



Appeal Decision

Site visit made on 9 March 2020

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2020

Appeal Ref: APP/P2935/W/19/3242847

Land North of Fairfields, Longframlington, Northumberland

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Tantallon Homes (Longframlington) Ltd against the decision of Northumberland County Council.
 - The application Ref 18/03231/FUL, dated 7 September 2018, was refused by notice dated 12 September 2019.
 - The development proposed is construction of 58 residential units with associated access, landscaping and amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for construction of 58 residential units with associated access, landscaping and amenity space at Land North of Fairfields, Longframlington, Northumberland in accordance with the terms of the application, Ref 18/03231/FUL, dated 7 September 2018, subject to the conditions set out in the attached Schedule.

Procedural Matters

2. The site address given by the application form has been updated in subsequent documents. I have adopted the site address given by the appeal form accordingly as it is more precise with respect to the location of the proposal subject of the appeal.
3. The reasons for refusal within the Council's decision notice do not make specific reference to conflict with development plan policies. However, the Council have indicated in the evidence submitted to the appeal that they consider that the proposal conflicts with Saved Policies S13 and S14 of the Alnwick Local Development Framework Core Strategy 2007 (ACS). The Council have also drawn my attention to other saved policies of the ACS, together with policies of the former Alnwick District Local Plan, adopted April 1997 (ADLP) and emerging policies of the Northumberland Local Plan (NLP) which they consider to be relevant. I determine the appeal on that basis as I am satisfied that the interests of other parties would not be prejudiced by such an approach.
4. A signed and dated planning obligation under Section 106 of the Town and Country Planning Act 1990 (S106) has been provided as part of this appeal. It includes obligations relating to affordable housing, education and healthcare. I consider the agreement in relation to the Regulatory tests of the Community Infrastructure Levy (CIL) in my decision.

Main Issue

5. The main issue is whether the development would be consistent with policies relating to the location and supply of housing, including the effect on the character and appearance of the area.

Reasons

6. The appeal site consists of undeveloped land comprising agricultural fields that lie adjacent to the edge of the existing built up area of Longframlington which includes a recent housing development immediately to the south that projects further than the proposal to the south west. The site lies adjacent to Front Street (A697) to the east and would enclose the existing gap between Fairfields, a detached bungalow, and Longframlington UR Church whilst wrapping around the existing rear boundaries of those properties. It would adjoin open countryside to the west and adjoin fields to the north between an existing cemetery, building and woodland. The submitted plans indicate that the development of 58 dwellings would include a new access from Front Street which would replace the existing access to the agricultural field.
7. Saved Policy S1 of the ACS sets out a settlement hierarchy in seeking to guide the location and scale of new development to reflect the services present, accessibility and character of each settlement. The policy identifies Longframlington as a Sustainable Village Centre, which is the third tier of settlement within the listed hierarchy. Saved Policy S1, thereby, identifies Longframlington as a settlement with public transport and a strong service base, despite the absence of a school, where development will be well-related to the scale and function of the settlement. In that context, Saved Policy S2 of the ACS seeks a sequential approach to development whereby other suitable sites adjoining Sustainable Village Centres, such as the proposal, are the fourth priority. In this case, it is evident that there is already a fallback position of two extant planning permissions¹ for a total of 17 dwellings within the site. Consequently, the principle of development of the site has been established and I find no specific conflict with Saved Policies S1 and S2 of the ACS.
8. In reaching the above findings, I have taken into account that the site also falls within the proposed settlement boundary of Longframlington in the emerging NLP. Nonetheless, although the emerging NLP is currently undergoing examination it is not formally adopted and there is no evidence of the extent to which there are unresolved objections to the proposed settlement boundary. In such circumstances, I can afford little weight to the proposed settlement boundary of Longframlington in the NLP. Consequently, as the site lies outside of the existing settlement boundary of Longframlington in the ADLP it currently consists of open countryside for the purposes of assessment of proposals against development plan policies.
9. The construction of dwellings on the site would result in built development on greenfield land in open countryside that currently consists of largely open fields in agricultural use. Saved Policy S14 of the ACS requires compliance with the sustainable development principles in Saved Policy S3 which I go on to consider later in my decision. Nonetheless, Saved Policy S14 also provides a list of types of new development in the open countryside that will only be permitted, to which the proposal would not accord. Consequently, I find that there is conflict

