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## Appeal Decision

Inquiry held on 16-18 May 2017 and closed on 25 May 2017

Site visit made on 18 May 2017

**by G D Jones BSc(Hons) DipTP DMS MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 20 July 2017**

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**Appeal Ref: APP/J0405/W/16/3154432**

**Land east of Buckingham Road, Steeple Claydon, Buckingham,  
Buckinghamshire**

- 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 Mr William Main, Manor Oak Homes against the decision of Aylesbury Vale District Council.
  - The application Ref 15/02671/AOP, dated 31 July 2015, was refused by notice dated 13 May 2016.
  - The development proposed is the erection of up to 95 dwellings with associated means of access, new footpath links, children's play area, areas of open space and landscaping.
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### Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 95 dwellings with associated means of access, new footpath links, children's play area, areas of open space and landscaping at land east of Buckingham Road, Steeple Claydon, Buckingham, Buckinghamshire in accordance with the terms of the application, 15/02671/AOP, dated 31 July 2015, subject to the conditions contained within the Schedule at the end of this decision.

### Preliminary Matters

2. The appeal proposals are for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the scheme, I have treated the details relating to these reserved matters submitted with the appeal application as a guide to how the site might be developed.
3. A legal agreement dated 25 May 2017, made under S106 of the Town and Country Planning Act 1990 (the S106 Agreement), was submitted during the course of the Inquiry and I have had regard to it in my consideration and determination of the appeal.
4. During the Inquiry the Council confirmed that, subject to the completion of the S106 Agreement, it would no longer wish to defend its second refusal reason concerning whether the necessary infrastructure would be delivered to accommodate the proposals. In view of the completed S106 Agreement I have adjusted the main issues as I identified them at the start of the Inquiry accordingly and determined the appeal on that basis in line with my advice to the parties during the Inquiry.

## **Main Issues**

5. The main issues are:
- Whether or not the Council is able to demonstrate a five-year supply of housing land;
  - The effect that the proposal would have on the character and appearance of the area; and
  - Whether any development plan conflict and harm arising is outweighed by any considerations, including housing land supply.

## **Reasons**

### *Five Year Housing Land Supply*

6. The National Planning Policy Framework (the Framework) requires the Council to meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. Applications for housing should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Council cannot demonstrate a five-year supply of deliverable housing sites.
7. Regarding the buffer to be applied in the calculation of the five-year housing land supply figure, although the Council considers that it may be in a position to apply the 5% buffer in the future due to improved performance, for the time being it still considers that the 20% buffer should continue to be applied. Consequently, the principal remaining areas of disagreement between the main parties on this matter are whether at this stage there should be an allowance for acknowledged unmet housing need in neighbouring local planning authorities' areas and regarding supply from four of the sites that the Council has identified as sources of housing delivery over the five-year period in question.
8. It is common ground between the main parties that the Council is currently able to meet the assessed housing need for the district alone over the five year period 2016-21, which amounts to 4,944 homes<sup>1</sup>. The evidence indicates that there is also unmet housing need in neighbouring local authorities' areas, including in Wycombe District, Chiltern and South Bucks. The evidence also indicates that there is a strong likelihood that provision will be made for meeting that unmet need within Aylesbury Vale District via the plan-making process.
9. With respect to Wycombe District there is a Memorandum of Understanding (MoU) between the two Councils concerned. The MoU indicates 1,700 dwellings as representing a justified figure for unmet housing need arising from Wycombe District for the period 2013-33 which the Council has agreed to accommodate in addition to its own objectively assessed need and that this figure will need to be assessed and tested through the examination process<sup>2</sup>.

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<sup>1</sup> The figure of 4,944 homes is derived from the requirement of 4,825 identified in the Buckinghamshire Housing and Economic Development Needs Assessment Update 2016 – Report of Findings, 5 December 2017 [CD08/03], minus previous over-supply of 705 homes based on completions in the period 2013-16, plus the 20% buffer as set out in Inquiry Document 1.

