



Appeal Decision

Site visit made on 19 February 2019

by JP Tudor Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 17 April 2019

Appeal Ref: APP/P1615/W/18/3213122

The Meadows, Bromsberrow Heath, Ledbury, Herefordshire HR8 1NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Clive Pratt, Mrs Tina Pratt, Mr Roger Price and Mrs Rosemary Price against the decision of Forest of Dean District Council.
 - The application Ref P1885/17/OUT, dated 27 November 2017, was refused by notice dated 9 May 2018.
 - The development proposed is outline application for the erection of up to 5 self-build dwellings with associated works with all matters reserved. (Revised description.)
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Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 5 self-build dwellings with associated works with all matters reserved at The Meadows, Bromsberrow Heath, Ledbury, Herefordshire HR8 1NX in accordance with the terms of the application, Ref P1885/17/OUT, dated 27 November 2017, subject to the attached schedule of conditions.

Procedural Matters

2. I have taken the description of development in the banner heading above from the Council's decision notice and the appeal form rather than the application form, as the description was revised during the planning application process. The proposal is in outline only with all detailed matters reserved for future consideration. I have considered the appeal on that basis and treated the submitted plans as illustrative.
3. A revised version of the National Planning Policy Framework (the Framework) was published on 24 July 2018. The parties have had the opportunity to take that into account during the course of the appeal and have done so. The Framework was further updated in February 2019. However, as the alterations were minor it was not necessary to revert to the parties for further comment. I have considered the appeal on the basis of the current Framework.
4. The Council advises that since the application was determined its Allocations Plan 2006 to 2026 (AP) has been found sound, following independent public examination, and was adopted on 28 June 2018. Therefore, it now attracts full weight. The Council also says that, as a result, it can demonstrate a 5-year housing land supply (HLS). The Government's recently published Housing

Delivery Test (HDT) results¹ indicate that Forest of Dean District Council has met its housing requirement over the past 3 years.²

5. A completed Unilateral Undertaking (UU) has been submitted by the appellants which is intended to ensure that the dwellings would be self-build or custom built. The Council has confirmed that the UU is acceptable but that it does not overcome the reason for refusal.

Main Issue

6. The main issue is whether the proposed development would be in a suitable location, with reference to the housing strategy for the area, the effect on the character and appearance of the countryside and access to services and facilities.

Reasons

7. The appeal site consists of a sand school arena, mobile stable, paddock areas and part of an access track from the road. It is associated with private stables at 'The Meadows', with a house, stabling, yards and a hardstanding area lying south of the site, with the M50 motorway beyond.
8. Although the Forest of Dean Core Strategy (CS)³ marginally predates the publication of the original Framework in March 2012, the Council's AP was adopted in June 2018. The Council has referred me to various appeal decisions where Inspectors have found the CS and the AP to be broadly consistent with the Framework and I see no reason to take a different view.⁴
9. Section 7 of the CS includes a settlement hierarchy. Bromsberrow Heath is identified in the hierarchy as a 'small village'. They are described as having some local services and facilities but, generally, very limited opportunity for additional development. The broad thrust of CS policies CSP.4 and CSP.16 and the settlement hierarchy, supported by the more recent AP, is to direct most development towards towns, villages or groups of villages with reasonable levels of services, facilities and employment opportunities, in order to, amongst other things, protect the open countryside and reduce the need for travel, particularly by private motor car.
10. In support of that approach, CS policy CSP.4 says: '*Most changes in towns and villages will be expected to take place within existing settlement boundaries unless or until they are replaced by other LDF documents.*' It does countenance possible exceptions including affordable housing for local persons, building conversions and (rarely) new buildings for employment uses on the edge of settlements. Policy CSP.4 also advises that areas outside settlement boundaries are to be treated as part of the open countryside.
11. As the appeal site is outside the settlement boundary for Bromsberrow Heath and the proposal does not meet the suggested exceptions, there would be some conflict with CS Policy CSP.4. However, the use of the words 'most changes' in the policy indicates some degree of flexibility. In any event, the CS does not appear to preclude all development outside settlement boundaries, with a table in policy CSP.5 indicating that some housing is envisaged not at

