



Appeal Decision

Site visit made on 8 December 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th February 2021

Appeal Ref: APP/P1805/W/20/3255845

Barn House Farm, Foxlydiate Lane, Redditch B97 5PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Redrow Homes Ltd against Bromsgrove District Council.
 - The application Ref 19/01356/FUL, is dated 4 October 2019.
 - The development proposed is demolition of existing buildings and the development of 63 dwellings with associated public open space and infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and the development of 63 dwellings with associated public open space and infrastructure at Barn House Farm, Foxlydiate Lane, Redditch B97 5PB in accordance with the terms of the application, Ref 19/01356/FUL, dated 4 October 2019, and the plans submitted with it, subject to conditions in the attached Schedule.

Procedural Matters

2. The Council failed to give notice of their decision within the prescribed period, but under the appeal has confirmed it would have approved the application given the opportunity to do so. Consequently, there is no dispute between the main parties. Notwithstanding the Council's position, in light of other interested party comments and statutory duties, I have assessed the appeal on the basis of the apparent issues at hand beyond the mutual position of the main parties.

Application for Costs

3. An application for costs was made by Redrow Homes Ltd against Bromsgrove District Council. This application is the subject of a separate decision.

Main Issues

4. The main issues are whether the:
 - (a) proposal is in accordance with the development plan; and
 - (b) if planning obligations are necessary and otherwise compliant with regulations.

Reasons

Accordance with Development Plan

5. The site is located at Barn House Farm accessed from Foxlydiate Lane, which is on the periphery of the Redditch urban area. The site is allocated for residential development under Policy RCBD1.1 in the Bromsgrove District Plan 2017 (BDP), and accordingly the site would form part of an urban extension to Redditch.
6. The majority of the allocated site falls within the administrative boundary of Redditch Borough Council and is likely to come forward under planning application Ref 16/0263 for up to 2,560 dwellings therein. The site in this case would form a smaller component of the wider allocated site, albeit within the administrative boundary of Bromsgrove District Council.
7. The principle of developing the site, and the fundamental change in its character and appearance is therefore established. Furthermore, delivery of the allocated site is critical in underpinning the delivery of a five year housing land supply across the development plan period and owing to the associated socio-economic benefits carries substantial weight in light of the identified shortfall in housing land supply.
8. Barn House Farm comprises several historic barns which are non-designated heritage assets. Among other things, their heritage significance is derived from their links with the historic agricultural landscape. However, their heritage significance has diminished somewhat in the context of alterations and loss of historic fabric and form following residential conversion.
9. Accordingly, Policy RCBD1.4 (XV.) of the BDP states future proposals including development boundaries should be in conformity with Policy BDP20 of the BDP, respecting and enhancing the setting of any heritage asset on the site. Quite clearly, the proposal would see the complete loss of non-designated heritage assets through their demolition, creating fundamental conflict with Policy RCBD1.4 (XV.) of the BDP.
10. The conservation of non-designated heritage assets is subject to a balanced judgement through the decision making process¹. The diminished level of heritage significance resulting from residential conversion of the non-designated heritage assets, would temper the harm derived from conflict with Policy RCBD1.4 (XV.) of the BDP, to the extent that any harm would carry only moderate weight and would not outweigh the substantial benefits associated with helping deliver sufficient housing land supply.
11. The site is accessed off Foxlydiate Lane, and the proposal would generate additional traffic on the local highway network. There is no quantitative evidence in front of me, within the transport assessment or otherwise, that demonstrates the proposal would generate an unacceptable level of traffic and have a harmful effect on the local highway network. This is in part, no doubt, down to the investment in the public transport system and pedestrian links with neighbouring development (the exact details of the wider network concerning lighting amongst other things being secured under separate applications²).

