

Appeal Decision

Site visit made on 8 May 2026

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2026

Appeal Ref: 6004924

Newlyn House, West Ham Lane, Basingstoke RG22 5EE

- 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 Basingstoke Residential Limited against the decision of Basingstoke and Deane Borough Council.
 - The application Ref is 24/00787/FUL.
 - The development proposed is erection of 44 no. dwellings with associated access and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 44 no. dwellings with associated access and landscaping at Newlyn House, West Ham Lane, Basingstoke RG22 5EE in accordance with the terms of the application, Ref 24/00787/FUL subject to the conditions in the attached schedule.

Preliminary Matters

2. I have used the Council's description of development as it accurately describes the appeal proposal.
3. The Council's evidence refers to a Draft Local Plan (with site allocations and policies map). However, I have not been provided with details of the precise status of that plan or whether there are any unresolved objections relating to it. As such, I have only afforded the draft local plan limited weight in the determination of the appeal.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area,
 - whether adequate green infrastructure would be provided, and
 - whether adequate provision would be secured for community and infrastructure contributions in relation to affordable housing; equipped play; a landscape management plan; highways improvement works and public right of way improvements.

Reasons

Character and appearance

5. The appeal site is a large parcel of land which contains a modest detached dwelling and outbuildings. The site is vacant and is overgrown with vegetation and sits between a collection of industrial buildings on one side and a golf course and driving range on the other side. The wider area is mostly residential with a mix of detached, semi-detached and terraced dwellings. The Council and the appellant have assessed a selection of different streets near to the appeal site, and while the townscape and streetscape is generally inconsistent, dwellings tend to have front gardens and landscaping strips interspersed between them which results in an open character and appearance.
6. The proposed layout would be tightly grained and as a result, there would be little room for landscaping which would mean that built form would dominate the street scene. Furthermore, most of the car parking would be towards the front and side of the properties which would result in a high concentration of hardstanding that would give rise to a cramped and contrived appearance. The proposed development would therefore erode the open character and appearance of the area.
7. I note that landscaping is proposed, however this is concentrated to the rear of the appeal site to provide a buffer between the railway line. There is little space to the front of the appeal site, and I am therefore not convinced that the proposed planting would provide any meaningful mitigation or soft edge to the cramped appearance and dominance of the hard landscaping and dwellings. There are some areas of landscaping close to the boundary of the industrial estate, however, there would only be glimpsed views between the industrial buildings when looking towards the site. As such, while these areas would be of some benefit to future occupiers, they would have little effect on the wider character and appearance of the area.
8. The Council's Design and Sustainability Supplementary Planning Document July 2018 provides an example of good perimeter block design and while similar to the layout of the proposed development, the example provided shows greater areas of landscaping and open space, particularly at the entrance which differs from the proposed development where there is very little.
9. The proposed development would include dwellings that are two and a half storeys in height which would be out of keeping with the predominantly two storey high dwellings within the wider area. This height would mean that the proposed dwellings would further stand out and the different roof heights would highlight the lack of space around the dwellings and cramped appearance of the proposal.
10. The parties disagree on what the density of the proposed scheme would be, however, even if I were to accept the appellant's lower figure it would not mitigate the cramped appearance of the proposed scheme. Furthermore, the density of the proposed scheme does not form part of the Council's reasons for refusal.

11. I acknowledge that the industrial estate near the appeal site is generally cramped and dominated by hard landscaping, vehicles and large utilitarian buildings, however, it has a functional appearance and is not an unexpected appearance for an industrial estate. The Council consider that the existing street scene is poor, however, even if this was the case, the proposed development is for housing and while located next to an industrial site, it does not justify a cramped appearance.
12. I therefore conclude that the proposed development would harm the character and appearance of the area. Given the location of the proposed development, adjacent to an industrial estate and the varying townscape, the magnitude of harm would be moderate. It would be contrary to Policy EM10 of the Basingstoke and Deane Local Plan (2011 to 2029) (LP), Paragraph 135 of the National Planning Policy Framework (the Framework) and guidance contained within the Design and Sustainability Supplementary Planning Document July 2018. Amongst other things, these seek to ensure that developments positively contribute to local distinctiveness, the sense of place and the existing street scene.

