



Appeal Decision

Hearing Held on 2 October 2019

Site visit made on 2 October 2019

by Graham Wyatt, BA (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th November 2019

Appeal Ref: APP/E3525/W/18/3214826

Site at Suffolk Business Park, Rookery Crossroads/Sow Lane, Bury St Edmunds, Suffolk, IP30 9ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by BP Oil UK Limited and Churchmanor Estates Co PLC against the decision of St Edmundsbury Borough Council.
 - The application Ref: DC/17/0762/FUL dated 31 March 2017, was refused by notice dated 16 May 2018.
 - The development proposed is described as the "construction of a petrol filling station comprising sales building, ATM, fuel forecourt and canopy, underground fuel tanks, vents, access, refuse compound, parking and associated works and services".
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a petrol filling station comprising sales building, ATM, fuel forecourt and canopy, underground fuel tanks, vents, access, refuse compound, parking and associated works and services at Site at Suffolk Business Park, Rookery Crossroads/Sow Lane, Bury St Edmunds, Suffolk, IP30 9ND in accordance with planning application Ref: DC/17/0762/FUL dated 31 March 2017, subject to the conditions on the attached schedule.

Preliminary Matters

2. The Council's decision notice refers to the lack of electric car charging points within the proposed petrol filling station (PFS). The appellant has provided an amended drawing¹ with the inclusion of two electric car charging points to which the Council do not object to. Nonetheless, I have considered this amended drawing under the principles established by the Courts in Wheatcroft² and I am satisfied that the drawing does not change the development to such a degree that to consider it would deprive those who should have been consulted on the change, the opportunity of such consultation. I have therefore determined the appeal on the basis of the drawings submitted with the application and the additional drawing.
3. During the Hearing I was also presented with a number of documents. The Council provided me with the Suffolk Business Park Extension Masterplan June 2010, the St Edmundsbury Green Infrastructure Strategy September 2009 and the Concept Statement for Suffolk Business Park. The appellant provided me with a planning, a landscape issues and a highway issues rebuttal statement

¹ B30069-21 Rev L

² Bernard Wheatcroft Ltd v SSE & Harborough DC [1982] P&CR 233

dated September 2019. The appellant also provided an update letter from RPS to the Council dated 12 August 2019.

Main Issues

4. The main issues are:

- the effect of the development on the character and appearance of the area having regard to its location within the countryside and Suffolk Business Park; and
- whether the development meets the need for motorists and its location having regard to access for pedestrians and cyclists.

Reasons

Character and Appearance

5. The proposal seeks to erect a PFS on the northern part of the land which would contain a sales building along with a canopy over the fuel pump area. The site is currently undeveloped and the proposed PFS would utilise the existing access on the western boundary of the site allowing vehicles to refuel and then to drive around the periphery and the back of the sales building to exit the site via the entrance. The appeal site forms a parcel of land that is encircled by a slip road that forms junction 45 of the A14 and leads onto, amongst other areas, Suffolk Business Park to the west.
6. The area has a somewhat mixed, rural and commercial character created by Suffolk Business Park in the vicinity of the site, the A14 to the south and the open countryside to the east and north. The Suffolk Business Park itself contains a recently erected building occupied by Festool which is located opposite the site to the north west. The Suffolk Business Park also has outline planning permission for a variety of uses as set out within its adopted Masterplan³ (the Masterplan) and is sited adjacent to Rougham Industrial Estate, which lies further west.
7. As the site lies beyond any settlement as identified within Policy CS4 of the St Edmundsbury Borough Council Core Strategy 2010 (the Core Strategy), it is designated as being within the countryside where development will be strictly controlled. Policy DM5 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (The Local Plan) states that areas designated as countryside will be protected from unsustainable development. This is broadly echoed within Policy CS13 of the Core Strategy. However, Policy DM5 of the Local Plan supports proposals for economic growth and expansion of all types of business that recognise the intrinsic character and beauty of the countryside and will be permitted where the criterion stated within the policy are met. This includes, not resulting in the loss of best and most versatile agricultural land, the development having no significant detrimental impact on the historic environment, character and visual amenity of the landscape, nature conservation and biodiversity and no significant impact on the local highway network.
8. I find Policy DM5 of the Local Plan to be broadly consistent with paragraph 83 of the National Planning Policy Framework (the Framework) which, in seeking