¹ Paragraph 197 of the Framework

² 16/0263 and 2016/077

12. This ensures future occupiers have other sustainable means of travel available to them, other than the private car. This can be reinforced by a planning condition requiring a travel plan or similar document, which would promote sustainable means of travel even further.
13. Notwithstanding Worcestershire County Council's position on another application³, as the local highway authority (LHA), there is no evidence in front of me to suggest that the proposal in this case has been subject to substantive objection by the LHA. The physical means of accessing the site will be subject to improvements, ensuring that ingress and egress is safe and accords with relevant highway design standards.
14. There is no evidence, with reference to statutory guidance or similar, to suggest that the internal pedestrian network does not cater for the needs of all users or does not otherwise reflect the requirements of Manual for Streets 2 or other relevant design codes.
15. In a similar context, it has not been demonstrated that the pedestrian routes permeating the locality and linking the site to services are of substandard design, in the context of accommodating individuals of differing mobility needs, or that there is a quantifiable record of these routes being unsafe for users in this context.
16. Overall, there is some conflict with Policy RCBD1.4 (XV.) of the BDP. However, the moderate harm derived from this conflict does not outweigh the substantial benefits associated with delivering housing at the site. Furthermore, the proposal is otherwise in accordance with the site allocation and the remaining criteria under Policy RCBD1.4 of the BDP. Therefore, the proposal is in accordance with the development plan when taken as a whole.

Planning Obligations

17. The proposal is supported by an executed Unilateral Undertaking (UU) submitted by the appellant. The UU has been considered against the three tests set out in Paragraph 56 of the Framework and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
18. Education planning obligations: the introduction of additional residential development in the area will increase the demands on existing education provision, consequently contributions towards additional education provision to support the proposal are necessary and based on formula relating to existing pupil numbers and school capacities in the local catchment. This is in accordance with Policy BDP6 of the BDP, which among other things requires financial contributions towards infrastructure provision to ensure that growth in the area is supported pursuant to improving quality of life.
19. Highway planning obligations: public transport, school transport, personal travel planning and pedestrian links are necessary to support the sustainable movement of future occupiers and mitigate the population growth and additional pressure on highways infrastructure. This is in accordance with the aims of Policies RCBD1.4 (III. IV.), BDP6 and BDP16 of the BDP, which among other things requires financial contributions towards public transport, pedestrian, cycle and highways infrastructure to ensure the sustainable movement of people.

³ 17/00469

20. Offsite sports and leisure planning obligations: the basis for the financial contribution is derived from another development and it is not clear how this relates to the proposal in this case. Consequently, irrespective of the need, I cannot conclude therefore that it is fairly and reasonably related in scale and kind and fails the tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
21. Town centre enhancement planning obligations: there would be additional footfall at the town centre, but this would appear as a benefit in and of itself. It has not been demonstrated what additional impacts the development would have on town centre infrastructure or why such planning obligations are necessary therein, failing the tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
22. Acute hospitals trust planning obligations: the trust has withdrawn its representations under the appeal and consequently it would not be reasonable to rely on them. Accordingly, there is no underpinning evidence demonstrating that such planning obligations are necessary, failing the tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
23. GP surgery planning obligations: the trust has withdrawn its representations under the appeal and consequently it would not be reasonable to rely on them. Accordingly, there is no underpinning evidence demonstrating that such planning obligations are necessary, failing the tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
24. Monitoring planning obligations: a monitoring fee is necessary to ensure that planning obligations set down in the agreement are met. The formula is based on a per obligation rate and therefore are fairly and reasonably related in scale and kind to the development.
25. Affordable housing planning obligations: the provision of affordable housing is a necessary component of the proposal because it contributes to the social dimension of sustainability, meeting a range of housing needs. On site provision as part of larger developments is the most significant way in which affordable housing can be provided. This is in accordance with Policy RCBD1.4 (I.) of BDP, which among other things requires the residential development to reflect the local requirements as detailed in the most up-to-date Housing Market Assessment and comprise of up to 40% affordable housing with a flexible mix of house types and tenures.
26. Public open space planning obligations: the introduction of additional residential development in the area will increase the demands on existing open space provision, consequently additional open space provision, and the management of its features including sustainable drainage measures, are necessary to support the development. This is in accordance with Policy RCBD1.4 (XII.) of BDP, which among other things requires developments to come forward as a coherent sense of place with public open spaces.
27. Waste management planning obligations: each additional dwelling part of the proposal will need to be served with adequate refuse containers to ensure the adequate storage of waste and recyclable material, where financial contributions are calculated using a pro rata formula and are therefore necessary.