<sup>2</sup> CD08/07

10. The Council has also stated that in principle it intends to accommodate some of Chiltern and South Bucks Districts' housing needs but no similar MoU has yet been agreed. Nonetheless, the three Councils concerned have had discussions over the matter and reference has been made to a figure of 5,800 dwellings, albeit that that amount is not formally agreed.
11. While there is a clear intent on the part of the Council to accommodate neighbouring Councils' housing needs, any assessment of such unmet need is yet to be tested and agreed through the respective local plan processes. To include any such, as yet untested, need within the five-year housing land supply requirement would amount to the application of the so-called 'policy-on' approach. On this basis, having regard to the *Oadby and Wigston* Court of Appeal judgment<sup>3</sup>, I consider that this would be the wrong approach at this stage and consequently I favour the Council's methodology in respect to the housing requirement. I also note that this is consistent with the approach taken by other Inspectors when determining recent appeals for housing development elsewhere in the District<sup>4</sup>. Nonetheless, I return to the issue of neighbouring local authorities' unmet housing need as part of my assessment of the third *main issue*.
12. In respect to housing delivery over the five-year period, in light of the appellant's evidence, the Council has discounted its forecast delivery from four sites amounting to 88 units in total<sup>5</sup>. There are also four further sites that remain in dispute between the main parties.<sup>6</sup>
13. Regarding Field Farm (Site G) and Rumbolds Well (Site I), given the evidence that there would be likely to be two outlets / developers at the first of these, and regarding vacancy and the nature of the remaining leases at the latter, I do not consider the Council's projected delivery rates from either to be unrealistic. However, given the existing uses at the Winslow Rugby Club and Winslow Centre sites, on the evidence before me, there is a reasonably significant degree of doubt regarding whether either would yield any homes before April 2021. Therefore, in addition to the 88 units identified above, a further 25 and 15 dwellings respectively should be discounted from the Council's forecast delivery.
14. Accordingly, the Council's total projected supply from identified sites should be reduced from 6,177 by 128 to 6,049 dwellings. Following the Council's methodology of deducting 10% for non-implementation and adding 212 windfall units, the final projected supply amounts to 5,656 homes. Set against a requirement of 4,944 homes, as identified above, this equates to an over-supply of 712 homes over the five-year period or 5.72 years' supply. For this reason, therefore, the Council is able to demonstrate a greater than five-year supply of housing land<sup>7</sup>.

### *Character & Appearance*

15. The appellant has produced a detailed Landscape and Visual Impact Assessment (LVIA) of the proposal, which has largely been adopted by the

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<sup>3</sup> CD05/07

<sup>4</sup> CD04/01 & CD04/08

<sup>5</sup> The Council's formal five-year housing land position is set out in an interim statement [CD09/02], which identifies the source sites for its forecast housing delivery over the period and total delivery of 6,177 homes

<sup>6</sup> The updated agreed and disputed sites are summarised in Tables 1 and 2 of Inquiry Document 2

<sup>7</sup> Measured against the assessed housing need for the District alone in the absence of any agreed housing requirement or up-to-date development plan policies for the supply of housing

appellant's landscape witness. The Council has not produced its own LVIA but has nonetheless, made a reasonably detailed assessment which comes to different conclusions regarding the effect of the development in landscape and visual impact terms. I focus, therefore, on the principal matters on which the main parties differ. These are primarily whether or not the site is a 'valued landscape' in the terms of paragraph 109 of the Framework and the visual impact that the appeal development would have reasonably near to the site.