³ Suffolk Business Park Extension Masterplan Adopted June 2010

- to support a prosperous rural economy, states that sustainable growth can be achieved by the expansion of all types of businesses through well-designed new buildings. Moreover, the Framework also recognises at paragraph 84 that planning policies and decisions should also accept that sites to meet local business needs may have to be found adjacent or beyond existing settlements.
9. The Council's decision notice also refers to Policies BV13 and BV26 of the St Edmundsbury Vision 2031 September 2014 (the Vision). These policies seek to ensure that developments secure opportunities for well landscaped areas to extend the coverage and connectivity of the green infrastructure network. The Council accepted at the Hearing that the appeal was never considered to be part of Suffolk Business Park and was to remain as part of the countryside that surrounded it. Nevertheless, the recent developments within the vicinity of the appeal site, including the remodelling of the exit from the A14 and the introduction of street lighting and other development such as the Festool building opposite the site, has inevitably changed the character of the appeal site to a significant degree that it does not possess the same character as the open countryside further afield.
 10. I visited the site during the day and the evening to assess existing lighting in the vicinity and the impact of the layout of roads and buildings has upon the character and appearance of the area. During the evening, although only the main areas of the roundabouts and approach roads were lit with street lighting, the LEDs used to light the area is very direct and did not create an overspill normally associated with more traditional sodium lighting. That said, I was nonetheless struck by the level of brightness created by the street lighting around the appeal site which included the slip road from the A14. Moreover, I also witnessed the prominence of the Festool building in the landscape which had its entire car park illuminated as well as the building itself with additional lighting under its eaves.
 11. Furthermore, as one travels along the A14 the appeal site would be seen against the backdrop of the Suffolk Business Park which, although only the Festool building has been erected, nonetheless still dominates the junction as one exits the A14. In addition, the appeal site better relates to its commercial surroundings created by the A14 and the business park than the rural area that exists to the east and north and any long distance views of the site would ultimately be seen in that context.
 12. While I accept that landscaping within Suffolk Business Park either has to be planted or allowed to mature, I am not persuaded that the Festool building, or whatever other buildings that are to be developed within the business park, would be dominated by the proposed PFS which, in comparison, is a single storey building and canopy over the fuel pumps. Moreover, although the Council considers that there is insufficient space within the site for meaningful landscaping, I find that the appeal site and proposed PFS would not appear as a stark form of development in the landscape, but more as a transition between the more open and rural area to the east of Suffolk Business Park and appeal site to the commercial area that includes the Festool building and any additional development that may take place at the business park.
 13. The appellant has also demonstrated through several photomontages that landscaping would ensure that the appeal site is assimilated into its location as a transitional area between the open countryside and the commercial area of

Suffolk Business Park. The PFS would be seen against the backdrop of the Business Park, the A14 and the belt of trees to the east which is in contrast to the PFS that has recently been erected at Soham. While I accept that the Soham PFS is highly visible within the landscape, especially at night when it is fully illuminated, it does not have the same constraints as the proposed PFS in that it is located within the open countryside and an area that does not have the same backdrop as the business park. The Soham PFS therefore has a greater impact on the character of the area than the proposed PFS which is clearly demonstrated at Figure 9 of the Council's written statement.

