



Appeal Decision

Site visit made on 28 October 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2022

Appeal Ref: APP/T0355/W/22/3304595

Willow Manor Fifield Road, Fifield, Maidenhead SL6 2PG

- 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 Sagacity Consultants Ltd against the decision of the Council of the Royal Borough of Windsor and Maidenhead.
 - The application Ref 21/02817, dated 14 September 2021, was refused by notice dated 8 February 2022.
 - The development proposed is 'Outline application for access only to be considered at this stage with all other matters to be reserved for the construction of up to x6 dwellings with associated landscaping and parking, closing off of the existing access to Willow Manor and creation of a new vehicular access from Fifield Road, following demolition of the existing dwelling.'
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Decision

1. The appeal is allowed and outline planning permission including the matter of access is granted for construction of up to 6 dwellings with associated landscaping and parking, closing off of the existing access to Willow Manor and creation of a new vehicular access from Fifield Road, following demolition of the existing dwelling, at Willow Manor, Fifield Road, Fifield, Maidenhead SL6 2PG in accordance with the terms of the application, Ref 21/02817, dated 14 September 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The application was made in outline with all matters reserved except for access. I have considered the appeal on this same basis and have treated the submitted plans as being for illustrative purposes only, apart from those specifically related to the matter of access.
3. The site is referred to as 'The Willows' on the application form, but I have used 'Willow Manor' as this is how it is referred to the appeal form and elsewhere across the submissions of both parties. Also, the appellant did not oppose a change to the description of development by the Council. I have duly used the description on the decision notice/appeal form, with minor changes for clarity.
4. The appellant has submitted a unilateral undertaking which I consider below.
5. Since the application was determined, the Council has adopted the Borough Local Plan 2013-2033 (the BLP) on 8 February 2022. The Royal Borough of Windsor and Maidenhead Local Plan 1999 (including Adopted Alterations 2003) has accordingly been withdrawn and its policies no longer attract any weight. The main parties have had the opportunity to comment on the relevance of this change in policy context to their respective cases during the course of the appeal. I have taken these comments into account and considered the proposal against the current development plan.

Main Issues

6. The site lies within the Metropolitan Green Belt. Therefore, the main issues are:
- Whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - Whether the proposal represents a suitable location for housing in terms of promoting sustainable or active modes of travel;
 - Whether the proposal would be acceptable in terms of flood risk;
 - Whether the proposal would be acceptable in respect of carbon emissions;
 - If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

7. The Government attaches great importance to Green Belts. Paragraph 149 of the Framework states that the construction of new buildings within the Green Belt is inappropriate development but it lists certain forms of development which are not regarded as inappropriate. These include, at criterion e), limited infilling in villages.
8. Policy QP5 of the BLP sets out that the rural areas in the Royal Borough are defined as land within the Metropolitan Green Belt, which includes those settlements that are 'washed over' by the Green Belt. In all instances, national Green Belt policy will be applied to development in these areas. The policy adds that permission will not be granted for inappropriate development unless very special circumstances are demonstrated. This accords with the national approach set out in the Framework.
9. The policy goes on to specify that, within the Royal Borough, village settlement boundaries as identified on the Policies Map will be used in determining where limited infilling may be acceptable. This may occur outside of the identified village settlement boundaries where it can be demonstrated that the site can be considered as falling within the village envelope as assessed on the ground, this being based upon assessment of the concentration, scale, massing, extent and density of built form on either side of the identified village settlement boundary and the physical proximity of the proposal site to the identified village settlement boundary.
10. This approach reflects the Court of Appeal judgement in *Julian Wood*¹, wherein it was held that whilst settlement boundaries as set out in a development plan are a consideration in whether a proposal for limited infilling fell within a village, they are not determinative, and whether the proposal falls within a village is ultimately a matter of planning judgement for the decision maker based on the facts on the ground.

