
Appeal Decision

Site visit made on 10 September 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2025

Appeal Ref: APP/H1840/W/25/3364146

Land at (OS 9200 6615) Crown Lane, Wychbold

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Richborough Estates Limited and Bromford Housing Association against the decision of Wychavon District Council.
 - The application Ref is W/23/01622/FUL.
 - The development proposed is residential development including new access, open space, drainage and associated infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for residential development of 128 dwellings including new access, open space, drainage and associated infrastructure at Land at (OS 9200 6615) Crown Lane, Wychbold in accordance with the terms of the application, Ref W/23/01622/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. Notwithstanding the description in the heading above, the description used in the Decision above is taken from the Council's decision notice. That is consistent with that used on the appeal form and more precisely defines the nature of the proposal.
3. The Council's second reason for refusal related to the accessibility of the site by sustainable transport modes. However, following the submission of the appeal the Council advised that it wished to withdraw that reason for refusal. As it is no longer a matter in dispute between the main parties, it is addressed under Other Matters below.
4. The sole reason for refusal being contested at appeal relates to the effect of the proposal on the character and appearance of Wychbold. This is a matter which can be clearly understood from the appeal documents and site inspection, without the need for testing of evidence by questioning. Consequently, the appeal procedure was changed to written representations rather than a hearing. Accordingly, the appellants were allowed the opportunity to make final comments on the Council's statement in writing. Also, the Council invited any interested parties who had intended to make their views known at the hearing to contact the Planning Inspectorate with their comments. Any comments have been taken into account. Therefore, I consider that no parties were prejudiced as a result of the procedural change.
5. The Council advises that it can currently only demonstrate a 1.1 year supply of deliverable housing sites. I return to this subsequently. The main parties have also

made reference to the South Worcestershire Development Plan Review which has been submitted for examination by an Inspector, with hearings having taken place but the Inspector's final report not having been issued. Consequently, there is uncertainty over whether or not the Council will be able to demonstrate its required housing land supply position on adoption of the South Worcestershire Development Plan Review. As such, the potential for a shortfall against the Council's housing land supply to continue on adoption of the Plan Review attracts limited weight in the consideration of this appeal.

Main Issue

6. The main issue is whether the design of the proposed development would be acceptable with respect to its effect on the character and appearance of Wychbold.

Reasons

7. The character of housing within Wychbold is varied. Some houses in Wychbold are set back from the road behind generous front gardens and drives. This includes some areas of older housing where there are houses of individual design and a linear pattern of development, such as along Worcester Road (A38). Whereas many houses are situated much closer to the road edge. This includes areas that have a more suburban character, where houses appear to have been built at a similar time, to a similar typology, on purpose-built residential roads. For example, the housing development around Amphlett Way, as well as in and around Brook Meadow and Pigeon House Close. This variety in the pattern of development, building design and layout adds interest in the street scene when moving through the village.
8. Houses are generally single or two storey, but there are also some three storey houses. For example, the Baxter Drive apartments comprise three storey blocks fronting on to De Wych Road. These are adjacent to an area of green open space that is surrounded by housing. Consequently, the three storey built form is relatively prominent within the village. These apartments are modern in appearance, comprising of red brick, render, and a mix of dark metal and wooden cladding. Alongside these are two storey terraces that are orientated side on to De Wych Road and appear to have been designed to a similar typology. Other houses in the vicinity are more traditional in appearance, including two storey semi-detached houses and three storey flats.
9. The appeal scheme includes stretches of terraced housing positioned relatively close to one another. For example, there would be limited gaps between adjacent terraces from plots 76/77 to plots 99/100. Nonetheless, differences in the treatment of their frontages would be sufficient to avoid the terraces appearing monotonous or oppressive. For example, there would be some slight variations in the building line, as well as modest gaps between some adjacent blocks for pedestrian access to rear gardens. These would help articulate the building line when viewed from the proposed road and pavement along this edge. The use of flats above garages would also add some variation to the building heights. In addition, there would be variation in the proximity of the buildings to the edge of the pavement in some instances, with some plots set back behind parking spaces, and others with only landscaping.
10. The proposed design also displays differentiation in the treatment of those building facades. For example, plots 83 to 86 are shown finished in brick, with the plots on

