



Appeal Decision

Site visit made on 8 April 2025

by H Whitfield BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th May 2025

Appeal Ref: APP/C1570/W/24/3356349

Hawkesmead, Stambourne Road, Little Sampford, Essex CB10 2QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Damian Murray against the decision of Uttlesford District Council.
 - The application Ref is UTT/24/0784/FUL.
 - The development proposed is the construction of a single residential infill dwelling, alongside associated development.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a dwelling, alongside associated development at Hawkesmead, Stambourne Road, Little Sampford, Essex, CB10 2QS in accordance with the terms of the application, Ref UTT/24/0784/FUL, and subject to the conditions in the attached schedule.

Preliminary Matters

2. For clarity, I have taken the description of the proposal from the application form in my formal decision above, removing words that do not relate to an act of development.
3. The appellant submitted supplementary design and heritage statements with their appeal and the Council has had the opportunity to comment on these as part of the appeal. I am satisfied that in this case, given their content, accepting the additional documents would not prejudice other interested parties. Therefore, I have considered these documents as part of this appeal.
4. The appeal site is situated opposite Hawkes Cottage, a Grade II listed building, with other designated heritage assets in proximity. In considering whether to grant planning permission, I have had regard to the statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The Council has commenced the preparation of a new local plan, which it has stated is at consultation stage. However, the Council's reasons for refusal do not identify any conflict with the emerging Local Plan and I note it remains at a very early stage of preparation. I have therefore based my decision on the current adopted development plan.

Main Issues

6. The main issues are:
 - whether the appeal site would be a suitable location for housing, having particular regard to (i) location, accessibility to services and facilities and (ii) the character and appearance of the area; and

- the effect of the proposed development on designated and non-designated heritage assets.

Reasons

Suitable location for housing, having particular regard to:

(i) location and accessibility to services and facilities

7. The appeal site relates to garden land between Hawkesmead and Hawkes Farm on the south-eastern side of Stambourne Road, approximately 1km to the north-east of the settlement of Great Sampford. The appeal site sits within a cluster of dwellings and is not physically isolated in this respect. However, it lies outside of a defined settlement boundary in the open countryside.
8. Policy S7 of the Uttlesford Local Plan 2005 (ULP) refers to development outside of settlement boundaries. It sets out that the countryside will be protected for its own sake and planning permission will only be given to development that needs to take place there or is appropriate to a rural area. This includes infilling in accordance with paragraph 6.13 of the Housing Chapter of the ULP.
9. Policy S7 goes on to state that there will be strict control of new building, and that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set, or there are special reasons why the development in the form proposed needs to be there. However, paragraph 6.14 of the ULP goes on to say that if there are opportunities for sensitive infilling of small gaps in small groups of houses outside development limits, but close to settlements, these would be acceptable if development would be in character with the surroundings and have limited impact on the countryside, in the context of existing development. I further note that part A1 of the Uttlesford District Council District-Wide Design Code (2024) considers infill development in hamlets and provides support where these would infill gaps between existing dwellings.
10. The Council contends the proposal does not constitute appropriate infill development due to reliance on private transportation for access to services and facilities. The village of Little Sampford is approximately 2.6km to the south of the site, however, the site is reasonably close to Great Sampford village, which has facilities including a primary school, church and pub. The village could therefore provide for some of the needs of future occupants and new residents could, in return, contribute to the vitality of those services and facilities.
11. Great Sampford is around a 20-minute walk or a 5-minute bike ride from the site along an unlit and narrow lane with no footpath. There is a Public Right of Way that would provide an alternative route from the site to the village. However, this is a less direct route, is similarly unlit and crosses agricultural fields. Therefore, whilst some future occupants of the dwelling may choose to access the village on foot or by bike during the daytime and in good weather, it is likely that most journeys would be made by car.
12. For a wider range of services and facilities, future occupants would need to travel further to higher order settlements, such as Newport or Saffron Walden. These journeys would be frequent, despite the availability of on-line shopping services and home-based employment, which are not universally available. Whilst there might be a bus stop around 1km from the appeal site, the evidence indicates that this serves busses specifically for school children. Future occupiers would therefore be heavily reliant on

the private car to meet their day-to-day needs. The appellant suggests a condition to supply future occupiers with a travel information pack highlighting sustainable transport options, however, this would not address this issue given such options are limited.

