



Appeal Decision

Hearing Held on 16 October 2018

Site visit made on 16 October 2018

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5TH November 2018

Appeal Ref: APP/V0510/W/18/3195982

Land to the North East of Soham Road, Fordham, Cambridgeshire CB7 5LB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Endurance Estates Strategic Land Limited against the decision of East Cambridgeshire District Council.
 - The application Ref 17/01572/OUM, dated 31 August 2017, was refused by notice dated 4 January 2018.
 - The development proposed is for residential development, with all matters reserved except access, for up to 52 dwellings and associated development including public open space.
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Decision

1. The appeal is allowed and outline planning permission is granted for residential development, with all matters reserved except access, for up to 52 dwellings and associated development including public open space at Land to the North East of Soham Road, Fordham, Cambridgeshire CB7 5LB in accordance with the terms of the application, Ref 17/01572/OUM, dated 31 August 2017, subject to the conditions in the attached schedule.

Procedural Matters

2. The application was made in outline with all matters other than access reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to matters other than access.
3. The Council's appeal statement and decision notice refers to Policy LP3 of the emerging East Cambridgeshire Proposed Submission Local Plan 2017(ECSLP). The ECSLP is at an advanced stage and has been the subject of recent examination hearings. However, as I do not have evidence before me as to whether there have been any significant objections to the above policy and the Inspector's report has not yet been published, having regard to the advice provided in the National Planning Policy Framework (Framework)¹, I give these policies in the emerging Development Plan limited weight as a material consideration.
4. The main parties and third party representations also refer to the Post examination draft Fordham Neighbourhood Plan 2018 (NP) and in particular

¹ Paragraph 48 of the revised National Planning Policy Framework (2018)

Policy 1 on Housing Growth from the NP. The NP is at an advanced stage having recently received the examiner's report and is due to be the subject of a referendum on 8 November 2018. However, as the referendum has not yet taken place and the NP not yet made, having regard to the advice provided in the Framework, Town and Country Planning Act 1990 (as amended)² and the Neighbourhood Planning Act 2017³, I give the policies in the emerging NP moderate weight as a material consideration.

5. The Council states that, since the original application was determined, it can no longer demonstrate a five year supply of deliverable housing sites and I will return to this matter later.
6. A signed and completed Section 106 Agreement has been submitted by the appellant. This would secure contributions towards affordable housing and infrastructure provision and I return to this matter later.

Main Issues

7. The main issues are:
 - (i) Whether or not the proposed development would provide a suitable site for housing, having particular regard to the local and national planning policies relating to the location of new development in the District and the scale of the development relative to the services and facilities within the area; and
 - (ii) the impact of the proposal on local infrastructure and whether any adverse impacts can be effectively mitigated.

Reasons

Location of development

8. The appeal site comprises an open agricultural field covering about 2.26 hectares on the north-east side of Soham Road on the western edge of the village of Fordham. Residential development is located to the north-west and north-east and open fields to the south and east of the site. The appeal site has a generally flat topography with a relatively open frontage. The indicative details show a residential development of 52 dwellings with associated development including public open space and vehicular access off Soham Road.
9. The Council's Locational Strategy as set out in Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 (LP) seeks to direct most housing development to the district's larger settlements and lesser amounts to the villages in the rural areas. Fordham is identified as a village in Policy GROWTH 2 of the LP, where more limited development will take place within the defined development envelope thereby helping to support local services, shops and community needs. Policy 1 of the NP states that the housing requirement for Fordham between 2016 and 2036 is 350 dwellings.
10. The appeal site would be located outside the defined development envelope for the village of Fordham, wherein Policy GROWTH 2 of the LP states development will be strictly controlled and will not be permitted except where it complies with a limited range of specified categories set out in the Policy, which do not

² Section 70 (2) of the Town and Country Planning Act 1990 (as amended)

³ Sections 1 and 3 of the Neighbourhood Planning Act 2017

apply in this case. Consequently, the proposal would conflict with Policy GROWTH 2 of the LP and Policy 1 of the NP that seek to restrict inappropriate housing development outside the defined development envelope.

