

Appeal Decision

Hearing held on 9 November 2021

Site visit made on 10 November 2021

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th December 2021.

Appeal Ref: APP/C3810/W/20/3264105

Land to the east of Shripney Road, Shripney, Bognor Regis, West Sussex, PO22 9NW

- 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 Hanbury Properties Ltd against the decision of Arun District Council.
 - The application Ref BE/109/19/OUT, dated 3 October 2019, was refused by notice dated 25 June 2020.
 - The development proposed is described in the application form as 'outline application for up to 46 dwellings together with access, with all other matters reserved'.
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Decision

1. The appeal is allowed and planning permission is granted for up to 46 dwellings together with access at land to the east of Shripney Road, Bognor Regis, PO22 9NW in accordance with the terms of the application, Ref BE/109/19/OUT, dated 3 October 2019, and the plans submitted with it, and subject to the conditions set out in the attached schedule.

Applications for costs

2. An application for costs has been made by the appellant against Arun District Council. This application is the subject of a separate decision.

Preliminary Matters

3. The application is in outline with access to be considered in detail. Matters of appearance, landscaping, layout and scale are reserved for future consideration. The submitted drawings include an illustrative masterplan, which I have treated as being for indicative purposes only.
4. The appellant has submitted a s106 undertaking seeking to address the Council's fourth reason for refusal regarding affordable housing and its fifth reason for refusal regarding the provision of public open space and childrens equipment. I go on to consider this undertaking later in the decision.

Main Issues

5. The main issues are:
 - Whether the proposal would accord with the Council's strategy for residential development;

- The accessibility of the site, with particular regard to services and facilities;
- The effect upon the character and appearance of the area;
- Whether the proposal would result in unacceptable flood risks, with particular regard to climate change; and
- The effect upon agricultural land.

Reasons

Strategy for residential development

6. Policy SD SP 2 of the Adoption Arun Local Plan 2011-2031 ('the Local Plan') identifies the built-up area boundary which is defined for the main towns and villages in the District. It seeks to protect the natural environment by strictly controlling development in the countryside and by focusing development within then built-up area.
7. The appeal site is not an allocated site and is located outside of the defined built-up area boundary. It does not fall within any of the categories of development that are generally supported in the countryside by Policy C SP1 of the Local Plan which seeks to recognise the intrinsic character and beauty of the countryside. It is therefore contrary to the aims of both this policy and Policy SD SP2.
8. It would also not accord with Policy ES7 of the Bersted Neighbourhood Plan 2014-2029 ('the Neighbourhood Plan') which states that development outside of the built-up area boundary will not be supported, to protect the countryside from unnecessary development.
9. I go on to consider the weight to be given to these matters later in the decision.

Character and appearance

10. Although it comprises open land, the site lies between existing residential development adjacent to both its north and south boundaries. Existing development is also located on the opposite side of Shripney Road. Existing and proposed commercial development further to the south, including the recent Saltbox Field development, has reduced the gap between the main built up settlement of Bognor Regis and the village of Shripney. Given the close relationship of the site with existing development within Shripney and the existing residential development immediately adjacent to the site's southern boundary, the proposal would not have a significant impact on the spatial gap between Shripney and the main built up area of Bognor Regis. Although the Council refers to a 'green wedge' having been deliberately put in place to stop urban creep and coalescence of settlements, there is no such policy that specifically imposes a green wedge.
11. Located between existing parcels of development and with considerable landscaping along its eastern boundary, the site appears as being largely disconnected from the open arable fields to the east. However, the absence of development and existing trees and vegetation on its front and rear boundaries provides some limited visual benefits when viewed from the road and footpath immediately to the west, contributing to the semi-rural character of the village.

12. The illustrative masterplan demonstrates how the site might be developed whilst retaining the majority of its existing boundary trees. It also shows how the development could be achieved with a general density and layout that would generally be appropriate to the village. The opening up of the access and provision of visibility splays would allow some limited views into the site. Despite the retention of trees and fairly low proposed density, the development of up to 46 dwellings would still lead to the urbanisation of the site. It would result in the loss of the existing open space of some considerable size within the village with some, albeit fairly limited localised adverse effect on its overall semi-rural character and appearance.
13. Fleeting glimpses of the development would also be visible from the A259 to the south east. However, due to the proposed retention of boundary screening and the setting of the site next to existing development, any negative visual effects are only likely to be minor in this respect. Similarly views from the public footpath through the field from the north east would only be affected to a minor degree.
14. In conclusion there would be some, albeit fairly limited, harm to the character and appearance of the area mainly from the loss of the open field as described above. Whilst this harm would be fairly limited it would be contrary to the general aim of Policy C SP1 to recognise the intrinsic character and beauty of the countryside.

