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## Appeal Decision

Site visit made on 6 January 2025

**by Ben Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 22 January 2025**

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**Appeal Ref: APP/H1840/W/24/3345732**

**Fresh Fields, Stonebow Road, Drakes Broughton, Worcestershire WR10 2AP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Ms and Mrs Michelle and Lillian Hubball against the decision of Wychavon District Council.
  - The application Ref is W/23/00843/OUT.
  - The development proposed is Outline planning permission with all matters reserved except access for the erection of up to 25 dwellings.
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### Decision

1. The appeal is allowed, and outline planning permission is granted with all matters reserved except access for the erection of up to 25 dwellings at Fresh Fields, Drakes Broughton, WR10 2AP in accordance with the terms of the application, Ref W/23/00843/OUT, and the plans submitted with it, subject to the conditions in the attached schedule.

### Preliminary Matters

2. The proposed scheme is in outline form, with all matters reserved apart from access, which would be onto Stonebow Road. An indicative layout plan has been submitted that shows housing arranged along a main spine road with several short spurs. An attenuation basin is shown to the rear of the site. Dwellings would generally have rear gardens adjacent to other rear gardens creating a well-designed layout. However, these details are illustrative only and present only one way that the scheme could be developed, as such I shall pay this limited regard in my assessment of the proposal.
3. The Council's Reason for Refusal (RfR) No 1 relates to the site's backland location, being outside the defined development boundary and thereby being in the open countryside for policy purposes. However, since the proposal was refused the Council has approved<sup>1</sup> a housing development to the side and rear of the site ('the approved scheme'). The appeal site and the approved scheme fall within the Council's future allocation for housing development, in Drakes Broughton, within the South Worcestershire Plan Review. The Council now finds that the proposed site would be a natural extension of the settlement, being alongside approved development. Accordingly, as confirmed through a Statement of Common Ground, the Council no longer seeks to defend this RfR. I see no reason within the submitted evidence to disagree with the Council's conclusions and therefore this matter does not require further consideration.

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<sup>1</sup> Planning Application Reference: W/23/01681/FUL

4. A signed and certified S106 Legal Agreement<sup>2</sup> has been submitted. This secures on-site affordable housing (being 40% of all dwellings on site), green infrastructure, financial contributions towards sports and leisure provision, primary health care, high, first school and early years provision and towards elderly travel. These provisions are discussed later in my decision.
5. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

## **Main Issue**

6. The main issues are:
  - the effect of the proposal on flooding and drainage related matters, and
  - whether the proposed development would make necessary and reasonable provision towards infrastructure requirements.

## **Reasons**

### *Flooding and Drainage*

7. Policy SWDP30 of the South Worcestershire Development Plan [2016] (DP) requires all development proposals to demonstrate that there are, or will be, adequate water supply and water treatment facilities in place to serve the development. It also states that proposals that would result in unacceptable risk to the quality and/or quantity of a water body will not be permitted.
8. The appellant's Flood Risk and Drainage Statement<sup>3</sup> (FRDS), considers fluvial flood and surface water flood risk. This demonstrates that the site is within flood zone 1, least likely to flood, with an annual probability of river flooding of less than 0.1%. It is also identified that most of the site is at a very low risk from surface water flooding, with a low to medium risk at the site's entrance, and there is no history of ground water flooding. Although, this identifies that five properties within the area have been subject to sewer flooding incidents in the last twenty years, the site itself is deemed to be at low risk from flooding.
9. The FRDS also provides a surface water and foul water drainage strategy. In terms of flood risk management, the Statement recommends that finished floor levels be set 300mm above road level. Surface water will be intercepted capturing runoff from the development into an attenuation basin and discharged into the mains at a regulated amount. Severn Trent Water (STW) demonstrates that the public water drainage system along Stonebow Road consists of a 300mm surface water sewer.
10. Planning Practice Guidance<sup>4</sup> (PPG) explains that the 'drainage hierarchy' requires drainage to be designed to first favour infiltration into the ground, then to a surface water body, then surface water sewer and finally a combined sewer. As such, in

