



Appeal Decision

Site visit made on 1 July 2025

by **C Carpenter BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 AUGUST 2025

Appeal Ref: APP/M1520/W/24/3356256

Land east of Chase Mews and west of 310 The Chase, Benfleet SS7 3DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Foxberry Developments Ltd against the decision of Castle Point Borough Council.
 - The application Ref is 23/0241/OUT.
 - The development proposed is described as “Outline planning application with all matters reserved except access for the erection of up to 47no dwellings and all associated works including new access onto The Chase”.
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Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 47no dwellings and all associated works including new access onto The Chase at land east of Chase Mews and west of 310 The Chase, Benfleet SS7 3DN in accordance with the terms of the application, Ref 23/0241/OUT, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The planning application is submitted in outline with all matters other than access reserved for a subsequent reserved matters application. I have treated the proposed site plan, area schedule, tree constraints plan, tree protection plan and drainage design submitted with the appeal as illustrative and have taken them into account only insofar as establishing whether it would be possible, in principle, to erect up to 47 dwellings on the site.
3. The description in the banner heading above is taken from the application form. In my decision I have omitted words that do not describe acts of development in the interests of clarity and concision.
4. The appellant submitted an updated Preliminary Ecological Appraisal (PEA) and Badger Sett Survey Report (BSSR) and a Landscape and Visual Appraisal with the appeal. These documents provide updated and/or additional information about, but do not fundamentally change, the development proposed. Parties to the appeal have had an opportunity to comment on them. I am therefore satisfied there would be no injustice if I were to take them into account.
5. An executed legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended) (s106 agreement) has been submitted. I will return to this where relevant in my decision.

6. The National Planning Policy Framework (the Framework) was updated in December 2024. The Council's statement of case (SoC, in two parts) and the appellant's final comments were submitted after that date, so I am satisfied the main parties have had an opportunity to comment on the revised Framework.
7. On 27 February 2025, Planning Practice Guidance (PPG) on Green Belt was updated to reflect the amended Framework. As this took place after the main parties had submitted their final statements and comments, I invited them to comment on the implications of the updated PPG for their case and have taken account of their responses in my decision.
8. In March 2022, the New Castle Point Local Plan (NCPLP) was found by its examining Inspector to provide an appropriate basis for the planning of the Borough, subject to various main modifications. However, the Council decided to withdraw this Plan in June 2022. I shall address the weight to be given to evidence supporting the withdrawn Plan and the Inspector's findings where relevant below.
9. The Council has started work on another Draft Local Plan, but it is still at a relatively early stage of preparation, and I am not aware of the extent of unresolved objections or whether its policies will be considered as consistent with the Framework. Consequently, in accordance with Framework paragraph 49, I give it little weight. In these circumstances, refusal of planning permission on grounds of prematurity would not be justified as set out at Framework paragraphs 50-51.

Main Issues

10. The main issues are:
 - the effect of the proposal on biodiversity and protected species;
 - the effect of the proposal on the integrity of protected European sites; and
 - whether the appeal site is grey belt land and whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies.

Reasons

Effect on biodiversity and protected species

11. The appeal site comprises grassland surrounded by hedgerow, ruderal vegetation and a tree-lined ditch. It is part of the Thundersley Plotlands Local Wildlife Site (TPLWS), which is a local designation in the Castle Point Local Plan 1998 (LP). The Essex Wildlife Trust describes the TPLWS as a mosaic of grassland, woodland and scrub that serves as a stepping stone between woodlands to the east and a complex of Local Wildlife Sites to the south.
12. The appellant's Botanical Survey finds the grassland not to be of a type recognised as priority habitat, and I see no reason to disagree.
13. The PEA states the site may provide some general common invertebrate habitat as would be expected in an urbanised context that has not been subject to regular management. As this would be lost, the report recommends the creation of green corridors through the proposed development using wildlife-friendly planting and/or native species, new hedgerow/trees, installation of habitat boxes, creation of refuge habitat for amphibians and reptiles, and permeable boundaries with hedgehog

