



Appeal Decision

Hearing Held on 17 October 2017

Site visit made on 17 October 2017

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 October 2017

Appeal Ref: APP/W3520/W/17/3172098

Land to the south of Norton Road, Thurston, Suffolk.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 Hopkins Homes against Mid Suffolk District Council.
 - The application Ref 5010/16, is dated 16 December 2016.
 - The development proposed is described as an 'outline planning application (with all matters other than means of access reserved) for up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments and vehicular access from Sandpit Lane'.
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Decision

1. The appeal is allowed and planning permission is granted for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments and vehicular access from Sandpit Lane (with all matters other than means of access reserved) at Land to the south of Norton Road, Thurston, Suffolk in accordance with the terms of the application, Ref 5010/16, dated 16 December 2016, subject to the conditions contained in the schedule at the end of this decision.

Procedural matters

2. The application seeks outline planning permission with all matters other than the means of access to be reserved for future consideration. The matters of appearance, landscaping, layout and scale are therefore not for consideration in this appeal but for future consideration. The application is supported by a site location plan drawing 001 rev A, a Development Framework Plan Thur/01 rev C, a site access visibility splay 2.4m x 90m drawing IP15_127_11_SK002 Rev C, a Highway improvement plan footway to Church Road drawing IP15/127/11/SK04 and a Proposed Emergency access and pedestrian/cycle path plan IP15_127_11_SK004.
3. The description of development in my formal decision is re-ordered from that in the banner heading to properly identify the proposed development.
4. The appellant confirmed that the Development Framework Plan was for illustrative purposes but that it demonstrated the general way the site would be developed and that a condition requiring general conformity with the Plan would be acceptable. The proposed emergency access and pedestrian/cycle path plan IP15_127_11_SK004 was submitted during the Council's consideration of the application and is appended to the Statement of Common Ground (Highways and Transport) and is therefore an application plan.

5. The Council considered the application at its planning committee on 28 June 2017 and resolved, in accordance with the officer recommendation, that had it had the opportunity to determine the appeal application it would have approved it subject to further investigations of a second vehicular access point and an emergency access point and the completion of a section 106 agreement.
6. The appeal results from the Council's failure to determine the application within the prescribed period. Since lodging the appeal the Council and appellant have worked together and produced a planning Statement of Common Ground, a Statement of Common Ground on Early Years and Education, a Statement of Common Ground (Highways and Transport) plus an addendum update, a Statement of Common Ground on Archaeological matters and a Statement of Common Ground on Drainage matters.
7. At the hearing the appellant provided a further certified copy of a consolidated executed section 106 agreement (it had already previously supplied counterpart agreements). The agreement secures affordable housing, open space, education contributions, highways contributions and a travel plan. I return to the detail of these matters below.
8. The various statements of Common ground conclude that the only outstanding area of dispute between the Council and the appellant is the Travel Plan Evaluation and Support Contribution related to the implementation of the Travel Plan secured through the Planning Obligation.
9. Following the close of the Inquiry I was provided with a copy of a letter from Suffolk County Council to Mid Suffolk District Council dealing with cumulative development in Thurston dated 13 October 2017. This was referred to during discussions at the hearing and all participants were aware of it and its contents. At the hearing I had been provided with a copy of a previous iteration and the subsequent letter provided me with a copy of the final formal letter. As all participants were aware of the contents of the letter, this results in no prejudice to any party.

Main Issue

10. On the basis of the above I consider the main issue to be whether the proposed development maximises the opportunity to access sustainable modes of transport, and in particular whether the Travel Plan would effectively reduce the need to travel or promote the use of alternative modes of travel other than by the private car.

Reasons

11. The National Planning Policy Framework (the Framework) advises that decisions should ensure developments that generate significant movement of people are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The Framework further advises that a key tool to facilitate the exploitation of opportunities for the use of sustainable transport modes is a Travel Plan.
12. The appeal scheme seeks consent for up to 175 dwellings with associated matters and is therefore likely to generate significant movement of people. The development site sits at the edge of Thurston a settlement identified as a