¹ Julian Wood v The Secretary of State for Communities and Local Government, Gravesham Borough Council
EWCA Civ 195 - 9 February 2015

11. The Framework does not set out a methodology to be considered in determining whether a proposal would be within a village. As worded, Policy QP5 seeks for specific factors to be taken into consideration, rather than additional criteria to be strictly met. In this respect, I do not regard Policy QP5 as being inconsistent with the Framework, but rather it sets out factors to which a decision maker might reasonably have regard in reaching a view on the question of limited infilling.
12. In a similar vein, the Framework does not define 'limited infilling'. Paragraph 6.18.9 of the BLP states that, for the purposes of applying Policy QP5, limited infilling is considered to be the development of a small gap in an otherwise continuous frontage, or the small scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development. It should be appropriate to the scale of the locality and not have an adverse impact on the character of the locality.
13. The appeal site comprises part of an expansive open field, to one corner of which is a dwelling, Willow Manor. The dwelling does not have defined site boundaries to the rear to separate it from the wider field, though a small area immediately to the rear appears to form part of the residential curtilage. A large willow tree, protected by a tree preservation order, stands behind the dwelling and a small ditch runs parallel to the road close to the front of the site. Photographs supplied in evidence show a hedgerow to the roadside boundary; however, I saw on site that this has since been replaced by a close boarded timber fence. The proposal, indicatively, is for a cluster of six dwellings, five set around the retained willow tree with a new access from Fifield Road towards the centre of the site frontage. The sixth dwelling would be accessed from an existing lane running down the side of the site.
14. The Council accepts that, on the ground, the proposal could be considered as falling within the village envelope. There is an established housing estate to one side, Manor Grove, with contiguous development beyond this into the heart of the village. To the other side is a small lane accessing three private dwellings and a large collection of industrial buildings which wraps around the rear of the wider field of which the appeal site forms part. Beyond these dwellings is one further dwelling fronting Fifield Road and a nursing home. From my observations, this built form beyond the site to the north-east is a distinct cluster of development that is sufficiently close to the main built-up area to read as part of the village, as beyond the nursing home is a clear break in development on both sides where open fields exist. Therefore, I find on the facts on the ground that the appeal site falls within the village.
15. The next question is whether the proposal amounts to 'limited infilling'. The Council argues that the gap in the built form, stated to be some 55 metres in length, is not limited. It points to a number of appeal decisions where proposals seeking to develop smaller gaps have been dismissed; however, I am not furnished with the full particulars of these cases and cannot therefore draw any firm conclusions on whether their circumstances are similar to this case. The appellant has also provided copies of several appeal decisions where infill development has been permitted in the Green Belt. I have had regard to these, but invariably they relate to sites in other locations with different physical characteristics in each case. They serve mainly to reinforce the point already made that whether a proposal amounts to limited infilling is a matter of planning judgement based on the facts in each case.

16. The development to the north-east is described by the Council as 'loose knit', but from what I saw, it forms a relatively continuous cluster of development between Willow Manor and the nursing home. Given this, I am satisfied that the gap in this case falls between continuous development to either side, as per the interpretation at Paragraph 6.18.9 of the BLP. Having regard to the overall length of development along Fifield Road, the appeal site would represent a modest gap in the built form. Whilst recognising the layout is indicative, I do not share the Council's view that the dwellings would be excessively spaced within the gap, having regard to the more spacious layouts of dwellings to the north-east, and the relatively generous depths of plots on Manor Grove. Rather, the indicative plans suggest just one additional dwelling would occupy the frontage, which is by any measure limited in scale. Moreover, six dwellings, a net gain of five, would be limited in the context of Fifield village as a whole.
17. Therefore, taking these considerations together, I find that the proposal would amount to limited infilling within a village within the meaning of criterion e) of Paragraph 149 of the Framework, and in accordance with Policy QP5 of the BLP. Consequently, the proposal would not constitute inappropriate development within the Green Belt.
18. With respect to openness and the purposes of the Green Belt, given my findings that the proposal is not inappropriate development, it would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it. Moreover, given that the proposal would not amount to inappropriate development, there is no need for me to go on to consider whether very special circumstances exist in order to justify the development.

