



Appeal Decision

Site visit made on 3 December 2025

by **S Rawle BA (Hons) Dip TP Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 31 December 2025

Appeal Ref: APP/C1435/W/25/3366478

Snatchells Farm, Cross in Hand Road, Heathfield TN21 0LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Whitehall Homes LLP against the decision of Wealden District Council.
 - The application Ref is WD/2024/2258/MAO.
 - The development proposed is for the construction of 24 no. residential dwellings with associated access, parking, landscaping, public amenity space and associated highways works.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of 24 no. residential dwellings with associated access, parking, landscaping, public amenity space and associated highways works at Snatchells Farm, Cross In Hand Road, Heathfield TN21 0LS in accordance with the terms of the application, Ref WD/2024/2258/MAO, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have amended the description of development to remove matters that are not acts of development.
3. The appeal concerns an application for outline planning permission with all matters reserved, except for access. The reserved matters include appearance, landscaping, layout and scale. Where any of the submitted plans show details relating to these matters, I have treated them as illustrative only.
4. Although access is not a reserved matter, layout is and at this stage the exact details of the internal road layout have not been established, and I have treated any indication of the road layout as illustrative only.

Main Issues

5. The main issues are;
 - Whether or not the site represents an appropriate location for the proposed development; and
 - The effect of the proposal on the character and appearance of the area, including whether or not it would conserve and enhance the landscape and scenic beauty of the High Weald National Landscape.

Reasons

Whether or not an appropriate location

6. The appeal site is located on the northern side of the A265. There are residential dwellings on both sides of the road as you head towards Heathfield. The appeal site is located about 900 m from the edge of the commercial area of Heathfield which provides a good range of services and facilities. The nearest supermarket is located about one kilometre away from the centre of the appeal site with a primary school about 850m and GP surgery just over 100m. There is a continuous pedestrian footway and lighting along this stretch of the road.
7. The appeal site is located outside any settlement boundary and consequently is within the countryside. Saved policies GD2 and DC17 of the Wealden Local Plan December 1998 (WLP) set out that within such an area housing development will be resisted unless it is in accordance with specific policies in the plan. The appeal site does not meet any of the exceptions and is not allocated for development. Further the appeal site is not part of the land allocated for housing growth as set out in Policy WCS2 of the Wealden District Core Strategy Local Plan, February 2013 (WDCSLP). As a result, relevant development plan policies do not support the introduction of dwellings at the appeal site.
8. However, the Officer's report to the Planning Committee (the Officer's report), highlights that the location of the proposed development in relation to services and accessibility to Heathfield achievable by non-car travel is sustainable and attracts weight. For my part, I consider that land use patterns that are most conducive to walking are where there are a range of facilities within a 10-minute walk or about 800m. As outlined above, there are some facilities within or very close to that range, however many more are just beyond that range but still within walking distance. As a result, overall, I agree with the Officer's report that the location of the appeal site relative to Heathfield is a positive factor in the determination of the appeal.
9. Moreover, the appeal site has relatively good public transport links with a bus stop within walking distance of the appeal site. The highways authority have confirmed that adequate bus services pass the site with the provision of the 29A hourly service between Brighton and Heathfield. Moreover, the proposal would secure improvements to the existing bus stops and would provide a contribution towards maintaining the existing bus services in this location going forward.
10. As a result, although there would likely be some reliance on the private car, especially to access the full range of shops and employment within Heathfield and the wider area, the appeal site would be relatively well served by sustainable transport modes, which would seek to reduce the use of private car journeys, promoting sustainable travel choices. In this regard the proposal would not significantly conflict with the National Planning Policy Framework (the Framework) as the bus service, coupled with the range of day-to-day facilities available in Heathfield would give future residents a genuine choice of sustainable modes of transport and access to a range of day to day retail goods, which would in turn help reduce reliance on the private car.