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<sup>2</sup> Legal Agreement between Wychavon District Council, Lillian and Michelle Hubball and Worcestershire County Council, dated 4 October 2024

<sup>3</sup> Flood Risk and Drainage, MEC, March 2023

<sup>4</sup> Planning Practice Guidance: paragraph 056 Reference ID:7-056-20220825

accordance with the drainage hierarchy, surface water from the proposed development can be discharged into the surface water sewer with the agreement of STW. The attenuation system has been designed to accommodate a water volume of 420m<sup>3</sup>, which includes capacity for a 1 in a hundred-year flood event and a 40% uplift to accommodate climate change. The Council's drainage engineer has also confirmed that the surface water will be discharged, at an acceptable restricted rate that would be equivalent to that of a pre-development green field rate, into the existing STW sewer in Stonebow Road.

11. In terms of foul water discharge, building regulations require a strategy that in order of priority would first discharge to a public sewer, then a private sewer, then a septic tank and finally a cesspool. As such, in accordance with building regulations foul water is proposed to discharge via gravity into the foul water sewer on Stonebow Road, in accordance with the FRDS drainage Strategy found at appendix G.
12. The Council identifies that the village suffers from blocked and overflowing drains. This matter has also been raised by many local residents and the local MP who have reported that the existing sewers cannot cope during high rainfall leading to overflow of raw sewerage onto local roads. These comments raise concern by interested parties that these problems would be exacerbated by the proposal putting greater pressure on the sewer within the local area. However, as statutory undertaker STW has a duty to accommodate demand for the disposal of foul water. The development would increase the use of the sewerage system, albeit to a modest extent. However, the responsibility lies with STW rather than the developer to maintain and, where necessary, increase capacity. Therefore, where foul water has overflowed onto roads and properties, although regrettable, this does not provide a robust reason to refuse a proposal.
13. During consideration of the application STW<sup>5</sup> raised no objection to the proposal subject to conditions that required a drainage plan for the disposal of foul and surface water flows. It also sought a condition that the scheme be implemented in accordance with the approved details. Furthermore, STW confirmed<sup>6</sup> that it had no objection to the FRDS Drainage Strategy subject to a condition requiring this scheme being implemented. STW also noted that final approval of the drainage strategy would rest with the Lead Local Flood Authority (LLFA).
14. The Worcester County Council LLFA is responsible for providing advice with respect to surface water drainage only. It has commented<sup>7</sup> that the discharge rate of surface water into the public sewer, at 6.1litres/second (the mean average greenfield rate) would be acceptable. Although raising several queries with respect to the proposed attenuation system these comments conclude that if the application were approved a condition should be imposed to secure a surface water strategy.
15. Furthermore, the approved residential scheme, adjacent to the appeal site, appears to have been submitted with a comparable level of drainage details to the proposal the subject of this appeal. The officer report, of that scheme, stated that on site foul water storage capacity would be provided to limit discharge rates to between 2litres/second and 2.5litres/second. In that case the Council concluded

<sup>5</sup> Email from Severn Trent Water 23 August 2023

<sup>6</sup> Email from Severn Trent Water 8 March 2024

<sup>7</sup> LLFA, Jason Trueman, 8 June 2023

that despite extensive objections, from concerned residents raising issues of sewer capacity, the proposal could be approved with suitable drainage conditions. The imposed conditions required the submission of a surface water drainage strategy and a foul drainage scheme. Accordingly, the approved scheme considered local sewerage capacity issues and presents an important material consideration for this proposal in terms of consistency in decision making.