16. The appeal site has no specific landscape designation or protection in adopted planning policy terms. Nonetheless, it does not necessarily follow that the site's landscape is without worth or value, as is recognised by the Guidelines for Landscape and Visual Impact Assessment (the GLVIA). The GLVIA identifies a series of factors that are generally agreed to influence value and which help in the identification of valued landscapes. The LVIA makes no direct judgement in respect to whether or not the site and its surrounding amount to a 'valued landscape', however the main parties' witnesses have both undertaken their own assessment to this end having regard to the GLVIA.
17. I do not agree with all of the Council's landscape witness's conclusions on each factor, particularly 'recreational value' given that - while there is evidently public use of the site, as apparent from the path that runs along its southern boundary - the land is private property with no public rights of way within it. Nonetheless, even if I were to wholly accept the Council's assessment of these features and bearing in mind both the Forest of Dean and the Stroud judgments<sup>8</sup>, there is nothing therein that takes the site and its context out of the ordinary as such. Indeed having taken the wider evidence into account and from what I observed when I conducted my site visit, I have found nothing that leads me to conclude otherwise. Therefore, while its open undeveloped nature is clearly appreciated and valued by those who live in and travel around the area, the site and its context do not amount to *valued landscape* within the meaning of Framework paragraph 109.
18. Nonetheless, the introduction of development to any undeveloped site would be very likely to alter its character. From the information before me and from what I heard during the Inquiry it is evident that the site is valued locally. It is situated on the north-eastern edge of Steeple Claydon and bounded by Buckingham Road to the west, by residential development within Sandholme to the south, and by fields to the north and east. It comprises a set of fields of some 4.6 hectares, used for agricultural purposes and which are comparable in general appearance to the neighbouring fields. The land slopes steadily downward roughly from south to north.
19. Other than its topography, hedges and trees, particularly to the western boundary to Buckingham Road, and the assorted residential boundary treatment to the neighbouring dwellings in Sandholme to the south, the site has few features. To a large extent, therefore, its value stems from the fact that it is open, undeveloped and visible particularly in public views from Buckingham Road as one approaches and leaves the village and from more distant views from the north across the valley. While much diminished by the village's progressive development down parts of the ridge that has taken place over the last 150 years or so, its appearance as a hill / ridge top village

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<sup>8</sup> CD 04/07 and CD 05/04

remains legible. The appeal site is visible in some views from which that legibility is apparent, albeit to a limited extent.

20. Steeple Claydon falls within two landscape character areas: LCA 5.4 Twyford Vale and LCA 7.3 Claydon Bowl as identified in the Aylesbury Vale Landscape Character Assessment<sup>9</sup>. The appeal site lies within the Claydon Bowl LCA, and its boundary with the Twyford Vale LCA runs some 250 metres to the west of the appeal site at its closest point. Given the separation distances, topography and intervening development and planting, in general there is only a limited relationship between the site and Twyford Vale LCA such that the appeal development would not have a significant effect on that LCA.
21. The development would have an adverse effect on a number of the key characteristics of the Claydon Bowl LCA identified in the LCA description<sup>10</sup>. These include those relating to 'sloping ground' on the basis that the natural terrain of the site would be altered to accommodate the built form and be partly masked, and to 'mixed farming' due to the change of use. The scheme would also adversely affect the relationship between settlement and topography as development would be seen to extend onto lower-lying terrain from the existing settlement edge on the eastern side of Buckingham Road notwithstanding the existing residential development to its western side facing the site. While the appeal development does offer landscape benefits, notably in the form of planting as well as screening of the rather harsh, abrupt existing settlement edge to the north of Sandholme, overall there would be significant harm to the local landscape and setting of the village.
22. I tend to agree with the Council that the LVIA rather plays down the visual effects of the proposed development, as does the assessment of the appellant's landscape witness. Consequently, while I recognise that he takes a rather cautious approach to the success of the proposed mitigation, I broadly concur with the Council witness's assessment of the visual effects of the scheme as set out in his proof of evidence, which - with mitigation following 15 years - are no greater than Moderate<sup>11</sup>.
23. In summary, therefore, the development offers some potential benefits, particularly in terms of addressing what is currently a rather hard edge to the settlement in this part of the village. Nonetheless, the scheme would result in the loss of countryside, and cause harm to the local landscape and the setting of the village, as well as visual harm. Consequently, it would have a significant detrimental effect on the character and appearance of the area contrary in that regard to Policy GP35 (the design of new development proposals) of the Aylesbury Vale District Plan Jan 2004 (the AVLP).
24. Although not cited in either of its refusal reasons, the Council's case is now that the appeal scheme would also conflict with AVLP Policy GP84 regarding public rights of way. Only the first part of the Policy is relevant in this case, which essentially requires a decision-taker to have regard to any effect on public rights of way 'routes'. Assessment of compliance with the Policy requires a balanced approach to be taken. The aims of the Policy would be furthered by the proposed improvements to the network of paths available to the public.