14. Thus, Policy DM5 of the Local Plan offers support for business developments within the countryside where its impacts are considered acceptable. Given the scale and prominence of the Festool building both during the day and at night time, notwithstanding any lighting at the site, the proposed PFS would not obstruct this building as the gateway into Bury St Edmunds that the Council seek at this juncture. Moreover, I do not consider that any woodland planting would visually link the appeal site to the wooded areas to the south or indeed the east as a result of the intervening A14 and agricultural fields, both of which have a more open and rural appearance than the appeal site.
15. That said, the land to the south of the appeal site which would be retained as an area for Highways England (HE) has several trees planted within it, although this planting is not at the same level as that to the east and north. While I accept that planting in this area is outside of the appeal site, the trees have already been planted and would nonetheless contribute to the woodland planting along the A14 approaches as envisaged by project D.6 of the Council's green infrastructure strategy⁴. Furthermore, it was agreed at the hearing that notwithstanding the level of landscaping that has been proposed as part of the development, there was scope to amend or revisit the landscaping through the submission of additional material. This would also take into account the trees proposed on the access and their potential conflict with visibility splays along with the proposed perimeter hedging with and fencing.
16. Moreover, I am not persuaded that the development fails to meet the requirements of the Concept Statement⁵ and the Masterplan as the site was to remain as part of the countryside. Consequently, although the Council had sought to landscape the site, as it is within the countryside and provided it meets the exception as set out within Policy DM5 of the Local Plan, proposals for economic growth and the expansion of all types of business and enterprises will be permitted. Thus, for the reasons as set out above, the development would not result in significant harm to the character and appearance of the area. Therefore, it would not be in conflict with Policies CS4 and CS13 of the Core Strategy, Policies DM2, DM5 and DM13 of the Local Plan, Policies BV13 and BV26 of the Vision 2031 and the Framework.

Need and Location

17. The Council's decision notice refers paragraph B4 of Department for Transport Circular 02/2013⁶ (the Circular) which acknowledges that service areas and other roadside facilities perform an important function for motorists to enable them to stop and take a break in the course of their journey. In addition, at

⁴ St Edmundsbury Green Infrastructure Strategy 2009

⁵ Concept Statement Suffolk Business Park Extension (adopted October 2007)

⁶ DfT Circular 02/2013 The Strategic Road Network and the Delivery of Sustainable Development

paragraph 16 the Circular also states that development should be promoted at locations that are or can be made sustainable to promote sustainable transport modes and support the wider uptake. I find that the paragraphs of the Circular to which the Council refer to be broadly consistent with the aims of the Framework which states at footnote 42 that the primary function of roadside services should be to support the safety and welfare of the road user.

18. There is no doubt that there is a need for facilities to serve the motorist on the A14 which is evidenced by HE's response to the planning application that the *"A14 is known to have an under provision of facilities allowing the travelling public to stop and take breaks in the course of their journey"*. However, as the proposed PFS has been defined as a local service area by HE, it is unable to officially sanction signage from the A14 to the PFS as it fails to meet the minimum requirement as set out at Table B1 of the Circular. Nevertheless, HE states that tends to welcome the development of roadside service areas close to the A14.
19. The Council however, remain of the view that as the proposal is a local service it would not provide an area for a break that larger service areas would provide with areas to eat, shop and relax. Moreover, the adopted Masterplan for Suffolk Business Park sets out the type of development that is considered appropriate which includes, amongst other things, a motorist facility that would include a PFS, associated facilities, restaurant and hotel and a coffee shop has already been granted planning permission⁷. Furthermore, with the appeal site being located beyond Suffolk Business Park, it would require pedestrians and cyclists to cross Sow Lane, thereby failing to limit the need to travel, encourage walking and cycling or minimise the scope for conflicts between pedestrians, cyclists and vehicles.
20. Although I fully accept that there is an aspiration for services to be located within Suffolk Business Park, the proposed development would nevertheless add to the variety of facilities for drivers. It would provide a needed service for motorists to refuel and if needed relax and although sited beyond, but adjacent to, the SPB, the Framework recognises that significant weight should be placed upon the need to support economic growth taking into account both local business needs and wider opportunities for growth. This is broadly consistent with Policy DM5 of the Local Plan.
21. Moreover, it is anticipated that future employees at Suffolk Business Park would visit the PFS to purchase food and goods from the proposed sales area. Consequently, a crossing has been provided in the form of tactile paving and a dropped kerb on Sow Lane which would allow pedestrians to access the site. Although the crossing is not a controlled in the form of signals or a zebra, the road is nonetheless a single carriage each way and as a result of junctions to the PFS and roundabout, traffic would be likely to be travelling at lower speeds where it meets the crossing.
22. Furthermore, I do not consider that the distance to the PFS from the business park to be an insurmountable obstacle that those working in the immediate area would not choose to walk to the site. Although I accept that a facility within the business park would be more sustainable in that it would require trips of a lesser distance than to the PFS and negate crossing Sow Lane, there