16. In terms of this appeal, since the original comments were made by STW during the Council's consideration of the proposal, additional and revised comments from STW have been received by the Planning Inspectorate. STW has stated<sup>8</sup> that it maintains no objection to the proposal but has requested an additional condition to that previously required. This condition would prevent the occupation dwellings until sewerage improvements have been investigated and undertaken by STW.
17. The water company identifies that the village pumping station requires improvement to ensure that any additional flow into the network does not create or exacerbate flooding in Drakes Broughton. It has estimated that the anticipated improvement works would be complete by the middle of 2026 but is keen to stress that this timeframe is not fixed. This would prevent the proposed development from being occupied until third parties, namely STW, have undertaken infrastructure improvements on land outside the appellant's control. The Council has stated that if such a condition were imposed, this would address its concerns.
18. The PPG explains that a 'Grampian-style' condition should not be used where there are no prospects at all of the desired action being performed within the time limit imposed by the condition. Such certainty is not provided by STW and indeed it has stated that it is impossible to guarantee a precise delivery date of the improvement works. Accordingly, the condition does not set a clear timeframe for the works to be completed and therefore a clear time period is not proposed. Accordingly, this condition would not be reasonable and would not pass the tests of paragraph 57 of the Framework. Moreover, the PPG states that conditions that unnecessarily affect an applicant's ability to bring a development into use, allow a development to be occupied or otherwise impact on the proper implementation of the planning permission, should not be used. The proposed condition, without clear certainty as to a delivery period, could prevent the development proceeding.
19. In any event, STW has stated that it is committed to undertaking the identified improvement works within an early timeframe. There is no compelling evidence that disputes the assertion that these improvement works would take place shortly and provide an effective solution to the identified drainage issues in the village. Furthermore, the Water Industry Act [1991] identifies that STW are statutorily required to improve the drainage system, where necessary, providing the relevant protection otherwise sought by the Grampian condition.
20. In the absence of the Grampian condition, the proposal could instead be subject to a condition that requires details of foul drainage to be submitted and approved by the local planning authority prior to the commencement of development. This could include the requirement for the appellant to demonstrate that where a connection to the public sewer is proposed that the additional foul sewerage can be accommodated within the existing system without increasing the risk of flooding or backing up of the existing system on site or elsewhere. Such a condition would be

<sup>8</sup> Email from Severn Trent Water 13 November 2024

reasonable and ensure that the scheme manages its foul drainage requirements properly, without materially impacting on the existing off-site drainage issues raised by interested parties.

21. As a result, the proposal has been submitted with sufficient drainage related details and does not demonstrate a clear reason to resist the proposal. The submitted drainage details comply with the requirements of DP policy SWDP30 in that the scheme would have access to adequate water supplies and water treatment facilities without leading to unacceptable risk to water bodies.

#### *Infrastructure provision*

22. Paragraph 58, of the Framework, and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) confirm that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.
23. The provision of 40% of dwellings on-site to be affordable housing is required to address the need identified in the Council's Strategic Housing Market Assessment and its Housing Register. The PPG requires this provision to include 25% as 'First Homes'. These are also necessary for the proposal to comply with DP policy SWDP15. The provision within the S106 is compliant with the policy requirements and the Council is satisfied that this provision would be suitably secured.
24. The requirement for financial contributions towards sports and leisure provision, is necessary by DP policy SWDP39 and the Planning Obligations SPD. It has been identified that sports improvements, as sought by DP policy SWDP7, are required to support the partial funding of a sports hall at Pershore High School and pitches and facilities within Drakes Broughton. Furthermore, policy SWDP5 requires the provision of green infrastructure. The proposal is required to contribute towards the provision, maintenance, improvement and connectivity to Green Infrastructure. The policy sets out the required proportion based on the size of the site. Those sites over 1 hectare, such as the appeal site, must make a provision of 40% Green Infrastructure on site.
25. The NHS Clinical Commissioning Group have sought a contribution towards primary health care. Correspondence<sup>9</sup> explains that the proposed development would add around 60 adults to the local population. It is asserted that this would increase demand for local services and would give rise to a need for improvements to capacity. The contribution would be spent towards new and additional premises or infrastructure or improved digital infrastructure and telehealth facilities. However, the evidence does not demonstrate, to my satisfaction, that this requirement has been shown to be directly related to the scheme or shows how the sum would be spent on directly and reasonably required additional infrastructure. I have therefore disregarded this element from my consideration of the merits of the proposal.
26. The Council also require a contribution towards education, with respect to high and first school and early years provision. This is sought by the Planning Obligations SPD and its evidence base. The County Council has explained<sup>10</sup>, with detailed