¹ Published 19 February 2019

² See paragraph 11 and Footnote 7 of the Framework

³ Adopted 23 February 2012

⁴ APP/P1615/W18/3201413, APP.P16154/W/18/3207085, APP/W/18/3197619

'defined settlements' whilst policy CSP.16 says that: '*Outside villages which have a defined settlement boundary, a further about [sic] 236 additional dwellings are expected for the period to 2026.*'

12. The Council's reason for refusal links the location, outside the settlement boundary, with safeguarding the open countryside from unjustified development and its appeal statement also refers to the requirement in the Framework to recognise the intrinsic character and beauty of the countryside.⁵ However, the Framework itself does not define the countryside in terms of settlement boundaries, which are not mentioned within its 75 pages.
13. Although I understand that settlement boundaries were reviewed as part of the preparation of the now adopted AP, the examining Inspector's final report on the AP refers to an emphasis in that review being placed on '*the character of the settlement.*' The Inspector also says, in response to some criticism regarding the tightly drawn nature of the settlement boundaries, particularly in relation to smaller settlements, that: '*Moreover, neither national nor CS policy imposes an outright restriction on development outside defined boundaries, but each case would have to be considered on its own particular circumstances.*'⁶ That is the approach which I have taken in determining this appeal.
14. Whilst the site is categorised by CS policy CSP.4 as 'open countryside', because it is outside the settlement boundary, it is adjacent to that defined settlement boundary on three of its four sides. It is also flanked by existing houses on both sides. Moreover, the house at The Meadows stands to the rear with the road and further residential housing to the north. Therefore, although the site comprises equestrian facilities and paddocks which have a semi-rural character, it is largely enveloped by the built forms of the village with the M50 to the south. It is effectively cut-off from the surrounding countryside. Consequently, the site has a clearer affinity with the village than with the open countryside beyond.
15. The Council refers to the strategic aims of the CS which include protecting the environment by guiding the location of development and by requiring high standards of design. CS policy CSP.1 also indicates that: '*The design and construction of new development must take into account important characteristics of the environment and conserve, preserve or otherwise respect them in a manner that maintains or enhances their contribution to the environment.*' The Council also cites the first bullet point of policy CSP.1, which says that one factor to be considered is: '*The effect of the proposal on the landscape including AONBs and any mitigation/enhancement that is necessary or desirable.*'
16. However, the site is not within an AONB, and because of the particular location and context, as set out above, the proposal should not have any significant adverse effect on the environment, the landscape, or the natural beauty of the countryside. Moreover, in relation to design, the proposal is in outline only with matters of scale, appearance, layout, landscaping and access reserved for future consideration. Given that, I see no reason why an acceptable scheme sympathetic to the existing built forms of the village could not be devised. In terms of '*the character of the settlement*', said to be relevant to the AP review of settlement boundaries, the original Council Officer's Report concludes that

⁵ Paragraph 170 b) of the Framework

⁶ Paragraph 191

- overall, it would be possible to accommodate a scheme without detriment to the character and appearance of the surroundings. I take a similar view. Therefore, there would be no material conflict with policy CSP.1 of the CS.
17. CS policy CSP.16 says that development proposals at villages should take account of, amongst other things, the level of services accessible from their intended location and the availability of public transport. It also says that: *'Where appropriate, the defined settlement boundary will be a key determinant in judging the acceptability of proposals ...'* and that new development will be expected to be proportionate to the function of the settlement concerned and will be guided by the settlement hierarchy. Therefore, in the use of the words 'where appropriate' and other phrasing, the language is not absolutist and allows for the exercise of a planning judgement guided by the relevant policies as applied to a specific site.
 18. Bromsberrow Heath is a small village with, according to the AP, a population of about 210. Although it does not have an obviously discernible centre, there is a community shop, which includes a Post Office and café, located in a small business park to the west. It is within walking distance of the appeal site and a public right of way offers an alternative to the road for part of the route. Although my site visit (at about 1330 hours on a Tuesday) represents only a snapshot in time, there was limited traffic on the roads and lanes which criss-cross the village. Therefore, although many of them are narrow and do not have dedicated footways, pedestrians and cyclists would not necessarily be discouraged from using them. A sand and gravel extraction business lies to the east of the village. There is also a village hall and a primary school at Bromsberrow, only about a mile or so away.
 19. Therefore, the village does have some services, facilities and employment opportunities, albeit limited. Future residents of the new houses could reasonably be expected to use the community shop and associated facilities including the village hall and potentially the primary school at nearby Bromsberrow. Given the present small population, some additional residents would be likely to enhance or help to maintain the vitality of this small rural community and use local services and facilities in the nearby market towns of Ledbury and Newent, in accordance with paragraph 78 of the Framework. That consideration is also referred to within the CS table accompanying AP policy AP1.
 20. The Council refers to paragraph 79 of the Framework, which advises that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of a list of certain circumstances apply. However, the Council also accepts, in line with relevant case law,⁷ that given that the houses would be next to existing buildings in a settlement, which itself has some services, the proposal would not create 'isolated homes in the countryside'. Therefore, there is no requirement for it to meet the exceptions specified in Framework paragraph 79. Notwithstanding, the Council expresses concern that future residents would be dependent on the motor car due to the limited nature of public transport, a factor referred to in CS policy CSP.16.
 21. The towns of Ledbury and Newent with a wider range of services and facilities are not far away and there are bus services to those towns, which also provide