11. The Council considers that the scale of the development relative to the services and facilities within the area is unsustainable in this location. Paragraph 78 of the Framework seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. Paragraph 38 of the Framework requires Local Planning Authorities to take a positive approach to decision taking to secure development that can improve the economic, social and environmental conditions of the area. The appeal site is located on the western edge of the village outside the settlement and the built-up area of Fordham.
12. Fordham has a reasonable range of facilities and services, including two small supermarkets, public houses, churches, community/village halls, pre-school and primary school and all within walking distance of the site along established highway footpaths. A bus stop is situated a short walk from the site on Soham Road. The information provided by the appellant indicates that the village has a bus service linking the village to the larger settlements of Soham, Ely, Newmarket and Cambridge on an hourly basis Monday to Saturdays until early evening with no service on a Sunday.
13. As such, although future residents would be likely to depend on the private car to reach the essential services and employment available in nearby larger settlements, some day to day trips could be undertaken by sustainable means. However, the Framework recognises that opportunities to maximise sustainable transport will vary from urban to rural areas and different policies and measures will be required in different communities. Moreover, there is a regular bus service to larger settlements which together with a welcome travel pack would encourage new residents to utilise these public transport modes.
14. A number of planning applications have been received for housing development in and around Fordham recently and the cumulative impact of this development within the context of the settlement is considered by the Council and third parties to be a significant material consideration. The village is already subject to an increase of housing by about 452 homes and a 75 bedroom residential care home through other proposed developments approved in the village, including a housing scheme for up to 100 dwellings recently allowed on appeal in May 2018 on land off Mildenhall Road in Fordham⁴. The Council also point out that a scheme in Isleham for a further 125 dwellings would directly impact on the sustainability of the village. In percentage terms, the already permitted housing would amount to about 49% increase in growth within three years in Fordham and the surrounding area⁵.
15. However, as highlighted by the Inspector on the Mildenhall Road appeal, there is nowhere within the adopted development plan which sets a specific percentage when the growth of a settlement would be a tipping point from sustainable to unsustainable growth. I understand the wish of local residents to see the village grow incrementally and the level of growth proposed exceeds those figures set out in the NP. However, Policy 1 of the NP states that the housing requirement for Fordham is not a ceiling for housing growth. I

⁴ APP/V0510/17/3186765

⁵ East Cambridgeshire District Council Appeal Statement September 2018 Paragraphs 3.26-3.29, 5.3 and Figure 2

consider what is required is a case-by-case identification and assessment of any potential harmful impact, and if identified whether it can be mitigated or not. In addition to my considerations on the provision of existing services within the village above, I will assess any impact on local infrastructure when considering the submitted S106 agreement and the Community Infrastructure Levy (CIL) Regulations.

16. I therefore conclude that there would be some conflict with Policy GROWTH 2 of the LP and Policy 1 of the NP that seek to restrict inappropriate housing development outside the defined development envelope. The proposal would accord with the elements of the Policy GROWTH 2 of the LP that seek to limit growth to villages in order to support local services and with regard to Fordham being a sustainable village in locational terms. The appeal site is reasonably sustainably located adjacent to the village and built-up area of Fordham and would not be remote from the services and facilities in the village and nearby settlements of Soham, Ely, Newmarket and Cambridge. There would at least be a choice to use sustainable modes of transport to access local services and facilities and additional dwellings in this location would support the vitality of the village and surrounding rural communities in accordance with the aims of the Framework.

