposals are broadly consistent with the adopted Policy 9 in respect of Rural Exception sites. Whilst I acknowledge the extent of local concerns and the range of matters raised many can be addressed through planning conditions and through the planning agreement. Other matters are not necessarily for the planning system to address through this appeal.
42. I regard the matters included in the completed planning agreement as being neutral in that they are only required to mitigate for the effects of the proposed development. The agreement is consistent with the policies 6, 9, 12, 13, 16, 2 and 28 of the CLPSP2010-2030.
43. Finally, I conclude that the proposals are consistent with the essential thrust of policies 1, 2, 13 and 23 of the CLPSP 2010-2030 in delivering additional housing in line with the Government's housing objectives. The high percentage of affordable units will meet a priority need identified in the adopted Plan and the site's location on the edge of Mabe is consistent with other policies in the plan. Furthermore, whilst the Framework is only a material consideration I place considerable weight on its policies to boost the supply of housing and in particular affordable housing. For these reasons I allow this appeal.

Stephen Wilkinson

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 (received by the Council on 18 September 2018 unless stated): Proposed PCB-04S2 RD, Proposed PCB-2BP, Proposed PCB-3BP, Proposed PCB-4BED RD, Proposed PCB Plot 15, Proposed TOP BLOCK RD Rev B (12.12.18), Proposed PCB SECTION AB Proposed PCB SECTION CD, Proposed Site/location Plan PCB 14 S2 (02.05.18), Proposed PCB BLOCK GARDENS (12.12.18).
- 3) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11)

(or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- 4) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.
- 5) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 6) No development shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.
- 7) No development shall take place until the following information shall have been submitted to and approved in writing by the local planning authority:

- i) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;
- ii) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

The development shall be carried out in accordance with the approved details.

- 8) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved level.
- 9) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) Means of access for construction vehicles including routes to and from the site
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) a scheme to encourage the use of public transport for contractor and site operatives
 - iv) loading and unloading of plant and materials;
 - v) storage of plant and materials used in constructing the development;
 - vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vii) wheel washing facilities;
 - viii) measures to control the emission of dust and dirt during construction;
 - ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - x) the operation of plant and machinery associated with engineering operations;
 - xi) site security
 - xii) fuel, oil and chemicals storage, bunding, delivery and use;
 - xiii) how minor and major spillage will be dealt with
 - xiv) site induction for workforce highlighting pollution prevention and awareness;
 - xv) containment of silt/soil contaminated run off
 - xvi) disposal of contaminated drainage including any water pumped from excavations
 - xvii) a scheme to dispose of surface water runoff during the construction phase
 - xviii) anticipated number and frequency and size of construction vehicles entering the site
 - xix) delivery times of construction materials

- xx) construction operating hours
- xxi) a scheme for the remediation and management of invasive plant species on or in proximity to the site
- xxii) Tree protection in accordance with BS5837

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 10) Before any of the development hereby permitted is brought into use, details of the proposed height, siting, appearance and construction of all boundary treatments to service the associated dwellings shall be submitted to and approved in writing by the local planning authority. Details shall include access into Spargo Community space. The approved boundary treatment shall be completed in accordance with the approved details prior to the construction of the dwellings hereby approved. The boundary treatments shall not be thereafter be altered or removed other than by necessary replacement.
- 11) Before any development hereby permitted is brought into use parking and turning areas shall be approved in accordance with a detail scheme which shall have been submitted to and approved in writing by the local planning authority. The parking and turning areas shall not thereafter be obstructed or used for any other purposes.
- 12) Prior to the installation of any external lighting on site, details shall be submitted to and approved in writing by the local planning authority, The lighting scheme shall be implemented in accordance with the approved details and retained as such thereafter.
- 13) Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.
- 14) The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.
- 15) Before the dwellings hereby approved are occupied, detailed provisions off the planting of trees and/or hedges of bunding for screening the development along the north western boundary of the site adjacent to Trenoweth Quarry shall be submitted to and approved in writing by the Local Planning Authority and such trees as approved shall comprise primarily native species. The approved scheme shall be completed prior to the first occupation of the dwellings and shall be thereafter be retained throughout its occupation.
- 16) No development shall commence until a detailed method statement of the removal/eradication of Japanese knotweed on the site has been submitted to and approved in writing by the County Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as moving, strimming or soil removal. It shall also include measure to ensure that any soils brought to the site are free of the seeds, roots, stem of any

invasive species covered under the Wildlife and Countryside Act 1981. Thereafter the approved method statement shall be carried out.

- 17) No fewer than 25% of the dwellings hereby approved shall be delivered as accessible homes as defined by the Building Regulations Approved Documents (M4, 2: Accessible and adaptable dwellings), or successor documents.
- 18) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 19) Before preparation of any groundworks or foundations for the dwellings hereby approved, details for the provision of the upgrading of the two bus stops adjacent to the village convenience store on Antron Hill shall be submitted to and approved in writing by the local planning authority. The bus stops upgrading shall be implanted prior to the occupation of the dwellings.
- 20) The proposed buildings located at plots 16, 18, 24 and 27 hereby permitted shall not be occupied until the flank windows at first floor have been fitted with obscured glazing, and no part of that those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 21) No development shall take place on site until a detailed ecological management strategy for the site including a timetable of works and future management has been submitted to and approved in writing by the local planning authority. The strategy shall be in accordance with the recommendations contained within the Phase 2 Ecological Surveys by Bright Environment, reference BE323a and dated 6 December 2017. The development shall be implemented in accordance with this management strategy.
- 22) No development approved by this permission shall be commenced until full details of foul and surface water drainage systems are submitted. The details should address the following:
 - A description of the foul and surface water drainage systems operation;
 - Details of the final drainage schemes including percolation tests calculations and layout
 - A construction surface water plan
 - A construction quality control plan
 - A plan indicating the provisions of exceedance pathways
 - Overland flow and routes and proposed detention features
 - A timetable of construction

Confirmation of who will maintain drainage systems and a plan for the future maintenance and management including responsibilities for the drainage systems and overland flow routes.

The surface water drainage systems shall fully manage surface water flows resulting from the developed site up to the 1 in 100 year peak rainfall event plus a minimum allowance of 40% of the impact of climate change. Infiltration must be implemented where percolation test results indicate that this method is feasible. Any surface water flows discharged from the site will be no greater than 5 litres per second for all rainfall events.

The approved scheme shall be implemented in accordance with the timetable so agreed and the scheme shall be managed and maintained in accordance with the approved details for the lifetime of this development.

ENDS

Richborough Estates