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<sup>9</sup> NHS Herefordshire and Worcestershire, Jo Hall, 30 May 2023

<sup>10</sup> Worcestershire County Council, Education Planning Obligation Assessment, undated



analysis, that based on local school capacities, and the expected pupil yield numbers from the proposed development, financial contributions towards the provision of education places within the local area would be necessary.

27. The local highway authority has identified that it has an obligation to consider the transport needs of elderly and disabled residents to address the requirements of DP policy SWDP4. Using historic trip need, mileage rates and census data it has been determined that a suitable bus service is required to provide access to vital services, particularly acute health needs. As a result, a planning contribution has been demonstrated to be necessary towards a community bus service in relation to managing travel demand and maximise sustainable modes of transport.
28. Overall, the planning obligations for affordable housing, sports and leisure provision, green infrastructure, education and highways are necessary to make the development acceptable in planning terms. These are directly related to the development and related in kind and scale to the appeal scheme. Furthermore, the submitted S106 Legal Agreement would secure the required infrastructure measures to my satisfaction and would be in compliance with the Council's stated policies and the associated SPD. Accordingly, I find that planning obligation requirements, excluding the primary healthcare provision, are reasonable and necessary for the development to proceed.

### Other Matters

29. In terms of highway impacts, the proposed standard T-junction access (shown on drawing 001/B) would connect to Stonebow Road. This highway is subject to a 30mph speed restriction. Guidance<sup>11</sup> requires the new junction to demonstrate it could provide visibility splays of 2.4 metres (x-axis) by 43 metres (y-axis), unless speed surveys demonstrate a different y-distance is required. The proposed access would include footways that extend away from the access a short distance and dropped kerbs to aid pedestrian access. The submitted Transport Statement<sup>12</sup> undertook speed surveys along Stonebow Road and identified that despite the speed limit, the 85<sup>th</sup> percentile of traffic in both directions exceed this to 35mph (northbound) and 34.6mph (southbound). In response to these findings increased visibility splays of 2.4 metres by 53 metres are proposed at the access.
30. The highway is level and straight for a long distance to the northeast of the proposed access. There are a number of junctions, small estate access points and driveways along this part of Stonebow Road. However, having multiple access points is not uncommon in a village setting and this does not necessarily create a dangerous highway context.
31. To the southwest the highway curves to the south, hampering distant views but enabling safe views to be obtained in consideration of the required visibility splays. As such, the proposed access, and the adjacent pedestrian access points, would have suitable visibility splays in both directions, enabling safe access and egress through the new junction. Also, road collision data does not identify that the road has a discernible pattern of poor safety performance. As such, the proposal would not cause material highway safety issues that would warrant refusal of the scheme, a conclusion shared by the local highway authority.

