



Appeal Decision

Inquiry Held on 12 August 2025

Site visit made on 12 August 2025

by G D Jones BSc(Hons) DipTP DMS MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th August 2025

Appeal Ref: APP/H0520/W/25/3363835

Folly Farm Livery Stable, London Road, Yaxley, Cambridgeshire PE7 3NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Abbey Properties Cambridgeshire Ltd, P Spencer and R Clark as the Trustee of the R F Clark Children's Fund against Huntingdonshire District Council.
 - The application Ref 24/00378/OUT, is dated 15 April 2024, was refused by notice dated 10 October 2024.
 - The development proposed is development of up to 115 dwellings to include public open space, landscaping, access and associated works (following demolition of existing buildings).
-

Decision

1. The appeal is allowed and outline planning permission is granted for the development of up to 115 dwellings to include public open space, landscaping, access and associated works (following demolition of existing buildings) at Folly Farm Livery Stable, London Road, Yaxley, Cambridgeshire PE7 3NQ in accordance with the terms of the application, Ref 24/00378/OUT, dated 15 April 2024, subject to the conditions contained within the Schedule at the end of this decision.

Preliminary Matters

2. The proposal is for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the scheme, I have treated the submitted details relating to these reserved matters as a guide as to how the site might be developed.
3. A legal agreement, dated 28 August 2025, made under s106 of the Town and Country Planning Act 1990 (the Legal Agreement) was completed after the Inquiry closed in accordance with an agreed timetable. I have had regard to it in my consideration and determination of the appeal.
4. The Council did not defend the appeal as reflected in its most recent Statement of Case and the main Statement of Common Ground between the main parties (the SoCG). The Council has also confirmed that it does not object to outline planning permission being granted for the proposed development subject to conditions and planning obligations.

Main Issue

5. In light of the extent of common ground between the main parties, the main issue is whether any harm that would result from the development would significantly and demonstrably outweigh any benefits.

Reasons

The Council's Position & Housing Land Supply

6. Although there is a great deal of common ground between the main parties, there remain areas of disagreement. The SoCG identifies these as follows:
 - Whether the site:
 - Is within the built-up area of Yaxley and should be assessed against Policy LP 8, concerning the 'Strategy for Development', of the Huntingdonshire Local Plan to 2036, May 2019 (the Local Plan);
 - Is within the countryside for planning policy purposes, particularly Local Plan Policy LP 10, concerning 'The Countryside';
 - Has an open and less developed character, and whether the introduction of the proposed development would have a notable urbanising effect resulting in the erosion of the existing rural character; and
 - Contributes to the physical and visual separation between Great Haddon and Yaxley;
 - Whether the proposed development would significantly alter the experience for users of the public right of way 277/12; and
 - The weight to be given to the benefits and harm that would result from the appeal scheme.
7. The latter of the foregoing points is informed by those that precede it, as well as by other matters, including housing land supply and wider considerations that did not form the basis of the Council's original decision to refuse planning permission. The latter of these include the concerns raised by other interested parties, such as local residents and Yaxley Parish Council.
8. It is common ground between the main parties that the Council cannot currently demonstrate a National Planning Policy Framework (the Framework) compliant supply of housing land. Nonetheless, they differ over the extent of the shortfall. The Council maintains that it can demonstrate 3.94 years supply compared to the 5 years required by the Framework. In contrast, the appellant considers that only 3.35 years supply can be demonstrated.
9. In my view, for reasons identified by the appellant, there are some flaws in the Council's approach, such that the appellant's figure is the more likely of the two to be correct. The difference between the parties on this matter is not substantial and does not alter the outcome of the appeal. Nonetheless, as a decision-making tool, I have adopted the Council's figure as a benchmark when considering and determining the appeal.
10. I have taken a similar approach to the other areas of disagreement between the main parties as summarised above. In other words, I have adopted the Council's 'best case' on each of these matters as a benchmark for the purposes of assessing

the proposed development and determining the appeal. I would stress that I do not necessarily agree with the Council on each of these matters. However, I have not found it necessary to go into the detail of each of these, including my reasons for taking a different view, given that I have employed the Council's case as a benchmark and that doing so does not alter the outcome of the appeal.