one side having dark weatherboarding, and the other being rendered. Rather than one long monotonous entity, this would help to create the appearance of discreet blocks of terraces. Variation in the size of gables would further help to distinguish between adjacent terraces. In addition, it would be appropriate for details of landscaping to be secured by condition, to further soften the appearance of these frontages.

11. Furthermore, where parking spaces are proposed on the opposite side of the road to the houses that they would serve, they would be interspersed with landscaping. In addition, where such parking is required it is shown adjacent to substantial areas of landscaping. For example, the parking for plots 85 to 96 allows for some landscaping gaps between spaces and open space beyond. As such, although not a common layout for parking within the village, the appearance of these proposed parking spaces, perpendicular to the road carriageway, would not appear unduly harsh or dominant within the street scene. Furthermore, rather than the proposal including surplus areas of open spaces, I consider that the proposal incorporates well overlooked spaces that would be a welcome feature.
12. Within the village, three storey buildings are less common than those of two storeys or fewer. However, as described, there are some existing examples within Wychbold such that their presence within the appeal scheme would not appear alien. A lower rise, lower density edge to the development might be more appropriate in circumstances where a village edge site shares its boundary with open countryside. There may also be circumstances where three storey buildings should be dispersed throughout a development to provide waymarking and assist with legibility.
13. However in this instance, the appeal site shares a long boundary with the M5 motorway. Consequently, the appearance of a sensitively designed but slightly more urban scale of development along that edge is an appropriate design solution that would not appear out of place. Furthermore, there would be commonality in the architectural treatment of the proposed buildings and other housing developments within the village, where brick and rendered houses with pitched roofs are prevalent.
14. The appeal scheme would be separated from existing housing on Brook Meadow, Flax Close and Pigeon House Close by intervening landscaping. This would comprise a relatively wide green buffer between the appeal scheme and existing houses. As a result, the proposal would not appear imposing or unduly cramped from those existing houses. Whilst some views would change, the proposal would not result in an unacceptable loss of privacy for occupants of those existing houses or other houses in the vicinity. Furthermore, the proposal includes a new footway along Crown Lane to provide pedestrian access from the appeal site into the village. As such, I see no reason to conclude that the layout of the proposal would appear disconnected from the village or that future occupants would feel isolated.
15. Accordingly, the design of the proposed development would be acceptable with respect to its effect on the character and appearance of Wychbold. For this main issue it would thus accord with Policy SWDP2 criterion F and SWDP21 of the South Worcestershire Development Plan (February 2016) (Local Plan). These include requirements for developments to be designed having regard to the character of their surroundings.

Other Matters

Highway safety

16. Many local representations raised concerns about traffic impacts of the proposal on local roads. I have given careful consideration to these and the other matters raised. The proposal is supported by transport evidence (by hub transport planning ltd) that incorporates the recommendations of independently prepared Road Safety Audits. In respect of pedestrian safety, the submitted transport evidence shows that the proposed alterations to the footway on Crown Lane could be safely accommodated taking into account the range of other road users, landownership and the available road width. This includes measures such as red surfacing of the proposed footway where it crosses in front of the NHS Equipment Centre, edge of carriageway markings and additional traffic signs to warn road users of the narrowing of Crown Lane carriageway. Subject to implementation of these, secured by condition, the proposal would be acceptable with respect to pedestrian safety.
17. The submitted transport evidence also confirms that the proposed Crown Lane site access would achieve appropriate visibility splays, taking into account its proximity to existing accesses and the road bend towards the motorway. In addition, the proposal includes improvements to the Crown Lane/A38/Chequers Lane junction. This has been shown to mitigate the impact of the proposed development on Crown Lane without increasing vehicle queues on the A38. I am satisfied that this transport evidence is sufficiently robust, including having regard to the implications of the covid-19 pandemic on traffic flows and accident data.
18. Incidents on nearby roads, such as the M5 motorway and A38, are said to result in Crown Lane being used as a cut through and becoming particularly congested at those times. However, no substantive evidence indicates that traffic generated by the proposal would exacerbate this to any significant extent. Although construction traffic can be disturbing to local residents this would be for a temporary period and could be suitably controlled through a construction traffic management condition. Accordingly, the proposal would be acceptable with respect to highway safety. Furthermore, it would be necessary for conditions to secure those access improvements before the development is first occupied.