¹ Council refs: 15/02208/FUL & 16/04150/FUL

- with Saved Policy S14 of the ACS. In reaching that view, there is no evidence before me that the land consists of best and most versatile agricultural land or that there would be a shortfall of such agricultural land in Northumberland as a result of the proposal and therefore, I find no consequent harm in that respect
10. The restrictions in Saved Policy S14 of the ACS broadly align with those listed in paragraph 79 of the Framework whereby national policy only applies them to the development of isolated homes in the countryside. As there are other properties nearby, the site is not remote from other dwellings and the proposal would not result in the creation of an isolated home in the countryside which the Framework seeks to avoid. Nonetheless, the Framework does not imply that a dwelling has to be "isolated" in order for other relevant policies to apply.
 11. In the above respects and turning to matters of landscape character relative to Saved Policy S13 of the ACS, it is evident that when taken together with the recent development immediately to the south and further to the south west, that there is some scope to absorb development adjoining the existing built envelope. In that regard, the rising topography from Front Street through the site to undulating land beyond would limit nearby views from a western direction, whilst the presence of the adjoining residential area would screen it to the south. Furthermore, the upward sloping topography of the land to the north with the intervening presence of an existing tree belt associated with the cemetery and nearby buildings would limit the localised views of the development when approaching from that direction. In addition, woodland screening on the opposite side of Front Street would limit views of the site from the east. When observed from the limited public vantage points close to the site along Front Street and in longer range views from open countryside further to the north and west, the development would be viewed against the backdrop of the adjoining residential estate and the wider village.
 12. The density of the proposed development would be around 20 dwellings per hectare which falls below the minimum site density of 30 dwellings per hectare specified in Saved Policy S5 of the ACS. However, the policy includes an exception that lower densities may be considered in rural areas and elsewhere where there is a need to preserve or enhance the character of the area, particularly on settlement edges. As the site context reflects those particular circumstances, I am satisfied that the exception would reasonably apply. The lower density layout as proposed would be appropriate to provide reasonable spacing between the dwellings, generous gardens and amenity space, together with appropriate landscaping along its boundaries so as to provide a development with a spacious and verdant quality with an appropriate transition to the wider countryside in the edge of settlement location.
 13. The layout of the development would consist of a predominant mix of two storey detached and semi-detached dwellings, together with bungalows located toward the side perimeter boundaries of the development and a denser grouping of terraces and apartments located close to the access onto Front Street. In that respect, the scale and massing of the proposed development would reflect the recent two storey housing development immediately to the south and the presence of existing bungalows such as Fairfields, whilst appropriately reducing the height of the development towards the north western corner of the site to reflect the increase in land levels in that direction and ensure that those dwellings would not be unduly prominent when approaching from the north and viewed against the backdrop of the village.