Interested Parties

11. Concern has also been expressed locally in respect to a number of considerations. These include the appeal development's effect on infrastructure (including highways, water/sewage, electricity, telecommunications, education and health services, and green space), on flood risk, on highway safety and congestion (including in respect to pedestrians and access for emergency vehicles), on biodiversity, on public health and quality of life, on living conditions during the construction stage and following completion of the development (including in respect to noise, disturbance, light and privacy); and loss of green space, merging of Yaxley and Haddon, reduction of the landscape buffer between Yaxley and the Great Haddon Development, erosion of the settlement boundary between Huntingdonshire and Peterborough, and effects on the character and appearance of the area.
12. The concerns raised also include alleged shortcomings in the assessment of the development, including that there was not an environmental impact assessment or 'environmental report' and regarding highway and transport impacts; loss of employment and the riding school, including associated existing activities and opportunities at the site; the density and quality of the development; the proposed housing mix and affordability; obstruction of Tudor Place bin collection; conflict with the Local Plan; alternative sites for such development; on-going housing development in the area; the size of Yaxley as a village; the lack of children's play areas in Yaxley; that alternative access should be considered; whether the site constitutes previously developed land; enhancement of the existing public right of way; that the development should be carbon neutral; and consistency with previous planning decisions.
13. Some of these matters relate to the remaining areas of disagreement between the Council and the appellant as outlined above. Where they do not, they are largely identified and considered within the Council officer's report on the appeal scheme. They were also before the Council when it prepared for and participated in the Inquiry, including via the SoCG. Throughout that process the Council has not concluded that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions in these respects subject to planning obligations and conditions. Nonetheless, it may be helpful to say a little more about highways and infrastructure matters as these are areas of common ground between the main parties but figure prominently within the objections.
14. A number of potential concerns regarding highway safety and congestion have been raised by interested parties, including by Yaxley Parish Council at the Inquiry. Nonetheless, no substantiated evidence has been put to me to suggest that there would be any significant impacts in this regard that could not be reasonably mitigated. In contrast, the potential effects of the development in these respects appear to have been thoroughly assessed on behalf of the appellant, for instance via a Transport Assessment. The development and the proposed mitigation have

also been scrutinised by Cambridgeshire County Council and Peterborough City Council as the local highway authorities concerned. Subject to mitigation, neither of these bodies have any outstanding objections to the appeal scheme.

15. Based on all that I have read, seen and heard during the appeal process, I have found no good reason to conclude that the appeal scheme would have any significant negative effects on highway safety or congestion that could not be mitigated. Consequently, I have found no conflict, in this regard, with the Local Plan or the Framework.
16. Interested parties have also raised concerns over whether there would be sufficient suitable infrastructure and services to support the proposed development. East of England Ambulance Service NHS Trust has also made submissions requesting a payment to mitigate impacts of the appeal scheme.
17. Regarding the request from the NHS Trust the Council has concluded that any such 'mitigation' has not been justified. Its officer's report states, in this regard, *the request for a financial contribution is considered too general as it not clear what a new Ambulance Station Response post or the redevelopment of the Peterborough Ambulance Hub would comprise. To be considered to meet the CIL tests, evidence of a more specific project for the money to be spent on including the details of the specific post and redevelopment requirements for the existing hub which require the contribution to mitigate the impact of the development.* In the absence of any further evidence, I have found no good reason to conclude otherwise.
18. Regarding the wider infrastructure concerns, the appellant has submitted a range of information and evidence that assesses the likely effects of the development along with mitigation intended to deal with those effects on local infrastructure and services. These include biodiversity mitigation, delivery and maintenance of public open space as part of the development, off-site highways mitigation and on-site affordable housing provision.
19. These submissions and proposals have been assessed by statutory consultees and service providers that have responsibility for planning, managing and / or providing infrastructure, services and facilities, as well as by the Council in its role as local planning authority. Having done so, subject to mitigation that could be secured via planning obligations or conditions, other than as set out above, none of these bodies have suggested that the proposed development would have any effects on existing infrastructure, services and facilities that could not be adequately mitigated.
20. Indeed, while the proposed mitigation is primarily intended to address the needs and effects of the development, there are also likely to be some modest consequential benefits for the wider community through the provision of the public open space. Overall, therefore, there is no soundly evidenced basis to conclude that the scheme would have a significantly detrimental effect in terms of any form of infrastructure, facilities or services. On this basis, I have found no conflict with the Local Plan in this regard.