11. I therefore, conclude that the proposal would not accord with policies GD2 and DC17 of the WLP or with policy WCS2 of the WDCSLP for the reasons set out above. However, any harm caused by the conflict would be modest as the proposal would generally accord with the Framework's aims of promoting sustainable development, enhancing the vitality of rural communities, promoting walking and public transport and thus limiting the need to travel. Consequently, I afford this issue moderate weight in the determination of the appeal.

Character and appearance

12. The site lies within the High Weald National Landscape (HWNL). The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) now includes the duty on relevant authorities that they must seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty (now National Landscapes).
13. Furthermore, the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
14. Within the National Character Assessment for High Weald, among other characteristics, the HWNL is described as a densely wooded landscape, going onto highlight that closer inspection reveals a patchwork of irregularly shaped fields and woods forming both open and enclosed landscapes along rolling ridges and valleys. At a more local level the Wealden Landscape and Settlement Character Assessment describes key characteristics of the relevant area in which the appeal site is situated as an ancient landscape comprising a patchwork of small-scale fields, dominated by large tracts of ancient woodland with a strong sense of enclosure.
15. The appeal site and its surroundings are generally consistent with these national and local assessments as it comprises a field adjacent to Snatchells Farm surrounded by woodland and ancient woodland. However, the south-east boundary borders an existing dwelling and ancillary buildings which are visible through gaps in the vegetation.
16. The appeal site is an undeveloped area of open land predominantly enclosed by woodland and other mature vegetation. As a result, the character and appearance of the appeal site derives to a significant extent from a sense of openness which creates an undeveloped sense of spaciousness surrounded by woodland including priority habitat deciduous woodland and ancient woodland and so has a strong sense of enclosure.
17. However, the appeal site itself although open has limited positive features or characteristics and its location close to the A265 diminishes the sense of tranquillity. Moreover, existing dwellings are visible from the appeal site, including ribbon development along the A265, Snatchells farmhouse and the existing dwelling and ancillary domestic building which is set back some distance from the A265. There are limited public views from the footpath within the woods to the west of the appeal site and from the existing site entrance.
18. The proposal would involve the introduction of 24 dwellings on the appeal site. Based on the illustrative drawings I am satisfied that 24 dwellings could be

comfortably accommodated on the appeal site which would allow an appropriately sized buffer between any development and the ancient woodland to the east of the appeal site as well as providing adequate spacing between the proposed development and the existing woodland to the west. Moreover, the appeal site would be able to accommodate an attenuation basin.

19. The appellant has prepared a detailed landscape and visual impact assessment. The relevant officers carefully reviewed this document and set out their professional opinion in the Officer's report. They also referred to the fact that the appeal site has been shown as a potential allocation for 24 homes under proposed allocation HEA8 in the emerging local plan. Given the stage the emerging plan has reached in the preparation process it has very limited weight.
20. However, it is relevant that as part of the proposed allocation process the site has been assessed in a landscape report, and the Officer's report has made reference to that assessment. In summary, relevant findings were that the site comprises a pasture field which retains its historical field pattern and demonstrates some of the characteristics of the wider National Landscape and is separated from the main settlement of Heathfield which increases sensitivity to development with the greatest sensitivity to the east which is the area next to the priority habitat deciduous woodland and ancient woodland and to the west which is the area nearest the public footpath.
21. However, it also found that the site contains no historic features, has no visual relationship with the wider National Landscape, is enclosed by woodland and near a busy trunk road which are characteristics that contribute to a lower degree of sensitivity. Overall, it found that the appeal site was of moderate sensitivity to small scale residential development and the Officer's report highlights that it was considered that 24 homes could be delivered on the appeal site.
22. As set out in the Officer's report, the relevant officers undertook a careful and detailed assessment of the proposed development and ultimately formed the view that it represents a small amount of housing on a contained site with only very localised impacts. They were satisfied that a scheme could be achieved at the reserved matters stage to ensure there would be no loss of established field boundaries and that development could be set in from the sensitive edges including ancient woodland to the east and the public footpath to the west.
23. Bearing this in mind due to the contained nature of the appeal site, the presence of existing ribbon development, modern agricultural buildings and a nearby caravan park which all decrease sensitivity to development, they ultimately concluded that the proposal would cause some landscape harm that would not conserve and enhance the natural beauty of the area. However, they found that this could be reduced notably if the spacious quality design together with landscape and ancient woodland mitigation as shown on the illustrative drawings could be secured at the reserved matters stage. On that basis they concluded that on completion of the scheme there would be a moderate adverse impact, but overall, the proposal would represent a managed and very careful incursion into the National Landscape.
24. I largely agree with the analysis set out in the Officer's report but I also agree with the Council's appeal statement which sets out that although the appeal site is not particularly individually distinctive or prominent it nevertheless contributes positively to the National Landscape through its undeveloped nature as part of a working