Accessibility

15. Policy T DM1 of the Local Plan includes the requirement for development proposals to be located with easy access of established public transport services and other sustainable means of transport which links the development with key destinations including places of work, education, leisure and town centres. Such sustainable transport aims are also sought by Local Plan Policy T SP1.
16. Although located outside of the built-up area boundary with very limited facilities within the village of Shripney, the site would be within reasonable walking (via a footway) and cycling distance of some local services and facilities, including a new supermarket and other services included as part of the nearby 'Salt Box' development. The new development to the south would also provide local employment options. Although there are no cycle lanes, this would not prevent use of the bicycle for some journeys, particularly given the generally flat terrain. There are also formal cycle routes available not far from the site including on the route to Bognor Regis.
17. The pedestrian crossing proposed to be implemented as part of the development would help enable and encourage pedestrian access to these services. These local facilities would not meet each and every day to day need of future residents and it is likely that a good proportion of residents may travel further afield for employment. However, there is a local bus service that would quickly connect the site to other destinations, including Bognor Regis town centre and railway station.
18. The bus service is not a particularly frequent one and does not operate on Sundays and public holidays. However, it would, for example, provide a feasible option for travel to and from work in Bognor Regis where required and also to and from local schools.

19. Although the proposal would not directly contribute to the extension of public transport services and community transport services, this is not something that all developments could reasonably be expected to do and there is no indication of any specific request from the Council for this scheme to do so. Such a requirement is therefore not reasonably applicable in this case.
20. Taken together whilst the location of the site cannot be considered to be highly accessible by sustainable means of transport and would lead to instances of residents travelling to other locations by car, the proposal would provide reasonable scope for a good number of trips to be made by alternative methods to the car. This is consistent with the comments of the Inspector in a recent appeal decision following an application¹ for residential development at a nearby site at The Cottage, Shripney Road.
21. In the context of the National Planning Policy Framework ('the Framework') the proposal would provide for appropriate opportunities to promote sustainable transport modes, including cycling, walking and public transport. Whilst 'high quality' public transport would not be immediately available at the site, sustainable links, including via bus, would be available to the rail network. The proposal, as far as is reasonably possible, would promote sustainable travel.
22. The proposal would therefore generally accord with the sustainable access aims of Policies T DM1 and T SP1 of the Local Plan and the Framework.

Flood risk

23. The large majority of the site is currently within Flood Zone 1. Whilst a narrow section at the front of the site is within Flood Zone 2 and the ditch which marks the site boundary in the south east corner is designated as Flood Zone 3, these are at the periphery or edge of the site. The illustrative masterplan shows how the scheme could be implemented without built development in these areas. The Council confirmed at the hearing that its primary concern in this regard relates to the future effects of climate change upon potential flooding at the site.
24. The Council's Strategic Flood Risk Assessment 2016 (SFRA) indicates that, taking account of climate change, the site could potentially be partly in Flood Zone 3a by 2061 and wholly within Flood Zone 3a by 2111.
25. The appellant's evidence, including information provided by the Environment Agency, indicates that when taking account of the highest increase in peak flows taking account of climate change, the main part of the site where the proposed dwellings are likely to be located (based on the illustrative masterplan) would remain outside of the fluvial (river) flood extent during a 1 in 100 annual probability event. This has been shown to be the case for both a defended and undefended scenario.
26. There would potentially be a risk of pooling of water within a small section of the site adjacent to Shripney Road (and on Shripney Road itself) but as noted above, the scheme could be designed without built development in these areas and a condition could be imposed in order to secure an alternative safe and dry access/egress via the north western corner of the site. The appellant has also demonstrated that access for emergency services would not be restricted. Detailed drainage matters including surface water drainage appear able to be

¹ Application Ref BE/69/19/OUT (Appeal Ref. W/4000456)