28. This is in accordance with Policy BDP6 and BDP22 of the BDP, which among other things requires development to include measures adhering to the waste hierarchy such as storage and collection of recyclable material.
29. Overall, it has been demonstrated that some of the planning obligations submitted under the proposal meet the tests under Paragraph 56 of the Framework and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, whereas some do not.

Other Matters

30. There is no evidence in front of me demonstrating that smaller housing is indicative of affordable housing. I find it unlikely that the fair minded observer would be able to pinpoint the affordable housing on this site without the benefit of a site plan demonstrating the various housing types and tenures. In any event, the range of house types, whether large, small, market or affordable, provide a range of dwellings catering for a range of needs. To this end, the affordable housing is not segregated into one area of the proposal, but found at various junctures within the development, pursuant to community cohesion.
31. In design terms, the site provides a mix of house types and materials, including a comprehensive landscaping scheme. Notwithstanding the character and appearance of the wider area, the site is large enough to create its own local vernacular amongst the existing local vernacular of other properties that exist in the vicinity. Traffic entering and exiting the site and light pollution via vehicle headlamps towards dwellings along Foxlydiat Lane would appear mitigated by existing boundary features, in conjunction with differences in levels and set back nature of the dwellings in question. There is no definitive evidence that objectively changes this assessment from my site visit.

Planning Balance

32. The adverse impacts derived from the loss of non-designated heritage assets at the site and conflict with Policy RCBD1.4 (XV.) of the BDP would generate moderate weight. The benefits derived from delivering market and affordable housing in accordance with Policy RCBD1.4 of the BDP pursuant to meeting the shortfall in housing land supply would generate substantial weight due to the associated socio-economic effects. Consequently, the adverse impacts associated with the proposal would not outweigh the benefits and therefore the proposal would accord with the development plan as a whole.
33. There is a shortfall in housing land supply which triggers Paragraph 11 d) ii and Footnote 7 of the Framework. Logically, and leading on from the assessment of the proposal's accordance with the development plan as a whole, the adverse impacts associated with the proposal would not significantly and demonstrably outweigh the benefits under Paragraph 11 d) ii of the Framework.
34. Consequently, the presumption in favour of sustainable development would apply, acting as a material consideration reinforcing the conclusion made in accordance with the development plan. Furthermore, there are no other competing material considerations which would indicate a decision should be made otherwise than in accordance with the development plan.

Conditions

35. The Council suggested 21 conditions, whilst the appellant provided comments in response. These were all considered against the Framework and Planning Practice Guidance. Conditions were subject to minor amendments in the interests of consistency, clarity and running order. Some conditions were removed to avoid duplicating information already submitted under the proposal. All the conditions set out in the attached Schedule are considered necessary to make the development acceptable in planning terms.
36. Condition 2 was amended to reflect the most up to date plans and drawings. Condition 3 was amended to omit reserved matters, on the basis full planning permission is being sought. Condition 6 was amended to control only the timing and delivery of landscaping, on the basis that Condition 2 already secures a detailed scheme. Condition 9 was amended on the basis it is not demonstrated how keeping bicycle parking permanently available would be enforceable. Condition 10 was amended to reflect the fact a construction environmental management plan has already been submitted under the proposal. Condition 20 has been amended to reflect the fact that details of sustainable drainage have already been provided under the proposal. Condition 21 has been amended as it in effect requires the developer to maintain charging points for the lifetime of the development, which is an onerous requirement that should be borne by the occupier in the event the charging point is used and needs to be maintained by them. Furthermore, reference to charging points at unallocated parking spaces has been removed, as there are no unallocated parking spaces proposed.
37. Condition 4 was removed because it referred to facilities designed to serve apartments, of which there are none in the development and therefore the condition is not relevant. Condition 5 was removed because details pursuant to finished floor levels is secured by Condition 3, and further details pursuant to surface materials is secured by Condition 2.
38. There are 19 conditions included in the attached Schedule and these are necessary as follows. Conditions 1 and 2 comprising the standard conditions setting out the time limits, and securing compliance with the approved plans, are necessary to provide certainty. Condition 3 is necessary to ensure the development achieves suitable levels in relation to adjoining land and buildings, and in the interests of living conditions and highway requirements. Conditions 4 and 5 are necessary to ensure the development comes forward with landscaping and tree retention that preserves the character and appearance of the area.
39. Condition 6 is necessary to ensure highway works come forward to deliver the safe and free flow of traffic, pursuant to highway safety. Conditions 7 and 8 are necessary to promote cycling and other forms of sustainable transport as an alternative to the private car. Conditions 9 and 10 are necessary to ensure construction takes place in accordance with a management plan that preserves the living conditions of neighbouring occupiers, highway safety of the road network and environmental integrity of the area. Condition 11 is necessary to ensure that the site can be accessed safely off of the public highway through proper visibility.