- gaps. These measures would help attract wildlife and enable it to continue to disperse within the wider area, subject to a site-specific Landscape and Ecology Management Plan (LEMP).
14. The PEA identifies trees with potential bat roosting and bird nesting features at the boundary of the site. It recommends additional bat surveys if trees are to be removed; bat sensitive lighting in the site layout and during construction; and avoidance of works to vegetation during bird breeding season. Effects on trees themselves would be considered at reserved matters stage.
 15. The parties agree there is nearby badger habitat. Badgers and their setts are protected under the Protection of Badgers Act 1992 (the Act). The BSSR is less than one year old and has been carried out by a suitably qualified ecologist. It recommends mitigation and compensation measures under Natural England (NE) licence, and sensitive construction management practices.
 16. These measures reflect NE's standing advice on mitigation, compensation and licensing for development that affects badgers. They are also consistent with the advice of the Council's Senior Ecological Consultant. Consequently, subject to agreement of a detailed Badger Method Statement, I see no compelling reason why a badger licence would not be forthcoming. It would be the responsibility of the appellant to ensure a badger licence has been issued before any works commence.
 17. All the provisions and measures noted above could be secured via conditions attached to an outline planning permission. I therefore find the proposal includes adequate mitigation and compensation for its effects on protected species. In addition, whilst there would be some harm to wider biodiversity through the partial loss of the TPLWS, the proposed biodiversity enhancements would enable the site to continue to function as a stepping stone for wildlife in the wider area. The date the original application was submitted means the proposal is not subject to the biodiversity net gain requirements of the Environment Act 2021.
 18. I have considered the comments of local residents and the Essex Badger Protection Group. However, there is no compelling evidence to substantiate their concerns, particularly bearing in mind NE's standing advice and the statutory licensing regime. Nor has substantive alternative evidence been provided that would lead me to different conclusions in relation to other wildlife, including owls and foxes.
 19. In the appeal at land to the rear of 301 Rayleigh Road¹, the Inspector took a precautionary approach because the evidence before them about badgers was not definitive. The decision letter also indicates mitigation or compensation measures had not been proposed. I therefore find the circumstances in that appeal are not directly comparable to those before me, and it does not outweigh my findings above.
 20. For the above reasons, I conclude the proposal would have an acceptable effect on biodiversity and protected species. Accordingly, I find no conflict with saved LP Policies EC13 and EC14, which protect wildlife and their habitats and seek the creation of new wildlife habitats in new development. I also find no conflict with the Framework, where it seeks to minimise the impact on and provide net gains for

¹ Ref APP/M1520/W/19/3240145

biodiversity and requires adequate mitigation if significant harm to biodiversity cannot be avoided.

Effect on the integrity of protected European sites

21. The appeal site lies within the Zone of Influence of the Essex Estuaries Special Area of Conservation (SAC) and the Blackwater Estuary and Benfleet & Southend Marshes Special Protection Areas (SPAs). The SAC and SPAs are European sites protected under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). Under the Habitats Regulations, an appropriate assessment is required in relation to the effect of the development on the integrity of the sites. This responsibility falls to me as competent authority in the context of this appeal.
22. The SAC is a coastal estuarine system with associated mudflats, sandflats, sandbanks and inter-tidal zones. Its qualifying features include annuals that colonise mud and sand, cord-grass swards, salt meadows and scrubs. The Blackwater Estuary SPA supports nationally and internationally important populations of breeding and migratory bird species, such as the Little Tern, Hen Harrier and Dark-bellied Brent Goose. The Benfleet & Southend SPA also supports regularly occurring migratory species, such as Knot and Grey Plover, and an internationally important assemblage of waterfowl, including Dunlin and Ringed Plover.
23. The sites' conservation objectives are to ensure their integrity, including the extent, distribution, structure, function and supporting processes of the habitats, and population and distribution within the sites of each of the qualifying features, is maintained or restored.
24. There is a threat to the sites from increased recreational activity, such as walking, dog-walking and water sports, which would disturb their qualifying habitats and species. It is likely the occupants of the proposed dwellings would make use of the sites for recreational activity, thereby increasing levels of recreational disturbance. Such an increase, alone or in combination with other plans and projects, would be likely to have a significant effect on the integrity of the protected sites.
25. The parties have agreed a financial contribution in accordance with the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and associated Essex Coast RAMS Supplementary Planning Document. The sum would be put towards an agreed programme of strategic mitigation measures. The planning obligation to secure the RAMS financial contribution is necessary to make the development acceptable in planning terms, and to accord with saved LP Policy EC13. It is directly related to the development and fairly and reasonably related to it in scale and kind, so it meets the statutory tests for use of planning obligations² (the statutory tests).
26. In response to consultation on the original planning application, NE confirmed that, if the RAMS measures, including contributions towards them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European sites from recreational impacts for the duration of the development proposed. I am also satisfied the measures would be effective mitigation for the proposal's effect on the integrity of the SAC and SPAs, and that they have been adequately secured.

