



Appeal Decision

Site visit made on 29 May 2026

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st July 2026

Appeal Ref: 6006402

Land at Bells Hill Road, Basildon SS16 5JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Hawridge Strategic Land against Basildon Borough Council.
 - The application Ref is 25/00755/OUT.
 - The development proposed is outline planning application, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 40 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Bell's Hill Road.
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Decision

1. The appeal is allowed and outline planning permission is granted, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 40 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Bell's Hill Road at Land at Bells Hill Road, Basildon SS16 5JT in accordance with the terms of the application, Ref 25/00755/OUT, subject to the Section 106 agreement dated 10 June 2026; the Unilateral Undertaking dated 16 June 2026 and the conditions in the attached schedule.

Applications for Costs

2. An application for costs was made by Hawridge Strategic Land against Basildon Borough Council. This is the subject of a separate decision.

Preliminary Matters

3. The appeal is made against the failure of the Council to reach a decision on the application within the relevant statutory timeframe. However, the Council has confirmed that, were it able to do so, it would have refused the application based on its effect on the character and appearance of the area.
4. The appeal proposal seeks outline permission, with all matters except access reserved for later consideration. A plan has been submitted indicating how development could be delivered on the site, but I have taken this to be indicative.
5. A deed of agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended) and a Unilateral Undertaking (UU) have been submitted during the appeal proceedings. I have considered these documents in the determination of the appeal, a matter which I will return to later in the decision.

Main Issues

6. The appeal site is within the Green Belt. Although both main parties are in agreement that the appeal site constitutes grey belt land, the impact on the Green Belt remains a considerable matter of concern through interested party representations. I therefore consider that it is a substantive matter in the determination of the appeal.
7. Based on the evidence before me, the main issues are:
 - whether the appeal site is grey belt land and whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework); and,
 - the effect of the proposal on the character and appearance of the area, with particular regard to the density of development.

Reasons

Whether inappropriate development

8. The Council accept that significant weight should be afforded to the Framework, given that it forms a more up to date representation of planning policies when compared to the Local Plan saved policies. Specifically in relation to the Green Belt, the 2024 Framework introduced a fundamental change, through the concept of 'grey belt' land.
9. The definition of grey belt land within the glossary of the Framework sets out that it forms, "*land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.*" These purposes relate to, checking the unrestricted sprawl of large built-up areas; preventing neighbouring towns merging into one another and preserving the setting and special character of historic towns.
10. The Council has referred to a Green Belt Study undertaken in 2025, which split the areas of the Green Belt within the borough into distinct parcels. Whilst the parcel within which the appeal site is situated is considered to make a strong contribution to the purposes of a) and b) of paragraph 143 of the Framework, this assessment relates to the parcel as a whole, rather than solely the appeal site.
11. At a site-specific level, the appeal site is not near or adjacent to a large built up area, nor does it form part of a fundamental gap between towns. It also does not form part of the setting of a historic town. Taking these factors into account, I find that the appeal site meets the definition of grey belt land.
12. To be regarded as not inappropriate development in the Green Belt, development in the grey belt must meet all the criteria set through paragraph 155 of the Framework.
13. Criterion a. requires the development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Based on the extent of the site, I am not persuaded that the development of the site would affect the ability of all the remaining Green Belt across the area of the plan, from serving all five of the Green Belt purposes in a meaningful way. I therefore find no direct conflict with criterion a.

14. There is no dispute between the main parties that the proposal would meet criterion b. relating to a demonstratable unmet need for the type of development proposed. Based on the evidence before me, I find no reason to disagree on this point.
15. Criterion c. relates to development being within a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. These paragraphs relate amongst other matters to focusing development in locations which are, or can be made sustainable, and ensuring that sustainable transport modes are prioritised.
16. Notwithstanding the facilities within a close walking distance to the appeal site (including a restaurant immediately adjacent), the appeal site is within a reasonable walking distance to bus stops, access to which would be partially facilitated by the provision of a new shared footway and cycleway.
17. The bus services to these stops would allow sustainable access to wider settlements on a relatively frequent basis. Bus service enhancements are proposed as part of the development which would have a positive impact on the sustainability of the site, further encouraging modes of sustainable transport for future occupiers. Thus, I find that the appeal site is within a sustainable location, and therefore criterion c. would be met.
18. Criterion d. refers to the 'Golden Rules' which are applicable in this case, given that the appeal proposal relates to major development involving the provision of housing. The rules are set out in paragraph 156 of the Framework, requiring contributions towards affordable housing; necessary improvements to local or national infrastructure; and the provision of new, or improvements to existing, green spaces that are accessible to the public.
19. Despite the outline nature of the appeal proposal, there is an intention for 50% of the dwellings to be affordable. As well as the aforementioned improvements to the highways infrastructure for pedestrians and cyclists, improvements to local infrastructure would include contributions towards local healthcare, open space, culture, play and sports provision. Publicly available open space is also proposed to be provided on site. All these matters could reasonably be secured through an associated legal agreement.
20. Taking all of the above into account, the appeal site meets the definition of grey belt land and would comply with all the relevant criteria. I therefore find that the appeal proposal is not inappropriate development in the Green Belt.
21. It is not necessary for me to go on to consider openness, as this is implicitly taken into account in the exceptions within the Framework (unless there is a specific requirement to consider the actual effect on openness, which is not the case with grey belt land).