Green infrastructure

13. Policy EM5 of the LP states that development will be permitted where it can be clearly demonstrated that green infrastructure can be provided and phased to support the requirements of proposed development and be in accordance with the council's adopted green space standards.
14. The Basingstoke and Deane Planning Obligations for Infrastructure Supplementary Planning Document March 2018 (Planning Obligations SPD) sets out the Council's green space standards for new development. In the case of the appeal before me, the Council suggest that a minimum of 2,000sqm of multi-functional green space would be required. There is no dispute that the proposed development would fall short of this requirement.
15. I note that there are areas of open space near to the appeal site which would be a benefit to future occupiers, however, the proposed development would still fail to provide the minimum area of green infrastructure as prescribed by the Planning Obligations SPD.
16. I therefore conclude that the proposed development would fail to provide adequate green infrastructure. However, given that the shortfall is small and there would be access to informal and formal open space nearby, the harm would be moderate. It would be contrary to Policy EM5 of the LP which amongst other things, seeks to ensure that green infrastructure is provided for new developments.

Legal agreement

17. The appellant has submitted a signed unilateral undertaking (UU) which amongst other things, secures a financial contribution towards affordable housing, equipped play provision, a landscape management plan, on-site open space, highways improvement and access works. The UU omits a contribution towards public right of way (PROW) improvements which the Council consider is necessary due to a restricted byway that runs past the appeal site.

18. The appellant was in discussion with the Council with regards to the terms of the UU during the consideration of the application, with specific regard to the PROW contribution. It is evident that there was differing advice in terms of whether a contribution for the PROW would be required or not and if so, what the contribution should be. However, the latest position from the Council is that the PROW should be resurfaced and this should be secured by the UU.
19. It is clear that future users of the appeal scheme would have access and likely use the PROW. The current PROW is partly surfaced and gravelled and would provide access from the entrance to the appeal site to leisure facilities such as a golf course, driving range, park and play area.
20. The Council have provided little information as to why they consider that the PROW needs to be resurfaced in its entirety by the appellant and there is also conflicting advice from the Highway Authority which suggests that a cap on the total spend could be applied.
21. I am mindful of Policy CN9 of the LP which seeks to promote transport choice providing coherent and direct walking networks to provide a genuine alternative to the car. The Policy also seeks to ensure that developments integrate onto existing movement networks. The proposed development would link with the PROW and improvements are proposed to West Ham Lane, such as carriageway resurfacing, pedestrian signage and the installation of bollards that would further support this.
22. There is very little evidence to suggest that without improvements to the PROW, that the proposed development would be unacceptable and in any case the Council's requirements are vague and therefore not fairly and reasonably related in scale and kind to the development.
23. I therefore conclude that a contribution towards PROW would not meet the tests outlined in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and Paragraph 58 of the Framework, as it is not necessary to make the development acceptable in planning terms or fairly and reasonably related in scale and kind to the development. I find no conflict with Policy CN9 of the LP, Paragraph 105 of the Framework and guidance contained within the Planning Obligations SPD. Amongst other things, these seek to ensure that that developments integrate onto existing movement networks.

Other Matters

24. The Council have found that the proposed development would provide adequate living conditions for future occupiers, would not harm the living conditions of neighbouring occupiers and would not harm highway safety. I have no reasons to conclude otherwise; however, these are neutral matters.
25. I note that concern has been raised by interested parties in regard to a water pump, however, it is not clear where this is located and, in any case, would be covered by different legislation. I also note that there may be an application for the development of the golf course nearby, however, the details of this are not before me and in any case, I can only consider the proposal before me.