landscape with the surrounding mosaic of woodlands, fields and routeways enclosed by high quality woodland.

25. As a result, I do not agree with the appellant that the proposal would be beneficial within the medium and long term. That said 24 dwellings could be comfortably accommodated on the appeal site and there are other examples of dwellings being set back some distance from the main road. As a result, such an arrangement would not be entirely alien or incongruous within this setting and would not represent unacceptable backland development nor would the overall density of development be harmfully incompatible with its surroundings.
26. Nevertheless, the introduction of housing, however ultimately well designed, would have a marginally harmful urbanising impact due to the loss of the open field. Further, the proposal would result in some light pollution. However, the overall impact is tempered by the particular characteristics of the appeal site as outlined above. Moreover, since the appeal site is surrounded by woodland the proposal would not result in an unacceptable coalescence of settlements. It follows that the proposed development would cause only moderate harm to the character and appearance of the area and to the National Landscape.
27. In reaching that view I have taken account of the fact that the Framework sets out that planning permission for major development should be refused other than in exceptional circumstances and only where it can be demonstrated that the development is in the public interest. Having considered the nature, scale and setting of the proposed development and bearing in mind my finding that the proposal would cause moderate harm to the National Landscape I am satisfied that it does not represent major development and would not have a significant adverse impact on the purposes for which the area has been designated or defined.
28. I therefore conclude that the proposed development would result in moderate harm to the character and appearance of the area and would not conserve and enhance the landscape and scenic beauty of the High Wield National Landscape. In accordance with the Framework, I give great weight to the moderate harm the proposal would have on the character and appearance of the area and to the National Landscape. However, the harm caused does not provide a strong reason for refusing the proposed development.
29. Nevertheless, the proposed development would be at odds with policies GD2, DC17, EN6 and EN27 of the WLP which among other things seek to ensure that development will only be permitted if it conserves or enhances the natural beauty and character or the landscape, respects the character and appearance of the area, promotes local distinctiveness, and resists development outside the development boundaries unless it accords with specific development plan policies.

Other Matters

30. I turn first to consider housing supply. The Council accept that they cannot demonstrate a 5-year supply of housing and in fact, based on Wealden's Housing Land Supply position as of 1 April 2025, they set out that they can only demonstrate 3.68 years of housing land supply. This is well below Government expectations.
31. The proposal would involve an additional 24 dwellings, including affordable housing and self-build/custom-build units and would be extremely valuable in boosting

housing stock in circumstances where there is an existing shortfall. The proposal would also have moderate economic and social benefits. For example, it would provide jobs and create demand for materials during the construction phase, would broaden the availability of housing in the area and once occupied would support the existing services and facilities in Heathfield. Overall, I afford the provision of 24 dwellings, including affordable housing and self-build/custom-build units and the economic and social benefits substantial weight in the determination of the appeal.