Character and appearance

22. Notwithstanding the above, a finding that a development is not inappropriate in Green Belt terms does not automatically mean that it is acceptable in terms of all other planning issues.
23. Saved Policy BAS BE12 of the Basildon Local Plan (BLP) states that, new residential development, will be refused if it causes material harm in a listed

number of ways, including harm to the character of the surrounding area. I find this policy to be broadly consistent with the Framework, which at Section 12 outlines the importance of achieving well-designed places, including in the context of local character.

24. I accept that the policy implies permission should be refused without reference to the need to balance any impacts against the benefits of a proposal as a whole. However, I do not find that this omission represents an inconsistency with the Framework in principle. It does not prevent the decision maker from balancing compliance with the development plan against other material considerations.
25. The appeal site forms a broadly rectangular parcel of land, currently partially used for the grazing of horses and equestrian stabling. The boundaries of the site are relatively well vegetated, creating both a visually and physically well contained site.
26. Development in the surrounding area is sporadic and inconsistent, including both residential and commercial uses. Residential plots are generally formed of detached bungalows and chalets, within relatively spacious plots. Overall, this gives the area a semi-rural character, of a fairly low built form density.
27. The Council has calculated that, at the maximum quantum of dwellings sought, the density of development would be around 32 dwellings per hectare across the developable area. However, elsewhere within the evidence, it is suggested that this density would be around 21 dwellings per hectare if the entire site area is considered.
28. Despite the precise form of development not being known at this stage, I accept that, if the full quantum of development were to come forwards, the development within the appeal site would represent a denser form than the established density of the surrounding area.
29. However, noting the containment of the appeal site, (as well as the ability for additional areas of landscaping to be delivered through a subsequent reserved matters application), the overall site density would be difficult to perceive beyond the site extent. This is evidenced by the submitted Landscape and Visual Appraisal, which concludes that the proposed residential development represents a small scale, and visually discrete feature in the wider landscape.
30. The precise layout and design of the dwellings would be a matter for later consideration. With the ability for the proposal to include areas of landscaping and open space, I find little in the evidence before me to suggest that the final form of development would appear cramped within the site, even if the dwellings were to be up to 2.5 storeys in height.
31. Whilst the proposal would inevitably create localised landscape and visual effects, I do not find that the higher density of development, when compared to the surrounding area, would implicitly be harmful to the character and appearance of the area. I have therefore identified no specific conflict with Saved Policy BAS BE12 of the BLP arising from the appeal proposal.

Other Matters

Letters of representation

32. Various letters of representation have been received objecting to the proposal, at both application and appeal stage. Notwithstanding the Green Belt and site sustainability concerns, which I have already addressed in my main issues above, a particular area of contention relates to the highway implications of the proposal, including in the context of traffic generation.
33. I note that the highway authority is satisfied that the documents supporting the proposal provide a robust position in relation to forecasted traffic growth. There is little substantive evidence before me which would lead me to reach a different conclusion on this matter.
34. The appeal proposal seeks approval for the proposed access arrangements, which would include a new access junction to Bells Hill Road. This would be served by visibility splays appropriate to the wider road network. Taking this into account, as well as the measures proposed to enhance the opportunities for travel by sustainable means, I do not find it would be reasonable to resist the proposal on the grounds of highway safety impacts.
35. The documentation supporting the application includes various assessments relating to the ecological value of the site. Appropriate mitigation measures could reasonably be secured by conditions. In this respect, I have identified no harmful ecological impacts which would prevent the development of the site.
36. Equally, matters of drainage could be dealt with by condition, noting that the appeal site is within flood zone 1 (lowest probability of flooding). Whilst there are areas of the site at a higher risk of surface water flooding, the overall risk is low. Surface water from the development is intended to drain to an attenuation pond within the site, precise details of which could be secured by condition.
37. The construction activities associated with the residential development of the site are likely to cause some localised impacts, including in terms of general noise and disturbance. However, this would be for a finite period of time as the site is developed, the impacts of which could be mitigated through the preparation of a construction management plan.
38. Given the outline nature of the proposal, the exact form of the development is not yet known. Matters such as overshadowing and overlooking from the development would therefore require consideration at reserved matters stage should a reserved matters application be forthcoming.