<sup>11</sup> Manual for Streets, Department for Transport, March 2007

<sup>12</sup> Transport Statement, hub transport planning ltd, 6/12/22

32. Policy DBWP7 of the Drakes Broughton and Wadborough with Pirton Neighbourhood Plan requires development proposals to prevent the loss of important local historic features. The proposed scheme would place housing on a currently undeveloped area of land behind an existing dwelling. Due to its undeveloped nature the site makes a positive contribution to the character and appearance of the surrounding countryside. The site is visible from a footpath that runs alongside its southwest boundary and would be glimpsed in views from Stonebow Road. However, due to the enclosed nature of the proposed development, new housing would affect local views only. As a result, the impact of the proposal on the character and appearance of the wider area would be limited.
33. In consideration of wildlife issues, the site is a large area of modified grassland with some boundary hedging. There is a row of trees found along the rear boundary. Two oak trees, found on the western boundary of the site, have the potential to accommodate bats and are proposed to be retained. The overall impact on trees would be limited, with most trees identified for removal being of low value. The submitted Ecological Assessment<sup>13</sup> demonstrates that no habitats of special protection would be lost, and the site is not of high ecological value. The Biodiversity matrix<sup>14</sup> shows that the scheme would be capable of achieving 10% Biodiversity Net Gain through the provision of a landscape scheme and appropriate maintenance regime. I therefore find that the proposal would result in no material harm to ecological interests.
34. Interested parties have raised concerns with respect to the effect of the proposal on local services, including school places and health provision. The submitted Legal Agreement makes provision for a range of infrastructure provisions, both on and off site to mitigate the effects of development in accordance with the Council's policies. As such, the effect of the proposal on local services has been addressed in association with the proposal.
35. The proposal would result in some disturbance to local residents during construction. However, such impacts would be temporary and largely confined to daytime weekdays only, limiting the overall effect. Furthermore, a condition could be imposed that would further manage on site construction operations to further lessen the off-site disturbance created by the construction process.
36. The settlement has been subject to a number of recent housing developments that have expanded both its population and its built-up limits. However, the village is defined as a category 2 settlement which is identified in the development plan as being suitable for growth to primarily meet local need. The village has an existing local housing need as confirmed by the Council's Strategic Housing Land Availability Assessment and its Housing Team. Moreover, the evidence before me does not demonstrate that the scale of expansion is putting undue pressure on local highway or service infrastructure and, as such, the proposal would not result in demonstrable harm to the character of the settlement.

## Conditions

37. I have considered the use of conditions in line with the guidance set out in the PPG. I shall take the Council's suggested conditions into consideration and impose most of these with some amendments and adjustments for clarity.

<sup>13</sup> Preliminary Ecological Appraisal, Zebra Ecology, December 2023

<sup>14</sup> Biodiversity net gain Assessment and matrix, Zebra Ecology, December 2023

38. I have imposed the standard conditions with respect to timeframe and approved plans as advised by the PPG for clarity and certainty [conditions 1, 2 and 3]. Details with respect to levels, walls and fences, and lighting would be required to be sought by conditions [4, 5 and 13] in the interests of the character and appearance of the area. A condition would be required to manage hours of construction due to the proximity of neighbouring residential properties in the interests of the protection of existing living conditions [6]. Details of renewable and/or low carbon energy generation details are required by condition to satisfy DP policy SWDP27 [7].
39. Conditions are necessary with respect to the submission of a Construction and Environmental Management Plan (Biodiversity), Landscape and Ecological Management Plan, details for the delivery of a net gain to Biodiversity, and to secure the implementation of the arboricultural method statement in consideration of the natural and wildlife interests of the site [8, 9, 10 and 14]. Also, surface water and foul drainage details are needed for the inclusion of sustainable drainage methods to meet DP policies SWDP28 and SWDP29 [11 and 12].
40. The site has the potential to accommodate Romano-British and Anglo Saxon remains. Therefore, a condition is required with respect to the submission of a programme of archaeological works to ensure that these potential remains are preserved [20]. The proposal is required to be implemented in accordance with the Flood Risk Assessment to ensure the site is not at risk to pollution or flooding [15]. It is also necessary for the access and its visibility splays to be provided in accordance with the approved details, and for the submission of a Construction and Environmental Management Plan (Highways), in the interests of highway safety [16 and 18]. Furthermore, conditions are necessary with respect to the provision of a Travel Welcome Pack, cycle parking to promote the sustainable travel benefits of the proposal [19 and 20]. A condition is required to ensure that the access works are fully implemented prior to the occupation of a dwelling [17].
41. However, a condition for the landscaping related details of the proposal would not be required as this is adequately sought by condition 1 and as such this condition would be unnecessary. The site is a greenfield location, and the evidence does not indicate that the site has been subject to previous development. Furthermore, it has not been demonstrated that the site has been subject to pollution or contamination in the past from agricultural activity. As a result, a condition requiring action, if unexpected contamination is found on site, would not be necessary and has not been applied.