14. The scale of the development both individually and in cumulative with others that have taken place towards the fringes of Longframlington nearby, are not of a scale that would fundamentally alter the perception of its character as a rural village. I am also satisfied that the development would not have an adverse impact upon the setting of the listed buildings at Embleton Hall that are located on the opposite side of Front Street beyond intervening woodland.
15. The development does not include specific details of the proposed materials. However, I am satisfied that suitable materials could be appropriately secured by condition to ensure a complementary relationship with the natural stone finishes that are predominant in the historic core of Longframlington and the brick, render and stone cladding finishes that are more commonly seen within more recent developments in the village and further along Front Street. In that respect, the submitted plans include architectural details for the different housing types such as window heads, cills, subservient dormers, bay windows and windows featuring glazing bars which would add visual interest to the development. Consequently, I am satisfied that the design of the houses and use of complementary materials, when taken together with landscape screening through hedgerow planting to the perimeter as indicated on the plans, would ensure an appropriate visual assimilation with the existing settlement and a suitable transition with the surrounding countryside.
16. Existing views from adjoining properties and rear gardens close to the site would be affected by the development. However, that is generally the case with development on the edge of an existing settlement. The design of the development and appropriate landscaping would limit the perception of the site being suburbanised, whilst providing a suitable outlook for occupiers of neighbouring properties around the site and preserving their privacy. In reaching that view, I have taken into account that potential mitigation measures could be provided, such as appropriate use of land levels relative to the slab levels of surrounding properties.
17. For the reasons set out above, I find that although the development would result in some loss of open countryside, it would not have an unacceptable effect upon the character and appearance of the area. I, therefore, find no conflict with Saved Policies S5 and S13 of the ACS.
18. Turning to the sustainability criteria listed under Saved Policies S3 and S11 of the ACS, based upon the evidence and my own observations, the accessibility requirements would be met given the availability of local services such as a shop, public house, church and sports and recreation facilities, together with the presence of regular bus services to the secondary rural service centre of Rothbury and also linking to Morpeth and Newcastle-upon-Tyne. Those larger centres offer a much wider range of services, facilities, schools and employment opportunities. The site is served by a continuous highway and footway link with street lighting along Front Street to the bus stops on Rothbury Road.
19. Sections of the existing footways along Front Street are relatively narrow. However, there is no evidence before me of resultant accidents involving pedestrians and the footway along the site frontage would be widened. Furthermore, there are wider sections of footpath on the opposite side of Front Street which offer a convenient alternative for pedestrians, including sufficient space for pushchairs and wheelchairs, in locations with suitable visibility in both

directions to cross the 30mph speed limit road. I am, therefore, satisfied that the development would be accessible to jobs, services and employment by modes of transport other than the private car and would accord with Saved Policies S3 and S11 of the ACS in those respects.

20. With regard to Saved Policy S3 of the ACS in terms of physical and community infrastructure, there is a signed and completed planning obligation dated 20 March 2020. As previously mentioned, it requires the appellant to deliver affordable housing (10 units in total with 6 units being for discounted sale relative to market value and 4 for affordable rent/shared ownership) so as to accord with Saved Policy S6 of the ACS. It would also make the following contributions towards improving local infrastructure; a £96,000 education contribution towards secondary school places at King Edward VI High School, Morpeth and a £38,400 contribution towards improving primary healthcare infrastructure capacity given the current pressure on the GP practice.
21. Having regard to the above and based on the evidence before me, I am satisfied that the proposed contributions are necessary, directly related and fairly and reasonably related in scale and kind to the proposed development in accordance with CIL Regulations and paragraph 56 of the Framework. The precise financial contributions reflect identified needs and detailed calculations specific to meet those needs arising from the development. I have, therefore, attached weight to them in my decision.
22. There is no substantive evidence before me that the other available services, facilities and utilities would not have sufficient capacity to accommodate demand arising from the development beyond those that require planning obligations as set out in the S106 or that the proposal on its own or taken together with other nearby developments should be considered overdevelopment relative to the character of Longframlington village. In that respect, the development is adequately served by a range of public open space within walking distance, including play areas, and therefore, does not require on-site provision beyond the landscaped areas indicated in the submitted plans. Furthermore, the imposition of conditions would ensure mitigation of contaminated land and that the development would not be at unacceptable risk of flooding or increase the risk of flooding to surrounding properties, subject to approval of suitable foul and surface water drainage measures including sustainable drainage systems (SuDs). Based upon the evidence, conditions would also be capable of being imposed to ensure no adverse effects upon ecology, biodiversity and archaeology. The energy efficiency of the dwellings would necessarily be addressed via Building Regulations.
23. When having regard to all of the above, I conclude that the development would conflict with Saved Policy S14 of the ACS in terms of their objectives relating to the location and supply of housing in the countryside. However, the restrictions in that policy are not consistent with national policy objectives in the Framework to significantly boost the supply of housing and the approach to homes in the countryside where such restrictions are only applied to those that are isolated. Furthermore, I find no harm in terms of matters of character and appearance or accessibility and no conflict with Saved Policies S1, S2, S3, S5, S6, S11, S12, S13, S16 and S23 of the ACS or Saved Policies BE2, BE8 and BE12 of the ADLP. I also find no specific conflict with Emerging Policies STP1, STP3, STP4, HOU5, HOU6, HOU9, QOP1, QOP2, QOP4, QOP5, QOP6, ENV1, ENV2, ENV3, WAT2, WAT3, WAT4 and INF6 of the NLP, although those policies