13. I have taken account of the option for the use of electric vehicles and appreciate that the number of vehicle movements arising from a single dwelling might be modest. I also note that the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Nevertheless, the site's poor connectivity to goods and services point to it being in a location where sustainable travel modes could not be prioritised. The appellant has drawn my attention to examples where dwellings have been permitted on sites with poor accessibility. However, based on the evidence, these cases do not appear to be directly comparable with the appeal scheme as in one case, greater access to public transport options was cited¹ and in the other, a balanced decision was made, which took account of other factors that were weighed against the site's poor accessibility².
14. Therefore, for the above reasons, future occupants of the proposed development would not have reasonable access to services and facilities. Consequently, there would be conflict with Policy GEN1(e) of the ULP to encourage movement by means other than the private car. However, I note that policy S7 and subsequently paragraph 6.14 of the ULP provides some flexibility for infill development in scenarios where the site would be in the countryside but 'close to a settlement'. There is no definition within the ULP as to what constitutes being 'close to a settlement' and the policy does not draw upon access to services and facilities as being a requirement for this purpose.
15. The appellant has drawn my attention to examples where infill development has been permitted under policy S7. Whilst I do not have the full details of these cases before me, in the case at Templars Farm³ I note the Inspector concluded that a distance of 3.5 miles from the closest settlement was acceptable for the purposes of being considered as infill development under paragraph 6.14, despite a lack of access to services. In the case at Applecroft⁴, the Council granted permission for two dwellings approximately 1.4km from the closest settlement.
16. The Council has not rebutted the examples cited by the Appellant or sought to expand upon why it does not similarly consider this appeal site to be close to a settlement for the purposes of being considered as infill development. Instead, it has confirmed that there may be instances where sites may be granted permission outside of development limits. In this case, having regard to the site's proximity to the settlement of Great Sampford, which is closer than the abovementioned examples, I consider the appeal site is sufficiently close to a settlement for the purposes of qualifying as infill development.

(ii) character and appearance of the area

17. Stambourne Road is a narrow road that is bound by a combination of mature hedgerows and established trees and close boarded fencing in the vicinity of the appeal site, resulting in a sense of enclosure and limiting views to the wider countryside. The area has a rural character and appearance; however, the site is within a cluster of dwellings where the density of development is not too loose in character for infill development to be inappropriate. There is a clear gap in the existing pattern of

¹ LPA Ref. UTT/18/1806/FUL

² APP/C1570/W/20/3251991

³ APP/C1570/W/20/3251991

⁴ LPA reference: UTT/20/3000/FUL

development between Hawkesmead and Hawkes Farm, the latter of which contains various buildings across the site and has permission⁵ for a replacement dwelling and detached garage.