- dealt with by condition for future approval and as part of a subsequent highway works approval.
27. The risk from tidal flooding is based upon an undefended scenario without existing flood defences being in place. The appellant's Flood Risk Assessment Addendum refers to these as 'high ground', but it is understood from discussion at the hearing that they also comprise coastal sea defences. The information provided by the appellant shows that, after consideration of existing catchment wide and coastal flood defences, tidal flood waters would not reach the site during low probability tidal events, including the potential effects of climate change.
28. From the information before me, there appears to be no reasonable likelihood of the tidal flood defences being allowed to fail and it seems in the best interests of all concerned that they will be suitably maintained into the future. This includes through the implementation of the Shoreline Management Plan providing for a plan for the inspection, management and maintenance of coastal flood defences.
29. Notwithstanding that the appellant doubts the need for it, the Council has agreed the appellant's Sequential Test that demonstrates that there are no other reasonably available alternative sites within the defined area of search confirmed by the Council.
30. Turning to the Exception Test, for the reasons set out above, the risk of any significant future flooding of the site as a result of climate change would be very low taking account of the existence of tidal flood defences which can reasonably be expected to be maintained and retained for the lifetime of the development. The proposal would provide for up to 46 dwellings, 30% of which would be affordable housing, in a reasonably accessible location. Given the agreed shortfall in housing provision, which is considerable, this would be a particular benefit towards the provision of sustainable development. Further social, economic and environmental benefits would also accrue including support for local facilities, potential biodiversity benefits and the provision of public open space/childrens play facilities. I am satisfied that the wider sustainability benefits would outweigh the limited flood risk.
31. Whilst the site was discounted from the Council's Housing and Employment Land Availability Assessment this appears to be a relatively high level review which did not involve the consideration of a site specific Flood Risk Assessment as has been carried out for the proposed development.
32. The provision of drainage details and highway works has the opportunity to improve upon current drainage issues affecting the site and its surrounds. Safe access/egress from the site is able to be provided and emergency vehicles would not be significantly impeded. A condition would require the prior approval of a Flood Warning and Evacuation Plan which would provide an additional safeguard against the risks of flooding for future residents of the scheme. There is also no evidence to suggest that the scheme would result in any significant flooding risks elsewhere. Overall, the risks from tidal flooding are likely to be so low so as not to present any significant risk to the safety of future residents.
33. I am satisfied, therefore, that the proposal would not result in any significant flood risks, including for future residents. The proposal would satisfactorily

accord with the Framework's policies for planning and flood risk, including in relation to climate change.

Agricultural land

34. The appeal site contains land designated as the best and most versatile agricultural land (Grade 2 of the Agricultural Land Classification). It is not currently in agricultural use nor does it appear to have been recently used as such, although consideration needs to be given to its potential future agricultural use. Local Plan Policy SO DM1 states that the use of such land for development will not be permitted unless the need for the development outweighs the need to protect such land in the long term.
35. The site is separate from the adjacent expanse of agricultural land, both in terms of the existing screening and ditch along the eastern boundary and due to it being located between existing residential development to the north and the south. These factors mean that amalgamation of the site with the neighbouring agricultural land would be difficult which lowers its economic significance. The relatively small size of the site in agricultural terms would also limit its economic viability should it be farmed independently of surrounding land.
36. Taking account of its restrictions and bearing in mind the pressing need for housing in the District and the need for sites to come forward if the Council is to be able to meet its housing land requirements, this site would appear to have a lesser potential for economic benefit from agricultural use than most other existing agricultural land in the area. I am also satisfied that the site is in a reasonably sustainable location in terms of accessibility and comprises other sustainability benefits. The appellant's evidence shows that land of a lower agricultural quality is located within the existing flood plain and so clearly would be less suited for residential development.
37. Policy SO DM1 includes a number of criteria which (a to c) set out how the requirement to protect the best and most versatile land can be outweighed and (d to g) criteria to be met for development to be permitted. These have been largely addressed by the appellant's submissions². I am satisfied that the overall information provided by the appellant is akin to a sustainability and options appraisal sought by the policy.
38. My overriding conclusion is that the need for housing is so significant in the District that it would outweigh the limited harm in this case that would arise from loss of the agricultural land, and its potential future use, within the site. It would also, as far as possible, use the lowest grade of land suitable for the development. The proposal would therefore generally accord with the aims of Policy SO DM1 of the Local Plan.