26. Concern has been raised in regard to land registry issues and access rights, however, based on the information before me, West Ham Lane is a highway maintained by the highway authority which means that the red line as drawn shows access to the site from a public highway in accordance with Planning Practice Guidance¹. As a result, any works that may be required to the highway can be covered through a planning obligation and subsequent section 278 agreement. Any private land ownership issues are covered by different legislation and are not matters for me to consider as part of this appeal.

Planning Balance

27. The proposal would harm the character and appearance of the area and would not provide adequate green infrastructure. I have judged the magnitude of harm in both cases to be moderate.
28. The proposed development would be contrary to Policies EM5 and EM10 of the LP. These Policies are generally consistent with the Framework in seeking to ensure that developments are sympathetic to local character and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space). The conflict with these Policies should therefore be given significant weight.
29. The Council is unable to demonstrate a 5-year supply of deliverable housing sites in accordance with Paragraph 72 of the Framework. The appellant states that the Council is only able to demonstrate a 3.2-year supply which is not disputed by the Council and therefore represents a significant undersupply. Paragraph 11 d) of the Framework indicates that, in such circumstances where the requisite housing land supply cannot be shown, the Policies which are important for determining the application should be deemed out-of-date and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the Framework taken as a whole.
30. The proposed development would make a notable contribution to the supply of new homes in a situation where there is a significant shortfall. The proposal would also support the creation of jobs directly and indirectly during construction and result in future occupiers spending in the locality. Biodiversity net gain would be secured, and a sum would be provided for affordable housing which are supported by Paragraphs 35 and 187 of the Framework. The totality of the benefits would therefore be significant for the appeal before me.
31. Consequently, when assessed against the Policies in the Framework when taken as a whole, the moderate harm to the character and appearance of the area and green infrastructure, together with the resultant development plan conflict would not significantly and demonstrably outweigh the proposed scheme's significant benefits when assessed against the policies in the Framework taken as a whole. As such, the proposal would constitute a sustainable form of development in terms of the Framework.

¹ 024 Reference ID: 14-024-20140306

Conditions

32. Condition 1 is the standard condition that relates to the commencement of development and condition 2 specifies the approved plans for the avoidance of doubt. Conditions 3 and 4 require a construction environmental management plan and details of a surface water drainage scheme which are necessary to protect the living conditions of neighbouring occupiers and ensure flood risk is not increased elsewhere.
33. Condition 5 is necessary to avoid risk from contaminants or gases when the site is developed to protect the living conditions of future and neighbouring occupiers. Conditions 6 and 7 secure the implementation of a programme of archaeological assessment and mitigation which are necessary to record any archaeological features that may be found while developing.
34. Condition 8 requires a construction traffic method statement to be submitted and approved in order to protect the living conditions of neighbouring occupiers during construction. Conditions 9, 10, 11 and 12 require an arboricultural method statement and tree protection plan, services layout, types and colours of external materials and a hard and soft landscaping plan which are necessary to protect the character and appearance of the area.
35. Condition 13 requires that a minimum number of dwellings are constructed to accessible and adaptable standards which is necessary to provide adequate living conditions for future occupiers. Condition 14 requires that the vehicular and pedestrian access and visibility splays are constructed which is necessary in the interests of highway safety. Conditions 15 and 16 require a post completion noise survey and details of completion of any remediation scheme required through condition 5 which are necessary in the interests of providing adequate living conditions for future occupiers.
36. Condition 17 requires details of sampling of imported materials which are necessary to ensure that future and neighbouring occupiers are protected from contamination. Condition 18 requires details of long-term maintenance of the surface water drainage scheme and is necessary in the interests of managing flood risk. Conditions 19, 20 and 21 require details of parking, cycle parking and refuse storage and are necessary in order to ensure future occupiers have adequate living conditions.
37. Condition 22 requires details of how the dwellings will meet water efficiency standards which is necessary to ensure water usage is reduced. Condition 23 requires that any archaeological fieldwork identified as required in the written scheme of investigation is documented. Condition 24 is necessary in order to ensure that the measures outlined within the reptile survey are carried out in the interests of ecology.
38. I have not imposed the biodiversity net gain condition suggested as biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

Conclusion

39. The proposed development would be contrary to the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal should be allowed.