Accessibility and local infrastructure

19. Wychbold is described as a category 1 village in the Local Plan in light of its range of services and facilities and sustainable transport provision. Although outside the settlement boundary, the appeal scheme includes improvements to the footway on Crown Lane. As such, whilst a rural village, future occupants would be provided with access to some local facilities without the need to travel by private car. Moreover, even if local bus services are limited to day time only, these would enable future occupants of the proposal to travel by public transport to access goods, services and employment elsewhere.
20. I recognise local residents' concerns that the proposal would likely increase demand for services such as healthcare and school places in the locality, that are already said to be overstretched. Also, that at application stage contributions were sought from Hereford and Worcestershire NHS and Worcestershire Children's Services, respectively. Nonetheless, Policy SWDP62 of the Local Plan confirms that a Developer Contributions SPD will provide detailed guidance in respect of planning obligations and s106 agreements. Accordingly, the Council's Developer

Contributions Supplementary Planning Document (July 2018) (SPD), that was subject to public consultation, advises that education and healthcare contributions are not required for affordable housing schemes such as this. Also, the draft section 106 (s106) legal agreement was completed by the main parties during the course of the appeal. This includes a number of obligations to come into effect if planning permission is granted. In respect of access to education, the s106 includes a contribution towards school transport provision to assist in getting children to school where that would be beyond acceptable statutory walking distance.

21. Therefore, in the particular circumstances of this case, the proposal would be acceptable in the absence of contributions to healthcare and education. In addition, in light of the extent of open space to be provided on the appeal site, to include a local area of play, the proposal would not place unacceptable demands on existing play areas and open space on nearby developments.

Landscape

22. The appeal site is located within the Principal Timbered Farmlands Landscape Type as defined in the South Worcestershire Landscape Character Assessment. This refers to a dispersed settlement pattern, with a dispersed pattern of farmsteads and wayside cottages as key characteristics. The proposed development would result in the loss of an undeveloped field and its replacement with buildings and associated infrastructure, including loss of part of its boundary hedge to facilitate the proposed site access. Therefore, the proposal would result in landscape harm, in conflict with Policy SWDP25 of the Local Plan which generally seeks to ensure proposals are considered having regard to landscape character. The appellants also did not dispute that some landscape harm would arise.
23. However, the proposed built form relates to a discreet parcel of land that is relatively self-contained, with mature vegetation to filter views from the wider area. Moreover, the proposal seeks to retain the remaining boundary hedges and mature trees within the site. In addition, substantial areas of open space are proposed. Consequently, the landscape harm would be modest and localised in nature. The appeal site land on the opposite side of Crown Lane to the proposed houses is green belt. However, as that land is proposed to be provided as public open space it would not be inappropriate development in the green belt.

Noise and air quality

24. The Council's consideration of this site under their Strategic Housing and Economic Land Availability Assessment raised concerns over potential noise and air quality issues associated with its proximity to the motorway. However, the appeal proposal was subject to an acoustic assessment (by Mewies Engineering Consultants). No substantive evidence indicates that the assessment was made in conditions that were not sufficiently representative, including in respect of traffic speed restrictions on the M5. The assessment finds that, subject to appropriate mitigation measures, the proposal would achieve satisfactory noise levels for its future occupants. This would be reliant on closed windows for some houses, together with mechanical ventilation. This is not uncommon for housing schemes that are located close to a noise source such as this. A condition relating to details of acoustic mitigation and ventilation would be necessary to ensure that the proposal achieves suitable living conditions for its future occupants.