Local infrastructure

17. Paragraph 56 of the Framework and Regulation 122 of the CIL Regulations require that planning obligations should only be sought, and weight attached to their provisions, 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.
18. East Cambridgeshire District Council (ECDC) has an adopted CIL schedule 2012 which would secure a contribution from the appeal scheme toward appropriate infrastructure to support the development. Further to this, the main parties have submitted a signed and completed Section 106 Agreement dated 16 October 2018 (S106 Agreement) for affordable housing and infrastructure provision in accordance with Policy Growth 3 of the LP and the Council's Supplementary Planning Document on Developer Contributions 2013 (SPD).
19. The Section 106 Agreement provided by the appellant covers affordable housing. However, this is subject to what is known as a 'blue pencil clause' in the requisite number of affordable dwellings under definitions in the S106 Agreement. This means that this decision needs to be clear as to whether it is part a) providing 40% or part b) providing 30%, which complies with the CIL Regulation 122.
20. Policy HOU3 of the LP refers to affordable housing provision, and seeks the provision of a minimum of 40% of the total number on sites in the south of the District; and it indicates that Fordham lies within this part. The appellant has stated that they would provide 21 affordable homes in accordance with Policy HOU3 of the LP and no viability assessment has been submitted by the appellant to indicate that this cannot be provided in this case. The Council have stated that East Cambridgeshire has a high level of affordable housing need across the District. The appellant does not dispute this evidence and the S106 Agreement deals with such provision and would make a contribution towards local affordable housing need.

21. The S106 Agreement necessarily sets out the requisite number, tenures, definitions (including that relating to Affordable Rent) and provision rate in accordance with Policy HOU3 of the LP and the Framework. Accordingly, I find that this S106 Agreement would comply with the tests set out in CIL Regulation 122. For the avoidance of doubt, it is part a) and the provision of a minimum of 40% of the total as affordable housing that should be provided in this case.
22. The S106 Agreement includes provisions for open spaces, a play area and Sustainable Urban Drainage System within the appeal scheme including their on-going management and maintenance, in accordance with Policy Growth 3 of the LP and the SPD which are directly related to the development. The S106 Agreement requires the appellant to make a contribution of £37,680 towards improvements to the A142/A1123/Fordham Road roundabout. This would be necessary to mitigate the impact of the development on the local traffic infrastructure. The Council's RECAP waste management Supplementary Planning Document requires developers to provide for household waste receptacles as part of the scheme. The agreed financial contribution, based on £43 per dwelling, would meet that requirement.
23. I am satisfied that the proposed contributions set out above are necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with CIL Regulations 122 and 123. The contributions in the S106 Agreement and how they would be spent are supported by the relevant local plan policies, representations from the Council's consultees, Cambridgeshire County Council as the Local Highway Authority, the Local Planning Authority appeal statement and the statements from the Council in response to the S106 Agreement received from the appellant. I have therefore attached significant weight to them in reaching my decision.
24. The appellant has also included education and library provision contributions in the S106 Agreement sought by Cambridgeshire County Council (CCC) through the ECDC. CCC submitted S106 Supporting Statement sought indicative contributions for early years education up to the sum of £73,848, primary school education up to £412,671, secondary education up to £320,671, libraries at £3,759 and a monitoring fee of £650⁶. The evidence provided by the ECDC and CCC indicates that the Council's CIL charging schedule will not cover infrastructure such as education provision other than towards the Littleport schools, which the appellant disputes⁷.
25. There is an identified shortfall in early years childcare provision in Fordham arising from the existing population and as such insufficient capacity to accommodate the proposed development. CCC outlined in the evidence provided and at the hearing, that the agreed financial contribution would be toward a project to increase early years childcare places at the Fordham Pre-School in the village, including the additional 16 places that the proposal would create. I am therefore satisfied that this proposed contribution is necessary, directly related, and fairly and reasonably related in scale and kind to the proposed development, in accordance with CIL Regulations 122 and 123.
26. The Fordham Primary School has recently been expanded from 210 to 420 places based on the growth in primary school aged children and new housing planned in the village. However, little substantive evidence has been provided

⁶ Cambridgeshire County Council Education, Waste and Libraries Section 106 Requirements August 2018

⁷ Education and library submitted rebuttal statements prepared by Jan Kinsman February 2018 & October 2018

to show that the primary school was intentionally forward funded to accommodate the proposed development and as such it is unclear how the contribution sought directly relates to the appeal scheme in this case.

