



Appeal Decision

Site visit made on 26 November 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/R0335/W/25/3365026

Land South of Lambrook, Chavey Down Road, Winkfield Row, Bracknell, Berkshire RG42 7QB

- 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 Mrs Caterina Birch against the decision of Bracknell Forest Borough Council.
 - The application Ref is 23/00843/OUT.
 - The development proposed is described as 'Outline planning application (all matters reserved other than access, layout and scale), for the erection of 2 no. self/custom build dwelling houses with associated access onto Chavey Down Road, tree works, landscaping and parking.'
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Decision

1. The appeal is allowed and outline planning permission is granted (all matters reserved other than access, layout and scale), for the erection of 2 no. self/custom build dwelling houses with associated access onto Chavey Down Road, tree works, landscaping and parking at Land South of Lambrook, Chavey Down Road, Winkfield Row, Bracknell, Berkshire RG42 7QB in accordance with the terms of the application, Ref 23/00843/OUT, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was made in outline with approval of the means of access, layout and scale sought at this stage. As the appearance of the development and landscaping are reserved for future consideration, I have treated the drawings showing these as indicative only.
3. The application was originally refused for 6 reasons. Following the submission of further information in relation to flooding, the Council has withdrawn its objection to the proposal on these grounds set out in the third refusal reason. In addition, in light of the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, which was submitted as part of the appeal, the Council has confirmed it wishes to withdraw refusal reasons 4, 5 and 6.

Main Issues

4. The main issues are:
 - whether the proposed development would be in a suitable location having regard to the settlement strategy and the character and appearance of the area, including the integrity of the local gap;
 - whether the proposed development would preserve the setting of Ronans, a Grade II listed building; and

- the effect of the proposed development on European sites.

Reasons

Location

5. The appeal site comprises part of a larger enclosed area of grazing land at the junction of Chavey Down Road and Forest Road. It is close to, but beyond the defined settlement boundaries of Winkfield Row North and Winkfield Row South and is therefore in an area of open countryside for the purposes of planning policy.
6. While not cited in the Council's refusal reason, my attention is drawn by the Council to Policy LP 1 of the Bracknell Forest Local Plan 2020-2037 adopted March 2024 (BFLP), which indicates that, in order to contribute towards the delivery of sustainable development, growth will be accommodated having regard to the spatial strategy. It sets out that, development in the countryside is subject to greater restrictions and the area will be protected, in line with local policies.
7. Policy LP 2 of the BFLP sets out the settlement hierarchy for the location of new development in the Borough. In accordance with Policy LP 2, development in the countryside, outside the settlements listed, is restricted to that which; requires a countryside location; meets an essential local rural need; or supports rural diversification. With regard to development in the countryside, Policy LP 35 of the BFLP lists the forms of development that will be permitted outside the defined settlements.
8. The Council's submissions also refer to Policy W1 of the Winkfield Parish Neighbourhood Plan 2022-2037, made December 2023 (NP), which sets out that within the countryside (land outside the defined settlements, outside village boundaries and outside the Green Belt), development proposals will be permitted where they are consistent with national planning policy and the relevant policies in the development plan. The proposal does not fall within the exceptions listed and would therefore conflict with Policies LP 1, LP 2 and LP 35 of the BFLP and Policy W1 of the NP.
9. The site is located on land which forms part of the Winkfield Row North – Winkfield Row South Local Gap in the NP. Policy W9 of the NP is clear that development is expected to maintain the integrity of the Local Gap, and that proposals that are likely to lead to the coalescence of the settlements or fail to maintain a significant gap between them, both physical and visually, will be resisted. In addition, it sets out that, in maintaining the visual integrity of the gap, development proposals must demonstrate how the landscape character has been taken into consideration and that valued landscape functions relating to the separation of settlements will not be compromised on a cumulative or individual basis. Proposals in the local gap will be required to demonstrate how they might reinforce the positive characteristics of the gap. The supporting text indicates that the designation of a local gap will not necessarily prevent development, but rather, proposals within a defined gap will need to demonstrate that the landscape functions relating to the separation of settlements have not been compromised.
10. The appeal site lies beyond any of the character areas identified in the Bracknell Forest Character Area Assessments Supplementary Planning Document (SPD), however it is close to Area C (Winkfield Row North) and Area D (Winkfield Row South) in the Northern Villages study area. The SPD specifically refers to the very

narrow (100m) open rural gap between Winkfield Row North and Winkfield Row South, and sets out recommendations including that rural gaps between individual settlements should be retained.