- Key Service Centre in Mid Suffolk District as defined by the Settlement Hierarchy set out at policy CS1 of the Mid Suffolk District Core Strategy.
13. The Council and appellant agree that the site is well located and connected to the settlement of Thurston within convenient reach of local facilities and access to public transport options. A point not disputed by Thurston Parish Council, who are predominantly concerned with the cumulative impacts of development in the area and the impact on village infrastructure which I return to later.
 14. For a planning obligation to be taken into account in granting planning permission it must meet the statutory tests out in Regulation 122 of the Community Infrastructure Regulations 2010. Similar policy tests are set out at paragraph 204 of the Framework as to when planning obligations should be sought. In effect these require obligations to be 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.
 15. There is no dispute between the parties that a Travel Plan is an appropriate vehicle to ensure measures are introduced and managed to ensure that future residents are encouraged to use the most sustainable transport options. To that end a Travel Plan is secured through the section 106 agreement. This is necessary to ensure the assumptions and projections in traffic growth, modal split and the impact of traffic on the surrounding highway network are robust. The Travel Plan is directly related to the development as it would address the effect of the development. There is no dispute between the parties that it is appropriate to secure through the section 106 agreement and I see no reason to disagree.
 16. The 106 provisions related to the Travel Plan require in very broad terms that an interim Travel Plan would be submitted prior to occupation of the development, new occupiers would be provided with a resident travel pack and a Full Travel Plan would be provided before occupation of the fiftieth dwelling. The obligations require an annual monitoring report to be submitted, by a Travel Plan Co-ordinator appointed by the owners, to demonstrate that the Full Travel Plan objectives and targets are being achieved. These matters are in themselves not disputed by the parties and again I am satisfied that they provide necessary components to ensure the effective operation and assessment of the Travel Plan during the implementation and development of the scheme.
 17. The Travel Plan Evaluation and Support Contribution is an annual fixed sum linked to occupation at various stages of the development. The County Council's obligation in this regard requires the County Council to use the contribution for officer time spent on reviewing the Travel Plans, Resident Travel Packs, the Full Travel Plan monitoring report and agree new targets and objectives with the Travel Plan co-ordinator.
 18. Both parties have provided appeal decisions to support their contentions as to whether or not a monitoring contribution reasonably falls within the tests for obligations. It is evident from these decisions that the conclusions reached are related to the particular circumstances of each case, taking account of the context including the nature, breadth, and amount of the monitoring fee. What is clear is that following the decision in *Oxfordshire County Council v Secretary of State for Communities and Local Government (and others)* the courts have

- not ruled out that monitoring fees could satisfy those tests albeit that these were likely to be in exceptional circumstances.
19. In the context of this case there is no clarity on how the annual figure was arrived at. The Council suggest that due to the size of the development and its likely build out rate a contribution of £1,000 is considered fair and reasonable. It further suggests that this was fair and reasonable given other costs that the appellant may have to incur and which would not be necessary if the Council provided such through its support.
 20. The monitoring fee would to be used to pay for officer time to fulfil the oversight and assessment of submitted reports. However, the Council does not propose to employ additional staff, does not provide any break down of likely time that would be required to undertake such work nor the costs this would impose on the Council such as to justify the level of the contribution.
 21. From the evidence before me it has not been demonstrated that the fee is linked to the specific circumstances of this development, but rather is derived from a standardised charge. It has not been demonstrated how that charge has been calculated in the context of this development and therefore I cannot judge whether it is fairly and reasonably related in scale and kind to the development. Simple because the contribution is a small sum and the development is of a reasonable scale does not make it acceptable.
 22. As I have found that it does not meet the test of fairly and reasonably related in scale and kind I need go no further. Regulation 122 and paragraph 204 require that all of the tests are met if one is failed then the obligation fails the requirements.
 23. I am satisfied that my conclusions are consistent with the other decisions reached by other inspectors not least as I have found on the specific circumstances of this case and the evidence before me.
 24. Whilst the lack of a contribution may mean the County Council does not choose to monitor the Travel Plan that is a matter for the County Council. It is not in my view fundamental to the Travel Plan provisions overall. The obligations require the submission and approval of the interim Travel Plan, resident travel pack and full Travel Plan to the County Council for its approval. There is a requirement to appoint a Travel Plan co-ordinator and for that co-ordinator to submit an annual monitoring report, in a form acceptable to the County Council. These documents provide the opportunity to ensure that the Travel Plan would operate in an effective and appropriate manner and there are restrictions on occupation and progress of the development until such time as they are agreed.
 25. For the reasons given above I conclude that the proposed development would maximises the opportunity to access sustainable modes of transport, and in particular through the Travel Plan would effectively reduce the need to travel or promote the use of alternative modes of travel other than by the private car.