27. A secondary school education contribution is sought towards the expansion of Soham Village College to provide an additional 150 new places to accommodate the forecast population growth and consented developments in the catchment area. However, the amount sought has been worked out on the basis of a standardised secondary school contribution and does not directly relate to a specific project at the College to increase school places that directly relates to the proposed development. In this respect, it is unclear as to how the monies sought are fairly and reasonably related in scale and kind to the development.
28. Similarly, a library services contribution is sought towards a new mobile library stop to serve the development to mitigate the impact. There is some disagreement between the main parties on how many library stops are currently provided in Fordham and no evidence about the location and costs of providing a new stop that would be directly related to the appeal proposal. In this respect, it is unclear as to how the monies sought are fairly and reasonably related in scale and kind to the development.
29. Lastly, the monitoring fee of £650 appears to relate to normal monitoring activities that a County authority would be undertaking, rather than any exceptional circumstances or unusual monitoring actions. It is not necessary to make the development acceptable in planning terms and would not be CIL compliant. I therefore conclude that the primary and secondary education, library and monitoring contributions sought by CCC through EDCD, do not pass the CIL tests, and therefore cannot be taken into account.

Other Matters

30. Cromwell House, a Grade II listed dwellinghouse is located to the north-east of the site. Given the separation distance and the intervening landscaping and screening and the indicative layout showing single storey dwellings along the north-eastern edge of the development, I consider that the appeal scheme would have a neutral material impact on the setting of the listed building. The setting would therefore be preserved.
31. The appellant questions the Council's current housing policy position and the calculation of the Council's five year housing land supply. In light of the appellant's submitted five year housing land supply assessment and the requirements in the Framework, the appellant has questioned the deliverability of specific sites in the five year supply. The appellant has calculated a revised Housing Land Supply that demonstrates that the Council cannot provide more than 2.84 years supply of deliverable housing sites under various scenarios using the Sedgefield approach and a 20% buffer⁸. The overall approach and conclusion from this assessment is disputed by the Council who consider that they have a supply of between three and no more than five years of deliverable sites, citing the recent appeal decision off Mildenhall Road in support of this

⁸ Turley's Five Year housing Land Supply Interim Report October 2018

- position where the Inspector found that the Council could only demonstrate 3.86 year housing land supply⁹.
32. However, fundamentally these complications and the dispute between the parties over the approach taken and the difference in the figures are not crucial to my determination of the appeal. Whilst I note the main parties comments on application of paragraph 14 of the Framework to made NPs where the Local Planning Authority has at least a three year supply of deliverable housing sites, in light of the current status of the emerging NP in Fordham and the agreement between the main parties that the Council cannot demonstrate a five year land supply, and that the tilted balance in favour of sustainable development in Paragraph 11 of the Framework applies¹⁰, it is not considered necessary to look at the Council's current housing policy position in detail, given the prevailing circumstances at present.
33. I have noted the appeal decision drawn to my attention by the Council at Weston in Cheshire East regarding the weight given to the policies in an emerging NP by the Secretary of State¹¹. However, this relates to a large mixed use development in a different Local Authority in a different policy context. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with this development. I therefore accord this limited weight as a precedent in this case.
34. I note the objections from Fordham Parish Council, local residents and the local councillor to the proposal. These include the land not being allocated for development in the NP, the weight to be given to the NP, the pressure from speculative planning applications, the cumulative impact of the proposal on the services and facilities in conjunction with other developments planned in the village, highway safety, parking, traffic, air and noise pollution, wildlife, the impact on the character of the area and the amenities of local residents, particularly during the construction period.
35. However, I have addressed the matters relating to the NP, the cumulative impacts of the development and infrastructure provision in the main issues above. No objections were received from the Local Highway Authority to the proposal. The other matters raised did not form part of the Council's reasons for refusal. I am satisfied that these matters would not result in a level of harm which would justify dismissal of the appeal and can be dealt with by planning conditions or through the S106 Agreement, where appropriate. In addition, I have considered the appeal entirely on its own merit and, in the light of all the evidence before me, this does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.