D Wilson

INSPECTOR

Richborough

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 drawing nos:

Site Location Plan 010 Rev 00
Existing Site Plan 011 Rev 00
Existing Floor Plans 020 Rev 00
Existing Elevations 030 Rev 00
Existing Site Section 040 Rev 00
Proposed Block Plan 100 Rev 02
Proposed Site Plan 101 Rev 02
Proposed Site Plan – Boundary Distances 102 Rev 02
Proposed Floor Plans – Type A1 200 Rev 01
Proposed Floor Plan – Type A2 201 Rev 01
Proposed Floor Plan – Type B 202 Rev 01
Proposed Floor Plan – Type C 203 Rev 01
Proposed Floor Plan – Type D 204 Rev 01
Proposed Floor Plan – Type E 205 Rev 01
Proposed Floor Plan – Type F 206 Rev 02
Terrace 1 – Proposed Ground Floor Plan 210 Rev 01
Terrace 1 – Proposed First Floor Plan 211 Rev 01
Terrace 1 – Proposed Second Floor Plan 212 Rev 01
Terrace 1 – Proposed Roof Plan 213 Rev 01
Terrace 2 – Proposed Ground Floor Plan 220 Rev 01
Terrace 2 – Proposed First Floor Plan 221 Rev 01
Terrace 2 – Proposed Roof Plan 222 Rev 01
Terrace 3 – Proposed Ground Floor Plan 230 Rev 01
Terrace 3 – Proposed First Floor Plan 231 Rev 01
Terrace 3 – Proposed Second Floor Plan 232 Rev 01
Terrace 3 – Proposed Roof Plan 233 Rev 01
Terrace 4 – Proposed Ground Floor Plan 240 Rev 01
Terrace 4 – Proposed First Floor Plan 241 Rev 01
Terrace 4 – Proposed Second Floor Plan 242 Rev 01
Terrace 4 – Proposed Roof Floor Plan 243 Rev 01
Terrace 5 – Proposed Ground Floor Plan 250 Rev 01
Terrace 5 – Proposed First Floor Plan 251 Rev 01
Terrace 5 – Proposed Second Floor Plan 252 Rev 01
Terrace 5 – Proposed Roof Plan 253 Rev 01
Terrace 6 – Proposed Ground Floor Plan 260 Rev 02
Terrace 6 – Proposed First Floor Plan 261 Rev 02
Terrace 6 – Proposed Roof Plan 262 Rev 02
Proposed Elevations Type A1 300 Rev 01
Proposed Elevations Type A2 301 Rev 01
Proposed Elevations Type B 302 Rev 01
Proposed Elevations Type C 303 Rev 01
Proposed Elevations Type D 304 Rev 01

Proposed Elevations Type E 305 Rev 01
Proposed Elevations Type F 306 Rev 02
Terrace 1 – Proposed Front Elevation 310 Rev 01
Terrace 1 – Proposed Rear Elevation 311 Rev 01
Terrace 1 – Proposed Side Elevation 312 Rev 01
Terrace 2 – Proposed Front Elevation 320 Rev 01
Terrace 2 – Proposed Rear Elevation 321 Rev 01
Terrace 2 – Proposed Side Elevation 322 Rev 01
Terrace 3 – Proposed Front Elevation 330 Rev 01
Terrace 3 – Proposed Rear Elevation 331 Rev 01
Terrace 3 – Proposed Side Elevation 332 Rev 01
Terrace 4 – Proposed Front Elevation 340 Rev 01
Terrace 4 – Proposed Rear Elevation 341 Rev 01
Terrace 4 – Proposed Side Elevation 342 Rev 01
Terrace 5 – Proposed Front Elevation 350 Rev 01
Terrace 5 – Proposed Rear Elevation 351 Rev 01
Terrace 5 – Proposed Side Elevation 352 Rev 01
Terrace 6 – Proposed Front Elevation 360 Rev 02
Terrace 6 – Proposed Rear Elevation 361 Rev 02
Terrace 6 – Proposed Side Elevation 362 Rev 02
Proposed Street Scene View – West Ham Lane 370 Rev 01
Proposed Internal Street Scene 1 371 Rev 01
Proposed Internal Street Scene 2 372 Rev 02
Proposed Internal Street Scene 3 373 Rev 02
Proposed Internal Street Scene 4 374 Rev 01
Proposed Internal Street Scene 5 375 Rev 01
Landscape Masterplan (December 2024) CLPD 165 P10c
Access Plan 24519801-STR-HGN-100-DR-D-00301 - REV P3