are afforded little weight for the reasons previously stated. In the above respects, to conclude on the compliance of the proposal with the development plan and the Framework as a whole in the planning balance, it is necessary to firstly consider any other matters that are relevant to the proposal.

Other Matters

24. The effect on highway and pedestrian safety is not a matter contested by the Council. The Framework advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The highway authority is satisfied that when taking account of the evidence provided, that the additional traffic arising from the development could be accommodated on Front Street and the surrounding highway network without a harmful impact.
25. Based on the evidence before me, including a Road Safety Audit and my observations of the site and its surroundings, I have no reason to take a different view to those of the highway authority that the development would not have an unacceptable impact on highway or pedestrian safety if appropriate conditions to secure the necessary highway works were to be imposed. In that regard, there would be certain measures to be secured by conditions, such as the formation of the new access and the widening to 2m and re-surfacing of the existing footway along the site frontage, together with provision for maintenance of the proposed streets and cycle parking.
26. In reaching the above findings, I have taken account of concerns expressed relative to the safety of the proposed access and the evidence that vehicles often exceed the 30mph speed limit on Front Street. However, based on the evidence, visibility splays of 4.5m x 90m would be provided at the access point located on the outside of a gentle bend, with associated on-street parking restrictions along the related sections of adopted highway capable of being introduced via other legislation as required. Those measures would ensure appropriate visibility of and a safe stopping distance for vehicles travelling along Front Street, thereby providing a safe and suitable access to and from the site with no harm to local highway conditions. Concerns have also been expressed in terms of the safety for cyclists with reference to a nearby serious accident in 2011. However, the more recent 5-year accident record for the local highway network includes no recorded collisions involving cyclists and only a single collision involving 2 private cars in 2014. In that respect and based upon my own observations, the access and development as proposed would not unacceptably increase the risk of accidents for vehicles, pedestrians or cyclists, or significantly alter existing highway conditions at nearby junctions.
27. The access road would slightly increase the noise and activity experienced by occupiers of Fairfields and other properties close by. However, I do not consider that the extent of those effects would result in significant harm or disturbance to their existing living conditions. The construction phase could also be suitably controlled to prevent unacceptable impacts in terms of noise and disturbance through the agreement of a Construction Method Statement and restrictions on construction hours and times of deliveries to the site.
28. Interested parties have also expressed concerns in terms of existing parking arrangements for the Longframlington UR Church. However, the development would provide adequate off-street parking and on-street parking provision

within the site to meet its own parking demands and is located within walking distance of the Church so as to not increase the existing levels of parking associated with the neighbouring use. Whilst it is inevitable that some existing on-street parking on Front Street that takes place during Church events and services would be displaced, the nature of existing parking in those locations is not reason to withhold planning permission given that overspill parking could be safely accommodated on surrounding streets in the wider area.

29. Concerns have also been raised in terms of the relationship of the proposal with any forthcoming neighbourhood plan for Longframlington. In that respect, whilst I note the intentions of local residents to prepare a neighbourhood plan, there is no evidence that it has made significant progress to date and therefore, withholding planning permission on the basis of prematurity would not be justified. Interested parties have also referred to inconsistencies in the evidence submitted as part of the application, but having visited the site and reviewed the plans upon which the Council made its decision I am satisfied that there is adequate certainty in terms of the development subject of this appeal.
30. My attention has been drawn to a number of recent appeal decisions in the vicinity of Longframlington with some similarities in terms of density, form and housing mix in some of those cases. However, their site-specific circumstances are not directly comparable with those which apply in this appeal and I, therefore, necessarily reach my own conclusions on the proposal before me.