Conditions

36. Having regard to the Framework and in particular paragraph 55, I have considered the conditions based on those suggested by the Council and the submissions received from the appellant¹². The conditions relating to the

⁹ ECDC Appeal Statement September 2018 and ECDC Rebuttal Statement dated 23 October 2018 to Turley's Five Year housing Land Supply Interim Report October 2018

¹⁰ Final Statement of Common Ground between ECDC and Endurance Estates Strategic Land Limited (as amended - see Doc 2 submitted by the Local Planning Authority at the hearing)

¹¹ APP/R0660/W/16/3150968 - ECDC Appeal Statement September 2018 Appendix 4

¹² Turley's Letter dated 24 October 2018 - Confirmation of Acceptance of Council's Proposed Pre-commencement conditions

- detailing of the reserved matters and the standard time limits for submission of the reserved matters and the commencement of development are reasonable and necessary (1 & 2). The condition relating to the housing numbers is necessary in order to allow for a design led approach and high quality development in the interests of the character and appearance of the area (3).
37. The provision of fire hydrants ensures an adequate supply of water for emergency use (4). For the construction period, in order to mitigate the environmental impact of development works and to protect the amenities of local residents, the control of site working hours and submission of a Construction Environmental Management Plan would be necessary to establish the measures required (5 & 6). Details of surface water and foul drainage arrangements would prevent pollution of the water environment and would comply with the submitted Flood Risk Assessment and Drainage Strategy (7 & 8). A condition to deal with any unexpected contamination found on the site would be clearly sensible, for the same reason (9).
38. A energy and sustainability strategy including on-site renewable energy generation is necessary in order to ensure an energy efficient and sustainable development (10). A condition relating to biodiversity is necessary to ensure protection and enhancement of wildlife and habitats (11). There is some potential for archaeological remains so a scheme of investigation on the site would be required to ensure proper assessment and recording (12).
39. A range of highway improvements are necessary to limit highway impact and to encourage and support sustainable transport options including Welcome Travel Pack for new residents (13), road, footway and cycleway surfacing (14), new junction and access visibility splays (15 & 16) and the arrangements for future maintenance and management of the streets in the development (17).
40. I consider all the conditions to be reasonable and necessary to the development of the site. Some of the particular requirements involve work to be done before development can start on site or before dwellings can be occupied. These measures are so fundamental to the acceptability of the proposal that it would be otherwise necessary to refuse planning permission.

Overall Planning Balance and Conclusion

41. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.
42. The Council accepts that it cannot demonstrate a five year supply of deliverable housing sites. The Framework states that relevant policies for the supply of housing cannot be considered up to date if the local planning authority cannot demonstrate such a supply. Consequently, LP Policy GROWTH 2 and Policy 1 of the NP cannot be considered up to date. LP Policy GROWTH 5 and Paragraph 11 of the Framework sets out the presumption in favour of sustainable development. For decision making this means that where the relevant policies are out of date, planning permission will be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
43. In terms of the adverse impacts, there would be limited negative effect on the area's character and appearance and the proposal would have modest negative

environmental effect in terms of use of natural resources arising from use of the private motor car in this rural location, although it is unlikely to generate a significant number of vehicle movements. The proposal accords with the overall aims of the relevant design development plan policies set out in the LP. Other potentially adverse effects would be overcome or satisfactorily mitigated by planning conditions and the Section 106 Agreement.