3. No development shall take place (including demolition) until a site-specific Construction Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
 - Arrangements for liaison with the Council's Environmental Protection Team;
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 0730 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS 5528: Parts 1 and 2: (2009) Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours;

- BDBC encourages all contractors to be 'Considerate Contractors' when working in the Borough by being aware of the needs of neighbours and the environment; Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Thereafter the development shall proceed in strict accordance with the details so approved.

4. No development shall take place (excluding demolition) until a detailed surface water drainage scheme for the site has been submitted and approved in writing by the Local Planning Authority. The submitted details should include, but not be limited to:
- a. A technical summary highlighting any changes to the design from that within the submitted SuDS Drainage Report (Rev D) produced by EAS;
 - b. Winter groundwater monitoring and infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed;
 - c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations;
 - d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change;
 - e. Evidence that urban creep has been included within the calculations;
 - f. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753;
 - g. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Thereafter the development shall proceed in strict accordance with the details so approved and the drainage strategy shall be fully implemented prior to the first occupation of the development.

5. No development shall take place (excluding demolition) until there has been submitted to and approved in writing by the Local Planning Authority:-

a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary, proposals for future maintenance and monitoring.

Important note: Unless part (a) identifies significant contamination, it may transpire that part (a) is sufficient to satisfy this condition, meaning part (b) need not be subsequently carried out. This would need to be agreed in writing by the Local Planning Authority.

If during any works contamination is encountered which has not been previously identified by these reports, it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Contamination Land Guidance.

6. Prior to the commencement of the development hereby approved (excluding any demolition above ground level) the applicant shall secure the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation (Assessment) (WSIA), that has been submitted to and approved in writing by the Local Planning Authority, in order to recognise, characterise and record any archaeological features and deposits that may exist there. Once approved the development shall commence in full accordance with the approved WSIA.
7. Prior to the commencement of the development hereby approved (excluding any demolition above ground level) the applicant shall secure (in the event that it is identified in the Written Scheme of Investigation (Assessment)) the implementation of a programme of archaeological mitigation of impact in accordance with a Written Scheme of Investigation (Mitigation) (WSIM), that has been submitted to and approved by the Local Planning Authority.
8. No development shall take place, (including any works of demolition), until a Construction Traffic Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall include scaled drawings illustrating the provision for:
 - 1) The parking of site operatives and visitors vehicles
 - 2) Loading and unloading of plant and materials
 - 3) Management of construction traffic and access routes
 - 4) Storage of plant and materials used in constructing the development
 - 5) Wheel washing facilities. Thereafter the development shall be carried out in strict accordance with the details so approved.

Thereafter the development shall be carried out in strict accordance with the details so approved.

9. No development or other operations shall commence on site, until an Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall detail the location and specification for the protective fencing of all retained trees and boundary hedges; identify areas for the storage and handling of building materials, and access driveway construction where this is adjacent to retained trees.

The approved tree protection shall be erected prior to any site activity commencing and shall be maintained until the area is to be landscaped. The development shall be carried out in complete accordance with the approved Tree Protection Plan.

10. No development (excluding demolition above ground level) shall commence on site until a detailed services layout has been submitted and approved in writing by the Local Planning Authority. All services shall be included including gas, electricity, foul and fresh water, drainage and telecommunications. If a particular service is not required, a statement shall be included to that effect. The layout shall respect landscape and wildlife protection and mitigation measures and in particular, ensure that its implementation does not require installation or future maintenance excavations to be made within protection zones.