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<sup>9</sup> CD 10.01-04

<sup>10</sup> CD 10.03

<sup>11</sup> This is in contrast to the revised assessment set out in Mr Radmall's Rebuttal Proof of Evidence which generally sets the visual effects as being greater without clear justification in his written or oral evidence

There would be no direct effect on the existing public right of way network resulting from the scheme but there would be some changes apparent in a reasonably limited number of views from that network as outlined above. Subject to the proposed mitigation, on balancing these considerations I do not consider that there would be a breach of AVLP Policy GP84. However, this does not alter my overall finding on this main issue as outlined above.

#### *Other Considerations and Planning Balance*

25. Although the Council can demonstrate over five years' worth of deliverable housing land against the District's housing requirement to April 2021, it is common ground between the main parties that the tilted balance of Framework para 14 would be engaged were I to conclude that the site does not form part of a valued landscape. I agree, given that relevant policies of the development plan are out-of-date in the terms of para 14 bearing in mind that the development plan is currently comprised of the saved policies of the AVLP, which planned for the District's development needs, including housing, up to 2011 only.
26. While not forming part of the development plan, I am also mindful that the emerging development plan - in the form of the Vale of Aylesbury Local Plan (the eVALP) and the Steeple Claydon Neighbourhood Plan (the eSCNP), which are both at pre-submission stage - has yet to reach an advanced stage.
27. I also agree with the main parties that Policy GP35 of the AVLP is broadly consistent with the Framework such that it should be afforded full weight.
28. As set out above, while I have identified harm to the character and appearance of the area, I do not consider that the site forms part of a 'valued landscape' in the terms of the Framework. My attention has not been drawn to any other substantiated basis for concluding that specific policies in the Framework indicate development should be restricted and nor have I found any. Consequently, as relevant policies of the development plan are out-of-date, the appeal development should be granted planning permission 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.
29. In terms of the economic and social dimensions of sustainable development, I have no good reason to believe that the appeal proposal would not be deliverable and, notwithstanding the presence of a Framework compliant supply of housing land in the area, it would increase the supply and choice of housing, which would support the government's objective to boost significantly that supply.
30. Regarding affordable housing I note that the Statement of Common Ground (SoCG) records that such provision would be 'a significant benefit of the development', although in the Council's planning witness's proof of evidence the weight carried by the proposed affordable housing provision is identified as only moderate. That weighting appears to rely on an annualised assessment of housing need which predates the publication of the HEDNA<sup>12</sup>.
31. However the HEDNA states, among other things, that *given the unmet need from almost 1,800 households needing affordable housing at the start of the*

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<sup>12</sup> The Buckinghamshire Housing and Economic Development Needs Assessment Update 2016 – Report of Findings, 5 December 2017 [CD08/03]

*Plan periods, it will be appropriate to maximise affordable housing delivery in the early years of the Plans, providing that this does not unduly compromise overall levels of housing delivery in the area.* On that basis and having regard to the wider evidence, I consider that the proposed affordable housing delivery alone should carry significant weight in favour of the appeal development.