Legal agreements

39. The parties have completed a Section 106 Agreement in conjunction with Essex County Council which includes a number of obligations to come into effect if planning permission is granted.
40. Paragraph 58 of the Framework states that planning obligations should only be sought where they meet all of the following 3 tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Regulation 122 of the Community Infrastructure Levy (CIL) Regulations states that an

obligation may only constitute a reason for granting planning permission if it meets the tests.

41. The submitted agreement includes a requirement that 50% of the dwellings delivered will be affordable housing. The mix included within the agreement has been subject to discussions with the Council. I have set out in my reasoning above that the appeal proposal meets the 'Golden Rules' as set out in paragraph 156 of the Framework. This conclusion is partly based on the provision of affordable housing. This obligation is therefore necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
42. For the same reason, I find that it is necessary in planning terms for the proposal to make contributions towards local infrastructure. This includes the provision of a healthcare contribution, the need for which would arise through the increase in population utilising local healthcare services. In discussion with the NHS Mid and South Essex Health Integrated Care System, the Council has confirmed that the money secured would be used to increase healthcare floor space capacity, at local surgeries in the vicinity of the appeal site. This contribution is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
43. As part of my reasoning above, I have attached positive weight to the proposed improvements to local transport infrastructure, including in respect to bus service enhancements, in reaching a conclusion that the site is sustainable (in the context of criterion c. of paragraph 155 of the Framework). This contribution is therefore necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
44. The 'Golden Rules' within paragraph 156 of the Framework also include a requirement for the provision of new, or improvements to existing, green spaces that are accessible to the public. The submitted agreement includes provisions for open space as well as a contribution towards community led physical activity programmes to improve health outcomes for residents. These contributions are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
45. A financial contribution is also proposed to be secured towards an Employment and Skills Plan. I understand that this was a request from the Council's Economic Development Service, in line with the Council's Economic Development Policy, which seeks to improve the employment prospects, education and skills of local people.
46. Whilst the intentions of such a plan are not disputed, based on the evidence before me, I am not satisfied that this contribution is necessary to make the development acceptable in planning terms. This obligation fails the tests set out and I do not therefore consider that it would be lawful to take it into account as a reason for granting planning permission.
47. The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. Due to the provisions of Schedule 7 of the 1990 Act and as none of the statutory exemptions apply in this case, the development may not be begun unless a biodiversity gain plan has been submitted to and

approved by the local planning authority. The inclusion of this within the submitted agreement is a reasonable approach.

48. Except for Schedule 8, I consider that the statutory tests in Regulation 122 of the CIL Regulations are met in respect of the obligations included in the S106 and, accordingly, again with the exception of Schedule 8, its provisions are material considerations in this appeal.
49. The submitted UU makes reference to a financial contribution towards mitigation for the Outer Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar. I shall return to this later in my decision.