11. The site falls within Landscape Character Area C2 Winkfield and Cranbourne Clay Farmland as identified in the Bracknell Forest Borough Landscape Character Assessment 2015 (LCA). The LCA identifies key characteristics of the character area including a settled landscape, with a mixture of small, nucleated villages, modern ribbon settlement, historic manors and farmhouses, where, among other things, remnant pastoral fields divided by hedgerows with hedgerow trees contribute to the rural character of the landscape. The nature and appearance of the appeal site and its surroundings accord with these characteristics.
12. By virtue of its undeveloped, rural character, and in the context of the adjoining open land to the front and rear of the site, the appeal site contributes positively to the integrity of the local gap in terms of the separation of Winkfield Row North and Winkfield Row South. Its verdant nature also contributes to the character and appearance of the area, notably the rural setting of the nearby settlements. The proposed development would see the construction of 2 detached dwellings, with a maximum height of 7.48m and 8.1m respectively¹. The submitted site layout plan shows that the proposed dwellings would be orientated to front Chavey Down Road, with a shared vehicular access from the highway between the dwellings. The proposal would extend the existing extent of the built-up form of the adjoining settlements into the open countryside and the local gap.
13. The proposed development would inevitably diminish the integrity of the gap in physical terms, through the introduction of new development, in the form of buildings, access drive and associated accoutrements, in the otherwise open space. However, this would be mitigated to an extent by the amount and layout of the development, which would maintain a sense of spaciousness within the site. While not insubstantial in scale, the proposed dwellings would be set on generous plots, set back from the highway to the front and with a considerable separation distance between the proposed built form. In addition, by virtue of the intervening land, comprising substantial areas of tall grass, between the proposed dwellings and the side boundaries of the site, particularly that adjacent to the proposed dwelling on plot 1, the development would remain physically separated from the residential properties on the edge of Winkfield Row South.
14. Moreover, any effects in visual terms would be limited, as a consequence of the retention of the existing mature trees to the front and side boundaries, alongside new tree planting, to be secured as part of the reserved matters for landscaping. Given the high degree of visual containment of the land, the presence of the proposed development would not be overtly readily apparent from public vantage points beyond the site. In addition, the sense of openness to the opposite side of the Chavey Down Road would be unaffected. As such, the local gap would therefore be largely retained in visual terms when travelling along Chavey Down Road between the settlements, so a perception of separation between the built-up areas would be preserved. In that regard, while the proposed development would fail to maintain a significant gap between the settlements physically, at this point, any effects in terms of the visual coalescence of the settlements, would be limited.