18. The site currently forms part of the garden associated with Hawkesmead. Glimpsed views into the site are achievable from public vantage points. However, given the residential character of the site and overall pattern of development, the open space of the appeal site does not make any significant contribution to the overall character and appearance of the area. Development on the site would inevitably have a spatial effect on the pattern of development. However, the introduction of one dwelling between existing development would not have a significantly urbanising effect or intensify residential development to such a degree that it would be harmful to the overall rural character of the area.
19. Dwellings in the vicinity are generally set within varying plot sizes and the pattern of development is sporadic in nature with properties of varying ages, scales and designs. As such, there is no prevailing character or layout of development to follow. The dwelling would be sited broadly centrally within the plot and would respect the prevailing build line on this side of the street. Whilst the spacing between the proposed dwelling and Hawkesmead would be closer than existing relationships, the dwelling would not appear cramped or overly prominent given the majority of the massing of the dwelling would be perpendicular to the highway and it would be set well back within the plot behind the established boundary hedgerow. The ridge height would be higher than Hawkesmead, however, it would be similar to other nearby dwellings and smaller than the replacement dwelling approved on the adjacent site.
20. The design seeks to emulate an agricultural barn with a clipped gable roof and materials such as timber cladding, flint and slate roof tiles. Properties surrounding the site are all individual in character and appearance and utilise a range of materials, including black timber cladding which I observed on properties near the site. Given the varied context, which includes both modern and historic properties, the design and massing of the dwelling would not appear overly dominant or out of character with the immediate locality.
21. Irrespective of proposed landscaping, there are likely to be instances where the dwelling and any associated paraphernalia would be visible from the surrounding area. However, the proposal would be seen in the context of existing development along the road. Furthermore, the addition of a new native hedgerow along the rear boundary of the dwelling would soften any achievable views from the countryside and the retention of the hedgerow along the site frontage would soften views of the dwelling and retain the verdant character of the road. For the above reasons, the development would therefore preserve the character and appearance of the area and would not harm the intrinsic character and beauty of the countryside.
22. Drawing these factors together, the site is located close to the village of Great Sampford, and this infill development would preserve the character and appearance of the area. It would therefore accord with Policies S7 and GEN2 of the ULP which seek to protect the character and appearance of the countryside, secure high-quality design and support sensitive infilling on sites in the countryside that are not isolated and are close to settlements. However, future occupants of the proposed development would not have reasonable access to services and facilities by means other than the private

⁵ LPA reference: UTT/21/3161/FUL

car and this conflicts with Policy GEN1(e) of the ULP. In this context, the site would not be a suitable location for housing having regard to the objective of seeking to direct development to accessible locations.

Designated and non-designated heritage assets

23. Hawkes Cottage lies directly opposite the appeal site and is a two-storey Grade II listed building, dating from the seventeenth to eighteenth-century. The cottage is described as a timber-framed and plastered building with a thatched roof and is a good example of the regional rural vernacular. The building appears to be well-preserved, and its historic features contribute to the building's historic character and architectural interest. In addition, the evidence supplied by the appellant indicates that the cottage also has historic interest from its role in understanding the wider parish's historic development, historic link with the nearby Hawkes Farm (which has been replaced by modern development to the west of the appeal site) and location in a cluster of properties on a protected lane, presumed to have once housed agricultural workers.
24. The cottage is relatively well enclosed by vegetation along the highway but is more open to the rear aspect where wide-ranging views of adjacent farmland are achievable to the north-west. The rural setting of Hawkes Cottage informs its historical context; however, it is not exclusively surrounded by farmland given other residential properties of varying ages exist in close proximity to the site. The significance of the building, insofar as relating to this appeal, is considered to derive from its architectural and historic interest, in addition to aesthetic value as an attractive vernacular cottage.
25. There is some intervisibility between the appeal site and the listed building. The Council considers that the cottage enjoys views across the appeal site towards the countryside and the development would obstruct these views resulting in a change to its setting. It also considers the development would have an urbanising effect on the rural characteristics of the area through additional noise, light spill and general disturbance.
26. From my observations, it is likely that any views from the ground floor of the cottage would be obscured by vegetation along the highway boundaries, which provides an enclosed setting. Views are likely to be achievable from the upper floor of the cottage across the appeal site to the countryside beyond, however, I do not consider these to be key views that contribute significantly to the setting of the listed building. Moreover, I note that these views to the countryside have been somewhat eroded by modern development on either side of the appeal site and electricity pylons in the distance in any event.
27. Instead, I consider the relationship of the cottage to farmland to the north-west, the views between which are relatively unobscured and from the evidence have historically remained open, provide a greater contribution to the cottage's rural setting. Furthermore, the Historic Environment Desk-Based Assessment (HEDBA) submitted by the appellant provides historic mapping and aerial photographs which show that trees and vegetation were present until recently along the rear boundary of the appeal site which also would have obscured views from Hawkes Cottage into the surrounding countryside. There is also no evidence to indicate that there were any historic ownership connections or functional associations between the cottage and the appeal site. Consequently, the appeal site makes a neutral contribution to the setting and significance of Hawkes Cottage and its appreciation.
28. Whilst the appeal scheme would obscure some views from the upper floor rooms of Hawkes Cottage, it would be on the opposite side of the road and set back some

distance into the site. The level of noise and traffic associated with one dwelling would be relatively limited and the appellant states that no external lighting is proposed (however, in the event it is, this could be controlled by condition). Furthermore, the presence of existing vegetation would assist as a buffer between the proposed dwelling and Hawkes Cottage, although the effect of this would vary over time and throughout the year.