32. I have taken account of other matters raised including from a District Councillor on behalf of residents, from the Parish Council and other residents. Some of the points raised are covered in the main issues section of the report and I will deal with other matters in the following paragraphs.
33. As highlighted in the Officer's report, the local highway authority does not object to the proposed means of access or the proposed improvements to the junction of the A265 and A267 and it has been assessed that the proposed access and junction works would mitigate effects on the highway. For my part I consider that the appellant has satisfactorily demonstrated that the proposed access, which is not a reserved matter would enable future residents to safely enter and exit the appeal site and that the proposal would not have an unacceptable impact on the road network. As set out in the Framework, development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation would be severe which does not apply here.
34. In terms of surface water run-off and potential flooding, the appellant has submitted a flood risk assessment (FRA). The FRA sets out that the appeal site lies within flood zone 1 and overall, the flood risk profile of the site is low. The FRA also sets out that it is likely that the soil will not possess sufficient infiltration potential to enable soakaways but other sustainable drainage systems were considered and the FRA suggested that porous pavings, an attenuation basin with an attenuation blanket underneath and swales with baffles should be incorporated into the design to store any excess storm water. Moreover, the FRA set out that the offsite run off should be restricted and to ensure that surface water flows would be limited to the greenfield run off rates and that any run-off would be routed to the existing ditch watercourse on the eastern boundary.
35. Notwithstanding that the Pevensey and Cuckmere Water Level Management Board and the lead local flood authority would ideally prefer to see another attenuation pond removing the need for an attenuation blanket, they do not object to the proposal subject to the imposition of appropriately worded conditions. Having observed the ditch and surrounding water features at the site visit I am also satisfied that subject to the imposition of appropriately worded conditions the proposal would be acceptable in terms of the risk of flooding including surface water run-off.
36. According to the FRA the pond and attenuation blanket would provide adequate mitigation to ensure that the woodland would not be unacceptably harmed as a result of pollution from surface water run-off. I note that the Council do not have concerns in relation to this matter or in relation to land contamination subject to the imposition of suitable conditions. I am also satisfied that subject to the imposition conditions these matters can be satisfactorily addressed. Moreover, pollution from

the additional vehicles associated with the proposal or due to proposed junction works would not result in unacceptable harm.

37. I note that there is a disagreement about the ownership of the existing ditch located along the eastern boundary and ownership of the land in relation to the access and highway improvements. However, these are private matters that if unresolved would need to be dealt with under legislation dealing with private legal rights and does not have a material bearing on the outcome of the appeal. Similarly, there would not be an unacceptable impact on the public right of way, and if any minor diversion works are ultimately required, this would need to be addressed as part of the reserved matters application which can be covered by an appropriately worded condition. Again, any ownership issues are again private matters that would need to be resolved under legislation dealing with such issues.
38. The appellant submitted a preliminary ecological appraisal, an ecological impact assessment and a reptile and bat activity survey report which made certain recommendations to incorporate ecological enhancements. Based on this information, subject to the imposition of suitably worded conditions the Council are satisfied that the proposal would not harm protected species or result in the unacceptable loss of habitat and I agree.
39. As outlined below the appellant has submitted an executed planning obligation in support of the appeal. This includes a requirement to provide on-site biodiversity net gain as well as management for 30 years. Moreover, under a statutory framework any planning permission granted at the appeal site is deemed to have been granted subject to a condition that the biodiversity gain objective is met (the biodiversity gain condition). The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development value of the onsite habitat. Based on the available evidence off-site biodiversity gains may be required. However, I am satisfied that any approval would be subject to the biodiversity gain condition which would ensure the necessary biodiversity net gain is achieved.
40. I also note that concern has been raised about whether there is adequate capacity in local services, including local GPs and schools. However, based on the available evidence I do not consider that the situation would be so materially exacerbated by the appeal proposal as to justify dismissing the appeal. Similarly, I note that the proposal would be connected to the local sewerage system and there is no firm evidence to suggest that the existing system would ultimately not be able to cope with the additional flows associated with the proposal but in any event a condition can be attached to ensure that foul drainage is appropriately dealt with.
41. The appeal proposal is supported by a section 106 deed of agreement dated 7 May 2025. The Council confirm that the obligations secure delivery of policy compliant affordable housing, self-build housing, biodiversity net gain, including management and monitoring, the provision of highway works essential to the development with a signalised junction along with contributions to bus services and improvement to bus stops as a package to support sustainable transport options. I am also satisfied that the executed agreement meets the relevant tests set out in the Framework as it is necessary to make the development acceptable in planning terms, is directly related to the development and fairly and reasonably related in scale and kind to the development.