¹ Dwg. no. P23/19/S/103

15. In terms of character and appearance, as set out above, the proposal would introduce residential development beyond the confines of the built-up form of the adjoining settlements to the north and south of the site. However, it would not be significantly at odds with the prevailing townscape of Winkfield Row North, where the SPD highlights there is a strong contrast between the tight knit central core and large plots and grounds elsewhere in the village, which the appeal site would form part. In addition, the spacious layout of the proposed development, in a ribbon form, and mature landscape setting of the plots, including boundary trees and hedges, would reflect the landscape setting of Winkfield Row North, which the SPD highlights differs from the more urban settlement form and character of Winkfield Row South. Furthermore, notwithstanding the introduction of residential development at the site, the retention of the mature boundary treatment, would maintain the verdant, rural character and appearance of the site in views towards it from beyond the site.
16. The introduction of the proposed development would diminish the space between the settlements and therefore reduce the extent of the local gap. This would give rise to a degree of physical coalescence of the settlements at this point. Nevertheless, given that any effects in visual terms would be moderated by the scale of development, for 2 units, together with the spacious layout of the scheme, and the limited visual effects beyond the site, the visual integrity of the gap would be largely maintained in that regard. In addition, the proposed development would not appear as a significantly visually jarring intrusion into the otherwise undeveloped site, or an unduly anomalous feature given the site context. Accordingly, it would not harm the character and appearance of the locality or detract from the landscape qualities of the wider area.
17. I therefore conclude that, the proposed development, for new residential development beyond a defined settlement boundary would not be in a suitable location having regard to the settlement strategy. Accordingly, it would conflict with Policies LP 1, LP 2 and LP 35 of the BFLP and Policy W1 of the NP. Furthermore, while the proposed development would not harm the character and appearance of the area and would maintain the visual integrity of the local gap, for the reasons set out, it would fail to maintain a significant gap in physical terms. Consequently, it would therefore give rise to a degree of coalescence of the settlements, which would diminish the integrity of the gap. In doing so, it would thus conflict with Policy W9 of the NP.
18. While not referred to specifically in the Council's first refusal reason, it alleges conflict with Policy LP 36 of the BFLP. Policy LP 36 supports development proposals which recognise and enhance the character and quality of the landscape character area within which they are situated and protects and enhances the setting of individual settlements and their distinctive characters. Given my findings in relation to the effects of the proposed development upon the character and appearance of the area, the proposals would not conflict with the aims of Policy LP 36.

Setting of the listed building

19. The appeal site is close to Ronans, an attractive Grade II listed building. The Inspector in a previous appeal decision at the site² noted the significance of the

² Appeal Ref: APP/R0335/W/22/3298839

listed building is derived from its age, former use as a hunting lodge, form, and architectural features, together with its setting within mature gardens and position relative to the countryside. They found that, although the site does not form part of the landscaped grounds of Ronans, as an area of open land within close proximity of the listed building, with some association with the building in terms of its past uses and ownership, the appeal site contributes positively to the rural setting of the building and its overall significance. From my observations on site, this seems a fair and accurate assessment.

20. Ronans is orientated to face towards the appeal site, which the appellant's Heritage Statement indicates has historically comprised part of the wider rural surroundings of the house, which is made up of the grass fields or meadows, which surround the property on its eastern, western and southern sides. Given the position of the appeal site, beyond the formal garden land immediately surrounding the listed building, and presence of the intervening tree coverage, there is limited intervisibility between the appeal site and the listed building.
21. However, notwithstanding this, and despite the separation distance, along with the overall scale and density of the proposed development, and the retention of parts of the site as green open space, it would inevitably result in the loss of part of the open land, a short distance from the listed building, which contributes to its setting. Consequently, the proposal would diminish the setting of the listed building and the contribution that it makes to its significance.
22. For the foregoing reasons, the proposal would therefore fail to preserve the setting of the listed building and its significance as a heritage asset. In that regard, it would conflict with the aims of Policies LP 3 and LP 29 of the BFLP that require development proposals to, among other things, avoid harm, conserve and enhance the significance of heritage assets including their settings.

Heritage Balance

23. The harm to the setting of the listed building would be less than substantial in this case and at the lower end of the spectrum but is nevertheless of considerable importance and weight. The National Planning Policy Framework (the Framework) states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.
24. The delivery of 2 new dwellings would boost housing supply, specifically the delivery of self build units. Given the Council has a shortfall in housing supply, including the provision of self build units, this would be a substantial benefit. The development would also provide employment during construction, and ongoing social and economic benefits in terms of supporting services and facilities. I attribute these further benefits moderate weight in reaching my decision, in light of the modest scale of the development.
25. On balance, in combination, these public benefits carry substantial weight. In this case, the weight of the public benefits of the proposed development would outweigh the harm to the significance of the heritage assets. Therefore, the Framework does not indicate that planning permission should be refused.