Location for housing

19. Policy IF2 of the BLP sets out that new development should be located close to offices and employment, shops and local services and facilities and provide safe, convenient and sustainable modes of transport. It adds that proposals should, among other things, show how they are located to minimise the distance people travel and the number of vehicle trips generated; and how they improve pedestrian and cyclist access and accessibility by public transport.
20. The Council is critical of the lack of pedestrian and dedicated cycle facilities and the infrequent public transport service available. The appellant points to some facilities being accessible on foot and to the overall options for sustainable modes of transport being commensurate with the scale and edge-of-village location of the development.
21. The Framework sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes². In this respect, I do not regard a net gain of five dwellings to be significant in scale. Moreover, the same paragraph states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
22. Elsewhere, the Framework sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the

² Paragraph 105

vitality of rural communities, and that there are groups of smaller settlements, development in one village may support services in a village nearby.³

23. Fifield has a limited number of services, namely a bus stop, public house and post office, which could be reached on foot, though the lack of footpath immediately outside the site may deter some from choosing to walk. Nonetheless, the location of the site presents an option to walk or cycle to these facilities. Other facilities on Windsor Road around 1km to the north could be reached by cycling. The bus service, whilst limited, still offers an alternative service that some may choose to use instead of the private car. The appellant also points to the availability of high speed broadband for home working and the proposed installation of electric vehicle charging points as further options for reducing reliance on petrol and diesel cars.
24. Overall, in locational terms, the proposed dwellings would be no less accessible to local services than adjacent dwellings in Manor Grove which fall within the village boundary. The options for sustainable modes of transport, whilst having some limitations, would nevertheless help in a small way to reduce reliance on the private car. The limited scale of the development also means that the additional number of car journeys generated would not be significant, and given the proximity of most services within Maidenhead, Windsor and Slough, the majority of journeys are likely to be short.
25. Taking these considerations together, I am satisfied that the proposal would be suitably located in terms of access to local services and facilities and would facilitate sustainable modes of transport in a manner commensurate to its scale and location. Consequently, I conclude that the proposal would accord with the aims of Policy IF2 of the BLP, and those of the Framework.

Flood Risk

26. The site lies in Flood Zone 1 and is less than 1 hectare in area. The appellant has provided a site-specific flood risk assessment and drainage strategy as specified by the Framework. The appellant's calculations include an additional 40% allowance for climate change, based on the more vulnerable nature of the development and its intended lifespan.
27. The proposed drainage strategy would involve attenuation provided within the sub-base of permeable paving for the access and driveways, with controlled discharge to the existing drain running through the site to achieve minimum practical run-off rates in accordance with the Building Regulations. Foul water would discharge to the existing mains sewer in Fifield Road. The details of permeable paving and run-off rates were subsequently adjusted in response to comments from the Lead Local Flood Authority (LLFA). This includes an intention to provide direct flood compensation storage to ensure that there is not a reduction in floodplain storage on the site which could increase flood risk elsewhere.
28. The Council remains critical of the details provided, noting the intention to divert a drainage ditch to land outside of the red line of the site, and a lack of clarity as to the interaction between proposed compensation areas, site levels and neighbouring land.

³ Paragraph 79

29. The appellant has sought to respond to each of the LLFA's comments, adjusting details as requested. Whilst there are still matters outstanding, they have been based on an indicative layout which is not for determination at outline stage. I am satisfied on the evidence before me that the extent of surface water flood risk on site is low, and that the detail of outstanding matters related to the type and location of proposed attenuation, storage and paving could be suitably addressed by condition as the actual layout of the site is being established.
30. Therefore, I conclude that the proposal would accord with the aims of Policy NR1 of the BLP, which states that development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. The proposal would also accord with the approach of the Framework to flood risk.