The development and/or other operations shall be carried out and thereafter maintained in complete accordance with the approved service layout.

11. No development above ground slab level shall commence on site until details of the types and colours of external materials to be used, including colour of mortar and timber staining (where applicable), together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

12. Notwithstanding the approved plans and submitted details, no development above ground slab level shall occur until a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The submitted details shall include a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting. Any trees or plants which, within a period of 5 years from the date of 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.

The submitted hard landscaping scheme shall set out the full details of the materials to be used for hard and paved surfacing. Where appropriate the details submitted shall demonstrate compliance with the provisions of condition 4. The approved surfacing shall thereafter be maintained in accordance with the details so approved.

13. A minimum of seven of the dwellings hereby approved shall be built to accessible and adaptable standards as defined in the Basingstoke and Deane Local Plan 2011-2029. No development above ground slab level shall commence on site until details of which properties are to be built to such standards are submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

14. The development hereby approved shall not be occupied/brought into use until the vehicular and pedestrian access and visibility splays have been provided in accordance with the site access drawing (ref: 24519801-STR-HGN-100-DR-D-00301 - REV P3). No structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans.
15. No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the measures against the noise levels as below. The following noise levels shall be achieved with mitigation in place:
- a) Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open*)
 - b) Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LAfMax (windows open*).
- *Where it is predicted that the internal noise levels specified above will not be met with windows open despite mitigation strategies, an alternative method of mechanical ventilation must be specified to supply outside air to habitable rooms with windows closed and relieve the need to open windows. Background and passive ventilators, and system extraction systems are not considered adequate for this purpose. Methods may include a system 4 MVHR system with cool air by-pass, or standalone mechanical units supplying outside air to each affected habitable room. Please note that, where mechanical cooling (air conditioning), is required under Approved Document O of the Building Regulations, this should be provided instead.
- If the noise levels set out above are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and implemented in full prior to the first occupation of the development.
16. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 5(b) that any remediation scheme required and approved under the provisions of condition 5(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
- I. as built drawings of the implemented scheme;
 - II. photographs of the remediation works in progress;
 - III. Certificates demonstrating that imported and/or material left in situ is free of contamination.
- Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(b).

17. The development hereby permitted shall not be occupied until there has been submitted to the Local Planning Authority certificates demonstrating that:

- a) sufficient sampling of imported material has taken place and
- b) the imported material is free from unacceptable levels of contamination.

Sampling should take place in situ at a frequency of 1 per 100m³.

18. Prior to the first occupation of the development hereby approved, details for the long-term maintenance arrangements for the surface water drainage system (as agreed under condition 4) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include;

- a. Maintenance schedules for each drainage feature type and ownership.
- b. Details of protection measures Thereafter the surface water drainage system shall be maintained in accordance with the approved details.

Thereafter the surface water drainage system shall be maintained in accordance with the approved details.

19. Prior to the occupation of the dwellings hereby approved, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include details of how the proposed parking spaces would be managed throughout the site, including the allocation of parking spaces to specific plots. Where plots are to rely on unallocated parking spaces, justification shall be provided to demonstrate that the development will provide adequate levels of parking to meet the needs of the development. Thereafter, the development shall be maintained in accordance with the approved details.

20. Prior to the occupation of the dwellings hereby approved, cycle parking facilities in accordance with those shown on the approved drawings shall be made within the site and shall be retained thereafter for such purposes.

21. Prior to the occupation of the dwellings hereby approved, refuse storage and collection facilities in accordance with those shown on the approved drawings shall be made within the site and shall be retained thereafter for such purposes.

22. Prior to the occupation of the dwellings hereby approved a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

23. Following completion of any archaeological fieldwork identified as required in the Written Scheme of Investigation (Assessment)), a report shall be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.
24. The development hereby approved shall be carried out in accordance with the recommendations set out in Chapter 8 of the Reptile Survey by Norton and Associates dated 10/2023.

End of Schedule

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