25. It is likely that greater noise would be experienced by future occupants of the proposal during storm conditions, and that these may become more frequent due to our changing climate. Even so, I am not persuaded that occasions of greater noise during adverse weather would be so frequent or severe as to result in unacceptable living conditions or harm to health. Moreover, there is no indication that the proposed noise bund and fencing would deflect noise to the extent that it would be to the detriment of living conditions for occupants of existing houses to the west of the M5. Furthermore, given its position adjacent to the motorway and as part of a wider landscaping scheme, it would not be visually intrusive.
26. An indicative pedestrian link is shown on the proposed layout plan, connecting into Flax Close. This raised concerns in respect of noise disturbance from future occupants of the proposal passing through this area of housing. However as that link is marked as indicative and is not referenced in the description of development, it does not form part of the development proposal under consideration here.
27. The appellants' air quality assessment (by Mewies Engineering Consultants) included an assessment of the suitability of the site for residential development, taking into account its proximity to the motorway and adjacent Air Quality Management Area. It identified that annual mean air quality objectives would be met at the most exposed locations. Consequently, the proposal has been shown to be acceptable with respect to air quality for future occupants of the proposal. Also, that air quality changes from traffic generated by the proposal would be negligible.

Biodiversity

28. The application was submitted before the statutory requirement with respect to achieving a biodiversity net gain of 10 per cent came into effect. Nonetheless, the proposal incorporates biodiversity enhancements in and around the proposed dwellings as well as a separate parcel of land on Crown Lane. Evidence is provided to show that this could exceed a 10 per cent net gain. A landscaping and ecological management plan condition would be necessary to secure details of such enhancements. A condition to require a construction environmental management plan would also be necessary to ensure measures are put in place to protect wildlife during the construction phase. Subject to these, the proposal is acceptable with respect to biodiversity.

Affordable housing

29. The proposal is not considered to comply with Policy SWDP16 relating to small sites. Also, the provision of 100 per cent affordable housing would be in excess of the 40 per cent required by Local Policy SWDP15. There is local concern that this would exceed local affordable housing need and that houses may be left empty, particularly in light of other affordable housing schemes in the village. However, there is no clear evidence to indicate that this would result in an excess of affordable housing relative to housing need, particularly in light of increasing affordability issues more generally. In addition, the proposal is for a mix of tenures including shared ownership housing and would be in close proximity to other existing homes that include market housing. It would thus add to the mix of housing in the locality. The affordable housing provision would be secured by the completed s106. Consequently, it amounts to a substantial benefit of the proposal. Moreover, for the reasons given it would achieve good design and thus would provide suitable living conditions regardless of the tenure of the accommodation.

Drainage and flood risk

30. With respect to local concern about foul sewerage, a condition would be necessary to require that details are provided to demonstrate how the additional sewerage discharge can be accommodated within the public sewer system. This would need to be approved prior to the commencement of development to ensure that the development only proceeds in circumstances where those details have been satisfactorily addressed. The proposal was found to be acceptable with respect to drainage and flood risk at application stage and I have no reason to conclude otherwise.

Listed buildings

31. The statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that I have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest. There are a small number of grade II listed buildings in the locality. This includes grade II listed Mill House and Wychbold Court. However, due to their distance from the appeal site, intervening vegetation and the absence of a strong historic resonance with it, the proposal would not harm their significance. It would thus satisfy the requirements of the Act and the approach in the National Planning Policy Framework (Framework).