European sites

26. The site lies within the 400m – 5km Zone of Influence of the Thames Basin Heaths Special Protection Area (SPA), designated for its three species of Annex I birds. The Thames Basin Heaths Special Protection Area Supplementary Planning Document 2018 (SPD) indicates that the ground-nesting birds which breed on the SPA are subject to disturbance from people and their pets using the SPA for recreational purposes and this affects their breeding success. There is, therefore, potential that additional residents at the site, in combination with other development, could result in adverse effects on the integrity of the SPA.
27. The Council advise that mitigation in the form of financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) and Strategic Access Management and Monitoring (SAMM) measures can avoid such adverse effects. This is to be funded through developer contributions proportionate to the scale of development proposed, based on the number of bedrooms proposed. In this case, a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 has been submitted as part of the appeal to secure the relevant financial contributions, in accordance with the SPD.
28. Following appropriate assessment under the Conservation of Habitats and Species Regulations 2017, I am, therefore, satisfied that adverse effects on the integrity of the SPA will be avoided. Accordingly, the proposal would not conflict with the combined aims of saved Policy NRM6 of the South East Plan, and Policies LP 31 and LP 32 of the BFLP that require proposals for new development to demonstrate they include measures to mitigate or avoid any potential significant adverse effects on the integrity of the SPA.

Other Matters

Planning obligations

29. In addition to the SPA avoidance and mitigation contributions outlined above, and obligations to secure the dwellings as self-build/custom units and any necessary highway consents, the submitted legal agreement provides for financial contributions towards open space of public value, community facilities and a monitoring fee. In accordance with the Community Infrastructure Levy (CIL) tests, the Framework explains in paragraph 58 that planning obligations must only be sought where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is therefore necessary for me to consider these obligations in light of the above tests.
30. A contribution towards open space of public value in lieu of on-site provision is proposed to enhance existing facilities nearby. The proposed contribution is in accordance with the Council's standards directly related to the development, is necessary in order to make it acceptable, in accordance with Policies LP 24, LP 30, LP 45 and Policy LP 46 of the BFLP and the Council's Planning Obligations Supplementary Planning Document (POSPD). It is calculated in relation to the number of dwellings and is therefore fairly and reasonably related in scale and kind.
31. Likewise, a community facilities contribution is proposed to address increased pressure on existing facilities in the area as a result of the development. It is

directly related to the development and necessary to make it acceptable, in accordance with the provisions of Policies LP 24 and LP 44 of the BFLP and the POSPD). The contribution is based on the number of dwellings proposed and would therefore be reasonable in scale and kind.

32. The agreement also provides for the payment of monitoring fees in relation to expenses incurred by the Council in monitoring and ensuring compliance with the obligations. Planning Practice Guidance (PPG) indicates that authorities can charge a monitoring fee to cover the cost of monitoring and reporting on the delivery of relevant planning obligations. It also states that in all cases, monitoring fees must be proportionate, reasonable and reflect the actual cost of monitoring. The monitoring fees in the agreement are based on work directly undertaken to ensure compliance with the agreement and are related to the size of the development. Thus, they are proportionate and reasonable.
33. Overall, I am satisfied that the provision of the measures and financial contributions within the legal agreement are necessary to make the development acceptable in planning terms, are directly related to the development, and fairly and reasonably related in scale and kind to the development. As such, they would meet the relevant tests, and I afford weight to them accordingly.

Interested parties

34. The Council indicates that, subject to the imposition of suitable planning conditions to secure appropriate mitigation and precautionary measures in relation to great crested newts, specifically entry into the District Licensing Scheme, reptiles, badgers, bats and birds, the proposal would not give rise to any adverse effects on biodiversity. In the absence of any compelling evidence to the contrary, I am not drawn to reach a different conclusion.
35. With regards to accessibility to services, the Inspector in the earlier appeal at the site found that it is within reasonable walking and cycling distance of a range of services and facilities in the Winkfield Row area, which include schools, a nursery, a public house, a restaurant and a recreation ground. Furthermore, in addition to nearby bus stops, it would be feasible to walk or cycle to shops and medical services in Warfield, which are around 2km away. Even if the bus service has reduced in the intervening period, considering the evidence and based on my observations on site, given the proximity of the site to the nearby settlements, future occupiers would not be entirely reliant on the use of the private car to meet their day-to-day requirements. In that regard it would accord with the aims of the Framework which seek to promote sustainable transport.
36. Details of boundary treatment are to be agreed at the reserved matters stage.
37. Regarding the position of the proposed access off Chavey Down Road in relation to the access to the car park serving the King George V Playing Fields opposite the site, the Highway Authority has not objected to the proposal, subject to conditions. From the evidence before me and my observations on site, I can find no reason to disagree.
38. Interested parties refer to the risk that, should the appeal be allowed, the appeal proposal may lead to further development at the site. Nonetheless, I see no reason why the granting of permission in this case, would undermine the Councils ability to exercise its judgement in relation to any subsequent development proposals

which may come forward, especially because each case is determined on its own merits.