Heritage assets

50. I am aware that the site is proximate to several listed buildings, namely The Five Bell Inn, a Grade II listed building which lies 40m to the south; Church of All Saints, a Grade II* listed building which lies around half a kilometre away to the east; and Hawkesbury Manor, a Grade II listed building which lies a similar distance to the north-west.
51. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving their settings.
52. The Five Bell Inn is an early 18th Century timber framed and weatherboarded building with later additions. The significance of the listed building derives in part from its architectural merit and rural setting, to which the appeal site forms part of.
53. It is currently in use as a restaurant, with the associated car park abutting the southern boundary of the appeal site. Despite the proximity, there is no likely association between the appeal site and The Five Bell Inn, the orientation of which is away from the appeal site, towards the adjacent major road network.
54. I understand that the indicative layouts were amended during the application to introduce a wider open space buffer and landscaping between the proposed built form and the listed building. With this in place, the rural setting of the listed building would be largely preserved to a degree that there would be no harm to the significance of the listed building.
55. The special interest and significance of the Church of All Saints is derived in part from its historical and communal value, to which the appeal site makes very little contribution. Given the intervening distance, which is bisected by a major road network, I find that the development of the appeal site would preserve the setting of the Church.
56. Hawksbury Manor forms a manor house of 18th century origin. The verdant surroundings of the manor house, positively contribute to its significance. However, the appeal site is physically well separated from Hawksbury Manor, visually shielded by an intervening hill.
57. Overall, I therefore consider that the appeal proposal would preserve the setting of the nearby listed buildings and the contribution it makes to their significance. I note that the Council has no concerns in this regard either.

Habitat Regulations Assessment

58. The appeal site falls within the zone of influence of the Outer Thames Estuary and Marshes SPA and Ramsar, which is a European Site as defined by the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations).
59. This is one of several designated sites along the Essex coastline which are designated in recognition of their importance for populations and assemblages of breeding, non-breeding and wintering waterbirds and the habitats that they provide. The sites' conservation objectives include ensuring that the integrity of the site is maintained or restored as appropriate and ensuring that the site contributes to achieving the aims of the Wild Birds Directive.
60. I have been provided with a copy of the Appropriate Assessment (AA) which was undertaken by the Council at application stage. The outcome of this confirmed that, with the exception of recreational disturbance, the application would not have an adverse impact on the integrity of European Sites.
61. The proposal would result in up to 40 additional dwellings and given the susceptibility and vulnerability of the qualifying features of the European Site to such uses, particularly when considered in combination with other local development, the proposal would have a likely significant effect on these Sites due to increased disturbance through recreational activity. This is the principal pathway of impact on the European Site. I must undertake an AA in accordance with my duty under the Habitats Regulations and consider whether measures could be put in place to avoid or mitigate these impacts.
62. The Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020) sets out a strategic approach to mitigation by several Councils across the wider area. It details mitigation measures that would be funded by financial contributions at a specified tariff per dwelling. Since these include a range of habitat-based measures such as education, communication and monitoring, and have been endorsed by Natural England, I am satisfied that the measures would adequately overcome any adverse effects of the proposal on the European Sites.
63. The submitted UU includes a tariffed contribution for up to the maximum quantum of dwellings. As the payment is specifically intended for the purpose of mitigating the harm to the European Site that I have identified and has been specifically calculated within the Essex Coast RAMS SPD with this intent, the payment is necessary, directly related and fairly and reasonably related in scale and kind to the development. This therefore accords with Regulation 122 of the CIL Regulations.
64. Natural England was consulted as part of the application and is content that the measures secured by the RAMS tariff, which aligns with the Council's adopted strategy, would mitigate the adverse effects associated with the proposed development and thereby relieve pressure on the European Sites. As the competent authority, I am satisfied that the financial contribution would secure and ensure the delivery of mitigation sufficient to overcome the likely significant effect that would otherwise result from the development, either alone or in combination with other plans or projects.

65. For the above reasons, I therefore conclude that the proposal would not have an adverse effect on the integrity of the European Site. It follows that the proposal would comply with the Habitats Regulations and the Essex Coast RAMS SPD which seek to protect habitats and species.

Conditions

66. The Framework states that conditions 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. I have considered the conditions put forward by the Council against the Framework and where necessary I have amended the wording in the interests of effectiveness and precision. In some respects, I have combined conditions to avoid repetition.
67. In the interests of certainty and clarity, I have imposed the standard conditions relating to the approval of reserved matters and the commencement of development.
68. A condition requiring compliance with the site location plan and access arrangements is necessary given that details of access are sought for approval. Although the appellant's statement refers to the access arrangements shown on Drawing No. 5951 TR001 Rev B, I have reviewed the content of this drawing within the Transport Statement and note that its details are also incorporated into 5961 002 Sheet 1 of 1 (Proposed Access Arrangement and Visibility Splays).
69. I also find it reasonable and necessary to condition compliance with the land use and density parameter plan, given that these have been partially negotiated in reaching a judgement relating to the heritage implications of the proposal.
70. Given the proximity of the site to existing dwellings, a condition requiring the submission of Construction Method Statement would be reasonable and necessary in the interests of protecting neighbouring living conditions. Demolition and construction hours would be incorporated into this statement and therefore it is not necessary to condition these separately. This would need to be a pre-commencement condition to ensure that all development on site is compliant with the agreed details.
71. As I have identified above, parts of the appeal site are at risk of surface water flooding. In this context and for a development of this scale, I find it reasonable and necessary that further details of surface water drainage are provided, to ensure that the development does not have a detrimental impact to localised surface water flooding. This is also required to be a pre-commencement condition, so that any drainage provisions are incorporated into the design of the development.
72. The appeal site lies within an area of potential archaeological remains associated with the medieval and later settlement near Vange. I therefore find it reasonable and necessary that archaeological investigations are carried out prior to the commencement of development. The wording of the condition which I have imposed includes a requirement for any associated recording.
73. In my reasoning above, I have concluded that the appeal is physically and visually well contained. A condition requiring the protection of trees to be retained is therefore necessary to protect the landscape value on the site. This needs to be a