Planning Balance

31. The Framework does not change the statutory status of the development plan as the starting point for decision making. The proposal is not in accordance with Saved Policy S14 of the ACS in so far as it is relevant to the location and supply of housing and the countryside. I have identified no conflict with other development plan policies. Whilst the Council has indicated that a deliverable five-year housing supply can be demonstrated, Saved Policy S14 is one of the most important policies for determining the application and is not consistent with the Framework in terms of development in the countryside and is out of date for its purposes. Paragraph 11 of the Framework is, therefore, engaged.
32. Paragraph 11 of the Framework states that in such circumstances for decision-taking, this means granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 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.
33. In this case, there are no policies in the Framework that provide a clear reason for refusing the development proposed. Furthermore, there are economic and social benefits arising from the provision of 58 additional homes, with a mix of house sizes comprising 2, 3, 4 and 5 bedroom dwellings and including the delivery of affordable housing to meet local needs in an accessible location, which are important considerations that carry significant weight. There would also be associated economic benefits in terms of job creation during construction and support for local services and facilities after occupation, which carry moderate weight based on the scale of the development proposed.
34. The development would result in a loss of open countryside. However, given that it would be largely viewed against the backdrop of a modern residential

development when in close proximity and that more distant views in the landscape would be largely screened, I have found no significant harm to the character and appearance of the area, landscape character and visual amenity. There would also be no unacceptable impact in terms of highway safety, the living conditions of occupiers of neighbouring properties, ecology, contaminated land and drainage that could not be resolved by the imposition of conditions.

35. Having regard to the above, the adverse impacts of allowing this appeal would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework. The proposal constitutes sustainable development when assessed against the Framework as a whole. Consequently, I find that there are material considerations in this case which indicate that the proposal should be determined otherwise than in accordance with the development plan and planning permission, therefore, should be granted.

Conditions

36. I have had regard to the planning conditions that have been suggested by the Council and consultees. Where necessary, I have amended the wording to ensure consistency with the Framework and Planning Practice Guidance, and consolidated and re-ordered the conditions where possible and appropriate.
37. Conditions 1 and 2 relate to the time limit and plans compliance which are imposed to provide certainty of the planning permission granted. Conditions 3 and 4 are pre-commencement conditions to secure highway works to ensure that the site access is suitable for vehicles, pedestrians and cyclists and to provide a future maintenance regime so as to ensure that the development does not have an unacceptable impact on highway safety. The reason for the proposed pre-commencement conditions is to ensure that the full details of the scheme are approved with any necessary agreements for the works and maintenance regime being in place before the development commences.
38. Condition 5 is a pre-commencement condition to secure full details of the sound attenuation scheme to ensure that the development is constructed in accordance with the recommendations of the Acoustic Design Statement Report to provide for a satisfactory living environment for future residents, which is necessary before development commences. Condition 6 seeks to ensure that a full assessment of the risks posed by contamination and ground gases has been carried out following the evidence which accompanied the application. It is necessarily a pre-commencement condition to ensure that any potential land contamination within the site can be suitably remediated before the development commences so as to ensure that there would be no pollution of ground and surface waters both on and off site, and to remove any risk associated with land contamination and ground gases for construction workers and future occupiers of the development.
39. Condition 7 is imposed to secure a construction method statement pre-commencement which is necessary to ensure that a satisfactory method of construction is provided to avoid unacceptable impacts upon the living conditions of occupiers of neighbouring properties during the construction phase. The condition omits reference to routing of delivery vehicles to/from the site as that would unreasonably impose controls on the highway network in circumstances where an appropriate site access could be secured.