Planning Balance

39. The Council indicate that it does not currently have a five-year supply of deliverable housing sites. I understand that the latest published position is 4.76 years. In this scenario, paragraph 11 of the Framework falls to be considered. I have found that the public benefits of the proposal would outweigh the harm to the significance of the listed building and, therefore, policies in the Framework that protect areas or assets of particular importance do not provide a strong reason for refusing the development proposed. Consequently, paragraph 11 d) ii) indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
40. The proposed development would not be in a suitable location when considered against relevant development plan policies which set out the development strategy because the site is outside a settlement boundary. The development strategy is broadly consistent with the Framework in terms of supporting housing developments in rural areas that reflect local needs. Nevertheless, the relevant policies of the BFLP restrict the type of development, including housing, permitted in rural areas where it would be located beyond the development boundary, whereas the Framework only restricts housing permitted in rural areas where the development would result in isolated homes in the countryside. In the specific circumstances of the appeal proposal, the development would not result in isolated homes in the countryside. Moreover, for the reasons set out, future occupiers of the development would benefit from accessibility to services and amenities by means other than the private car. Thus, while the site is located within the open countryside, beyond a development boundary, it is not in an unsustainable location. For this reason, I afford the conflict with the development strategy only moderate weight.
41. The proposal would fail to maintain the integrity of the Winkfield Row North – Winkfield Row South Local Gap. However, as this harm would be largely limited to physical effects, and visual effects in terms of the coalescence of the settlements would be limited, I consider that the overall level of harm would be moderate. The limited harm identified to the heritage asset would be outweighed by the public benefits of the proposal. Nevertheless, for the purpose of my overall planning balance this harm contributes to the adverse effects of the proposal. Taking account of these factors, the proposal would conflict with the development plan as a whole.
42. Set against this, the proposed development would support the aims of the Framework to boost the supply of homes in an area where there is a shortfall in the supply of deliverable housing sites. While the contribution in that regard would be modest by virtue of the scale of the scheme, the Framework also recognises the important contribution small sites, which are often built out relatively quickly, can make to meeting the housing requirement of an area. Given the current deficit

in housing land supply, the benefits attributed to additional housing therefore weigh heavily in favour of the scheme.

43. Moreover, the provision of the units as self-build and custom housing, to be secured with a legal agreement, would reflect policies in the Framework which highlight the importance of addressing the needs of groups with specific housing requirements. The appellant suggests that data from various sources indicates that there is a substantial level of unmet demand for self-build and custom housing within the borough, which is not disputed by the Council. The supply of 2 self build and custom build units is a clear benefit to which I afford substantial weight.
44. In addition, the proposal would deliver economic benefits both during construction and following occupation, as well as a net gain for habitats and hedgerows. These are further, minor benefits of the proposal.
45. In this case, taken together, the adverse impacts of granting permission do not significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole. Accordingly, the development benefits from the presumption in favour of sustainable development as set out at paragraph 11 of the Framework. As Government policy, the Framework is a weighty material consideration and, in this case, indicates that a decision should be taken otherwise than in accordance with the development plan and permission should be granted.