Carbon Emissions

31. Policy SP2 of the BLP requires all developments to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change, and refers applicants to various existing and future supplementary planning documents and guidance. One of these is the Environment and Climate Strategy (December 2020) which seeks a 50% reduction in emissions by 2025. With the BLP, this provides a wider strategic framework and 'plan of action' to achieve the target of net zero carbon emissions by 2050. The Council has also produced an interim position statement (IPS) which forms a material consideration that sets out the approach to addressing these climate policies in advance of the adoption of a new supplementary planning document.
32. The IPS requires that new residential development achieve net zero carbon emissions unless demonstrated otherwise, to be set out in a detail energy assessment. It should be demonstrated how the proposal would achieve a minimum 20% CO₂ reduction over Part L of the Building Regulations 2013 and that it would include renewable technologies capable of meeting 12% of forecasted energy demand. Where a net zero outcome cannot be fully achieved on-site, the IPS sets out that any shortfall may be provided through a cash in lieu contribution to the Borough's Carbon Offset Fund, to be used for delivering carbon reduction projects in the Royal Borough.
33. The appellant has produced an energy statement at appeal stage, which sets out a range of measures proposed to be incorporated into the proposals, including fabric insulation standards, construction specifications which exceed the Building Regulations, air source heat pumps and photovoltaic panels, which together would reduce carbon emissions by some 82% against baseline levels using the methodology of Part L of the Building Regulations 2013.
34. In order to make up the shortfall, the appellant has provided a signed unilateral undertaking (UU) which would secure a financial contribution of £5,109 towards offsetting carbon emissions from use of the dwellings, and £6,864 towards offsetting emissions from lifestyle activities of residents, including aviation, transport, agriculture and waste. The contributions appear consistent with the formulas set out in the IPS and I have no evidence to dispute them, as the Council has chosen not to comment on the UU.
35. On the evidence before me, therefore, I am satisfied that the development would incorporate measures to significantly reduce carbon emissions, and that

the submitted UU is necessary to make the development acceptable in planning terms to achieve an overall net zero carbon outcome. Therefore, I conclude that the proposal accords with the stated aims of Policy SP2 and the Framework with respect to reducing carbon emissions.

Other Matters

36. As set out above, my finding that the proposal would not amount to inappropriate development in the Green Belt means that it is not necessary to consider whether other considerations existing which amount to very special circumstances necessary to justify the development. However, I briefly address other matters raised by the appellant.
37. The Council indicates that, following the adoption of the BLP in February 2022, it can now demonstrate a five year supply of deliverable housing sites. This is not disputed by the appellant. Nonetheless, the provision of five additional dwellings would still contribute to the Royal Borough's housing stock and help to meet the Framework aim of significantly boosting the supply of housing nationally.
38. The appellant's evidence of a shortfall in family-sized housing in the area is countered by the Council stating that the preferred mix of housing within Policy HO2 of the BLP is 25-30% 2-beds, 40-45% 3-beds and 20-25% 4+ beds. All of the proposed dwellings are indicated to be 4-bed. Whilst not providing a mix of dwellings, the proposal would make a limited, but nonetheless positive, contribution to family-sized housing for which there still is a need within the Royal Borough.
39. The Council did not refuse permission in respect of the effect of the proposal on the character and appearance of the area, noting that the area is defined by cul-de-sacs leading from Fifield Road containing low density housing in varying styles, on generous plots with a verdant character. The Council does point to more dense development within Manor Grove, but I agree that the indicative layout, though more spacious than adjacent dwellings, would not be out of character with the general surroundings or its edge of village location. Overall, I am satisfied that the matters of appearance, scale, layout and landscaping could be suitably designed at reserved matters stage to reflect the prevailing character and appearance of the area.
40. Moreover, having regard to the size of the site, the position of the nearest dwellings, intervening boundary treatments and the indicative layouts submitted, I am content that a scheme could be designed at reserved matters stage which would not harm the living conditions of neighbouring occupants.
41. The Council did not refuse permission in respect of any other matter, including highway safety, ecology or archaeology, subject to conditions in some cases. I have had regard to comments made by interested parties and consultees in these and other matters not already addressed, but none of these contain substantive evidence of harm in respect of any other issue. As they do not raise matters that would have a bearing on the outcome of the appeal, it is not necessary to address them in further detail.

Conditions

42. I have had regard to the list of prospective conditions set out by the Council. The appellant has indicated their acceptance of the suggested conditions.

Where necessary, I have amended the conditions to ensure they meet the relevant tests set out in the Framework.