40. Condition 8 relates to restrictions on construction works, delivery and collection hours to only between 0800 - 1800 hours on Mondays to Fridays, 0800 - 1300 hours on Saturdays, with none taking place at any time on Sundays or on Bank or Public Holidays. The condition is necessary to avoid harm to the living conditions of occupiers of neighbouring properties. Condition 9 is also imposed to secure full details of finished levels of the ground floor of the buildings in relation to existing levels in the interest of preventing impact upon the living conditions of occupiers of neighbouring properties and the character and appearance of the area. However, to my mind, the agreement of such details need not be secured prior to commencement and can reasonably be agreed prior to the development reaching slab level, I re-word it accordingly.
41. Conditions 10 and 11 are also pre-commencement conditions that are necessary to ensure that the site ecology evidence and any required mitigation is kept up-to-date prior to the commencement of the development, so as to ensure the protection and enhancement of the natural environment both within the site and the wider area. The wording of condition 11 omits reference to in-built bat and bird boxes, and details of tree and hedge protection measures as the submitted plans provide adequate details in those respects. Condition 12 is a supplementary condition which is imposed to provide safeguards and a precautionary approach in terms of vegetation removal between 1 March and 31 August inclusive to prevent any impact upon nesting birds.
42. Condition 13 is a pre-commencement condition that is necessary to ensure that a suitable approach to archaeological investigation, together with any associated works, would be in place in advance of the construction works given that the evidence supporting the application identified archaeological features within the site and the wider area. Condition 14 is imposed to secure details of foul and surface water drainage to serve the development, including adoption, structural details and maintenance arrangements for all SuDs features, and combines the requirements of three conditions suggested by the Council that are necessary to secure proper drainage and to manage the risk of flooding and pollution. However, the full details are not necessary prior to commencement as requested by the Council and only need to be agreed before any works above slab level take place. Specific reference to silt management during its construction is not required as the wording of the condition provides flexibility for such details to be agreed as necessary.
43. Condition 15 is necessarily imposed to ensure the agreement of samples of all external facing materials before any works above slab level take place, in the interest of the character and appearance of the development. Conditions 16 and 17 are imposed to ensure that the car parking and turning areas within the site are implemented and cycle storage is installed in accordance with the approved details to serve the development before the occupation of dwellings in the interest of highway safety and enhancing sustainable transport options.

Conclusion

44. For the reasons given above and taking all other matters into account, I conclude that the appeal should be allowed and planning permission granted subject to the conditions set out in the attached Schedule.

Gareth Wildgoose

INSPECTOR

SCHEDULE

CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - 24450-OS Rev C;
 - 24450-1000 Rev B;
 - 24450-1100 Rev R;
 - MD01281/100 Rev A;
 - MD1281 /rep/001 Rev A;
 - 24450-1200, Rev C;
 - 24450-1210, Rev D;
 - 24450-1230, Rev B;
 - 24450-1240, Rev B;
 - 24450-1250, Rev B;
 - 24450-1260, Rev B;
 - 24450-1270, Rev B;
 - 24450-1102, Rev D;
 - Acoustic Design Statement Report number 18-51-613;
 - Archaeological Evaluation ref 265-19-EVA
 - Phase 1 Geo-Environmental Site Assessment Report reference 18-2904- 01;
 - Revised Design and Access Statement (incorporating Planning and Heritage Statements) reference number 24450;
 - Transport Statement (2nd issue) ref JN1770-Rep-0001.2;
 - Road Safety Audit and Supporting Information/Briefing Note, 3rd issue (dated February 2019);
 - Preliminary Ecological Assessment (dated August 2018).
- 3) No development shall take place until full details of the required highway works, including the construction of the new site access/junction to the A697 and widening (to 2m) and resurfacing of the existing footway along the A697 site frontage have been submitted to and approved in writing by the local planning authority. The highway works shall be implemented in full in accordance with the approved details before the first occupation of any dwelling hereby approved.
- 4) No development shall take place until full details of the proposed arrangements for future management and maintenance of the proposed streets within the site have been submitted to and approved in writing by the local planning authority. The management and maintenance arrangements shall be implemented in accordance with the approved details not later than the first occupation of any dwelling hereby approved.
- 5) No development shall take place until full details of a sound attenuation scheme for the building envelope of each dwelling (as set out in Tables 9 -12 of the Acoustic Design Statement Report number 18-51-613) have been submitted to and approved in writing by the local planning authority. The scheme shall provide for sound attenuation against external noise, to achieve an internal noise level LAeq of 35 dB(A) during daytime (07:00 - 23:00) in living rooms; and LAeq of 30dB(A) and LAMax of 45dB(A) during night-time (23:00 - 07:00) in bedrooms. The approved sound attenuation