29. However, even when views of the dwelling would be more prominent, they would be of a well-designed dwelling utilising materials that would complement the surrounding area. The scheme also seeks to improve the highway entrance with the removal of the existing flanking brick walls and replacement with timber post and rail fencing and a new native hedgerow to the site frontage where leylandii trees have been removed. Therefore, whilst the development would result in a change to the setting of the listed building through developing a parcel of land that is devoid of built form, I do not consider this to automatically equate to harm. I am therefore satisfied that the proposal would not affect the significance of the listed building through development within its setting.
30. The site is also proximate Sudbury Cottage and Sudbury Ley which lie approximately 80m to the west and 350m to the south-west respectively. Both are Grade II listed buildings, and their significance derives in part from their relationship with the wider countryside, collection of dwellings within which they are sited and their location along the historic route of Stambourne Road. The appellant's evidence contends that the rural setting amplifies the cottage's traditional appearance and historic character, informing the significance of the assets. From what I have seen and read; I would agree with this description. Taking account of the distance between the appeal site and these listed assets, as well as the relationship between the appeal site, surrounding farmland and intervening landscaping, the appeal scheme would not affect the significance of the listed buildings through development in their setting. Accordingly, I find it would preserve the setting and special interest of these listed buildings.
31. Stambourne Road is identified as a protected lane and consequently a non-designated heritage asset (NDHA) in recognition of it being a historic lane and important feature in the local landscape. The evidence indicates that the most valued features of the road are its historic integrity and archaeological association with a moated site and former farmstead of medieval origins in the vicinity. The appeal site fronts and is accessed from the protected lane, however the development would not impact the ability to appreciate the significance of Stambourne Road as a NDHA and would not erode the area's rural characteristics. Accordingly, the setting and special interest of this heritage asset would be preserved.
32. Accordingly, I find the scheme would preserve the setting and special interest of nearby designated and non-designated heritage assets and would comply with Policy ENV2 of the ULP which seeks to protect listed buildings from development proposals that would adversely affect their setting. The development also complies with Policy GEN2 of the ULP insofar as it requires developments to be compatible with surrounding buildings and safeguard important environmental features in its setting. The Council cites conflict with Policy S7 of the ULP in this respect, however this policy is not determinative in my consideration of the heritage effects of the development.

Other Matters

33. I note that concerns have been raised by interested parties regarding several other matters. These include concerns relating to other properties that are purported to be in the same ownership as the appellant, allegations of unauthorised development and ongoing construction works on the adjacent site. I also note concerns relating to the alleged use of Hawkesmead as a holiday let and the effects this has on surrounding occupiers. Whilst I sympathise with interested parties in these respects, I have assessed the appeal on the basis of the information before me as a proposed dwellinghouse. It is open for the Council to investigate any allegations of unauthorised building works or use of the land separately from this appeal.
34. Concerns have also been raised in relation to the potential highway safety impacts of the development from additional traffic, construction and the suitability of the site access. However, the traffic associated with the addition of one dwelling would not have any significant effect on the capacity of the local highway network and I note the Highway Authority have raised no objection to the development in relation to highway safety or the proposed access arrangements, subject to conditions. Any construction traffic associated with the development would also be for a finite period.
35. There is no robust evidence to suggest that the proposal would lead to any significant surface water flooding, drainage or sewerage issues that could not be addressed by an appropriate drainage condition. Nor is there any indication backed up by substantive evidence to suggest that the effect on existing infrastructure would be such to justify any harm arising from the proposal. Reference is made to the felling of trees and potential future pressure for the removal of the leylandii trees along the side boundary of the site, however there is no evidence to suggest that any trees on the site are protected by tree preservation order. Furthermore, any future proposed developments would also be treated on their individual merits and circumstances at that time. Given my overall findings on this appeal, the fear of setting an undesirable precedent does not weigh against the proposal either.
36. I note that the examples cited by the appellant pre-date 2020, however there has been no significant change in local or national planning policy in relation to the main issues since the determination of these planning applications and appeals. I have therefore had regard to these examples insofar as they are relevant to this case but have nevertheless determined the appeal on its own merits.