32. The development would also contribute towards economic growth during the construction phase in terms of employment and possibly an increase in local spending. In the longer term, the additional population may increase the potential for spending, for instance in local shops, and help support the sustainability of local services. The SoCG states that Steeple Claydon is a sustainable settlement which can accommodate new development of an appropriate scale as it provides a range of local services within walking distance of the site. I agree. Although primarily intended to address needs arising from the development such that they attract only limited weight, the proposed enhancements to education, public transport and recreation facilities are also likely to be of some benefit to the wider community. All of these foregoing matters collectively carry considerable weight in favour of the proposals.
33. In terms of the environmental dimension, through the careful consideration of matters of detail that would be controlled at the reserved matters stage, a high quality built and living environment within the site could be achieved. This would incorporate enhanced public access / footpaths and public open space / play equipment. Additional planting and biodiversity enhancements are also proposed. Nonetheless, as identified above, the appeal scheme would have a harmful effect on the character and appearance of the area in conflict with development plan policy. Consequently, overall the net effect in environmental terms would be significantly negative.
34. In the context of the Council being able to demonstrate a five-year supply of housing land the weight in favour of the appeal development is tempered, albeit to a limited extent bearing in mind the acknowledged potential extent of unmet need in the neighbouring Council areas and the recognition that at least some of that unmet need is likely to be accommodated in Aylesbury Vale District. Overall, in the context of out-of-date relevant development plan policy, the benefits of the appeal scheme are not significantly and demonstrably outweighed by the adverse impacts that would arise such that the appeal scheme would represent sustainable development in the terms of para 14 of the Framework.

### **Other Matters**

35. In the event that planning permission were to be granted and implemented the S106 Agreement would secure the provision of on-site affordable housing at a rate of 30%; on-site open space, play and sports facilities; contributions towards the provision of off-site sport and leisure facilities, sustainable transport measures, and education; footpath improvement works; and planting, including off-site planting.
36. The Council has submitted a S106 Agreement Note<sup>13</sup>, which addresses the application of statutory requirements to the planning obligations within the S106 Agreement and also sets out the relevant planning policy support /

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<sup>13</sup> Inquiry Document 5

justification. I have considered the S106 Agreement in light of Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so, I am satisfied that the obligations therein would be required by and accord with the Policies set out in the S106 Agreement Note. Overall, I am satisfied that all of those obligations are directly related to the proposed development, fairly and reasonably related to it and necessary to make it acceptable in planning terms.

37. In addition to the foregoing matters, concern has been expressed, including by those who spoke at the Inquiry, in respect to several considerations. These include the proposed development's effect on wildlife and biodiversity, on pollution, including light and noise; on archaeology; on highway safety / congestion; on available agricultural land, countryside and land used for walking; on public views; and on local facilities / infrastructure, including health, education, roads, emergency services and utilities, as well as in respect to their existing adequacy.
38. Other issues raised relate to: the scale of the development proposed; whether its approval would cause other nearby fields to come under pressure to be developed; the village is said to already have plenty of recreation areas; local facilities are said not to be within easy walking distance of the site such that most residents would drive to them; additional bus services are not considered to be sustainable in the long term; the scheme should be reconsidered in the context of other proposals in the area, including consented housing and HS2 / associated works; the village has already taken its quota of new development, which should be directed to large settlements; the scheme is speculative to meet the area's housing requirement; the proposals are contrary to planning policy and the land is located outside the identified village boundary; an existing footpath runs across the site which should be treated as a public right of way; and such development should not be allowed to get a head of the neighbourhood planning process.
39. These matters are largely identified and considered within the Council officer's report on the appeal development. They were also before the Council when it prepared its evidence and when it submitted its case at the Inquiry. Other than as set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions in these respects subject to the S106 Agreement and the imposition of planning conditions.
40. There were also some representations made in support of the appeal scheme. However, these have not altered my overall decision.

### **Conditions and Conclusion**

41. The Council and the appellant jointly prepared a list of draft conditions, which include the standard time limit/implementation conditions<sup>14</sup>. I have considered these in the light of government guidance on the use of conditions in planning permissions and made amendments accordingly.