Appropriate Assessment

21. The Orton Brick Pits Special Area of Conservation (the SAC) is some 900m to the northwest of the appeal site. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), as competent authority, I am

required to undertake an Appropriate Assessment of the appeal development, in combination, on the basis of its Likely Significant Effects on the SAC as a European Site.

22. A Shadow Habitats Regulations Assessment (SHRA) has been prepared for the proposed development on behalf of the appellant. It has been scrutinised by the Council and by Natural England. Subject to mitigation, neither body has raised any objection to the appeal scheme in this regard. The SHRA identified at the screening stage that in the absence of mitigation, Likely Significant Effects on the Great Crested Newt interest feature of the SAC could arise from loss of or damage to habitat and from water quality / flow rate effects during construction and operation. The SHRA, therefore, took the potential Likely Significant Effects forward to the Appropriate Assessment stage.
23. Mitigation to avoid adverse effects on integrity could be provided via protection and translocation of Great Crested Newts prior to commencement, maintenance of fencing during construction, retention and enhancement of the pond and associated terrestrial habitat, maintenance of water flow and quality during operation, and ongoing management of the pond and terrestrial habitat. The SHRA indicates that these measures would be set out in a Great Crested Newt licence application to Natural England, to be obtained prior to commencement and that no adverse effect on integrity would, therefore, occur.
24. Having reviewed the evidence myself, as the competent authority, I agree with the foregoing findings of the SHRA. Accordingly, I have concluded that there would be no significant adverse effect on the integrity of the SAC as a result of the proposed development.

Planning Obligations

25. In the event that planning permission were to be granted and implemented the planning obligations within the Legal Agreement would secure:
 - Delivery of affordable housing at a rate of at least 40% of the development;
 - Delivery and maintenance of on-site public open space;
 - A payment for the provision of wheeled bins;
 - A payment to be used to manage pressure arising from residents of the appeal development on Holme Fen Site of Special Scientific Interest; and
 - Payments to be used to re-validate the vehicle actuation timings at off-site highway junctions.
26. The Council and Peterborough City Council have each submitted detailed statements (the CIL Compliance Statements), which address the application of statutory requirements to the planning obligations within the Legal Agreement and set out the relevant planning policy support / justification.
27. I have considered the planning obligations of the Legal Agreement in light of Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so, I am satisfied that those obligations would be required by and accord with the policies set out in the CIL Compliance Statements. Overall, I am satisfied that all of those obligations are directly related to the proposed

development, fairly and reasonably related to it and necessary to make it acceptable in planning terms.