Planning Balance

37. I have concluded that the proposal would be acceptable infill development, would not result in harm to the character and appearance of the area and would preserve the settings and special interest of nearby designated and non-designated heritage assets. However, I have found that future occupants of the proposed development would rely on private transportation and consequently, the site would not be a suitable location for housing have regard to accessibility to services and facilities. Accordingly, there would be conflict with Policy GEN1(e) of the ULP, and with the development plan when read as a whole. Development that conflicts with the development plan should normally be refused unless material considerations indicate otherwise.
38. One such consideration is the Framework and there is no dispute between the parties that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The evidence before me indicates a figure of 4.12 years as of 1st April 2024. Furthermore, the Council's Housing Delivery Test results show that housing delivery is

substantially below 75% with only 58% of the required number of new homes having been delivered. Consequently, paragraph 11(d) of the Framework should be applied.

39. In light of my conclusions on heritage matters, the site does not fall within the definition of areas or assets that are of particular importance as identified in footnote 7 of the Framework, and therefore these designations do not provide a strong reason for dismissing the appeal in accordance with paragraph 11(d)(i). Consequently, I will consider the appeal against paragraph 11(d)(ii).
40. The Framework expects development to prioritise pedestrian and cycle movements and to facilitate access to high quality public transport as far as possible, however, it does not preclude housing in rural areas, particularly where it would support the vitality of rural communities. It also makes the point that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Whilst the site is located reasonably close to a settlement that would provide for some services and facilities, most daily needs would need to be met by accessing higher order settlements via private vehicles. However, journeys to such settlements would be relatively short and thus the impact on the environment would be low. When considering the development in the context of Policy S7, which is the principal policy which controls development in the countryside, the conflict with the development plan and harm arising from the development would be limited and this therefore attracts limited weight against the scheme.
41. Balanced against this, the development would provide for one family sized dwelling with the potential to be accessible and adaptable. When considered cumulatively, this and other small housing developments can make an important contribution towards the Council's supply of housing. This carries moderate weight in favour of the proposed development. Furthermore, when assessed against the policies in the Framework, the proposal would not lead to an isolated dwelling in the countryside and would provide some, albeit limited, support for services in nearby villages through additional expenditure. Economic benefits could also arise from employment during the construction works, notwithstanding the concerns raised by interested parties in this respect. Environmental benefits would arise from making effective use of previously developed land which is favoured above greenfield sites, incorporation of sustainable construction and renewable energy technologies and additional landscaping and biodiversity enhancements, which would provide minor biodiversity benefits too.
42. For the above reasons, I have found that the harm arising from the above conflict to be limited and therefore in the context of paragraph 11 of the Framework, the adverse impacts of the development would not significantly and demonstrably outweigh the benefits I have identified when assessed against the policies in the Framework taken as a whole. Therefore, the proposal constitutes sustainable development in the context of the Framework, and this is a material consideration which outweighs the limited conflict I have found with the development plan when taken as a whole, and points towards the grant of planning permission.

Conditions

43. The Council has suggested several conditions which I have considered in light of the advice in the Framework and Planning Practice Guidance. Where appropriate, I have adjusted the wording of the conditions in the interest of clarity, precision and to prevent unnecessary duplication. I have also adjusted the timescale triggers of the

conditions where appropriate so as not to unduly delay the commencement of development.