Other Matters

Housing land supply

39. It is common ground that the Council is not currently able to demonstrate a five year supply of housing land. The currently agreed figure is approximately

² Including Reading Agricultural Consultants 'Appraisal of Agricultural Land Quality and a Soil Resource Plan for land at Shripney Road, Shripney, West Sussex' and October 2020 update.

3.3 years. This represents a considerable shortfall in the provision of housing to meet local needs.

Planning obligation

40. The appellant's s106 undertaking includes provisions to secure 30% of the proposed dwellings as affordable housing and to provide for formal and informal public open space (including a children's play area) within the scheme. The Council has not raised any objections to or issues with the undertaking and I am satisfied from the evidence provided that the obligations are necessary to make the development acceptable, are directly related to the development and are fairly and reasonably related in scale and kind to the development. They would therefore accord with the three tests set out in paragraph 57 of the Framework and Regulation 122 of the Community Infrastructure Regulations 2010.

Scheme benefits

41. In the context of the Council's considerable housing shortfall, I have given substantial weight to the social benefits of up to 46 new housing units, including the provision of 30% affordable housing to meet local needs. Moderate economic and social benefits would arise from the additional expenditure and activity to support local services and facilities. Moderate short term economic benefits would arise from construction related employment and activity. As well as providing acceptable accessibility for future residents, the proposed highway improvements, including a pedestrian crossing point, would provide for improvements for wider highway safety to which I have also given moderate weight.
42. Moderate benefits would further result from the provision of public open space including play space. Further benefits are also likely to arise from drainage enhancements. The above are the main benefits of this scheme. I have given only minimal weight to any biodiversity and landscape enhancements as it is not clear from the information submitted as to what the level of biodiversity enhancement would be and any proposed landscaping would need to clearly offset the limited harm I have found to character and appearance. I consider these benefits in my planning balance below.

Other planning matters

43. The proposed vehicular access to the site, including visibility splays, along with the other highway works proposed in association with the development would ensure that safe vehicular/cycle access/egress is provided for the site. New pedestrian crossing points on Shripney Road and Shripney Lane would provide suitable pedestrian access for future occupiers as well as improving general pedestrian access for others in the village. These matters have been negotiated with and agreed by the Highway Authority. With such measures in place the proposal would not have an unacceptable impact on highway safety nor would it result in severe cumulative impacts on the operation of the highway network.
44. Any risks to protected species and wildlife are capable of being mitigated through an appropriate condition which would also include the requirement for the approval of biodiversity enhancement measures.

Planning Balance

45. Located outside of the built-up area boundary, the proposal would not generally accord with the aims of Policies SD SP2 and C SP1 of the Local Plan and Policy ES7 of the Neighbourhood Plan. The, albeit fairly limited, harm to the character and appearance of the area would also be contrary to Policy C SP1.
46. Given the significant shortfall in the supply of housing, it is apparent that the Council is struggling to meet its housing needs within the built up boundaries as defined by the development plan. This reduces the weight I have given to the conflict with these policies, whilst still recognising that they have some consistency with the Framework in a recognition of the intrinsic character and beauty of the countryside. Overall, in spite of the new housing provision, the proposal would be contrary to the development when considered as a whole.
47. Based on my conclusions, this is not a case where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development. The 'tilted balance' is therefore applicable in the context of paragraph 11 (d) of the Framework.
48. The proposal would be contrary to the Council's development strategy and, recognising the intrinsic character and beauty of the countryside, would result in limited harm to the character and appearance of the area. Nevertheless, substantial social benefits would result from the proposal's contribution to the provision of housing in the District, including affordable housing. Further moderate economic, social and highway related benefits would result as set out above in paragraphs 40 and 41. I therefore find that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
49. Despite the conflict with the development plan, material considerations indicate that planning permission should be granted for the proposed development. The proposal would represent sustainable development as defined in the Framework and overall would accord with the aim of Local Plan Policy SD SP1 to achieve sustainable development.