## Conclusion

42. The proposal would accord with the development plan, when taken as a whole, and there are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. As such, the appeal is allowed, and planning permission is granted subject to the attached conditions.

*Ben Plenty*

INSPECTOR



## Schedule of conditions

- 1) Details of the appearance, landscaping, layout, and scale, "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place 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. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3) Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information provided on the application form and the following plans/drawings/documents: Site Location Plan (ref: Rev.B), dated November 2022; Proposed Site Access Layout (ref: 001 - Rev.B), dated 14 August 2023; and Proposed Site Access Layout Forward Visibility (ref: 002), dated 15 August 2023.
- 4) Details of the levels of the existing site and the precise floor slab levels of the approved dwellings, relative to the existing development on the boundary of the site, shall be submitted for approval as part of the reserved matters.
- 5) Details of screen walls, fences, surface treatments to drives, cycle and footways and implementation timetable shall be submitted for approval as part of the landscaping reserved matters for the written approval of the Local Planning Authority.
- 6) Demolition, clearance or construction work and deliveries to and from the site in connection with the development hereby approved shall only take place between the hours of 08.00 and 18.00 hrs Monday to Friday and 08.00 and 13.00 hrs on a Saturday. There shall be no demolition, clearance or construction work or deliveries to and from the site on Sundays or Bank Holidays.
- 7) Before the commencement of development hereby permitted, details of renewable and/or low carbon energy generation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall contribute to at least 10% of the predicted energy requirements of the development. The details to be submitted shall include: the overall predicted energy requirements of the approved development; the predicted energy generation from the proposed renewable/low carbon energy measures; and an implementation timetable for the proposed measures. The development shall be carried out in accordance with the approved details.
- 8) No development shall take place (including any ground works, demolition or clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be based on the recommendations made in section 5.0. of the Preliminary Ecological Appraisal by Zebra Ecology (ref: ZEL\_350 - V.3) dated December 2023; the Zebra Ecology Biodiversity Net Gain Baseline Assessment (ref: ZEL\_574 - V.1) dated December 2023; and additional up-to-date survey information, as appropriate, and shall include the following: a) Risk assessment of potentially

damaging construction activities; b) Identification of "biodiversity protection zones"; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including, but not restricted to, detailed badger and herpetofauna method statements; d) The location and timing of sensitive works to avoid harm to biodiversity features; e) The times during construction when specialist ecologists need to be present; f) Responsible persons and lines of communication; g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the build period in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- 9) No part of the development shall be commenced, including any site clearance, until a Biodiversity Gain Plan (BGP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the Zebra Ecology Biodiversity Net Gain Baseline Assessment (ref: ZEL\_574- V.1) dated December 2023 and habitat enhancements measured through the latest Defra metric, currently Defra metric 4.0. Thereafter, the development shall be undertaken in accordance with the approved Biodiversity Gain Plan.
- 10) Within one month of the commencement of development hereby approved a landscape and ecological management plan (LEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The content of the LEMP shall be based on the recommendations made in the Zebra Ecology 'Preliminary Ecological Appraisal' (ref: ZEL\_350 - V.3) dated December 2023, and shall be guided by the approved landscape scheme and the requirement to achieve the Biodiversity Net Gain scheme approved under condition 10 (above) and maintain this after implementation, and shall include the following: Details (type and location) of wildlife boxes and refugia; Description and evaluation of the features to be managed; Ecological trends and constraints on site that might influence management; Aims and objectives of management; Appropriate management options for achieving aims and objectives; Prescriptions for management actions; Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period and for a minimum of 30 years thereafter; Details of the body or organisation responsible for implementation of the plan; and On-going monitoring and remedial measures.