Other matters

Housing land supply

26. The parties agree that the Council cannot demonstrate a five year supply of housing land, with the latest published figures indicating a 3.9 years supply

whether based on the Core Strategy or latest Strategic Housing Market Assessment. Both calculations include a 20% buffer recognising the Council's persistent record of under delivery. The annualised adjusted target for 2017-2022 equates to just under 520 units in either assessment.

Heritage Assets

27. There are a number of listed buildings (heritage assets) in close proximity to the site however the development does not directly impact on the assets. In the context of the setting of these assets the contribution the setting makes is with regard to the setting of the assets within open countryside and the relationship to the village. Given my conclusions in terms of the effect on the wider landscape there is limited impact on the landscape in the area. The assets are set away from the site or are at the edge of the village and close to the existing open countryside. In this regard they retain their relationship with the edge of the village and wider countryside. There is no indication of any associative link with any of the assets and this site that would otherwise suggest increasing its importance or status in terms of the setting of the buildings. As such I conclude that the development would not affect the setting of the listed buildings.
28. Thurston Parish Council has raised a number of issues related to the proposed development these are addressed below.

Character and appearance

29. The proposed development site is located adjacent to the settlement but outside the defined settlement boundary. The site is presently flat and open agricultural land, for the most part. It is contained along the Sandpit Lane frontage by the road and extensive mature landscaping. Its Northern boundary is contained by Norton Road where there are stretches of mature landscaping and existing development that define the site boundary and separate it from the wider countryside beyond. To the east, along Church Road, the boundary is similarly contained by mature planting. To the south the site abuts the existing settlement edge. The site is well connected to the settlement edge in visual terms and although there would be the loss of a field which is otherwise countryside this is strongly related to the settlement edge. There would be a minor negative effect resultant from the loss of countryside and its replacement with a housing estate. The effect however would be limited and localised and there would be no significant effect on the wider landscape.
30. The Parish Council are concerned that the as well as the effect of the development on the countryside setting of the village the schemes density, scale of buildings, type and mix of houses and building heights are matters which could mean that the development would not be in keeping with the local character. For the most part these are matters that can be addressed through the reserved matters submissions. The Framework Plan includes a landscape strategy which includes strong buffer landscaping amenity spaces and new parks and play provision. The detailed layout location of building footprints, the heights of properties and their positioning are all matters that would be covered and addressed in the reserved matters. Along with materials and detailed design of the properties this would afford ample opportunity to design a scheme that pays due regard to local characteristics.

Highway Safety

31. The Parish Council are particularly concerned with the cumulative impact of development. Since the submission of this application four other applications have come forward and which together propose to make provision for more than 800 dwellings. As an appeal I have to consider the merits of the case before me and the effects arising from this scheme. The District Council, County Council and the various developers however have been working together to understand the potential cumulative effects that may arise from development and have identified various works that would require to be undertaken in the event the various schemes come forward. In the context of this scheme that has resulted in identification of required works resultant from this development along with the contribution that this development would need to make in terms of the cumulative effects should those other schemes come forward.
32. The Council has arrived at a minded to approve in respect of four of the schemes (including a duplicate on this scheme) with the fifth being subject to a minded not to approve resolution. The legal agreement secures contributions from this development on an either or scenario dependant on whether four or five schemes come forward. In either scenario the pooling of contributions for the required highway works would not fall foul of the pooling restrictions as there would be no more than five contributions.
33. In terms of Highway works the appellant and County Council have provided a Statement of Common Ground on transport and highways matters and an addendum. This includes consideration of the cumulative impacts of proposed developments in the Thurston area. The County Council have had independent assessment of the effects of this and the other developments on sensitive junctions in the surrounding highway network undertaken including that at the A143 junction, Fishwick corner and Pockeridge corner. The conclusion is that with appropriate mitigation the junctions would operate within capacity and that there would be no severe impacts on the highway network. Whilst the development would have an impact on the surrounding highway network this has been quantified and assessed. The necessary highway adjustments have been identified and funding secured to ensure the effects of the development would be mitigated. This would be spent on either the full works should all the schemes come forward or necessary alterations related to this scheme if others do not come forward. On this basis the Highways contributions in the 106 agreement meet the appropriate tests and I have had regard to them in my decision.
34. There is however an outstanding concern related to the C691 under the railway bridge. This relates to a very short length of road and the duration of congestion would be likely to be short lived. It is also likely that a robust travel plan may encourage modal shift which could improve the situation. In any event the likely effect would not be severe.
35. The Framework advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. On the basis of the above I conclude that the residual cumulative effects of this development would not be severe as adequate mitigation measures would be put in place to reduce the effect of traffic arising from the development.