Planning obligation

32. The s106 secures the provision of affordable housing and public open space, and contributions to community transport, school transport, travel planning and monitoring of the s106. These are necessary to make the development acceptable in planning terms, directly related to it and fairly and reasonably related to its scale and kind of development. Therefore the s106 meets the tests contained in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the Framework.

Planning balance

33. The proposal would achieve good design in compliance with Local Plan Policy SWDP2 criterion F and SWDP21. It would also comply with other Local Plan policies in respect of matters such as highway safety, accessibility, biodiversity and drainage. Nonetheless, the location of the proposed development would be outside the settlement boundary and therefore in open countryside. This would be contrary to Policy SWDP2 which seeks that development within open countryside is strictly controlled. Moreover, the development of 128 homes on an undeveloped field would lead to localised landscape harm, in conflict with Local Plan Policy SWDP25. Consequently, the proposal would be in conflict with the development plan as a whole.
34. However, the Council can currently only demonstrate a 1.1 year housing land supply which amounts to a significant shortfall. Accordingly, the presumption in favour of sustainable development under Framework paragraph 11.d)ii applies. In light of the Council's considerable housing land supply shortfall and the pressing need for affordable homes, the provision of 128 affordable homes would amount to a substantial benefit. Construction of the dwellings would provide short term benefits to the local and wider economy. The occupants would be likely to stimulate

consumer spending and boost local labour supply, which would all constitute modest benefits in social and economic terms.

35. A biodiversity net gain in excess of 10 per cent would also amount to a modest benefit. The proposed increase in land available as public open space would comprise a further modest benefit. That the development has been found to be acceptable with respect to matters such as design, accessibility, drainage, historic environment, ecology, renewable energy, highway safety, noise and air quality are neutral considerations. On the other hand, the proposal would result in modest landscape harm arising from development of a field in open countryside.
36. Accordingly, the adverse impacts of the proposed development would not significantly and demonstrably outweigh the combination of its benefits, when assessed against the policies in the Framework as a whole. The proposal benefits from the presumption in favour of sustainable development.

Conditions

37. I have considered all the suggested conditions and imposed them where they meet the tests set out in Paragraph 57 of the Framework, amending where necessary for the sake of simplicity, clarity and precision. In addition to the standard time limit condition (1), a condition (2) listing the approved plans is necessary in the interests of certainty. A condition (3) requiring tree protection measures is necessary in the interests of biodiversity and achieving good design. Details are required to be submitted in respect of this condition to ensure appropriate protection measures are agreed prior to their installation. A construction environmental management plan condition (4) with a focus on biodiversity is required to protect biodiversity during construction. A landscape and ecological management plan condition (5) is required to ensure the development achieves an acceptable appearance and makes suitable provision for ecology and biodiversity. A foul water drainage strategy (6) is also necessary to ensure that suitable provision can be made for site drainage without exacerbating any existing issues.
38. A condition (7) is required to ensure that an assessment is made of the site's contamination risk and any necessary remediation is carried out. This is to ensure the site is safe for the proposed use. A construction traffic management plan condition (8) is necessary in the interests of highway safety and to protect the living conditions of local residents. A condition (9) relating to archaeological investigation is required to ensure the archaeological interest of the site is suitably addressed. A landscaping condition (10) is required to ensure the development achieves good design. Geotechnical details are required to be submitted by condition (11) to ensure any effects on the strategic road network are appropriately controlled. These are all pre-commencement conditions and must necessarily apply before any development is commenced. The appellants' written agreement to these was provided in the final agreed statement of common ground or separate correspondence.
39. Conditions requiring the submission of facing materials (12), hard landscaping works (16) and refuse and recycling areas (27) are necessary in the interest of visual amenity. A condition (13) relating to noise mitigation is required to ensure the development achieves acceptable living conditions for its future occupants. A condition requiring the submission of a surface water drainage scheme is necessary to prevent surface water flooding within and around the site and to

manage the implications of climate change (14). A separate condition on surface water management during construction is not considered necessary in addition to condition 14. Condition 15 is necessary to ensure that any external lighting is designed having regard to its effect on wildlife.