Conditions

28. A schedule of 27 suggested conditions agreed between the Council and appellant has been submitted. It includes the standard timing and implementation conditions. I have considered these in the light of government guidance on the use of planning conditions and made amendments accordingly.
29. In order to provide certainty, particularly in respect to the matters that are not reserved for future consideration, a condition requiring that the development is carried out in accordance with the approved plans would be necessary. Also to provide certainty, in respect to the matters that would not be reserved for future consideration and to protect the character and appearance of the area, a condition limiting the number of dwellings permitted would be necessary.
30. To protect the character and appearance of the area and the integrity of the public right of way network, conditions to provide control over site levels and the public footpath that crosses the site would be necessary. Conditions to manage surface water during construction, to secure the installation and management of sustainable drainage and to control foul water drainage would be necessary in the interests of flood prevention, to provide appropriate and adequate facilities and to protect the environment. The approval and implementation of a scheme for the provision of fire hydrants or similar measures would also be necessary in the interests of public safety.
31. To promote sustainable transport and in the interests of biodiversity, a condition to secure the provision of welcome packs for residents of the development would be necessary. A condition to ensure that the proposed dwellings would be accessible and adaptable would be necessary to help secure flexible accommodation in the District in accordance with the Local Plan. To improve water efficiency and respond to climate change, a condition to control water consumption at the completed development would also be necessary.
32. To protect highway safety and manage traffic flow, conditions would be necessary to secure access, off-site highway works and the completion of certain on-site highway works to provide safe access to residents' homes and suitable facilities. To protect highway safety and the living conditions of local residents, conditions would be necessary to control matters during the construction phase, including on-site parking, access, wheel washing and compliance with a Demolition and Construction Environmental Management Plan.
33. Conditions to secure biodiversity mitigation, including at the construction stage and as part of the development, would be necessary to protect wildlife and their habitat, as well as to secure mandatory biodiversity net gain. For that reason and to protect the character and appearance of the area, a condition would also be necessary to secure compliance with a Landscape and Ecological Management Plan. A condition would be necessary to ensure that features of archaeological interest are properly examined/recorded.

Planning Balance

34. As the Council cannot currently demonstrate a Framework compliant supply of housing land, it is common ground between the main parties that the so-called tilted balance, as set out in para 11 of the Framework, applies to the determination of the appeal. The evidence firmly indicates that that is the correct approach in this case.
35. The appeal development would bring a range of benefits, most notably the delivery of significant amounts of market and affordable housing in an accessible location with reasonable access to a range of services and facilities. In the context of the area's current issues with housing delivery, the benefits together carry, at the least, considerable weight in favour of the appeal development.
36. The Council has concluded - when applying its own assessment of the resulting harm and alleged Local Plan conflict - that the collective weight of these matters would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. For the reasons set out in its revised Statement of Case and the SoCG, the Council is clearly right to have done so. Indeed, as touched on above, I consider that the extent and degree of harm would be likely to be less than that claimed by the Council. However, this makes no difference to the outcome of the appeal.
37. Accordingly, the appeal scheme would be sustainable development in the terms of the Framework for which there is a presumption in its favour. This is a material consideration that, in the particular circumstances of the case, would outweigh the alleged conflict with the development plan as claimed by the Council.

Conclusion

38. For all of the reasons given above, I conclude that the appeal should, subject to the identified conditions, be allowed.

G D Jones

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Rowen Clapp, Counsel He called ¹ Lucy Pateman	Instructed by Huntingdonshire District Council Senior Planning Officer (Strategic Team), Huntingdonshire District Council
--	---

FOR THE APPELLANT:

Reuben Taylor, King's Counsel He called ² Mark Wilson BSc(Hons) MA MSc CMLT Shelley Dix BEng(Civil) MTPS MCIHT CMILT Andy Brand BSc(Hons) MA MRTPI	Instructed by Andy Brand, The Abbey Group Cambridgeshire Limited Principal Landscape Architect, RPS Transport Director, RPS Planning Director, The Abbey Group Cambridgeshire Limited
--	--

INTERESTED PERSONS:

Aidan Desmond Cllr Andrew Wood Dave Sheldon	Local Resident Chairman, Yaxley Parish Council Local Resident
---	---

DOCUMENTS submitted at the Inquiry

- 1 Opening submissions for the appellant
- 2 Draft Legal Agreement with attachments
- 3 Draft Legal Agreement with tracked changes
- 4 Peterborough City Council, as Local Highway Authority, Consultation Response, 30 July 2025
- 5 Addendum to Update Statement of Common Ground relating to Conditions Only, 11 August 2025
- 6 Addendum to Update Statement of Common Ground relating to Conditions Only, with tracked changes, 11 August 2025
- 7 Closing submissions for the appellant