40. Condition 12 is necessary to secure an external lighting strategy in order to ensure that the integrity of biodiversity susceptible to light pollution is preserved. Conditions 13 and 14 are necessary to ensure the presence of any archaeological assets are investigated and the appropriate action is taken during and after construction. Conditions 15 and 16 are necessary in the interests of preserving the integrity of protected species that may inhabit the site or its vicinity. Condition 17 is necessary to ensure contamination is investigated and remediated in the interests of human and environmental health. Condition 18 is necessary to ensure surface water drainage is implemented, to protect the integrity of the water environment. Condition 19 is necessary to ensure that there is sufficient electric vehicle charging infrastructure to support the demand of such vehicles in the future as a more sustainable form of private transport.
41. The PPG is clear that pre-commencement conditions should only be used where clearly justified, likely meaning requirements of the condition are fundamental to the development permitted and it would otherwise be necessary to refuse permission.
42. It is necessary to require finished floor levels before construction to ensure that appropriate site levels can be achieved before the existing site levels are changed. It is necessary to secure archaeological and ecological mitigation before construction to ensure that any such assets that might otherwise be affected during construction are identified and appropriately preserved or recorded.
43. In accordance with the procedural requirements set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 (as amended), pursuant to Paragraph 3 (b), the appellant has commented on the proposed conditions and underpinning reasons provided by the Council in the event they were attached under the appeal. Accordingly, this has been treated as a substantive response for the purposes of the regulations.

Conclusion

44. Even though the proposal would generate harm derived from the loss of non-designated heritage assets, the adverse impacts would not outweigh the benefits derived from delivering housing pursuant to a lack of housing land supply and associated socio-economic effects therein. Consequently, the appeal is allowed, and planning permission is granted in accordance with conditions in the attached Schedule.