The plan shall also set out where the results of the monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. Thereafter, the LEMP will be implemented in accordance with the approved details and the development undertaken in accordance with this document.

- 11) No development shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include details of surface water drainage measures, including for hardstanding areas, and shall conform with the non-statutory technical standards for SuDS (Defra 2015)

and Flood Risk Assessment (c8349-FRA.01February 2023). If infiltration drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. If a connection to a sewer system is proposed. The scheme shall include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets, proposals for dealing with the future maintenance of these assets shall be included. The scheme should include proposals for informing future home owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the occupation of the second dwelling and thereafter maintained in accordance with the agreed scheme.

- 12) Prior to the commencement of the development, with the exception of the proposed access road, full details of a scheme for the provision of foul drainage for the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall: Include the design of all on and off-site foul sewerage infrastructure, the diameters of proposed pipes and the capacity of any on or off-site storage; Include a timetable and programme for the provision of the foul sewerage infrastructure; and Demonstrate that, where connection to a public sewer is proposed, the additional foul sewerage discharge can be accommodated within the public sewer system without increasing the risk of flooding or backing up of the existing system on the site or elsewhere. The development shall be carried out in accordance with the approved details and the approved timetable and programme.
- 13) Before the development hereby permitted is first occupied details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will not be switched on. Only external lighting in accordance with approved details shall be provided on the application site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site.
- 14) The development hereby approved shall be carried out in accordance with a detailed Arboricultural Method Statement, based upon the Zebra Arboricultural Impact Assessment (ref: ZTL\_188) dated March 2023, shall have been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall include details of trees to be retained and the methods for their protection.
- 15) The development hereby approved shall at all times be undertaken in accordance with the MEC Flood Risk Assessment (ref: 27661-FLD-Rev.C), dated March 2023.
- 16) The Development hereby approved shall not be occupied until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 53 metres in both directions, measured along the nearside edge of the adjoining carriageway as shown on drawing 'Proposed Site Access Layout Forward Visibility' (ref: 002), dated 15 August 2023. Nothing shall be planted, erected and/or allowed to grow which would obstruct this visibility.

- 17) Prior to the first occupation of the Development hereby permitted, the scheme of works to create the highways access shall be implemented in full to the written satisfaction of the Local Planning Authority. These works shall be generally in accordance with drawing 'Proposed Site Access Layout' (ref: 001 - Rev.B) dated 14 August 2023, subject to any necessary changes identified during the detailed design process.
- 18) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway (including wheel washing facilities); Details of site operative parking areas, material storage areas and the location of site operatives' facilities as required; The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring; Traffic management measures for construction vehicles on Stonebow Road to include temporary signage by agreement with Highways and the use of a banksman to oversee all vehicular manoeuvres where deemed necessary; Measures to demonstrate that those immediately affected by the construction works will be kept informed and due consideration and courtesy will be shown to the local community. 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.
- 19) The Development hereby approved shall not be occupied until a residential Travel Welcome Pack, promoting sustainable forms of access to the development, has been submitted to and approved in writing by the Local Planning Authority. The pack shall be provided to each resident at the point of occupation.
- 20) 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 in writing. The scheme shall include an assessment of significance and research questions and: 1) The programme and methodology of site investigation and recording. 2) The programme for post investigation assessment. 3) Provision to be made for analysis of the site investigation and recording. 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation. 5) Provision to be made for archive deposition of the analysis and records of the site investigation. 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. 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 (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 21) No dwelling hereby permitted shall be occupied until secure cycle parking has been provided in accordance with the standards and dimensions required by Worcestershire County Council's Streetscape Design Guide.

## **End of conditions**