40. Conditions relating to site access (17), junction modifications (18), visibility splays (19 and 20), and car parking and turning spaces (21) are needed to ensure the site is acceptable from a highway safety perspective. These measures are required to be in place before the development is first occupied. A condition requiring cycle parking facilities (22) is necessary in the interests of promoting sustainable travel modes. Additional conditions are imposed relating to the provision of electric vehicle charging (23) and a scheme for the installation of Ultra-Low NOx boilers (24) in the interests of air quality and in line with the submitted air quality report.
41. A condition (25) requiring approval of details of public open space, including a Local Area for Play, is needed to make suitable provision for outside space. A condition (26) on renewable or low carbon energy is appropriate to ensure the proposal provides a proportion of the development's energy needs by renewable or low carbon facilities. A condition (28) relating to provision of broadband is appropriate to ensure the development achieves a good standard of living for its future occupants. Finally, compliance is required with construction hours set out in condition 29, in the interests of the living conditions of local residents.

Conclusion

42. Although the proposal would conflict with the development plan as a whole, material considerations indicate that a decision should be made other than in accordance with it. For the above reasons, and having had regard to all other matters raised, the appeal should be allowed.

Rachel Hall

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawing nos:
 - PL 001 Rev. A - Location Plan;
 - PL 002 Rev. P - Site Layout;
 - PL 003 Rev. E - Site Layout (Wider Context);
 - PL 004 Rev. F - Materials & Boundaries Plan;
 - PL 005 Rev. F - Refuse Strategy Plan;
 - PL 006 Rev. E - Parking Plan;
 - PL100 Rev. A – HT A Maisonette - Plans & Elevations;
 - PL101 Rev. A – HT A1 Maisonette - Plans & Elevations;
 - PL102 - HT B FOG - Plans & Elevations;
 - PL103 Rev. A - HT B1 FOG - Plans & Elevations;
 - PL104 - HT 800 - Plans & Elevations;
 - PL105 Rev. A - HT 742 - Plans & Elevations;
 - PL106 Rev. A - HT 899 - Plans & Elevations;

PL107 Rev. A - HT 973 V1 - Plans & Elevations;
PL108 Rev. A - HT 1074 - Plans & Elevations;
PL109 - HT 1072 - Plans & Elevations;
PL111 Rev. A - HT 1314 - Plans & Elevations;
PL112 - Double Car Port - Plans & Elevations;
PL113 - Triple Car Port - Plans & Elevations;
PL114 - HT 973 V2 - Plans & Elevations;
PL115 Rev. A - HT 1314 V1 - Plans & Elevations;
PL120 Rev. A - 899-800 - Block Elevations;
PL121 Rev. A - 800-742- Block Elevations;
PL124 Rev. B - A1-A-B-899 - Block Elevations;
PL125 Rev. A - 742-973 - Block Elevations;
PL126 Rev. A - A1-A-B1-1074 - Block Elevations;
PL127 Rev. A - A1-A-B-1314 - Block Elevations;
PL200 Rev. B - Site Sections - Existing & Proposed;
PL201 Rev. D - Streetscenes AA-BB;
24532_02_020_04 Rev. B - Viability Levels and Retaining Measures Layout;
24532_02_020_03 Rev. D - Viability FFLS and Road Levels; and
24532_02_110_02 Rev. C - Noise Bund General Arrangement

- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees/hedges (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction – Recommendations (or in any equivalent British Standard if replaced) has been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees, including for trees outside of the site whose Root Protection Areas fall within the site, shall be carried out as approved. Nothing shall be stored or placed (including soil), nor shall any ground levels be altered, within the fenced area without the previous written consent of the local planning authority. There shall be no burning of any material within 10 metres of the extent of the canopy of any retained tree/hedge.
- 4) No development shall take place (including any ground works, demolition or site 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 appropriate up-to-date surveys, and 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;
 - d) Detailed reptile mitigation strategy;
 - e) The location and timing of sensitive works to avoid harm to biodiversity features;

- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works or similarly competent person;
- i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period.