works, glazing details and any ventilation system(s) shall be completed in full for each dwelling before it is occupied and shall be retained thereafter.

- 6) No development shall take place until a full assessment of the risks posed by contamination and ground gases has been carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and it has been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale to remediate the site to render it suitable for the approved development, shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report relating to the remedial works shall be submitted to and approved in writing by the local planning authority before any development takes place. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 14 days of the works being completed for approval in writing by the local planning authority.
- 7) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:
 - i) details of any temporary construction access and temporary traffic management measures thereto;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in constructing the development;
 - v) wheel washing and vehicle cleaning facilities, and;
 - vi) measures to control the emission of dust and dirt during construction.The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 8) Construction works and associated deliveries and collections shall take place only between 0800 - 1800 hours on Mondays to Fridays, 0800 - 1300 hours on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays. All works shall be undertaken in accordance with BS5228:2009.
- 9) Notwithstanding the details shown on the submitted plans, no development above slab level shall take place until full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

- 10) No development shall take place until an updated ecological survey of the site by a qualified ecologist is completed and submitted for approval by the local planning authority. There will be a requirement to re-survey the site every year from the date of any agreed ecological survey if the development has not commenced. The approved ecological survey and any associated programme for mitigation shall be implemented in full prior to any construction works within the site or in accordance with any timetable otherwise agreed in writing by the local planning authority.
- 11) No development shall take place until a Biodiversity Enhancement Plan has been submitted to and approved in writing by the local planning authority. The details shall include a detailed landscape plan with locally native species, to include the creation of a permanently wet area of pond and locally native wildflower rich grassland planting within the SUDS area, gaps to boundary and garden fences measuring 13cm x 13cm for hedgehog, and method statements to protect mammals and amphibians during construction. The measures shall be carried out strictly in accordance with the approved details and any agreed timetable thereto.
- 12) No removal of hedgerows, trees, shrubs or undergrowth shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active bird nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or appropriate measures are in place to protect nesting birds on site. Any such written confirmation must be submitted to the local planning authority before any removal works take place.
- 13) No development shall take place until a Written Scheme of Investigation in accordance with the NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 8/9/19) shall have been submitted to and approved in writing by the local planning authority. The scheme shall include:
 - i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The programme of archaeological works shall be carried out strictly in accordance with the approved Written Scheme of Investigation.
- 14) No development above slab level shall take place until a scheme for foul and surface water drainage, including adoption, structural details and maintenance arrangements for all SuDs features, has 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 any dwelling hereby permitted and shall be maintained as such thereafter.

- 15) Notwithstanding any description of materials within the application details, no development above slab level shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The relevant works for each building shall be carried out in accordance with the approved sample details.
- 16) Prior to the first occupation of any dwellings hereby approved in each phase of the development, the parking spaces, forecourts, garages, visitor parking and turning areas within that phase (as detailed on drg.no. 24450-1100 Rev R) shall be constructed and laid out in accordance with the approved details and it shall be retained as such thereafter.
- 17) Prior to the first occupation of any dwellings hereby approved, the cycle parking as indicated on the approved plans shall be provided and it shall remain available for the parking of cycles at all times thereafter.