pre-commencement condition to ensure that any development does not harm existing specimens before such protective measures are in place.

74. Conditions requiring the submission of a Reptile Management Strategy, wildlife / habitat protection plan (which could include badger protection measures) and Biodiversity Enhancement Strategy are reasonable and necessary, in line with the intentions of the Framework, to protect and enhance biodiversity. For the same reason, I find that it is necessary to prevent clearance of suitable nesting habitat or tree works during the bird breeding season.
75. I consider it necessary to attach conditions to clarify what should be submitted at reserved matters stage, in relation to both soft and hard landscaping. I have incorporated details of the play area and lighting details within the hard landscaping condition.
76. It is also necessary for me to condition details of the access point and its associated visibility splays, given that access is a matter of consideration in the appeal. This includes provision to prevent the use of non-bound material close to the highway edge, in the interests of highway safety.
77. Details of the connection to the public foul sewer network are required to ensure that the development has an acceptable effect on local infrastructure.
78. The Council has set out its wider sustainability aspirations to reduce CO2 emissions in the Borough. The Government has an ambition to ban the sale of gas boilers by 2035 as part of its Net Zero 2050 Strategy and therefore I find it reasonable to condition that the dwellings hereby approved are not fitted with a mains gas connection.
79. A condition restricting the number and height of the dwellings is necessary to define the extent of the development.
80. The general biodiversity gain condition is deemed to apply to every planning permission granted, unless specifically exempt, it should not be duplicated by planning conditions. As such I have not imposed a condition to this effect. Nor have I imposed the suggested habitat management and monitoring plan condition, noting that this relates to the provisions of the Biodiversity Gain Plan.
81. Various conditions are suggested relating to the following matters: finished floor levels; external materials; refuse and recycling; vehicle parking; cycle parking; and renewable energy sources. These are all matters which could reasonably be controlled and come forwards through reserved matters submissions relating to the layout, and appearance of the development. They therefore do not need to be controlled through the outline permission.
82. It is suggested that conditions are imposed requiring compliance with a Gold award of the Secure by Design for Residential (Homes) Guide 2025; The Department for Communities and Local Government (DCLG) 'Technical Housing Standards - nationally described space standards' (2015) (NDSS); Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition); and water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. However, I have not been presented with substantive evidence

(including adopted policies which direct compliance) to demonstrate that such conditions would be necessary to make the development acceptable.

83. The evidence before me indicates that the main sources of noise in the vicinity of the appeal site are from the road network and the nearby restaurant. Noting the areas of open space and landscaping which would provide a buffer between these sources and the proposed dwellings (the positionings of which are referred to on the conditioned parameters plan), I do not find the submission of further noise protection details to be necessary to make the development acceptable.
84. There are limited existing structures within the site proposed for demolition. The risk of burning on site is in my view low. If such burning were to occur, then any associated nuisances would be controlled through separate legislation. I therefore do not consider a condition specifically restricting burning on site is necessary.

Conclusion

85. The proposed development would make a notable contribution to the Council's housing land supply, delivering up to 40 additional residential dwellings, with associated infrastructure. The proposal would comply with the development plan when read as a whole, and there are no material considerations which indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be allowed, and outline planning permission should be granted.