44. Against that, the proposal would provide 52 new dwellings, of which 21 would be affordable. Given the severe shortfall in housing provision in the area and the chronic shortage of affordable homes, this is a significant social benefit carrying very substantial weight. The contributions towards public open space, while necessary to mitigate the impact of the additional population from the development, would also be available to all villagers. These contributions together with the provision of a Local equipped area of play within the development are social benefits of the scheme which carries moderate weight.
45. The site is of limited ecological value and the landscape planting would offer the opportunity for increased biodiversity in the area, a key Framework environmental objective carrying moderate weight. The commitment to higher energy efficiency and the application of renewable energy technology and the Welcome Travel Pack for new residents are clear environmental benefits, representing a move towards a low carbon economy and promoting more sustainable means of travel. These are key objectives of the Framework and are environmental benefits that carry moderate weight.
46. The appeal site is within walking distance of the services available in the village, sufficient to meet some of the day to day needs of residents and the bus stop available along Soham Road provides access to a relatively good bus service by rural standards of every hour to nearby larger settlements. This would enable future residents to reach the essential services and employment available in these larger settlements and help reduce car dependency. These are key objectives of the Framework and are social and environmental benefits that carry moderate weight.
47. The development of the new housing scheme would provide construction jobs and the additional population would provide long term support for local village services and facilities, promoting the development of local businesses and supporting a prosperous rural economy. This is another key objective of the Framework and is an economic benefit that carries moderate weight.
48. Consequently, overall, in my view, the adverse impacts arising from this development do not significantly and demonstrably outweigh the scheme's benefits. The proposal would therefore represent a sustainable form of development when assessed against the Framework read as a whole. The factors above provide the material considerations to grant planning permission other than in accordance with the development plan in this specific case.
49. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Rupert Warren Q.C.	c/o Turleys
Steven Kosky	Director, Turleys
Duncan Jenkins	Endurance Estates Strategic Land Limited
Jan Kinsman	Educational Facilities Management Partnership Limited

FOR THE LOCAL PLANNING AUTHORITY:

Richard Kay	Strategic Planning Manager, ECDC
Anne James	Planning Consultant, ECDC
Stuart Clarke	Principal Planning Officer, CCC
Ian Trafford	Education Capital Project Manager, CCC

INTERESTED PARTIES:

Councillor Julia Huffer	Ward Member, ECDC
Malcolm Roper	Fordham Parish Council
Adil Aslam	Local Resident

DOCUMENTS SUBMITTED DURING THE HEARING

- Doc 1 Note from CCC dated 16 August 2018 on the Education and Library Provision Statement Produced by Jan Kinsman on behalf of Endurance Estates Strategic Land Limited with reference to the Planning Application 17/01572/OUM North East of Soham Road, Fordham submitted by the Local Planning Authority.
- Doc 2 Extract from the Final Statement of Common Ground showing final wording of Section 6 (Matters upon which the Parties disagree) submitted by the Local Planning Authority.

Schedule of Conditions

- 1) Approval of the details of the appearance, landscaping and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this decision.
- 2) The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters to be approved.
- 3) The proposal is for up to 52 dwellings.
- 4) No development shall take place until details of the position and number of fire hydrants required has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details, including any phasing arrangements.
- 5) Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours:

08:00 – 18:00 each day Monday – Friday
08:00 – 13:00 on Saturdays and
None on Sundays or Bank Holidays.
- 6) Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 7) No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
- 8) No development shall begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy prepared by MLM Consulting Engineers Ltd (ref: 618652-MLM-ZZ-XX-RP-C-0001, Rev 2) dated August 2017 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.
- 9) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local

Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.

- 10) Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 11) Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 12) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include:
 - The statement of significance and research objectives;
 - The programme and methodology of site investigation and recording;
 - The nomination of a competent person(s) or organisation to undertake the agreed works; and
 - The programme for post-excavation assessment and subsequent analysis, reporting, publication and dissemination, and deposition of the resulting archive. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.
- 13) Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The Packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.
- 14) Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on approved plan 41010_5501_SK01_A in writing by the Local Planning Authority.
- 15) The new junction shall be constructed as per approved plan 41010_5501_SK01_A and retained in this form.

- 16) Prior to occupation the visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan 41010_5501_SK01_A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 17) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.