Liam Page

INSPECTOR

Schedule of Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:
 - i. Site Plan Rev G (1690-08-02-100 rev G)
 - ii. Materials Plan (1690-08-02-111 rev A)
 - iii. Street Scenes (1690-08-02-112 rev B)
 - iv. Enclosures Plan (1690-08-02-122 rev A)
 - v. Highway Adoption (1690-08-02-rev A)
 - vi. Visibility Splay (1690-08-02- 131 rev A)
 - vii. Surface Materials Plan (1690-08-02-rev C)
 - viii. Vehicle Tracking Plan (1690-08-02-150)
 - ix. Henley 901 (EF_HENL_DM.6_Ver3)
 - x. Marlow 901 (EF_MARO_DM.2)_Ver4
 - xi. Sunningdale 901 (EF_SUND_DM.7) Ver 3
 - xii. Tavy (Four Block) (EF_TT3_M.3.0-901)
 - xiii. Tavy (Four Block) (EF_TT3_M.3.0-902)
 - xiv. Twin Garage Type 4 – 901
 - xv. Detailed planting scheme (70056785-LADPL-001)
 - xvi. Detailed planting scheme (70056785-LADPL-002)
 - xvii. DART__THREE_BLOCK_- EF_DD4_M.2.0_VER1__1_-902-896269
 - xviii. TAVY__THREE_BLOCK_- EF_TT3_M.3.0_VER1__1_-902-896289
 - xix. LOCATION_PLAN_1_-896293
 - xx. TAVY__THREE_BLOCK_- EF_TT3_M.3.0_VER1__1_-901-896288
 - xxi. AF-MAISONETTES_- _4X-903-896267
 - xxii. DART__THREE_BLOCK_- EF_DD4_M.2.0_VER1__1_-901-896268
 - xxiii. AF-MAISONETTES_- _4X-902-896266
 - xxiv. TAVY__2_BLOCK_-EF_TAVY_EM.1.0- 901__2_BLOCK_-896285
 - xxv. SUNNINGDALE_902__EF_SUND_DM.7__VER3-896284
 - xxvi. SHAFTESBURY_901__EF_SHAF_DM.7__VER4-896280
 - xxvii. 1690-08-02-116_- _SECTIONS-896257
 - xxviii. AF-MAISONETTES_- _4X-901-896265
 - xxix. WARWICK_901__EF_WARW_DM.6__VER3-896290
 - xxx. LETCHWORTH_901__EF_LETC_SM.5__VER3-896275
 - xxxi. HENLEY_902__EF_HENL_DM.6__VER3-896272
 - xxxii. LETCHWORTH_903__EF_LETC_SM.5__VER3-896277
 - xxxiii. LETCHWORTH_902__EF_LETC_SM.5__VER3-896276
 - xxxiv. OXFORD_LIFESTYLE_901__EF_OXFOQ_DM.3__VER3-896279
 - xxxv. LEAMINGTON_LIFESTYLE_901__EF_LEAMQ_DM.2__VER3-896273
 - xxxvi. LEAMINGTON_LIFESTYLE_902__EF_LEAMQ_DM.2__VER3-896274
 - xxxvii. SINGLE_GARAGE_SINGLE_002__EF_GAR_SGS2_1__VER1_1_-896282
 - xxxviii. SINGLE_GARAGE_SINGLE_002__EF_GAR_SGS2_1__VER1-896281
 - xxxix. SITE ACCESS GENERAL ARRANGEMENT (08222-001 rev A)

- 3) Details of the finished ground floor levels of all the approved buildings, and the finished ground levels along with details of existing ground levels based on OS datum, shall be submitted to and approved by the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.
- 4) Before the dwellings are first occupied, or in accordance with a programme agreed in writing with the local planning authority, the landscaping scheme shown on landscaping plans part 1 ref: 70056785-LA-DPL-001 and part 2 ref 70056785- LA-DPL-002 shall all be carried out. Any trees or plants shown on these plans which within a period of 5 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 sizes or species.
- 5) All retained trees and their root protection areas must be protected during the clearance and construction phase in accordance with BS5837:2012, using suitable protective fencing and/or ground protection as appropriate. There shall be no storage of plant/materials within the root protection areas of any retained trees. Fencing and /or ground protection shall remain as erected until the development has been completed.
- 6) The development hereby approved shall not be occupied until the highway improvements / offsite works / site access works, comprising works as shown on drawing 08222-001 Rev A, have been constructed and completed.
- 7) The development hereby approved shall not be occupied until sheltered and secured cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved by the local planning authority. Details shall be implemented as approved.
- 8) The development hereby approved shall not be occupied until a travel plan has been submitted to and approved by the local planning authority. The travel plan shall include measures for periodic updating in conjunction with Worcestershire County Council's travel plan coordinator and shall be implemented as approved.
- 9) The development hereby approved shall be undertaken in accordance with provisions of Construction Environmental Management Plan (reference 1690-08-03-128), or an alternative Construction Environmental Management Plan submitted to and approved by the local planning authority. This shall include but not be limited to the following: -
 - i. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - ii. Details of site operative parking areas, material storage areas and the location of site operatives' facilities (offices, toilets etc);
 - iii. The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.
 - iv. Details of any temporary construction accesses and their reinstatement.
 - v. A highway condition survey, timescale for reinspection, and details of any reinstatement.