⁷ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610

- links to larger centres. However, the bus services are very limited, only running twice weekly. Therefore, like existing residents of the village, future occupiers of the new houses would be likely to be reliant on the private motor car to access a wider range of services, facilities and employment opportunities. However, the village has good road links to the A417 and junction 2 of the M50 motorway.
22. Paragraph 103 of the Framework advises that: *'Significant development should be focussed on locations which are or can be made sustainable, through limiting the need for travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary from urban to rural areas and this should be taken into account in both plan-making and decision-making.'*
23. Therefore, national policy recognises that public transport options are likely to be more limited in rural areas. The proposal of up to 5 self-build houses does not constitute 'significant development' and whilst the additional traffic generated would have some negative effects individually and cumulatively, they would be relatively limited. AP Policy 16 of the recently adopted AP says that only 'limited change' is envisaged in Bromsberrow Heath during the plan period. Although the site is adjacent to, rather than within, the settlement boundary, the proposal for up to 5 self-build houses largely surrounded by existing development would, in my view, constitute such 'limited change'.
24. CS Policy CSP.5, which deals with housing, says that priority will be given to development on previously developed land and on sites identified for housing in the development plan. That priority is not qualified in terms of settlement boundaries. The Glossary to the Framework defines previously developed or brownfield land as: *'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surfaces or infrastructure.'*
25. A sizeable part of the western half of the site includes a sand school or manège, whilst the eastern half, albeit separated from it by the access track, is a paddock. The appellants have drawn my attention to an appeal decision⁸ where the Inspector considers paddocks, adjacent to a manège and other development, form part of the use of the site for equestrian purposes, and therefore, finds that the whole of the site is previously developed land. I take a similar view with regard to the manège and paddock, which was occupied by some grazing horses when I visited, with stables to the rear, albeit outside the site boundary. Therefore, the appeal site is previously developed land, which weighs in its favour.
26. Even if it was not the case that the whole site should be considered as previously developed land, the Council Officer's Report states that: *'at the very least, the western half of the site is previously developed land and this should be taken into account'*. Therefore, even if that view were accepted, a sizeable part of the site, would comply with the preference for development on previously developed or brownfield land expressed in CS policy CS.5 and paragraphs 84 and 117 of the Framework.