² In Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and Framework paragraph 58

27. For the above reasons, I conclude the proposal would not have a significant effect on the integrity of protected European sites.

Whether grey belt land and whether inappropriate development in the Green Belt

28. Development in the Green Belt is inappropriate unless one of various exceptions applies, as set out in Chapter 13 of the Framework. One of these, at paragraphs 155-157, applies to grey belt land subject to several tests.

29. The Council makes no reference to development plan policies relevant to Green Belt in its decision notice. In its SoC, the Council states saved Green Belt policies in the LP are not considered relevant to the appeal. Accordingly, I give full weight to the Framework as a material consideration.

30. Grey belt is defined in Framework Annex 2 as land in the Green Belt that does not strongly contribute to any of purposes (a), (b) or (d) in Framework paragraph 143. These are (a) to check the unrestricted sprawl of large built-up areas; (b) to prevent neighbouring towns merging into one another; and (d) to preserve the setting and special character of historic towns. Planning Practice Guidance (PPG) sets out considerations to inform judgements about the strength of contribution areas of land make to these purposes, to which I have had regard.

31. The appeal site is surrounded on three sides by existing residential development, including some rear gardens, and on the fourth by new housing currently under construction at the land rear of 248 Hart Road, which was allowed at appeal³. The site is thus largely enclosed by significant existing development, and I find it makes only a weak contribution to purpose (a).

32. Bearing in mind the existing housing on Chase Mews and the new development currently being built at Hart Road, the appeal site represents a very small gap in an otherwise almost continuous stretch of development linking the settlements of Thundersley and Hadleigh. Development is visible on all sides of the site, notwithstanding the presence of trees and vegetation. The site's openness provides some visual relief in the built form, but this is modest given the site's size relative to the extent of development that surrounds it. Overall, the appeal site's contribution to visual separation between Thundersley and Hadleigh is very limited, and its contribution to purpose (b) is therefore weak.

33. There is no suggestion the site strongly contributes to purpose (d). Given my findings on the first two main issues, none of the policies relating to areas or assets in Framework footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development on the appeal site. Accordingly, I find the site is grey belt land.

34. The tests for development on grey belt land are that: (a) it would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; (b) there is a demonstrable unmet need for the type of development proposed; (c) the development would be in a sustainable location, with particular reference to Framework paragraphs 110 and 115; and (d) the development proposed meets the Framework's 'Golden Rules' requirements.