Planning Balance

42. I have afforded some matters weight as outlined above and I afford the totality of the benefits substantial weight in the determination of the appeal. On the other hand, I have found that the proposed development would be located in the countryside and would conflict with certain policies of the development plan. However, for the reasons set out above I have afforded that issue moderate weight. Further, I have also found that the proposed development would result in moderate harm to the character and appearance of the area and would not conserve and enhance the landscape and scenic beauty of the High Wield National Landscape. In accordance with the Framework, I give great weight to the moderate harm the proposal would have on the character and appearance of the area and to the National Landscape.
43. As outlined, the Council confirm that it cannot demonstrate a five-year supply of deliverable housing sites. Thus, paragraph 11(d) of the Framework, is engaged. Importantly, I have found that the application of policies in the Framework that protect areas or assets of particular importance does not provide a strong reason for refusing the development proposed.
44. This means that planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. WCS14 of the WDCSLP is consistent with the Framework as it deals with the presumption in favour of sustainable development and sets out the same criterion.
45. Given my overall findings and the associated weight I have afforded those issues and matters that weigh against the proposal the adverse impacts associated with the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Consequently, the scheme would represent sustainable development within the meaning of paragraph 11(d) which weighs substantially in favour of the scheme and indicates that the appeal should be allowed.
46. In reaching that view I have taken account of the previous appeal decisions that have been brought to my attention where some details have been provided including at Rosemary Lane, Horam, Hillbury House, Mayfield and Stick Hill, Cowden. However, although it would appear from the details provided there are some similarities with this proposal there are also material differences. For example, none of the cases involve the same site. Moreover, in the case of Rosemary Lane, the number of dwellings proposed was significantly more than here, and in the cases at Hillbury House and Stick Hill unlike in this case the relevant Inspectors appear to have found that the adverse impacts associated with that proposal significantly and demonstrably outweighed the benefits. These material differences limits the weight of these other cases.
47. A planning balance exercise is undoubtedly case and site specific. The material considerations and the weight afforded to them in other appeal cases will inevitably be different and so will the ingredients which will be included within any planning balance. In this case having carefully considered all those matters that weigh in favour of the proposal and those that weigh against overall I agree with the Officer's report and have found that on balance the adverse impacts associated with the

proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The fact that other Inspectors have reached a different conclusion in other cases with different circumstances does not alter my view.

Conditions

48. A list of suggested conditions has been provided by the Council in their appeal statement. In the interests of clarity, precision and to avoid duplication I have made changes to some conditions to ensure that any condition I impose accords with the Framework which sets out that they should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
49. I have imposed standard outline planning permission conditions in respect of submission of the reserved matters and time limits. It is also necessary to ensure that the development is carried out in accordance with the plans that show the details in relation to the access that are approved at this stage. As outlined above layout is a reserved matter at this stage and so the exact details of the internal road layout have not been approved, and I have treated any indication of the road layout as illustrative only.
50. It is necessary to impose conditions to ensure that great crested newts and other wildlife are appropriately protected and that appropriate ecological enhancements are incorporated into the development. An archaeology condition is necessary to ensure any features of interest are properly recorded. To ensure the safe and efficient operation of the highway network it is necessary to impose a condition in relation to the access arrangements. To ensure surface water is appropriately dealt with and that the development does not result in unacceptable flooding risk it is necessary to impose conditions. It is also necessary to impose a condition to ensure that an appropriate sewerage system is implemented.
51. To ensure that the existing public footpath is not unacceptably impacted by the proposal it is necessary and reasonable to impose a condition. In the interests of protecting future residents and to avoid pollution a contaminated land condition and a construction method statement condition are necessary. Further, to protect the living conditions of neighbours it is reasonable to limit the hours when construction and demolition can take place. Finally, in the interests of the character and appearance of the area and to protect wildlife it is necessary to impose a condition in relation to external lighting.