- vi. A Monitoring mechanism for construction traffic. The measures set out in the approved plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by the local planning authority.
- 10) Demolition/groundworks/construction work and deliveries shall not take place outside the following hours: Monday to Friday 07:00 - 18:00 hrs
Saturdays 08:00 - 13:00 hrs and there shall be no working or deliveries on Sundays or Bank Holidays.
- 11) The development hereby approved shall not be occupied until the visibility splays shown on drawing 08222-001 Rev A have been provided. The splays shall at all times be maintained free of level obstruction exceeding a height of 0.6m above adjacent carriageway.
- 12) No development shall commence until details of an external lighting strategy has been submitted to, and approved in writing by, the local planning authority. The strategy shall:
- i. identify those areas/features on site that are particularly sensitive for bats and otters and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The external lighting strategy must comply with the Guidance for the Reduction of Obtrusive Light criteria "E2" (Institute of Lighting Professionals, GN01:2011). All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. The approved details shall be implemented as approved prior to first occupation of the development.

- 13) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority. The scheme shall include an assessment of significance and research questions; and:
- i. The programme and methodology of site investigation and recording.
 - ii. The programme for post investigation assessment.
 - iii. Provision to be made for analysis of the site investigation and recording.
 - iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v. Provision to be made for archive deposition of the analysis and records of the site investigation

- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- 14) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 13 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 15) Prior to any site clearance, tree and hedgerow removal, demolition or construction, a species specific Reasonable Avoidance Measures (RAMs) method statement shall be submitted to and approved in writing by the local planning authority in relation to i) reptiles, amphibians, bat species and small mammals. ii) badgers. iii) breeding birds. The RAMs shall thereafter be implemented in accordance with the approved method statements prior to any site clearance, tree and hedgerow removal, demolition or construction.
- 16) Prior to the commencement of development details of proposed bat and bird boxes including specifications and installation shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.
- 17) With the exception of works relating to an approved scheme of remediation, site clearance, archaeological works, ecological mitigation, no development shall take place until points i. to v. have been complied with:
- i. A preliminary risk assessment (a Phase I desk study) submitted to the local planning authority in support of the application has identified unacceptable risks on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation and risk assessment must be submitted to and approved by the local planning authority prior to development being undertaken to address those unacceptable risks identified. The detailed site investigation and risk assessment scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The detailed site investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
 - ii. The detailed site investigation and risk assessment scheme must be undertaken in accordance with the approved details and a written report of the findings produced. This report must be approved by the local planning authority prior to any development taking place.
 - iii. Where the detailed site investigation and risk assessment scheme identifies that remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared. The remediation scheme must be submitted to and approved by the local planning authority prior to development taking place.

The remediation scheme must be undertaken in accordance with the approved details, whilst ensuring that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- iv. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved by the local planning authority prior to the occupation of any buildings.
 - v. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared; these will be subject to the approval of the local planning authority and should be implemented as approved. Following the completion of any measures identified in the approved remediation scheme, a validation report must be prepared, submitted to and approved by the local planning authority prior to the occupation of any buildings.
- 18) Prior to the occupation of the development the scheme for surface water drainage identified in the BWB Sustainable Drainage Strategy (October 2019) reference ABF-BWB-ZZ-XX-RP-CD0001_SDS shall be completed.
- 19) Appropriate cabling and an outside electrical socket shall be supplied for each dwelling to enable ease of installation of an electric vehicle charging point (houses with dedicated parking) and be implemented and operational before the respective dwelling is occupied. The sockets shall comply with BS:1363 and be provided with a locking weatherproof cover if located externally to the building.

End of Schedule