³ Appeal Ref APP/M1520/W/22/3310483

35. The parties agree the Council is unable to demonstrate a five-year supply of deliverable housing sites. Therefore, in accordance with Framework footnote 56, there is a demonstrable unmet need for the type of development proposed.
36. In the Castle Point Borough Green Belt Review 2018 (GBR), the appeal site falls within an area identified as Parcel 6. The officer report to the Development Management Committee about the proposed development describes Parcel 6 as a fairly isolated Green Belt pocket, linked only to the surrounding Green Belt system to the east. I agree but find that link is weakened by the intervening ribbon of development along Rayleigh Road and has been further fragmented by the development taking place at Hart Road. That scheme and the construction of Castle Mews have also reduced the size of Parcel 6 since the GBR assessment and isolated the appeal site from what remains of it.
37. The officer report further notes the merging of Hadleigh and Thundersley has already occurred to a significant degree in close proximity to Parcel 6. This is consistent with my finding above about the relationship between these settlements. Given the appeal site's built-up surroundings and relative isolation from other areas of Green Belt or countryside, its contribution to preventing encroachment on the countryside is limited at best, notwithstanding its verdant appearance.
38. The withdrawn NCPLP included the appeal site within a site allocation for housing (Draft Policy H020), which was proposed for removal from Green Belt designation. The examining Inspector found that, given the need for housing could not be accommodated within the existing urban area and limited harm to the Green Belt would arise, there were exceptional circumstances for changing the Green Belt boundary to remove site H020. No more recent evidence on Green Belt review is before me and, as noted above, the Council has yet to meet its identified need for homes. Indeed, on the evidence before me, the new standard method⁴ is likely to increase the housing requirement for the area. I therefore give the withdrawn NCPLP examining Inspector's finding in relation to the appeal site significant weight, as did the Inspector in the Hart Road appeal.
39. Taking all this together, I find the proposed development would not fundamentally undermine the ability of the remaining Green Belt across the Castle Point area to serve its five purposes in a meaningful way. These purposes do not include preserving wildlife, which I have covered elsewhere in my decision. Providing a fire break is also not part of the Green Belt purposes, and there is in any event little to demonstrate such a measure would be necessary in this location.
40. There is a local bus route on nearby Rayleigh Road. This and the existing footway network mean the site is reasonably well connected to local facilities and services by a genuine choice of transport modes. A condition could be imposed requiring Residential Travel Information Packs and travel tickets for future occupants to promote alternatives to the private car, as recommended by Essex County Council (ECC). This would also help mitigate impacts on air quality. I am thus satisfied the proposed development would be in a sustainable location, having regard to Framework paragraphs 110 and 115. Further detail of provision for pedestrians and cyclists would be considered as part of layout at reserved matters stage.
41. The parties agree the level of affordable housing required to satisfy the Golden Rules in this case is 50 percent. The s106 agreement includes a planning

⁴ PPG Paragraph 002 Reference ID: 2a-002-20241212

obligation to secure this quantum of affordable housing, with detail to be provided in an Affordable Housing Scheme submitted and approved prior to commencement of development, and an associated monitoring fee. The evidence before me shows an unmet need for affordable housing of the tenures proposed and no policy basis has been suggested to require other affordable products. I therefore find this obligation is directly related to the development and fairly and reasonably related to it in scale and kind, so it meets the statutory tests. I also find it satisfies the first Golden Rule.

42. The s106 agreement includes obligations to secure financial contributions towards early years and childcare, primary education, library provision and healthcare. These contributions are based on evidence of shortfalls in local infrastructure capacity and mitigation formulae per dwelling provided by ECC and the NHS Mid and South Essex Integrated Care System respectively. This approach is generally consistent with saved LP Policy CF1 and the Council's Developer Contributions Guidance Supplementary Planning Document (DCSPD), which set out the Council's expectations for infrastructure provision in new development. I am therefore satisfied these obligations meet the statutory tests.
43. Concerns have been raised about the capacity of other types of infrastructure to accommodate up to 47 new homes, such as water, foul water disposal, the police, public transport and the highway network. On the evidence before me, Anglian Water and Essex Police have raised no concerns in this regard, subject to detailed design considerations at reserved matters stage. There is also no pertinent evidence the local bus network would be unable to accommodate additional demand generated by the proposal.
44. As regards the impact of additional car journeys, ECC in its role as Highway Authority has stated the proposal would be acceptable, subject to other regulatory requirements governing the creation of a new street, a Construction Management Plan secured by condition, and the promotional material for alternatives to the private car noted above. I recognise residents' concerns about traffic, but there is no substantive evidence to demonstrate the proposal would materially increase congestion at nearby junctions or have an unacceptable impact on highway safety.
45. Taking all this together, I find the proposal satisfies the second Golden Rule in relation to necessary improvements to infrastructure.
46. The third Golden Rule requires the provision of new, or improvements to existing, green spaces that are accessible to the public, so that new residents can access good quality green spaces within a short walk of their home. The s106 agreement includes a planning obligation to secure open space and its transfer to a management company, in accordance with a scheme to be submitted to and approved by the Council before commencement of development. This mechanism allows the Council to ensure the open space would be suitably located in relation to the proposed development, of acceptable quality and accessible to the public. I am satisfied the obligation meets the statutory tests and the third Golden Rule. Moreover, as the site is not currently open to the public, this provision would be a benefit to residents in the wider area.
47. Consequently, all the tests at Framework paragraphs 155-157 are satisfied and I conclude the development is not inappropriate in the Green Belt. Given this, there is no need for me to consider the proposal's effect on Green Belt openness. The