Conditions

50. I have considered the conditions suggested by the main parties following discussion at the hearing, bearing in mind paragraph 56 of the Framework which states that conditions should be kept to a minimum and only be imposed where they comply with the relevant five tests. Other than as described below, I have made some amendments to the wording of the suggested conditions for precision and clarity, but without changing the essence of any condition.
51. Condition 1 sets out the reserved matters requiring future approval whilst 2 and 3 stipulate the timescales for their approval and for the commencement of development. Condition 4 is required to provide certainty on what has been approved.
52. Condition 5 is necessary to preserve and make best use of the existing soil resource. Condition 6 promotes the use of sustainable energy and energy efficiency. Condition 7 is necessary to manage and mitigate impacts from construction including highway and environmental impacts. Conditions 8 and 9

are necessary to ensure the provision of appropriate surface water drainage (including sustainable urban drainage systems) and to reduce the risk of surface water flooding on and around the site. Suitable foul water drainage provision is secured by condition 10.

53. Conditions 11 and 12 are necessary for the protection and enhancement of biodiversity. Conditions 13, 14 and 18 are required to provide a good standard of residential amenity for future residents of the scheme. For precision, I have altered the wording of condition 14 from that suggested in order that details are simply required to be submitted to the Council for approval and then implemented as such.
54. Condition 15 is necessary to promote the use of electric cars and benefit air quality. Condition 16 is necessary in the interest of highway and pedestrian safety and to promote pedestrian access to services through a pedestrian crossing. Sustainable methods of transport are promoted through condition 17.
55. Condition 19 is necessary to promote a good standard of internet connection for the benefit of future residents. Condition 20 is required to prevent adverse effects from light spillage including for biodiversity. I have not included the part of the suggested lighting condition relating to conformity as the condition requires the details to be carried out as approved and so any additional provisions are unnecessary. Condition 21 is necessary to safeguard health and the environment from contamination. Finally, conditions 22 and 23 are necessary to minimise the risks and effects from flooding for future residents.
56. Some conditions require the approval of details prior to the commencement of development. This is necessary for conditions 7, 11 and 12 as they relate to effects that might result from the onset of construction works and for conditions 8 and 9 as the design of the relevant matters to be approved could be influenced by early site works.

Conclusion

57. For the reasons given above, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Nigel Jarvis	Director, Luken Beck MDP Ltd
James Smith	Principal and Director, JS Planning Law Services
Christopher Day	Senior Consultant, Ramboll
Anthony Guay	Director, Ramboll
Joe Godfrey	Hanbury Properties

FOR THE LOCAL PLANNING AUTHORITY

Patrick Arthurs	Arthurs Planning and Development
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INTERESTED PARTIES

Cllr Hugh Coster

DOCUMENTS SUBMITTED AT THE HEARING

1. Details of planning permission granted at land adjacent to Walnut Tree Cottage
2. Local bus timetable (31 August 2021) and map
3. Illustration of settlement structure and settlement juxtaposition with Bognor Regis
4. Appellant's application for costs

DOCUMENTS SUBMITTED FOLLOWING THE HEARING

1. Arun District Council's response to costs application
2. Updated conditions schedule as agreed by Council and appellant
3. Response to LPA costs rebuttal
4. Council's comments on additional condition
5. Appellant's response on additional condition

Schedule of Conditions

1. Details of the appearance, landscaping, layout and scale (hereinafter called "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 including the access hereby approved shall be carried out in accordance with the following approved plans: DLA.1948.L.02 Rev S04, 1845-07, 1845-09 Rev B, 1845-10 Rev B, 1845-TR04 Rev A and 1845-TR07 Rev B.
5. The preparation and development of the site shall be carried out in accordance with the measures set out in the Soil Resource Plan within the document 'Appraisal of Agricultural Land Quality and a Soil Resource Plan' by Reading Agricultural Consultants (March 2020). The measures shall be implemented as per the document and adhered to throughout the construction and development process.
6. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources unless it can be demonstrated that a fabric first approach would achieve an equivalent energy saving. Details, and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority before any development in that phase begins. The development shall be implemented in accordance with the approved details and timetable, and retained as operational thereafter.
7. No development shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the construction period. The CEMP shall include the following matters:
 - An indicative programme of works;
 - Details of public engagement and consultation prior to and during the works;
 - Measures to minimise noise and vibration (including working hours, piling methods, selection of plant/machinery and noise barriers);
 - Floodlighting details;
 - The number, frequency and types of construction related vehicles;
 - Access and routing of construction vehicles;
 - The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant, materials and waste;
 - Storage of plant and materials used during construction;

- The erection and maintenance of security hoarding;
- The provision of wheel washing facilities and any other measures to mitigate the impact of construction on the public highway;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste.