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<sup>14</sup> Inquiry Document 7

42. In order to provide certainty in respect to the matters that are not reserved for future consideration, a condition requiring that the development is carried out in accordance with the approved plans would be necessary. For that reason and to protect the character and appearance of the area, conditions limiting the number of dwellings permitted and the height of those buildings would also be necessary. Conditions to control the provisions for surface water drainage and management along with their maintenance would also be necessary to reduce flood risk and to control surface water run-off.
43. Conditions would be necessary to secure arboricultural and biodiversity mitigation including details of lighting to protect the character and appearance of the area, as well as trees and hedgerows, and wildlife and their habitat. A condition would also be necessary to ensure that features of archaeological interest are properly examined / recorded. To promote sustainable modes of transport and reduce the need for travel and in the interests of highway safety, a condition to secure the implementation of a Travel Plan would be necessary.
44. Conditions to control ground floor slab levels and external lighting would be necessary to help the development harmonise with its context. In the interests of highway safety and to safeguard residents' living conditions, conditions would also be necessary to ensure that the construction works proceed in accordance with a Construction Method Statement. To support the development of high quality communication infrastructure, a condition to assist the delivery of high-speed broadband to the development would be necessary.
45. In conclusion, although the Council is able to demonstrate a five-year supply of housing land, in the context of out-of-date relevant development plan policy, the benefits of the appeal scheme are not significantly and demonstrably outweighed by the identified harm to the character and appearance of the area and the associated conflict with Policy GP35 of the AVLP when assessed against the policies in the Framework taken as a whole. On that basis the appeal scheme would represent sustainable development in the terms of the Framework, which is a material consideration that, in the absence of up-to-date housing policies, outweighs the conflict with the development plan as a whole. Accordingly, the appeal is allowed subject to the identified conditions.

*G D Jones*

INSPECTOR

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mark Westmoreland Smith, of Counsel	Instructed by Helen Forbes, HB Public Law acting on behalf of Aylesbury Vale District Council
He called	
Peter Radmall MA BPhil CMLI	Landscape witness
Philippa Jarvis BSc (Hons) DipTP MRTPI	PJPC Ltd (Planning Consultancy)

### FOR THE APPELLANT:

Paul Tucker, of Queens Counsel <sup>15</sup>	Instructed by Michael Robinson, Partner, Strutt and Parker
He called	
Ben Wright BA(Hons) DipLA CMLI	Director, Aspect Landscape Planning Ltd
Michael Robinson BA(Hons) DipTP MRTPI	Partner, Strutt and Parker

### INTERESTED PERSONS:

Mr Haest	Local Resident
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## DOCUMENTS submitted at/following the Inquiry

- 1 Five Year Housing Land Supply Scenarios Summary
- 2 Updated Tables 1 & 2 regarding supply from identified housing sites
- 3 Extract from Executive Summary of the Housing and Economic Land Availability Assessment January 2017
- 4 A2 copy of drawing No FRA02RevB, Proposed Impermeable Area
- 5 S106 Planning Obligations – CIL Compliance Schedule
- 6 Plans to be appended to the S106 Agreement: (a) Location Plan – Drawing No 1508 EX001 RevA; and (b) Blue Land Plan – Drawing No. 6062 / BLP
- 7 Revised schedule of suggested conditions
- 8 Draft S106 agreements: (a) Bilateral; and (b) Multilateral
- 9 Signed legal agreement, dated 25 May 2017, pursuant to Section 106 of the Town and Country Planning Act 1990

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<sup>15</sup> Mr Tucker was assisted by Sarah Reid of Counsel, however, she did not act as advocate for the appellant and attended the Inquiry primarily on the basis that Mr Tucker would have been unable to attend had the Inquiry extended into a fourth day, in which case she would have taken over as advocate on behalf of the appellant.