L Gardner

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 nos 25003-001 (Application Boundary); 5961 002 Sheet 1 of 1 (Proposed Access Arrangement and Visibility Splays); 25003-002 Rev.A (Land Use Parameter Plan) and 25003-004 Rev. B (Density and Heights Parameter Plan).
- 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for: the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works; delivery, demolition and construction working hours. The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 6) 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.
- 7) No development (including demolition) shall take place until: (i) An archaeological Written Scheme of Investigation (WSI) has been submitted

- to and approved in writing by the local planning authority; and (ii) Any necessary safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the WSI 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. The development should be carried out in full accordance with the approved details within the WSI.
- 8) No development shall take place until the trees to be retained on the site have been protected with fencing in accordance with the details set out in BS 5837:2012 (Trees in relation to construction), as detailed in the Arboricultural Implications Assessment and Arboricultural Method Statement prepared by Merewood Arboricultural Consultancy Services - dated 29 April 2025. The fencing shall remain in place until after completion of the development. Nothing shall be stored or placed in the protected areas and the ground levels within the protected areas shall not be altered nor any excavation made.
- 9) No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the Local Planning Authority. The Reptile Mitigation Strategy shall include the following: a) Purpose and conservation objectives for the proposed works; b) Review of site potential and constraints; c) Detailed design(s) and/or working method(s) to achieve stated objectives; d) Extent and location/area of proposed works on appropriate scale maps and plans; e) Type and source of materials to be used where appropriate, e.g. native species of local provenance; f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; g) Persons responsible for implementing the works; h) Details of initial aftercare and long-term maintenance of the Receptor area(s); i) Details for monitoring and remedial measures; j) Details for disposal of any wastes arising from works. The Reptile Mitigation Strategy shall be implemented in accordance with the approved details, and all features shall be retained in that manner thereafter.
- 10) No development above ground level shall take place until a wildlife / habitat protection plan has been submitted to and approved in writing by the local planning authority. The wildlife / habitat protection plan shall include: a) A plan showing wildlife / habitat protection zones; b) Details of development and construction methods within wildlife / habitat protection zones and measures to be taken to minimise the impact of any works; c) Details of phasing of construction. The protection plan shall be implemented in accordance with the approved plan.
- 11) No development above ground level shall take place until a Biodiversity Enhancement Strategy for protected, priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Appraisal (Optimus Consulting Limited, September 2025), including details of the location, specification and design of swift nesting boxes/bricks, has been submitted and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy

shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) Detailed designs or product descriptions to achieve stated objectives; c) Locations of proposed enhancement measures by appropriate maps and plans (where relevant); d) Persons responsible for implementing the enhancement measures, and e) Details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

- 12) Prior to first occupation of the development, a soft landscaping scheme shall be approved by the Local Planning Authority, which can be through the approval of landscaping reserved matters. The approved soft landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner. The landscaping scheme, which shall incorporate local sourced and drought tolerant plants, shall be designed with the aim of improving and increasing biodiversity and demonstrating a net gain for pollinators in line with the Council's Pollinator Action Plan. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 13) Prior to first occupation of the development, a hard landscaping scheme shall be approved by the Local Planning Authority, which can be through the approval of landscaping reserved matters. The submitted details shall include: means of enclosure and retaining structures; boundary treatments; vehicle parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures [including play equipment, refuse or other storage units, etc.]; lighting, floodlighting [designed to be in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) and CCTV; an implementation programme, including phasing of work where relevant. The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.
- 14) Prior to first occupation of the development, the access point on Bells Hill Road shall be provided as shown in principle on 5961 002 Sheet 1 of 1 (Proposed Access Arrangement and Visibility Splays) and shall be constructed with an appropriate shared footway /cycleway, kerbing, signing and lining with clear to ground visibility splay of 2.4m x 43m commensurate with design standards. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 15) Prior to occupation of the dwellings hereby permitted an authorised connection to the public foul sewer shall be made. The installation of the new drainage system shall comply with both Anglian Water and Building Control requirements in respect of approval and oversight.
- 16) All of the residential units hereby approved shall not be fitted with a mains gas connection.
- 17) There shall be no clearance of suitable nesting habitat or tree works during the bird breeding season (March to August inclusive). If this is not possible

the vegetation should be surveyed immediately prior to removal by a suitably qualified ecologist. If active nests/ nesting birds are present, the relevant works must be delayed until the chicks have left the nest.

- 18) The permission hereby approved authorises no more than 40 dwellings. No dwelling hereby approved shall exceed a height of 2.5 storeys.

END OF SCHEDULED CONDITIONS

Richborough