⁸ APP/Y0435/W/17/3178790

27. Another relevant factor is that the proposed homes would be custom or self-built, as secured by the submitted UU, approved by the Council. The Government is actively seeking to increase the supply of such housing as evidenced by recent legislation,⁹ paragraph 61 of the Framework and the Planning Practice Guidance. Together they require local planning authorities (LPAs) to establish a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects. LPAs are also required to grant planning permissions equivalent to the level of demand established by reference to the number of entries added to the register during a base period, which now run from 31 October to 30 October each year. At the end of each base period, LPAs have 3 years in which to give permission on an equivalent number of plots.
28. A table within the Council's appeal statement indicates that 73 households have been registered between 1 April 2016 and 30 October 2018. The Council says that by 30 October 2018, it had granted permission for 42 self-build plots, although the appellants dispute whether 2 of the cited permissions relate to self-build houses secured by legal agreement.
29. The Council says that: *'Whilst it could be put forward that there is an unmet demand for self-build housing taking matters into the round the Council has a current need for 73 up until the 30 October 2022 of which 43 [sic 42] have been granted planning permission. This leaves 30 [sic 31] to be delivered over the next 3 years. The Council has already delivered in excess of this figure within a similar time period...'*
30. However, whilst the Council might wish to consider matters in that way, the 3-year period runs from the end of each base period. According to the information contained in the Council's table, 63 permissions are required by 30 October 2020, of which 42 have been given. Even accepting that disputed figure, it would still mean that a further 21 need to be granted by 30 October 2020, with 10 more by 30 October 2021 and not, as suggested in paragraph 5.11 of the Council's appeal statement, by 30 October 2022.
31. Moreover, of the 42 plots which the Council says it has granted permission for, it is relevant that 41 of them appear to have been granted via the appeal process. Therefore, and given the lack of any clear policy within the development plan regarding such housing or evidence of local initiatives to promote it, I do not share the Council's apparent confidence that the requirement would be met. In any case, what is clear and relevant is that up to 5 custom or self-build houses would contribute towards meeting the requirement for such housing in the area.
32. I am satisfied that the UU, submitted to secure the plots as self-build, meets the tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and paragraph 56 of the Framework in that it is necessary to make the development acceptable in planning terms; is directly related to the development; and is fairly and reasonably related in scale and kind to the development.
33. It is acknowledged that the Council can demonstrate a 5-year HLS, but the Framework does not suggest that this should be treated as a cap or upper

⁹ The Self-Build and Custom Housebuilding Act 2015, the Self-build and Custom Housebuilding Regulations 2016 (SI 2016/950) and the Housing and Planning Act 2016

limit. The Framework, an important material consideration in all planning decisions, also offers support for proposals on previously developed land and to meeting the housing needs of different groups, including people wishing to build their own homes.¹⁰ Those factors weigh in favour of the proposal.

34. I have carefully considered whether allowing this appeal would create a precedent for other proposals for housing adjacent to settlement boundaries in the district. However, I am satisfied that the particular combination of site-specific and policy factors relevant to this proposal are unlikely to be duplicated to a significant extent elsewhere. In any event, given that I have found that this proposal would be acceptable, I see no reason why it should lead to harmful developments being approved elsewhere. Therefore, although there is some conflict with CS policy CSP.4, I do not consider that the housing and spatial strategy for the area would be significantly undermined.
35. On balance, the above factors lead me to conclude that the proposed development would be in a suitable location, with reference to the housing strategy for the area, the effect on the character and appearance of the countryside and access to services and facilities.
36. Although there would be minor conflict with CS policy CSP.4, the site is adjacent to the development boundary on 3 sides and I have found no associated harm to the character and appearance of the countryside. There is no conflict with the design and environmental protection aims of CS policy CSP.1 and the proposal would comply with policy CSP.5, as the site would use previously developed land. The proposal would comply with CS policy CSP.16 and AP policy 16, insofar as they contemplate limited development in 'small villages'. It is not unusual for there to be some tensions between different policies within development plans and for proposals to comply with elements of some policies and not others. In this case, notwithstanding limited harm from likely use of the private motor car, I consider that the proposal complies with the objectives and policies within the development plan, taken as a whole.
37. The scheme would also be in accordance with the Framework, including paragraphs 59, 61, 78, 79, 103 and 170.(b). Policy AP 1 of the AP advises that proposals will be assessed in the context of sustainable development and with particular reference to the CS, AP and national guidance. Overall, for the reasons given, the proposal is in accordance with the principles of sustainable development.

Other Matters

38. Other planning permissions and a range of appeal decisions have been referred to by the parties in support of their respective cases. I have taken them into consideration, where relevant. However, some related to a period when the Council was unable to demonstrate a 5-year HLS, which would have brought the 'tilted balance' within paragraph 11 (previously paragraph 14) of the Framework into play. That is not the case in the current appeal and there are relevant development plan policies which can be applied to the proposal.
39. Moreover, the particular combination of factors in this appeal relating to, for example; proximity to the settlement boundary; the character of the site; previously developed land; and the self-build nature of the proposal also go to

¹⁰ Paragraphs 59, 61 and 84

distinguishing it from those other applications and appeals. In any case, it is a truism, as accepted by the parties, that all proposals must be considered on their individual merits, which is the approach I have taken in determining this appeal.