Conclusion

52. The proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it. Consequently, the appeal should be allowed.

S Rawle

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with drawing numbers; 20.1489.100 Rev P8; 10953_510 P3; 10953_511 P3; 10953_502 P2; 10953_513 P2 ; and 10953_514 P1.
- 5) No development shall take place until a wildlife management plan and an ecological enhancement scheme have been submitted to and approved in writing by the local planning authority. Details shall include:
 - A plan showing wildlife/habitat protection zones;
 - Details of development and construction methods within wildlife/habitat protection zones and measures to be taken to minimise the impact of any works;
 - Proposals for the protection of bats, birds and reptiles and measures to mitigate any harm likely to be caused by the development;
 - Methodology for translocation of reptiles on the site to a suitable receptor area;
 - Details of the ecological enhancements in accordance with Section 7 of the Ecological Impact Assessment prepared by JWK Wildlife Surveys dated 15 September 2024 and Section 5 of the Reptile and Bat Activity Survey Report dated 12 September 2024; and
 - Details of phasing of construction and timescales for implementation of the ecological enhancement scheme, any other mitigation works and on-going future management requirements.

The wildlife management plan and ecological enhancement scheme shall be implemented in accordance with the approved details and shall be retained thereafter.
- 6) The development hereby permitted shall be carried out in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR149, or a 'Further Licence') and with the proposals detailed on plan "Snatchells Farm: Impact plan for great crested newt District Licensing (Version 1)", dated 20th January 2025.
- 7) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR149, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and they have provided written authorisation for the development to proceed

under the district newt licence. The delivery partner certificate must be submitted to the local planning authority for approval prior to the commencement of the development hereby approved.

- 8) No development shall take place until:
- (i) An archaeological field evaluation has been carried out in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority; and
 - (ii) Safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the archaeological field evaluation have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority
- 9) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 8.
- 10) No development shall commence until details of the layout of the new access and the specification for the construction of the access have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the construction of the access has been completed in accordance with the approved details and specification.
- 11) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 12) Prior to the construction of any surface water drainage outfall in accordance with the surface water drainage scheme, a survey of the condition of any watercourse which will take surface water runoff from the development shall be undertaken. A report including the results of the survey and any required improvements to any watercourse shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 13) No development above ground floor level shall take place until full details of the means of foul drainage disposal, including any proposed upgrade works, the timetable for all works and a development and infrastructure phasing plan have been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied other than in full accordance with the approved development and infrastructure phasing plan.
- 14) No development shall take place until an assessment of the risks posed by any contamination, carried out 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), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i) a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii) the site has been remediated in accordance with the approved measures and timescale; and
 - iii) a verification report has been submitted to and approved in writing by the local planning authority.
- 15) If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:
 - i) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii) a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 16) The details submitted pursuant to Condition 1 (the reserved matters) shall include any proposals to upgrade or adjust the public footpath – Heathfield and Waldron (HEA110/1) which should include how the dwellings relate to the wider footpath network and its connectivity. The public footpath shall remain clear and unobstructed at all times in its current legal position during and after the construction period unless a new or adjusted position is established by means of the grant of a footpath diversion order.
- 17) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;

- viii) measures to manage flood risk, both on and off the site;
- ix) delivery working hours.

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

- 18) Any construction or demolition works shall take place only between the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 on Saturday with no works on Sundays, Public Holidays and Bank Holidays.
- 19) Details of any floodlighting, security lighting or any other external means of illumination shall be submitted to and approved in writing by the local planning authority before the dwellings are occupied. Development shall be carried out in accordance with the approved details

Richborough