44. In addition to the standard three-year time limit condition for implementation, it is necessary to specify the approved plans in the interests of certainty. I have also imposed conditions requiring the submission of material samples in order to protect the character and appearance of the area and the setting of the nearby listed building. However, I have not imposed the suggested condition relating to detailed joinery specifications given the materials of windows and doors would be covered by the materials condition and the development does not relate to a listed building or a site within a conservation area.
45. Due to the proximity of the development to existing residential properties and nature of the adjacent highway a condition requiring a Construction Environmental Management Plan (CEMP) is necessary to ensure that highway safety and living conditions matters are addressed during the construction phase. I have combined the Council's suggested condition relating to measures to prevent off-site flooding and contamination during construction with the CEMP to avoid unnecessary duplication in the interest of minimising surface or ground water run-off in light of concerns raised by interested parties. I have also combined this with the additional highway construction management plan condition to avoid duplication. However, I have not included the suggested requirement for a highway condition survey to be undertaken before and after the development as the suggested wording relating to the extent of the survey is imprecise and any necessary remedial works could be controlled by the Highway Authority separately. It is nevertheless necessary for the CEMP to be a pre-commencement condition to ensure adequate measures are put in place prior to the commencement of development.
46. I have not attached the Council's suggested restriction on the hours of construction works given this would duplicate measures that are to be agreed as part of the CEMP.
47. A condition relating to external lighting is required in order to preserve the character and appearance of the area, in the interest of protecting wildlife and given the location of the site within Stansted Airport's aerodrome safeguarding area. However, the aerodrome safeguarding authority have suggested an informative to control internal lighting. I have considered whether this it is necessary to attach this as a condition, however given the nature and scale of the development I do not consider it to be reasonable or enforceable.
48. A condition relating to the reporting of unexpected contamination is necessary given the former agricultural use of the adjacent site, in order to protect the health of future occupiers. So too is a condition relating to a detailed drainage strategy to prevent any flooding from the development of the site. However, I have combined this with the condition relating to the maintenance of the approved strategy to avoid duplication. I have not imposed the condition relating to keeping a drainage maintenance log as this would be disproportionate for a scheme for one dwelling.
49. Conditions relating to the improvement of the vehicular access, provision and maintenance of visibility splays, dropped kerb, surfacing of the access in a hard bound material, setting back of any access gates and laying of on-site parking spaces are all required in the interest of highway safety. However, I have combined some of the conditions suggested by the Highway Authority and Council to avoid unnecessary duplication.

50. Conditions requiring compliance with ecological mitigation and enhancement measures and submission of a biodiversity enhancement strategy are necessary in the interests of protecting and enhancing biodiversity. So too is a condition requiring a detailed hard and soft landscaping plan in the interest of visual amenity.
51. I have also attached conditions relating to the provision of an electric car charging point and renewable energy, climate control and water efficiency measures, in order to support the reduction of carbon emissions and energy use and comply with policies ENV15 and GEN2 of the ULP. However, I have not imposed the condition relating to the provision and implementation of a Residential Travel Information Pack given the limited public transport options available and as the scale of the development is for one dwelling.
52. Given the high archaeological potential of the site, I have imposed conditions to secure a written scheme of investigation, completion of any identified archaeological investigation and post excavation assessment and depositing. It is necessary for these conditions to be pre-commencement conditions to ensure any archaeological potential is understood prior to groundworks being undertaken.
53. A condition is also imposed to restrict the permitted development rights of the dwelling under Classes A to F of Part 1 of Schedule 2 and Classes A and B of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Framework advises that conditions should not be used to restrict permitted development rights unless there is clear justification to do so. Given the sensitive location of the site opposite a Grade II listed building and in light of my conclusions in relation to the scale and design of the dwelling in this respect there is clear justification in this case. However, I have omitted reference to Class AA of Part 1 of Schedule 2 of the Order given this class does not apply to dwellings constructed after 28th October 2018.

Conclusion

54. For the reasons given above, the proposed development would conflict with the development plan when read as a whole, but material considerations indicate that a decision should be made other than in accordance with it. Accordingly, I conclude that the appeal should be allowed.