40. In addition to the matters dealt with above, some local residents have raised other issues including potential overlooking, retention of hedges, the design and size of the houses. As the proposal is in outline, such matters would be considered at the reserved matters stage, when scale, design, layout, landscaping and access are dealt with. Therefore, those factors and any others raised do not lead me to alter my decision.

Conditions

41. The Council has suggested conditions which I have considered, making amendments and minor corrections, if necessary, to ensure clarity and compliance with the tests contained in the Framework¹¹ and the Planning Practice Guidance (PPG). Conditions regarding reserved matters and time limits are required by statute. The Council suggested a time limit of one year for the application of approval of reserved matters for the first phase of the development in the relevant condition. However, as the appellants have commented, that would be too restrictive, given the requirements for a phasing plan in another condition and the periods specified for marketing the plots within the associated legal agreement. Therefore, I have adjusted that condition to reflect the standard time limit of 3 years, normally associated with an outline permission.
42. A condition relating to a phasing plan is necessary because of the custom-build nature of the proposed development, based on individual plots. Conditions relating to site and floor levels for dwelling and parking areas and landscaping are necessary to safeguard the character and appearance of the area. A condition in respect of tree and hedgerow protection is necessary to ensure they are safeguarded during construction, as they contribute to the rural character and appearance of the area. It is appropriate for there to be conditions regarding car parking, manoeuvring facilities and access to ensure satisfactory off-street parking and in the interests of highway safety.
43. Given the proximity of the site to the M50 motorway, a condition relating to noise levels is appropriate to ensure that future occupants have acceptable living conditions. Conditions relating to external lighting and biodiversity enhancements are necessary to safeguard the rural character of the area and maintain and encourage biodiversity. A condition concerning a Construction Method Statement is appropriate to limit impacts on the highway network during the construction period. Conditions relating to drainage and runoff are necessary to ensure satisfactory drainage on the site and to address the risk of flooding.
44. It is essential that the requirements of conditions 2, 5-7, 10, 11 and 13-15 are agreed prior to works commencing to ensure an acceptable form of development in respect of the character and appearance of the area, tree protection, highway safety, biodiversity, drainage and flood risk.

¹¹ Paragraph 55

45. The Council suggested a condition relating to the cumulative gross floorspace of the dwellings in relation to advice within a Written Ministerial Statement, dated 28 November 2014, concerning affordable housing requirements. However, that quantum does not feature in the revised Framework, in relation to residential development. Therefore, as such a condition would be unnecessary and inappropriate, I have omitted it.
46. With regard to the issue of affordable housing, 'major development', as referred to in paragraph 64 of the Framework, is defined in the Glossary to the Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Although the Council has not referred to that aspect, the appellants' Design and Access Statement suggests that the site is 0.52 hectares, which would potentially generate a requirement for 10% affordable housing. However, paragraph 64 c) of the Framework provides an exemption from that requirement where the site is proposed to be developed by people who wish to build or commission their own homes. Therefore, given the above, no condition is necessary relating to affordable housing.
47. The Council also suggested a pre-commencement condition relating to external materials to be used in the construction of the dwellings and surface finishes for access and parking. However, external materials already fall within the ambit of 'appearance', as detailed in the definitions of reserved matters in Part 1, paragraph 2(1) of The Town and Country Planning (Development Management Procedure) (England) Order 2015, whilst surfaces for parking and access are referred to within another condition. Given that the Framework and PPG indicate that conditions should be kept to a minimum and such a condition would not meet the relevant tests, I have omitted it.

Conclusion

48. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

JP Tudor

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall not be commenced until detailed plans showing the layout, scale, appearance, access and landscaping of the site (referred to as 'the reserved matters') have been submitted to and approved in writing by the local planning authority.
- 2) No development shall commence until a phasing plan for the phasing of the building of the development in plots has been submitted to and been approved in writing by the local planning authority. The development thereafter shall be carried out in accordance with the approved phasing plan.
- 3) Application for the approval of the reserved matters for the first phase of the development shall be made not later than the expiration of three years beginning with the date of this permission.
- 4) The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the last of the reserved matters for the first phase of development, as defined by the approved phasing plan.