proposed development's compliance with the Golden Rules adds significant weight in favour of allowing the appeal, as set out at Framework paragraph 158.

Other Matters

48. In addition to the planning obligations noted above, the s106 agreement includes a financial contribution towards the cost of monitoring its provisions. This is as envisaged in the DCSPD, and I find the obligation meets the statutory tests.
49. As noted above, the area surrounding the appeal site is largely residential. Its character is predominantly suburban, rather than semi-rural as has been suggested. There is no doubt the proposal would change the immediate environment by introducing built form where there is none at present. However, the illustrative layout does not indicate building density would be materially greater than that found in the surrounding development pattern. Design and layout would be important considerations for any subsequent reserved matters application, as would the scheme's effects on neighbouring occupiers.
50. Energy efficiency and carbon emissions would also be considered as part of the detailed design and/or addressed through other regulatory regimes. Construction would cause some disruption, but this would be temporary and would be mitigated by the Construction Management Plan noted above, which could address matters such as working hours, noise, dust and lighting.
51. The site is within Flood Zone 1, which has a low probability of flooding. The sustainable drainage strategy recommended by the appellant's Flood Risk Assessment (FRA) could be secured by condition and the Lead Local Flood Authority has raised no objection subject to such an approach. The brook running along the northern edge of the site is factored into the FRA and there is little other evidence this would cause flooding issues beyond those that would anyway be mitigated through a sustainable drainage strategy.
52. There is no substantive evidence the site could be used in a viable way for agricultural production. The site is in private ownership, so its occasional use for grazing is a private matter between the landowner and the owner of the horses and does not have a material bearing on my assessment of the planning merits of the proposal. Concerns regarding property values and rights to a view are also purely private interests and not considerations to which I have given any weight. The particular circumstances relating to the appeal proposal would be unlikely to be repeated elsewhere, so concerns about precedent are not a significant consideration.
53. Both the Rayleigh Road appeal decision noted under the first main issue, and that for land south of Daws Heath Road⁵, predate the December 2024 changes to national Green Belt policy that are pertinent in this appeal. In both of those decisions, the development proposed was found to be inappropriate in the Green Belt, having regard to the national tests in force at the time. Consequently, although those Inspectors did not find the very special circumstances necessary to outweigh the Green Belt harm and other harms they had identified, this has little bearing on my decision in this case because I have found the proposed development is not inappropriate in the Green Belt. Accordingly, there is no need for me to weigh Green Belt harm against other considerations in this case.

⁵ Ref APP/M1520/W/23/3329585

Conditions

54. I have considered the conditions put forward by the Council and have amended the wording where necessary in the interests of clarity and simplicity. Planning permission is granted subject to the standard reserved matters conditions. I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interest of certainty.
55. A condition securing implementation of the access, dropped kerb and visibility splays is necessary for highway safety. A condition seeking approval of a Construction Management Plan is also necessary for highway safety and to protect the living conditions of neighbouring occupiers. A condition securing Residential Travel Packs with tickets for future occupants is necessary for the reason given under the third main issue.
56. Conditions securing a Badger Method Statement and Construction Environmental Method Statement are necessary to mitigate impacts on protected species, other wildlife and biodiversity as explained under the first main issue. A condition requiring any reserved matters application(s) to include a LEMP with details of biodiversity enhancements and ecological management is necessary to optimise future use of the site and its surrounds as a corridor for wildlife. A condition securing details of external lighting for the site access is necessary to protect wildlife in this part of the site, with wildlife-friendly lighting elsewhere on the site to be addressed in the LEMP.
57. Drainage and contamination fall outside the scope of the reserved matters. Thus, a condition requiring submission and approval of a sustainable drainage scheme is necessary to mitigate surface flood risk resulting from the development; and a condition setting out the procedure in the event contamination is found on the site is necessary in the interests of public health and safety.
58. Given all available records show the site in use as pasture, and the Council's view that there is little likelihood of historical assets being present, I find conditions in relation to archaeology do not meet the test of necessity. On-site parking will be considered as part of the reserved matters, so a condition to secure that at this stage is also unnecessary.