8. i) No development shall take place until:

a) Full details of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design shall follow the hierarchy of preferences for different types of surface water drainage disposal systems as set out in the relevant Approved Building Regulations Manual, and the recommendations of the SuDS Manual produced by CIRIA (or any subsequent updated guidance). Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, shall be included to support the design of any infiltration drainage; and

b) Full details of the maintenance and management of the surface water drainage system, to be set out in a site specific maintenance manual have been submitted to, and approved in writing by the local planning authority. The manual shall include details of the long-term management arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Following construction of the surface water drainage system, it shall thereafter be maintained in accordance with the approved maintenance manual.

ii) Prior to the occupation of any part of the development, as-built drawings of the implemented scheme together with a verification report prepared by an independent engineer that confirms the scheme has been installed in accordance with the approved details shall be submitted to the local planning authority.

iii) No dwelling shall be occupied until the surface water drainage scheme has been implemented in accordance with the agreed details.

9. No development shall take place until details have been submitted to and approved in writing by the local planning authority of any proposals to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No development is permitted which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect of any watercourse or culvert on or adjacent to the site.

10. No dwelling shall be occupied until a proposed foul drainage system has been implemented in accordance with details which shall have previously been submitted to and agreed in writing by the local planning authority (including details of siting, design and subsequent management/maintenance).

11. No development shall take place until a mitigation method statement has been submitted to and approved in writing by the local planning authority to

provide details of how the existing hedgerows are to be retained, protected and enhanced. The statement shall include details of a 5m buffer zone secured by fencing around the hedgerows during construction. The development shall be carried out in accordance with the approved details.

12. No development shall take place until a wildlife protection, enhancement and mitigation plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plan. It shall include details of:
 - Details of any update survey/site walkover, any mitigation measures to be installed on the site to protect identified species during construction and a programme for their implementation;
 - Any replacement trees at a ratio of 2:1;
 - Filling in gaps in tree lines or hedgerows with native species;
 - The inclusion of gaps at the bottom of fences/walls;
 - Wildlife pond and meadow;
 - Bat bricks, bird boxes and log piles; and
 - Management of grassland areas to benefit reptiles.
13. The dwellings hereby permitted shall be constructed so as to provide sound attenuation against external noise so that their internal noise levels conform to the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS8233:2014. The sound attenuation works shall be completed before each respective dwelling is occupied and be retained thereafter.
14. The dwellings hereby permitted shall not be occupied until any necessary mitigation measures to control low frequency noise from the existing electricity substation adjacent to the site have been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority (including an acoustic report assessing the impact of noise and vibration from the substation upon the insides the proposed residential accommodation).
15. Prior to the occupation of any dwelling, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings 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 and the charging points shall thereafter be permanently retained in good working condition.
16. No dwelling shall be occupied until the highway works, including vehicular access and visibility splays, road alterations and pedestrian crossing points have been provided in accordance with drawing ref. 1845 09 Rev B. The visibility splays shall thereafter be maintained and kept free of any obstruction over a height of 0.6m above the adjoining carriageway.
17. No dwelling shall be occupied until a Travel Plan Statement has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved statement.

18. Noise from any on-site pumping stations shall not exceed 45dB LAeq (15 mins) with no tonal components evident at the boundary of the nearest noise sensitive property. The Vibration Dose Value shall not exceed the applicable 'low probability of adverse comment' level contained within BS 6472-1:2008 inside the nearest residential property.
19. No dwelling shall be occupied until a strategy for the provision of the highest available headline speed of broadband services to serve the permitted dwellings has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved strategy.
20. Details of external lighting (including predictions of horizontal and vertical illuminance) shall be submitted to and approved in writing by the local planning authority before occupation of any dwelling. The development shall be carried out in accordance with the approved external lighting details.
21. If, during development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.
22. Notwithstanding the approved details, a scheme identifying the location, design and specification of an emergency pedestrian access to the A29/Shripney Road (located in the northern part of the site) shall be submitted to and be approved in writing by the local planning authority. The emergency access shall be constructed in accordance with the approved details prior to the occupation of any dwelling and subsequently retained thereafter.
23. Prior to the occupation of any dwelling, a Flood Warning and Evacuation Plan (FWEP) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the FWEP and a copy shall be provided to the first occupier(s) of each of the dwellings permitted.

End of conditions