Conditions

46. The conditions set out in the accompanying schedule are based on those suggested by the Council in their appeal statement should the appeal be allowed. Where I agree the conditions are necessary, I have amended the wording, in the interests of precision and clarity, and to comply with advice in the PPG. In addition to the standard conditions relating to the submission and timing of the reserved matters and the commencement of the development, I have imposed a condition specifying the relevant drawings, in the interests of clarity. While I note the appellant's willingness to accept a reduced timeframe for the submission of an application for the approval of reserved matters, in the absence of any evidence to suggest that the development would not come forward in a timely manner, this is not necessary. Moreover, it has not been shown that a shorter timeframe would necessarily speed up the delivery of the development in any event.
47. To ensure the development is not at risk of flooding, a condition is necessary to agree the finished floor levels of the development. In addition, a condition is necessary to secure a scheme for the management of surface water, to ensure that the development would not increase flood risk elsewhere.
48. To protect biodiversity a condition is required to safeguard birds during the nesting season. For the same reasons, conditions to secure a survey for the presence of badgers and a scheme of mitigation for reptiles, are necessary. Similarly, conditions are required to ensure the application for the reserved matter of landscaping includes a Landscape and Ecological Management Plan, a lighting design strategy for biodiversity and a scheme for the provision of biodiversity enhancement measures.
49. A condition requiring the submission and approval of a Construction Environmental Management Plan is necessary in the interests of highway safety. I have deleted

the components of the condition that are duplicated elsewhere. I have not imposed the Council's suggested condition requiring details of landscaping as this will form part of a reserved matters application for such.

50. Conditions are necessary to ensure compliance with the Council's District Licence for great crested newts, so as to ensure that adverse impacts on great crested newts are adequately mitigated in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). I have consolidated the suggested conditions to avoid duplication.
51. In the interests of highway safety, conditions relating to the construction of the access, including visibility splays, and the provision of parking and turning to serve the development are necessary. In order to encourage sustainable transport options, a condition to secure cycle parking in accordance with Policies LP 25, LP 27 and LP 26 of the BLP is necessary.
52. Given the potential for archaeological remains within the site, a condition requiring a programme of archaeological works is necessary. I have consolidated the Council's suggested conditions in the interests of conciseness. In accordance with Policy LP 38 of the BFLP, a condition is necessary to require compliance with the optional requirement of Part M4(2) of the Building Regulations, to ensure the dwellings are accessible and adaptable. To ensure the efficient use of resources, a condition is necessary to restrict water usage in the development.

Conclusion

53. The proposed development would conflict with the development plan, taken as a whole, but material considerations indicate that a decision should be made other than in accordance with it. For the reasons given, I conclude that the appeal should be allowed, subject to the conditions set out in the attached schedule.

E Worley

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the appearance and landscaping, "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 three years from the date of this permission.
- 3) 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.
- 4) The development hereby permitted shall be carried out in accordance with drawing nos:

- Location Plan (P23/19/100 Rev. B)
 - Illustrative Site Layout (P23/19/S/101 Rev. B)
 - Illustrative Street Scenes (P23/19/S/102 Rev. B)
 - Tree Protection Plan (Rev C July 2024)
 - Siting and Maximum Heights Plan (P23/19/S/103 Rev. B)
 - Phasing Plan (P23/19/S/104 Rev. B)
 - Self- Building Housing Design Code Statement (01 August 2024)
- 5) Prior to the commencement of the construction of the dwellings hereby approved, details showing the finished floor levels of the buildings in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6) No development shall take place until a scheme for the disposal of surface water drainage that can be maintained for the lifetime of the development have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details. Information required to be submitted to satisfy condition above includes:
- a) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting and drawings as appropriate;
 - b) Written confirmation from the appropriate water authority/third party that a discharge to its drainage system is acceptable for both surface water and foul water drainage;
 - c) Mitigation measures for managing surface water flood risk within the site during construction of the works; and
 - d) A Management and Maintenance Plan for the proposed drainage system to demonstrate how it would be maintained over the lifetime of the development.

The development shall be carried out in accordance with the approved details.

- 7) No trees, shrubs or hedgerows shall be removed during the main bird-nesting period of 1 March to 31 August inclusive unless in accordance with a scheme to minimise the impact on nesting birds which has been submitted to and approved in writing by the Local Planning Authority.
- 8) The development (including site clearance and demolition) shall not be begun until:
- (i) the site has been surveyed for the presence of badgers;
 - (ii) the survey has been submitted to and approved by the Local Planning Authority; and
 - (iii) a scheme to minimise disturbance to badgers during the construction of the development, to mitigate the impact of the development upon them, and to improve their habitat has been submitted to and approved by the Local Planning Authority.