Rail safety

36. Thurston railway station has a pedestrian level crossing to facilitate access between the two sides of the platforms. Network Rail have identified that with an increase in the potential passenger numbers resultant from the increase in population from this and the other developments the crossing would should be closed. The concern from the Parish Council and Network Rail centres around the unsafe nature of the crossing and that any intensification of the crossing would be unwelcome.
37. Whilst I accept that there may be an increase in the usage of the crossing if he crossing itself is unsafe this is an existing problem. Some of the examples of unsafe practices relayed to me at the hearing would certainly fall into this category. I note that the Council has a Community Infrastructure Levy in place and that this includes its regulation 123 list of infrastructure projects or types of infrastructure it intends to be wholly or partly funded by CiL. The Council identify that the list includes 'Public Transport Improvements' and that it would be open to network rail to bid into the fund for contributions to any scheme. Given the number of additional passengers generated by the development as a proportion of the overall usage the proposed development by itself would not significantly add to the passenger numbers using he station such that it would by itself make the crossing unsafe. There are provisions through the CiL to fund such infrastructure improvements if justified and required and this is not therefore a reason to withhold permission.

Community and social infrastructure

38. The proposal for 175 new dwellings would be likely to have a significant effect on local social and community infrastructure including schools, library green spaces etc. As noted above the Council has a CiL in place and matters such as provision of school places at existing schools, provision of additional pre-school places at existing establishments, provision of library facilities provision of off-site open space and provision of leisure and community facilities are all matters covered in the Councils Regulation 123 list. On that basis these matters cannot be the subject of planning obligations. The developer will make the necessary CiL contributions at the appropriate time and this will be based on the eventual housing mix and any offsets for affordable housing.
39. In the context of school places it is suggested that a consequence of the cumulative developments in the area could be that a new school with new pre-school facilities would be required. The sec 106 agreement secures this sites proportionate contribution to those facilities based on the likely pupil population generated by the development. These are new facilities and are not covered by the CiL 123 list provision for education which relates to the improvement of existing facilities. In this case they are necessary and required and related to the scale and kind of development and meet the appropriate tests.
40. In the event that the new school is not required or in the interim the existing schools would be upgraded with temporary provision through the CiL funding.
41. Overall I am satisfied, for the reasons given above, that the proposals would make adequate provision to address the effects of the development on the social and community infrastructure in the area.

Planning Obligation

42. Other than the matters discussed above the section 106 agreement also secures the provision of 35 % affordable housing which is in line with policy and to which I give significant weight.
43. A completed sec 106 agreement under the Town and Country Planning Act 1990 has been provided. I am satisfied that the obligations in the agreement meet the tests under regulation 122 of the Community Infrastructure Regulations 2010 and paragraph 204 of the Framework. In that the contributions are necessary to make the development acceptable, are directly related to the development and fairly and reasonably related in scale and kind to the development. With the exception of the Travel Plan Evaluation and Support Contribution. I have therefore taken them into account in my determination of this appeal.

Planning balance

44. The Council cannot demonstrate a five year supply of housing land. Paragraph 49 of the Framework therefore advises that relevant policies for the supply of housing should not be considered up to date. Under these circumstances paragraph 14, bullet point 4, is engaged. This requires that planning permission 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 (the tilted balance).
45. There are no specific policies in the Framework that would indicate that development in this case should be restricted (footnote 9) such that would disengage the tilted balance.
46. I have identified that there would be a limited and localised adverse effect on the character and appearance of the area resultant from the development of the site in the countryside. Although the site sits in the countryside and beyond the settlement limits, the settlement boundaries are out of date as they were drawn up at a time of a different housing requirement and are no longer able to contain the necessary housing development to meet the district's need as demonstrated by the shortfall in the housing land. For these reasons I conclude that any conflict with Mid Suffolk Local Plan policies H3 which sets the settlement boundaries and H7 restricting development in the countryside and Core Strategy Policies CS1, the settlement hierarchy, and CS2, development in the countryside should only be given limited weight.
47. In terms of the positive benefits of the scheme I give significant weight to the provision of housing given the context of the shortfall of housing land. The authority is preparing a new joint local plan however this is still some way off adoption. Moreover the extent of the shortfall is significant and material and the number of units proposed will make a substantial contribution towards meeting that shortfall. The appellant has suggested a reduced timescale in the context of the time limits for the implementation of the development to ensure the development is brought forward quickly and contributes to addressing the housing shortfall.
48. The scheme would also result in economic benefits resultant from the construction of the development and the future occupation of the development.