- 5) No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall be based on the approved landscaping scheme, providing net gains for biodiversity and maintaining this after implementation, and shall include the following:
- a) Details (type and location) of wildlife boxes and hibernacula;
 - b) Description and evaluation of the features to be managed;
 - c) Ecological trends and constraints on site that might influence management;
 - d) Aims and objectives of management;
 - e) Appropriate management options for achieving aims and objectives;
 - f) Prescriptions for management actions;
 - g) 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;
 - h) Details of the body or organisation responsible for implementation of the plan;
 - i) On-going monitoring and remedial measures.

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

- 6) No development shall take place until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The drainage scheme shall:
- a) 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;

- b) Include a timetable and programme for the provision of the foul sewerage infrastructure; and
- c) 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 and maintained as such thereafter.

- 7) No development shall take place until an assessment of the risks posed by any contamination (including gases and water quality) has been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

The assessment shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.

Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been

carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

- 8) No development shall take place until a construction traffic 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:
- a) Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
 - b) Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc)
 - c) Arrangements for unloading and manoeuvring.
 - d) Details of any temporary construction accesses and their reinstatement.

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 in writing by the local planning authority.

- 9) (A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording.
 - b) The programme for post investigation assessment.
 - c) Provision to be made for analysis of the site investigation and recording.
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation.
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(B) The development hereby permitted 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 part (A) of this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 10) No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include:
- a) details of all existing trees and hedges on the land, including their accurate position, canopy spread and species, together with an indication

of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.

- b) the layout of proposed tree, hedge and shrub planting and grass areas.
- c) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
- d) a written specification outlining cultivation and other operations associated with plant and grass establishment.
- e) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner. The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 11) Prior to the commencement of any excavation works and landscaping works, geotechnical submissions shall be submitted to and approved in writing by the local planning authority for the M5 Motorway. The geotechnical submissions shall include a report to include:
 - a) Evidence that the proposed works will not pose any risk to the Strategic Road Network in accordance with the guidance given in Highways Standard CD622.
 - b) Confirmation of the appointment of a Designers Geotechnical Advisor who will liaise with National Highways and be responsible for the format and technical content of geotechnical reporting.
 - c) Information set out in the relevant appendices of CD622 and dimensioned sections that clearly show the position of the highways boundary, with the distance of the works from the boundary clearly stated.
- 12) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials details.
- 13) No development above slab level shall take place until a scheme of noise mitigation measures to protect the dwellings hereby permitted from noise emanating from the M5 motorway has been submitted to approved in writing by the local planning authority. The measures shall be in accordance with the submitted Acoustics Assessment (Ref: 24532-ENV0402 Rev C) and shall include:
 - a) Details of the proposed glazing.

- b) Details of the proposed ventilation systems.
- c) Details of the acoustic fence including surface density.

The development shall be carried out in accordance with the approved details and retained as such thereafter.

- 14) No works in connection with site drainage shall take place until a detailed surface water drainage scheme for the development hereby permitted 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 the drainage strategy submitted with the application (Flood Risk Assessment - 24532-FLD-0101-F). The scheme should include run off treatment proposals for surface water drainage. Exceedance flows should not be directed to property or private land. If a connection to a sewer system is proposed, then evidence shall be submitted of the approval of Severn Trent Water Ltd for this connection. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.
- 15) Prior to the installation of any external lighting a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall include the following:
- a) Identification of dark corridors and areas/features on site that are particularly sensitive for bats 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
 - b) Details of 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 bats using their territory or having access to their breeding sites and resting places.

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.