The mitigation scheme shall be implemented in accordance with the approved details.

- 9) The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on reptiles has been submitted

to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (a) measures to avoid harm to reptiles;
- (b) features provided to mitigate the loss of habitat (e.g. ponds, hibernacula);
- (c) habitat enhancements (not mitigation); and
- (d) on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity to be submitted as part of the application for the reserved matter of landscaping. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans with vertical calculation planes and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

11) The application for the reserved matter of landscaping shall include a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements. The approved details shall be fully implemented prior to the first occupation of the development and shall be retained as such in perpetuity for the lifetime of the development.

12) The application for the reserved matter of landscaping shall include a Landscape and Ecological Management Plan (LEMP). The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

g) Details of the body or organization responsible for implementation of the plan

h) On-going monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

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

- 13) The development hereby permitted shall take place in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR137, or a 'Further Licence') and with the proposals detailed on plan "Land South of Lambrook: Impact plan for great crested newt District Licensing (Version 1)", dated 1 July 2024.
- 14) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR137, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the Local Planning Authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this Local Planning Authority for approval prior to the commencement of the development hereby approved.
- 15) No development (other than the construction of the access) shall take place until the vehicular access to the site has been constructed in accordance with the approved plans and construction details which have been submitted to and approved in writing by the Local Planning Authority and provided with visibility splays of 2.4 metres by 43 metres in each direction as shown on the approved drawings. Thereafter the visibility splay areas shall be kept clear of any obstruction to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
- 16) The development hereby permitted shall not be occupied until the associated vehicle parking and turning space for 3 cars to park and turn per dwelling (6 car parking spaces in total for two dwellings) has been surfaced and provided in accordance with the approved drawing. The space shall thereafter be kept available for parking and turning at all times.
- 17) The development shall not be occupied until secure and covered cycle parking spaces (one secure and covered cycle space per bedroom) have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained for such purposes.

18) No development (including site clearance and demolition) shall commence, until a Construction (and Demolition) Environmental Management Plan (CEMP) has been submitted to and been approved in writing by the Local Planning Authority. The CEMP shall include the following details as a minimum:

- (a) routing of construction and demolition traffic (including directional signage and appropriate traffic management measures);
- (b) parking of vehicles of site operatives and visitors;
- (c) areas for loading and unloading of plant and materials;
- (d) areas for the storage of plant and materials used in constructing the development;
- (e) location of any temporary portacabins and welfare buildings for site operatives;
- (f) any security hoardings;
- (g) any external lighting of the site;
- (h) measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (i) measures to control surface water run-off during demolition and construction;
- (k) construction and demolition working hours, and times during which delivery vehicles and vehicles taking materials away are allowed to enter or leave the site;
- (l) wheel-washing facilities during both demolition and construction phases;
- (m) areas for the turning of construction and demolition vehicles such that the largest anticipated vehicles can turn and leave the site in a forward gear.

The approved CEMP shall be adhered to throughout the demolition and construction period. Each facility (a) to (n) shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site other than those in the approved scheme shall be used for the purposes listed (a) to (n) above.

19) No development (including demolition) shall take place until:

- (i) An archaeological Written Scheme of Investigation (WSI) been submitted to and approved in writing by the local planning authority; and
- (ii) Any necessary safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the WSI have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the local planning authority.

The development should be carried out in full accordance with the approved details within the WSI.

20) The dwellings hereby approved shall as a minimum be constructed in accordance with Part M4(2) of the 'Accessible and adaptable dwellings' of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings –

dwellings 2015) (as amended). Prior to the occupation of the dwellings hereby permitted, written verification that the completed dwellings are in accordance with Part M4(2) of the Building Regulations 2010 (Approved Document 'M' – Access to and use of Buildings – dwellings 2015) (as amended) shall be submitted to and approved in writing by the Local Planning Authority. The completed dwellings shall be maintained in accordance with the standard thereafter in perpetuity.

- 22) The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the local planning authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

******* end of conditions *******