49. The matters secured through the 106 agreement or that would benefit from CiL contributions would be necessary requirements to address the effects of the development and would therefore not be positive benefits of the scheme.
50. Overall the proposal would result in environmental harm, albeit this would be localised and limited, and would conflict with policies H7, CS1 and CS2. However, the weight to be given to these policies, and therefore any conflict with them, is limited. The development plan is not up-to-date and there is no five year housing land supply. Taking all matters into account I conclude that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of the scheme. The proposals therefore benefit from the presumption in favour of sustainable development as set out in paragraph 14 of the Framework. The conflict with the development plan is outweighed by other material considerations and permission should be granted.

Conditions and overall conclusion

51. A list of conditions, agreed between the appellant and the local planning authority, was provided before the hearing. I have considered these conditions in the context of the advice in the Planning Practice Guidance and the model conditions set out in the annex (which remains extant) to the otherwise now cancelled Circular 11/95 the use of conditions in Planning Permissions.
52. I have imposed conditions 1 to 3 which are in the standard format for outline time limits rather than those suggested by the parties. The time limits are however identified as 2 years as proposed by the parties to ensure development comes forward quickly and the development contributes to quickly improve the housing land supply shortage. Condition 4 is required to identify the approved plans for the avoidance of doubt.
53. Condition 5 is required to ensure that the further soil testing identified in the submitted reports is undertaken and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Condition 6 is imposed to safeguard the amenities of occupiers of surrounding properties and in the interest of highway safety.
54. Condition 7 is required in the interests of protecting wildlife. Condition 8 is required to safeguard archaeological assets within the site. Conditions 9, 10 and 11 are required in the interests of highway safety, while conditions 12 and 13 are required to ensure the site is properly drained, and that such drainage is subsequently properly managed.
55. Conditions 5, 6, 7, 8 and 10 are 'pre-commencement' form conditions, or include such elements, and require certain actions before the commencement of development. In all cases the matters they address are of an importance or effect to mean they need to be resolved before construction begins.
56. There are a number of the suggested conditions that I have not imposed as these relate to matters that are already covered by the reserved matters, other legislation or I have subsumed with conditions I have imposed.
57. For the reasons given above I conclude that the appeal should be allowed.

Kenneth Stone

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Jeff Armstrong	Armstrong Rigg Planning
Robert Eburne	Director Planning Hopkins Homes
Lindsay Rigg	Armstrong Rigg Planning
Simon Bryan	Development Director Hopkins Homes

FOR THE LOCAL PLANNING AUTHORITY:

Ian Deprez	Solicitor for Mid Suffolk District Council
Ben Elvin	Strategic Projects and delivery Manager Mid Suffolk District Council
Neil McManus MRICS	Development Contributions Manager Suffolk County Council
Steven Merry	Transport Policy and Development Manager Suffolk County Council
Chris Ward	Travel Plan Officer Suffolk County Council
Philip Isbell	Corporate Manager Growth and Sustainable Planning Mid Suffolk District Council

INTERESTED PERSONS:

Richard Fawcett	Member of Thurston Parish Council and Co-Chair of Thurston Neighbourhood Plan Group
Graham Dixon	Co-Chair of Neighbourhood Plan Group
Councillor Derrick Haley	Local Ward Member
Bernadette Shrubshall	Local resident

DOCUMENTS SUBMITTED AT THE HEARING

HD1	e-mail from network rail to Mid Suffolk district Council as consultation response to planning application provided by appellant.
HD2	Certified copy of consolidated executed section 106 agreement.
HD3	Letter from Thurston Parish Council to Planning Inspectorate dated 17 October 2017 which covers the issues the Parish Council will raise at the hearing submitted by Thurston Parish Council.

- HD4 Affordable Housing Supporting Statement for Compliance with Planning Obligations and CiL Regulation 122 submitted by Mid Suffolk District Council.
- HD5 Babergh and Mid Suffolk Joint Annual Monitoring Report 2016-2017 submitted by Mid Suffolk District Council.