- 16) Prior to the installation of any hard landscaping works, a precise specification of the proposed materials for the hard landscaping of the site (including roads, paths, parking areas and other hard surfaces) shall have been submitted to and approved in writing by the local planning authority. The hard landscaping of the site shall be completed in accordance with a timetable agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

- 17) No dwelling hereby permitted shall be occupied until works to the site access including pedestrian footway provision, modifications to the carriageway and visibility splays have been implemented in full, in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the local planning authority. The approved scheme shall be in general accordance with drawings T23509 001 Rev C Proposed Site Access Junction with Visibility Splays and T23509 003 Rev C Proposed Crown Lane Realignment with New Footway Provision. The site access shall be retained in accordance with the approved scheme thereafter.
- 18) No dwelling hereby permitted shall be occupied until modifications to the A38/Crown Lane junction that are broadly in accordance with drawing T23509 015 Rev A Proposed A38/Crown Lane Junction Improvement – Widened Right-Turn Lane With Hard Paved Central Island have been fully implemented, in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the local planning authority.
- 19) No dwelling hereby permitted shall be occupied until visibility splays, as shown on T23509 001 Rev C Proposed Site Access Junction with Visibility Splays, have been provided from a vertical point 1.05m above carriageway level at the centre of the site vehicular access at Crown Lane and 2.4m back from the near side edge of the adjoining carriageway, (measured perpendicularly), for 76m to the north-west and 72m to the south-east measured along the nearside edge of the adjoining carriageway (vertical off set of 0.6m). Nothing shall be planted, erected and/or allowed to grow on the triangular areas of land so formed that would obstruct the visibility splays described in this condition, for the lifetime of the development.
- 20) No dwelling hereby permitted shall be occupied until the visibility splays of any side-road and/or internal road junction serving that dwelling have been provided comprising 2.4m x 25m in both directions. The visibility splays thereby created shall at all times be kept free from obstruction exceeding a height of 0.6m above the adjacent carriageway.
- 21) No dwelling hereby permitted shall be occupied until the car parking spaces and/or car ports and turning areas allocated to that property have been fully constructed in accordance with the standards and dimensions required by Worcestershire County Council Streetscapes Design Guide (July 2022). The parking and turning spaces shall thereafter be retained and kept available for such uses at all times.
- 22) No dwelling hereby permitted shall be occupied until sheltered and secure cycle parking has been provided in accordance with the standards and dimensions required by Worcestershire County Council Streetscapes Design Guide (July 2022). The cycle parking shall be retained as such for the lifetime of the development.
- 23) No dwelling hereby permitted shall be occupied until electric vehicle charging points have been installed in accordance with a scheme that has been submitted to and approved in writing by the local planning authority. Thereafter the charging points shall be retained and kept available and in working order for the charging of electric vehicles.

- 24) No dwelling hereby permitted shall be occupied until a scheme for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme and shall be retained as such thereafter.
- 25) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until details of the public open space, to include a Local Area for Play (LEAP) and seating benches, has been submitted to and approved in writing by the local planning authority. The details shall include an implementation timetable for the delivery of the public open space/LEAP/seating benches. The development shall be carried out in accordance with the approved details and timetable and retained as such thereafter.
- 26) The development hereby permitted shall not be occupied until details of renewable or low carbon energy generating facilities to be incorporated as part of the development have been submitted to and approved in writing by the local planning authority. The details shall demonstrate that at least 10% of the predicted energy requirements of the development will be met through the use of renewable/low carbon energy generating facilities. The approved facilities shall be provided prior to any part of the development hereby permitted being first occupied or in accordance with a timetable submitted to and approved by the local planning authority as part of the details required by this condition.
- 27) No development above slab level shall take place until details of facilities that allow occupiers to separate and store waste for recycling and recovery have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until such facilities have been provided in accordance with the approved details and the facilities shall be retained as such thereafter.
- 28) The development hereby permitted shall not be occupied until details of proposed utilities connections to facilitate super-fast broadband connectivity including fibre optic rather than copper cabling where practicable shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 29) 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 0800 and 1800 on Mondays to Fridays and 0800 and 1300 on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