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/J0405/W/16/3154432:

1. Application(s) for approval of the appearance, landscaping, layout and scale of the proposed development, hereinafter referred to as the reserved matters, shall be made to the local planning authority not later than three years from the date of this permission.
2. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
3. The development hereby permitted shall comprise no more than 95 dwellings.
4. The development shall relate to the following approved plans:
  - Site location plan (dwg. no. EX001);
  - Access plan (dwg. no. TA10 A); and
  - Footway improvements plan (dwg. no. TA11).
5. The dwellings hereby permitted shall not exceed two storeys in height.
6. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include:
  - Details on ground suitability, in particular infiltration;
  - Infiltration rate tests in accordance with BRE365;
  - Detailed drainage layout;
  - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 year storm event without flooding. Any on site flooding between the 1 in 30 and the 1 in 100 plus climate change storm event shall be safely contained on site. These shall be submitted as a MicroDrainage network file or report;
  - Source control methods such as those mentioned in the Drainage Strategy in Section 4.3; attenuation feature and tanked permeable paving;
  - Consideration shall also be given to the inclusion of other source control measures. These features can include but are not limited to swales, filter drains, green roofs and green walls. The inclusion or exclusion of these sustainable drainage system components shall be reasonably justified, evidenced and documented;
  - Discharge off-site to be limited to QBAR Rural of 7.5l/s/ha; and
  - Details of the timing of provision of the surface water drainage scheme and features within it.
7. Development shall not begin until a whole life maintenance plan for the sustainable drainage system (SuDS) has been submitted to and approved in writing by the local planning authority. The plan shall set out how and when the full SuDS (e.g. a maintenance schedule for each drainage/SuDS component approved pursuant to Condition 6) is managed / maintained following construction with details of who is to be responsible for the maintenance. The plan shall subsequently be implemented in accordance with the approved details.
8. No development shall begin until details of the means of protecting trees and hedges within and immediately adjacent to the site, including root structure,

from injury or damage prior to or during the development works have been submitted to and approved in writing by the local planning authority. Such protection measures shall be implemented before any works are carried out and retained during building operations and furthermore, no excavation, site works, trenches or channels shall be cut or laid or soil, waste or other materials deposited so as to cause damage or injury to the root structure of the trees or hedges.

9. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
10. No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March – August inclusive) unless a bird nesting survey has been submitted to and approved in writing by the local planning authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species no development shall take place within those areas identified as being used for nesting during the period specified above.
11. Prior to the occupation of the first dwelling, a Final Travel Plan shall be submitted to and approved in writing by the local planning authority. This Plan shall include objectives, targets, mechanisms and measures to achieve targets and implementation timescales, monitoring and review provisions and provide for the appointment of a Travel Plan co-ordinator. The development shall thereafter be implemented in accordance with the approved Plan.
12. No development shall take place until full details of existing and proposed ground levels, and internal finished floor levels of the dwellings in relation to those existing and proposed ground levels, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
13. The details to be submitted pursuant to Condition 1 shall include details of any external lighting (including any floodlighting) to be provided in any public areas. Such details shall include the location, height, type, direction and intensity of the illumination, the hours at which the lighting within the approved scheme is to be operated, and a phasing programme for its installation. External lighting shall be installed in accordance with the approved details before the phase of development to which it relates is first occupied or brought into use.
14. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period and shall provide for:
  - The parking of vehicles of site operatives and visitors;
  - The loading and unloading of plant and materials, and the scheduling of HGV deliveries to avoid peak times of highway use associated with Furze Down School;
  - Storage of plant and materials used in constructing the development;
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, and lighting;
  - Measures to prevent mud from vehicles being deposited on the highway;

- Measures to control the emission of dust, dirt and noise during construction;
  - A scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - Hours of construction and demolition works.
15. No development shall take place until a scheme of ecological enhancement in accordance with the Ecological Appraisal by First Environment Ltd, dated July 2015, for the development hereby permitted, has been submitted to and approved in writing by the local planning authority. The scheme shall make provision for:
- The planting of new hedgerow to compensate for that lost through the development hereby permitted;
  - Detailed proposals for the proposed hedgerow meadow, wildflower meadow and wetland meadow;
  - The installation of bat boxes in respect of those trees to be felled; and
  - An implementation programme including future management and maintenance arrangements.
- Development shall be carried out in accordance with the approved details.
16. No development shall take place until details of measures to facilitate the provision of high speed broadband for the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.