DOCUMENTS submitted after the Inquiry closed

- 1 Hallam Land Management Ltd v SSCLG [2018] EWCA Civ 1808 Judgment
- 2 Further submissions from Liam Drawwater, a local resident
- 3 Legal Agreement made under s106 of the Town and Country Planning Act 1990, dated 28 August 2025

¹ As there were no matters of dispute between the main parties by the time the Inquiry opened, Ms Pateman was not 'called' as such but did contribute to the 'roundtable' session on planning obligations and conditions

² All of the appellant's witnesses gave evidence in chief but were not cross-examined by the Council. Questions were put to Ms Dix and Mr Brand by Cllr Wood

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/H0520/W/25/3363835:

- 1) No development shall commence until details of the appearance, landscaping, layout and scale, (hereinafter called the 'reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.
- 2) Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan - Drawing No: 21/19/201/02 A; and
 - Access Plan - Drawing No: 794-PLN-TRP-00082-DR-005B.
- 4) The total development hereby permitted within the site shall comprise not more than 115 dwellings.
- 5) The 'layout' reserved matters to be submitted in accordance with Condition 1 shall include details of finished ground floor levels of all buildings in relation to the existing and proposed site levels, the adjacent highway, adjacent properties and to existing vegetation and surrounding landforms, together with details of levels of all accesses to include pathways, driveway, steps and ramps to above Ordnance Datum. The development shall be carried out in accordance with the approved details.
- 6) The 'layout' reserved matters to be submitted in accordance with Condition 1 shall include a Public Rights of Way scheme, which shall include details of:
 - a) The design of the public right of way route, surfacing, widths, gradients, landscaping and structures; and
 - b) Any proposals to enhance, divert or close the public rights of way and alternative route provision.The development shall be undertaken and completed in accordance with the approved details.
- 7) The reserved matters applications submitted in accordance with Condition 1 shall be accompanied by a detailed design of the surface water drainage of the site. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the Flood Risk Assessment and SuDS Strategy prepared by RPS (ref: HLEF 84880 Version 4) dated 18 July 2024 and shall also include:
 - a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and

including an allowance for urban creep, together with an assessment of system performance;

- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Survey of the receiving watercourse network, including photographs demonstrating a wider connectivity and onward flows;
- e) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer; and
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

The development shall be undertaken and completed in accordance with the approved details.

- 8) No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The details of measures may require the collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.
- 9) Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company, a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.
- 10) No development, including demolition, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
 - a) Demolition, construction and phasing programme;

- b) Contractors' access arrangements for vehicles, plant and personnel, including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures;
- c) Construction/Demolition hours, which shall only be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with approved emergency procedures for deviation;
- d) Delivery times and collections/dispatches for construction/demolition purposes shall only be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise approved in writing by the Local Planning Authority;
- e) Soil Management Strategy including a method statement for the stripping of topsoil for re-use, the raising of land levels if required, and arrangements including height and location of stockpiles for temporary top soil and subsoil storage to BS3883:2015;
- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites;
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles;
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites;
- i) Maximum vibration levels;
- j) Dust management and wheel washing measures;
- k) Prohibition of the burning of waste on site during demolition/construction;
- l) Site lighting;
- m) Drainage control measures, including the use of settling tanks, oil interceptors and bunds;
- n) Screening and hoarding details;
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures;
- q) External safety and information signing and notices. Liaison, consultation and publicity arrangements including dedicated points of contact;
- r) Consideration of sensitive receptors;
- s) Prior notice and agreement procedures for works outside approved limits;
- t) Complaints procedures, including complaints response procedures;
- u) Membership of the Considerate Contractors Scheme; and
- v) Location of contractor's compound and method of moving materials, plant and equipment around the site.

Development shall be carried out in accordance with the approved DCEMP for the duration of the development.

