Mr Ian Papworth
South Cambridgeshire District Council
Appeals Section
South Cambridgeshire Hall
6010 Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

12 April 2019

Dear Mr Papworth,

**Town and Country Planning Act 1990**
**Appeal by Thriplow Farms Ltd**
**Site Address: Land East of Fowlmere Road, Foxton, Cambridge, CB22 6RT**

**Annex A**

**Regulation 2(4) Notice of The Town and Country Planning (Pre-commencement Conditions) Regulations 2018**

I refer to the above appeal(s). In accordance with Section 100ZA(5) of the Town and Country Planning Act 1990, if the Inspector is minded to grant planning permission subject to pre-commencement condition(s) he/she may only do so with the written agreement of the appellant to the terms of the condition(s).

The Inspector has proposed in this case that any permission granted should include the following pre-commencement condition(s).

1. No development shall take place until details of the drainage of the proposed access have been submitted to and approved in writing by the local planning authority. The details shall demonstrate that the access falls and levels are such that no private water from the site drains across or onto the adopted public highway, and that it shall be constructed using a bound material for the first 15 metres from the boundary of the adopted highway into the site to prevent debris spreading onto the adopted public highway.

   This is necessary in the interest of highway safety and incorporates an alteration from that version given in the Statement of Common Ground (SOCG) to include a requirement to provide details to the local planning authority for their written approval, as suggested at the hearing.

2. Prior to the commencement of development a scheme of biodiversity enhancement, including a timescale for the enhancement works, shall be submitted to and agreed in writing by the local planning authority. The scheme shall be fully implemented as approved.
This is necessary to achieve biodiversity enhancement on the site and includes some minor changes as suggested at the hearing.

3. No development shall commence until a surface water drainage scheme based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall be based upon the principles within the agreed Sustainable Drainage Statement prepared by Enzygo (ref SHF.1027.002.HY.R.001.A) dated September 2017. The drainage system should be designed such that there is no surcharge for a 1 in 30 event and no internal property flooding or flooding of third party land for in 1 in 100 year event + 40% allowance for climate change. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed.

This is necessary to prevent the increased risk of flooding. It reflects that provided by the appellant at the hearing, and therefore not included in the SoCG, but with an alteration to the date of the Enzygo Statement.

It is necessary for these three conditions to be pre-commencement conditions to ensure the effects of the development are properly mitigated.

If we do not receive a response within 10 working days from the date of this letter in accordance with Regulation 2(1)(b) of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 you will be deemed to have given consent and the Inspector will be able to impose the proposed pre-commencement conditions without your express approval. If you are not agreeable to some or all of the pre-commencement conditions, it will be a matter for the Inspector to decide whether the condition(s) in dispute need to be pre-commencement conditions. However, if the pre-commencement conditions are considered necessary to make the development acceptable in planning terms, planning permission cannot be granted without them and the appeal may be dismissed.

The Inspector also considers any permission should include the following three conditions which differ from those set out in the SoCG.

1. No laden or unladen HGVs shall be received at or dispatched from the site outside the hours of 0800 to 1700.
2. Collections from and deliveries to the site by HGV shall not exceed more than 10 on any day.
3. The grain dryers hereby permitted shall be limited to use on only 10 days per calendar year and shall not be operated between the hours of 0800 and 2300.

These are necessary to protect the living conditions of nearby residents. They reflect the contents of the noise impact assessment by Cass Allen (ref RP01-17264) dated September 2017 which assessed the noise likely to be generated from the operations at the site.

The Inspector would welcome your comments on these conditions, also within 10 working days.

Yours sincerely,

Richard Mitchell
Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - [https://www.gov.uk/appeal-planning-inspectorate](https://www.gov.uk/appeal-planning-inspectorate)