DOCUMENTS SUBMITTED AFTER CLOSE OF HEARING

- HD6 Letter from Suffolk County Council to Mid Suffolk District Council dated 13 October 2017 submitted by District Council

Schedule of conditions for appeal reference APP/W3520/W/17/3172098

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "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 2 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 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 the following approved plans: Emergency access plan drawing number IP15 127 11 SK004; Highway access plan drawing number IP15 127 11 SK002 Rev C; and Highway improvement plan drawing number IP15 127 11 SK04; and in general conformity with Development Framework plan reference number Thur/01 Rev C.
- 5) Prior to the commencement of development:-
 - i. A strategy for investigating any contamination present on site shall be submitted to and approved in writing by the Local Planning Authority. Development on site, including demolition, may be carried out in order to fully investigate contamination prior to the submission of said strategy subject to agreement, in writing, by the Local Planning Authority.
 - ii. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
 - iii. A written report shall be submitted detailing the findings of the investigation referred to in (ii) above, and an assessment of the risk posed to receptors by the contamination, shall be submitted to and approved in writing by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme and timetable of the scheme for agreement in writing by the Local Planning Authority if the authority considers it is required.
 - iv. Any remediation work as may be agreed shall be carried out in its entirety in accordance with the approved Remediation Scheme and its timetable.

Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme prior to the first use/occupation of the development. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of this condition and where remediation is necessary a further remediation scheme, including a timetable for the implementation of any measures, must be prepared in accordance with the requirements of this condition and shall be submitted to and approved in writing by the Local Planning Authority. Following completion

of measures identified in the approved further remediation scheme a verification report must be submitted to and approved in writing in accordance with the agreed timetable.

- 6) Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information: -
- i) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
 - ii) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
 - iii) Details of how construction and worker traffic and parking shall be managed.
 - iv) Details of any protection measures for footpaths surrounding the site.
 - v) Details of any means of access to the site during construction.
 - vi) Details of the scheduled timing/phasing of development for the overall construction period.
 - vii) Details of any wheel washing to be undertaken, management and location it is intended to take place.
 - viii) Details of the siting of any on site compounds and portaloos;
 - ix) Details of a construction surface water management plan detailing how surface water and storm water will be managed on site during construction.

The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

- 7) Prior to the commencement of development a detailed lighting scheme for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed, (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels of the lighting to be provided), so that it can be:
- i) Clearly demonstrated that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED.
 - ii) Clearly demonstrated that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and shall be maintained thereafter in accordance with the scheme. No external lighting shall be provided unless details thereof have been submitted to and agreed in writing by the Local Planning Authority.

- 8) Prior to the commencement of development the implementation of a programme of archaeological work shall be secured, in accordance with a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
- i) The programme and methodology of site investigation and recording.
 - ii) The programme for post investigation assessment.
 - iii) Provision to be made for analysis of the site investigation and recording.
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - v) Provision to be made for archive deposition of the analysis and records of the site investigation.
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The site investigation shall be completed prior to development, or in such other phased arrangement, as set out in the programme.

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition.

- 9) No dwelling shall be occupied until a footway along Church Road as shown on drawing IP15/127/11/SK04 with street lighting has been completed.
- 10) The new estate road junction with Sandpit Road inclusive of cleared land within the sight splays to this junction as shown on drawing no. IP15_127_11_SK002 Rev. C must be formed prior to any other works commencing or delivery of any other materials. The visibility splays shall thereafter be retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
- 11) No dwelling shall be occupied until the highway improvements shown on drawing no. IP15_127_11_SK002 Rev. C including local carriageway widening, bus stops including shelters and footways along Sandpit Lane have been completed.
- 12) Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted in writing to the Local Planning Authority. The scheme shall be in accordance with the approved FRA and its addendum (Ref IP15 127 11 May 2016 and November 2016) and include:

- i) Dimensioned plans and drawings of the surface water drainage scheme;
- ii) Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as a means of drainage if the infiltration rates and groundwater levels show it to be possible;
- iii) If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- iv) Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- v) Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where water will flow and be stored to ensure no flooding of buildings or offsite flows;
- vi) Topographical plans depicting all exceedance flowpaths and demonstrating that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system

The scheme shall be fully implemented, as approved in writing by the local planning authority, in accordance with a timetable to be agreed as part of the surface water drainage scheme.

- 13) Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

END