- 11) Prior to works proceeding above slab level, a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme shall be submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 12) The development shall not commence until a biodiversity net gain plan has been submitted to and approved in writing by the Local Planning Authority. The biodiversity net gain plan shall be implemented in accordance with the approved details.
- 13) Prior to first occupation of the development, details of the welcome packs for residents shall be submitted to and approved in writing by the Local Planning Authority. The Welcome Pack shall include, but not be limited to, a map showing local walking and cycling routes, bus stop location and free bus travel vouchers. Within 3 months of first occupation of each dwelling, each dwelling shall be provided with an approved Welcome Pack.
- 14) The dwelling(s) hereby permitted, shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' (or replacement standard), prior to occupation. Such provision shall be maintained for the lifetime of the development.
- 15) The dwelling(s) hereby permitted shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement for water efficiency, as set out in Approved Document G (or replacement standards) prior to first occupation. Such provision shall be maintained for the lifetime of the development.
- 16) The 'layout' reserved matters applications submitted in accordance with Condition 1 shall include full details (in the form of scaled plans and/or written specifications) to illustrate the following:
 - a) The layout of the site, including roads, footways, cycleways, and surface water drainage;
 - b) The siting of the buildings and means of access thereto;
 - c) Visibility splays;
 - d) Parking provision; and
 - e) Turning Areas.
- 17) Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 18) Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to:
 - a) Enter, turn and leave the site in forward gear; and
 - b) Park clear of the public highway.The approved manoeuvring and parking areas shall be levelled, surfaced and drained and thereafter retained for that specific use.

- 19) Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.
- 20) Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted Drawing No. 794-PLN-TRP-00082-DR-005B. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 21) The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.
- 22) A metalled surface shall be provided for a minimum distance of 15m along the access road from its junction with the public highway. No works shall commence on site unless/until details of wheel washing facilities associated with the proposals have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
- 23) Prior to the first occupation of the development hereby permitted the off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority based on the plans submitted.
- 24) The reserved matters applications submitted in accordance with Condition 1 shall be accompanied by a Biodiversity Method Statement which provides details of biodiversity mitigation and enhancement measures to be implemented and installed as part of the development. The biodiversity method statement shall include, but not be limited to, the recommendations set out within the submitted Ecological Appraisal (ECO01471 Rev E) dated 12 January 2024. The details shall also include but not be limited to:
 - (a) Specification and location;
 - (b) Programme and timetable for implementation;
 - (c) Persons responsible for implementing the works;
 - (d) Details of initial aftercare and long-term maintenance;
 - (e) Details of monitoring and remedial measures;
 - (f) Details of the mitigation measures for the retained pond (as per Sections 5.3 of the Ecological Appraisal) and any additional mitigation measures; and
 - (g) Details of how the design of the surface water drainage strategy will hold water prior to discharge into the retained pond to ensure great crested newts and their habitat are not degraded. If adequate mitigation cannot be achieved to ensure great crested newts and their habitat are not degraded in the retained pond, evidence of the appropriate licencing to compensate/mitigate shall be submitted to the Local Planning Authority prior to commencement of development.

Development shall not commence until the Biodiversity Method Statement has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and all enhancements measures shall thereafter be retained as such in perpetuity.

- 25) No development shall commence (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the Local Planning Authority. The CEcMP shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - c) The location and timings of sensitive works to avoid harm to biodiversity features;
 - d) The times during construction when specialist ecologists need to be present on site to oversee works;
 - e) Responsible persons and lines of communication;
 - f) Use of protective fences, exclusion barriers and warning signs if applicable;
 - g) Measures to prevent surface water containing silt or dust from entering the pond during clearance and construction; and
 - h) Measures to ensure that water flow into the pond is not interrupted if / when field drains are disconnected during construction.

The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 26) No development above slab level shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan; and
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan shall be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action shall be identified, approved and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP shall be implemented in accordance with the approved details.

- 27) No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition/development

shall commence other than under the provisions of the approved WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the approved works;
- c) The timetable for the field investigation as part of the development programme; and
- d) The programme and timetable for the analysis, publication and dissemination, and deposition of resulting material.

Richborough