Conclusion

59. For the above reasons the proposal accords with the development plan, read as a whole. Material considerations, including the Framework, do not indicate that a decision should be taken otherwise than in accordance with it. I therefore conclude the appeal should be allowed.

C Carpenter

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with drawing Nos: PL01 Site Location Plan, PL02 Existing Site Plan and PL04 Proposed Highways Plan.
- 2) Details of appearance, landscaping, layout and scale ("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.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 4) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 5) The vehicular access at The Chase shall be provided as shown on drawing No PL04 and shall be constructed at right angles to the existing carriageway with a dropped-kerb vehicular crossing of the footway. A footway shall be provided along the entire site frontage to a minimum width of 2m and shall include the removal of the existing buildout and re-provision of kerbing. No unbound material shall be used in the surface treatment of the vehicular access within 6m of the highway boundary. Visibility splays of 2.4m x 43m in both directions shall be provided before the access is used by vehicular traffic and shall be retained free of any obstruction at all times thereafter.
- 6) No development shall take place, including any works of clearance or excavation, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The Construction Management Plan shall include, but not be limited to:
 - i) vehicle routing;
 - 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 and underbody washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) delivery, demolition and construction working hours; and
 - viii) display of contact details including phone contact for persons responsible for the site works.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.
- 7) No development shall take place until a Badger Method Statement has been submitted to and approved in writing by the local planning authority, in line with the recommendations of the Badger Sett Survey Report by Open Spaces Ltd, dated October 2024 (Ref OS 2423-22-Doc10). The development shall be carried out in accordance with the approved Badger Method Statement and the recommended compensatory measures shall be retained thereafter.

- 8) No development shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include:
- i) identification of biodiversity protection zones, including in relation to bats;
 - ii) risk assessment of potentially damaging construction activities;
 - iii) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction (may be provided as a set of method statements);
 - iv) the location and timing of sensitive works to avoid harm to biodiversity features, including bats;
 - v) the times during construction when specialist ecologists need to be present on site to oversee works;
 - vi) responsible persons and lines of communication;
 - vii) the role and responsibilities on site of an ecological clerk of works or similarly competent person;
 - viii) use of protective fences, exclusion barriers and warning signs; and
 - ix) containment, control and removal of any invasive non-native species present on site.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period.

- 9) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 10) Prior to the installation of external lighting for the site access only, full details including height, design, location and intensity shall be submitted to and approved in writing by the local planning authority. The lighting installation shall be carried out in accordance with the approved details.

- 11) When an application is made for approval of the reserved matters, that application shall include a Landscape and Ecology Management Plan (LEMP) with details of the following:
- i) biodiversity enhancements, in line with the recommendations of the Preliminary Ecological Assessment by Open Spaces Ltd dated November 2024 (Ref OS 2423-22-Doc11);
 - ii) a scheme of wildlife-friendly lighting;
 - iii) a description and evaluation of ecological features to be managed;
 - iv) ecological trends and constraints on site that might influence management;
 - v) aims and objectives of management;
 - vi) appropriate management options for achieving the aims and objectives;
 - vii) prescriptions for management actions;
 - viii) a work schedule;
 - ix) the body or organisation responsible for implementation of the LEMP and the mechanism by which its long-term implementation will be secured; and
 - x) ongoing monitoring and remedial measures.

The LEMP shall be implemented in accordance with the approved details.

- 12) Any contamination that is found during construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development or relevant phase of development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 13) Prior to first occupation of the dwellings hereby permitted, every household shall be provided with a Residential Travel Information Pack approved by Essex County Council and 6 day-travel tickets for bus travel from the site.

End of schedule