43. I have imposed conditions relating to the submission and timing of reserved matters applications (1, 2), the commencement of development (3), and the approved plans (4) in the interests of certainty.
44. To ensure highway safety, conditions are required for the provision of visibility splays at the new access (5) and submission, approval and implementation of the construction management plan to address site traffic, parking, facilities and materials storage (6). Further conditions are required in respect of a foul and surface water drainage scheme (7) to address flood risk; a written scheme of investigation (8) to mitigate the potential loss of archaeological remains; and a scheme of investigation, remediation and monitoring in respect of contamination on the land (9) to mitigate the potential impacts on human health and ecology. These are all pre-commencement conditions as they relate to impacts which could occur at the outset of the development, and which would be ineffective or lead to unforeseen harm if left to be addressed at a later stage.
45. Conditions are further required for details of tree protection measures (10) to avoid damage to existing trees on site; and for details of biodiversity enhancements to be implemented on the land (11) to provide for a net gain in biodiversity in line with local and national policy.
46. Conditions are also required for the approved access (12) and proposed parking and turning areas (13) to be constructed prior to the occupation of the dwellings, in the interest of highway safety. The installation of cycle facilities is required in the interests of encouraging sustainable transport (14). An external lighting plan is also required to limit light pollution and adverse effects on biodiversity (15).
47. Details of fast broadband provision and electric vehicle charging facilities are sought by the Council in connection with its aims to achieve low carbon and energy efficiency. However, since June 2022, the requirement to provide electric vehicle charging points has become part of the Building Regulations, and so it is not necessary to duplicate this requirement by condition. Moreover, the provision of high speed broadband connections is the role of statutory undertakers and not within the appellant's control. As such, a condition preventing occupation of the dwellings until such connections could be guaranteed would be onerous and unreasonable, and so I do not impose it.

Conclusion

48. For the reasons set out, I conclude that the proposal accords with the development plan, taken as a whole, and material considerations do not indicate that permission should nevertheless be withheld. Therefore, the appeal should be allowed.

K. Savage

INSPECTOR

Schedule of Conditions

Reserved Matters/Timings/Approved Plans

- 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 3 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: 1439-GTA-30-ZZ-LP-A-0001 Rev P04 (Location Plan); 1439-GTA-30-ZZ-PS-A-0001 Rev P05 (Proposed Site Plan, only approved in respect of the matter of access).

Pre-Commencement

- 5) No part of the development shall be commenced until visibility splays of 2.4 metres by 43 metres have been provided. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.
- 6) Prior to the commencement of any works or demolition a construction management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
- 7) Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - Calculations to include development runoff rates, volumes (attenuation and long term storage) and topographic details, and any consents required from Thames Water.
 - Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels long sections and cross section and relevant construction details of all individual components.
 - Water quality discharged from the site should be of sufficient water quality. The applicant is to provide evidence that discharge from

the site would be of sufficient water quality that it would not result in detriment to any receiving water course.

- Details of the proposed maintenance arrangements relating to the surface water drainage system should also be provided, confirming the part that will be responsible.

The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

- 8) A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:
- 1) The programme and methodology of site investigation and recording
 - 2) The programme for post investigation assessment
 - 3) Provision to be made for analysis of the site investigation and recording
 - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - 5) Provision to be made for archive deposition of the analysis and records of the site investigation
 - 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) The development hereby approved shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 9) Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- as assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments
- an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM): How to assess and manage the risks from land contamination

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

4. Reporting Unexpected Contamination

In the event that contamination is found at anytime when carrying out the approved development that was not previously identified, work must stop, and it must be reported immediately by telephone and in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over the required period, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM): How to assess and manage the risks from land contamination.

During construction process

- 10) Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.
- 11) Prior to the commencement of the development above slab level, details of biodiversity enhancements (which will include a net gain calculation using a suitable metric to ensure a net gain in biodiversity), such as native and wildlife friendly planting, use of appropriate Sustainable Drainage Systems (SUDS), installation of integral bird and bat boxes, tiles or bricks on the new buildings, creation of log pyramids and hibernacula and provision of gaps at the bases of fences to allow hedgehogs to traverse through the site, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed as approved in accordance with the timeframes that have been agreed in writing by the Local Planning Authority.

Prior to occupation/specific works

- 12) No part of the development shall be occupied until the site access has been constructed in accordance with the approved plans. The access shall thereafter be retained as approved.
- 13) No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance

with the approved plans. The space approved shall be kept available for parking and turning in association with the development.

- 14) No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall always thereafter be kept available for the parking of cycles in association with the development.
- 15) Prior to the installation of any external lighting, a report detailing how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:
 - A layout plan with beam orientation
 - A schedule of equipment
 - Measures to avoid glare
 - An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and positions of bird and bat boxes.

The external lighting plan shall thereafter be implemented in accordance with the approved details.