- 5) No development shall commence until details of the existing and proposed site and floor levels for the dwelling and parking areas and section drawings through the site, at a scale not less than 1:500 for the first phase of development have been submitted to and been approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.
- 6) No development shall commence until tree and hedgerow protection plans including full details of how trees (including the oak tree in particular, T1 on submitted plans) and hedgerows surrounding the site will be safeguarded during the construction period with suitable buffer zones excluding development, and details thereafter of how the trees and hedgerows will be maintained, for the first phase of development have been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. Thereafter the approved details shall be fully implemented.
- 7) No development shall commence until details of properly consolidated and surfaced vehicle parking and manoeuvring facilities (including surface water disposal and vehicular turning head providing access from the nearest public highway to that dwelling) for the first phase of development have been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. The works and facilities shall be provided in accordance with the approved details and prior to the dwellings served by them being first occupied and shall be kept permanently available for such purposes with the vehicle parking spaces retained for parking only and the manoeuvring facilities for manoeuvring of vehicles.
- 8) No dwelling on the site shall be occupied, until the carriageway (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling, have been completed to at least binder course level and the footways to surface course level.
- 9) The internal noise levels to be achieved in bedrooms and living rooms in the dwellings post construction is 30 dBLAeq T (where T is 23:00 - 07:00) and 35 dBLAeq T (where T is 07:00 - 23:00). Noise levels in gardens and open spaces should not exceed 55 dB LAeq 1 hour when measured at any period (in accordance with the WHO figure contained in BS8233:2014).
- 10) No development shall commence until full landscaping details for the first phase of development have been submitted to and approved in writing by the local planning authority, having full regard to the details approved through condition 1 of this permission. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. The landscaping scheme for that phase shall incorporate existing flora and reflect the site as a whole. Thereafter the approved scheme shall be carried out in all respects not later than the first planting season following the erection of the dwelling(s) on that phase and thereafter maintained. If at any time during the subsequent five years any

tree, shrub or hedge forming part of the scheme shall for any reason die, be removed or felled it shall be replaced with another tree or shrub of the same species during the next planting season to the satisfaction of the local planning authority.

- 11) No development shall commence until details of an external lighting scheme for the first phase of development have been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. The scheme shall provide details of any external luminaries including measures to control light spillage and minimise light pollution. The lighting scheme should follow the advice provided by the Bat Conservation Trust "Bats and Lighting in the UK." The scheme shall be carried out in accordance with the approved details prior to the occupation of the dwelling(s) on that phase and thereafter maintained. There shall be no external lighting other than the scheme approved.
- 12) No above ground works shall commence until details of a small-scale biodiversity enhancement scheme for the first phase of development have been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. Thereafter the approved biodiversity enhancement scheme shall be fully implemented within 6 months of the first occupation of the approved dwelling(s) on that phase and be maintained on-site for perpetuity.
- 13) No development shall commence until a Construction Method Statement for the first phase of development has been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
 - i. Specify the type and number of vehicles;
 - ii. Provide for the parking of vehicles of site operatives and visitors;
 - iii. Provide for the loading and unloading of plant and materials;
 - iv. Provide for the storage of plant and materials used in the construction of the development;
 - v. Provide for wheel washing facilities;
 - vi. Detail measures to control the emission of dust and dirt during construction.
- 14) No development shall commence until a full drainage scheme for foul and surface water drainage for the first phase of development has been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority.

The scheme shall include/provide for:

 - Detailed drainage strategy;
 - The disposal of foul, surface and land water incorporating where appropriate sustainable means, including the design of any soakaways;
 - Evidence of ground conditions and modelling;

- A scheme of surface water treatment;
- Management of exceedance flows;
- A SUDS maintenance plan for all SUDS features and associated pipework.

The scheme shall be implemented in accordance with the approved details and maintenance plan prior to the occupation of the dwellings hereby permitted and thereafter similarly maintained. No further foul water, surface water and land drainage shall be allowed to connect directly or indirectly into the public sewerage system.

- 15) No development shall commence until details of relevant calculations and an assessment to demonstrate the proposed attenuation/storage is sufficient to store the additional run off produced during a 1 in 100 critical year storm duration event plus climate change for the first phase of development have been submitted to and approved in writing by the local planning authority. Development on subsequent phases shall not commence until equivalent details have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwelling(s) on that phase.

END OF SCHEDULE