H Whitfield

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
001 Site Location Plan, 002 Proposed Site Plan, 005 Elevations 1, 006 Elevations 2, 007 Floor Plans, 008 Street Section and 011 Roof Plan & Section.
- 3) No development above ground level shall take place until details (and samples upon request) of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
- 4) Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the CEMP shall include the following:
 - a) construction programme and phasing timetable,
 - b) hours of construction works, operation, delivery and storage of plant and materials used in constructing the development,
 - c) details of hoardings,
 - d) details of safe access into the site and any highway works necessary to enable construction to take place,
 - e) vehicle routing,
 - f) the parking of vehicles of site operatives and visitors,
 - g) loading and unloading of plant and materials,
 - h) wheel and underbody washing facilities,
 - i) management of traffic to reduce congestion,
 - j) control of dust and dirt on the public highway,
 - k) details of consultation and complaint management with local businesses and neighbours,
 - l) waste management proposals,
 - m) mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light, and odour,
 - n) details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures,
 - o) details of how surface water and ground water will be managed during construction works and methods to prevent pollution.

All works shall be carried out in accordance with the approved CEMP thereafter. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- 5) Prior to the installation of any external lighting on the site, details including the design of the lighting unit and supporting structures, and the extent of the area to be illuminated shall be submitted and approved in writing by the Local Planning Authority. The lighting installation shall then be carried out in accordance with the approved details.

- 6) In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures, a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out.
- 7) No development above ground level shall take place until a detailed surface water drainage strategy for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not limited to:
 - Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm event up to and including the 1 in 100 year plus 40% climate change event.
 - A 10% allowance should be provided in storage calculation for urban creep.
 - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
 - Final modelling and calculation for all area of the drainage system
 - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance route, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting and minor changes to the approved strategy.
 - A maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

The approved strategy shall be implemented prior to occupation of the development hereby approved and maintained in accordance with the approved maintenance plan for the lifetime of the development.

- 8) Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be 5.5 metres for at least 6 metres within the site, surfaced in a hard bound material and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.
- 9) Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay as shown on DWG DR5 'Required Access Visibility and Access Improvement' contained in the Transport Statement ref. TS852, dated March 2024. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times. Any new boundary planting fronting Stambourne Road shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay, and any existing planting shall be cut back and maintained so as not to obstruct the visibility splays for the lifetime of the development.

- 10) Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 11) Prior to occupation of the development the vehicle parking area indicated on the approved plans shall be provided. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- 12) The recommendations as outlined in the Preliminary Ecological Appraisal Report (Concord Ecology, February 2023) and the Ecological Walkover Survey (James Blakes Associates, March 2024), including the ecological mitigation and enhancement measures, shall be undertaken and implemented in full unless otherwise agreed in writing by the Local Planning Authority.
- 13) No development above ground level shall take place until a Biodiversity Enhancement Strategy for protected and Priority species has been submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal Report (Concord Ecology, February 2023) and the Ecological Walkover Survey (James Blakes Associates, March 2024). The content of the Biodiversity Enhancement Strategy shall include the following:
 - Purpose and conservation objectives for the proposed enhancement measures;
 - detailed designs or product descriptions to achieve stated objectives;
 - locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
 - persons responsible for implementing the enhancement measures;
 - details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.
- 14) The development hereby permitted shall not be occupied until full details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The approved soft landscaping shall be completed during the first planting season following the first occupation of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The approved hard landscaping shall be completed prior to occupation.
- 15) Prior to occupation of the development a minimum of a single electric vehicle charging point shall be installed and made available for use.
- 16) No development above ground level shall take place until a scheme for renewable energy, climate control and water efficiency measures to be implemented in the development hereby approved has been submitted to and approved in writing by the local planning authority. Thereafter, the approved scheme shall be implemented prior to the occupation of the development and thereafter retained for the lifetime of the development.

- 17) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 18) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in condition 18 above.
- 19) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.
- 20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C, D, E or F of Part 1 and Classes A and B of Part 2 of Schedule 2 to the Order shall be undertaken.

**** End of Schedule****