⁷ DC/17/1469/FUL

is no substantive evidence before me to conclude that PFS is so far removed from the business park that those that wish to visit the site would do so by car.

23. Thus, while the proposal is not considered a roadside service area in that it would not provide a variety of services and facilities for the motorist, it would nonetheless meet an important need for motorists and would be consistent with footnote 42 of the Framework which states that the primary function of roadside services is to support the safety and welfare of the road user. Thus, the development would meet the aims of the Circular by performing an not be in conflict with the Framework and the Masterplan for Suffolk Business Park.

Other Matters

24. Although the Council's Highway Engineer did not object to the planning application, concerns were raised that the planting close to the access could result in reduced visibility as the trees mature. This matter can be dealt with through a condition requiring the submission of an amended landscaping scheme to ensure that appropriate species are used and are located where they will not impact on visibility splays.
25. The Council also refer to an appeal⁸ which sought planning permission for a pub/restaurant adjacent to the A14. While this appeal was dismissed as a result of its impact on the character and appearance of the area, the land in question was described as an "obvious countryside-urban transition to passers-by", the site was not seen in the context of surrounding roads and countryside and not adjacent to a business park. Thus, I do not find this appeal decision comparable to the development before me.

Conditions

26. The Council and appellant have agreed a number of conditions which were supplied within an unsigned statement of common ground. At the Hearing the appellant agreed to the conditions, subject to changes that I have taken into account. The appellant has also confirmed in writing⁹ that it accepts the imposition of pre-commencement conditions. I have considered the conditions in accordance with the Framework and the national Planning Policy Guidance and have made changes where necessary in the interest of concision and enforcement. In addition to the standard time condition, it is necessary interest for certainty to define the approved plans.
27. Dealing with highway safety, it is necessary to ensure that the access is laid out and completed in accordance with the approved plans, measures for surface water drainage, areas for loading, unloading, parking and manoeuvring within the site and secure cycle storage for visitors and staff are submitted to the Council for consideration. The appellant is also required to submit details of the fence around the site that will prevent dazzle from vehicles with the site along with details of extending the footpath on the eastern side of Sow Lane so that it allows safe pedestrian access from the south of the site.
28. Turning to flood water and the prevention of pollution to waters, it is necessary to ensure that surface water drainage details are provided. The Council has suggested two conditions that seek similar aims and for similar reasons. With that in mind, I find that the condition suggested by the Environment Agency

⁸ APP/E3525/W/17/3182661 dated 5 March 2018

⁹ Email from Peter Tanner of RPS dated 3 October 2019@14:48

would satisfy the requirement to ensure that surface water drainage is sufficiently managed. For similar reasons it is also necessary for details of a construction surface water management plan, underground tanks and piling and foundations to be agreed in writing with the Council.

29. The appellant has provided an area within the site to provide electric car charging points. The Council has suggested a condition requiring at least two rapid charging units are provided with a minimum 50kW DC charge, with two connector types. At the Hearing it was argued by the appellant that although the need for the provision of such charging points is not disputed, whether such precise detailing was necessary. In considering this point, I am mindful that the technology regarding the charging of electric cars is a fluid environment this matter would be best dealt with through the submission of details of the charging points are submitted to the Council for consideration, rather than specifying a particular type.
30. With regard to the provision of fire hydrants, I am also minded to agree with the appellant that the provision of such equipment should be within the vicinity of the development, rather than the more onerous task of providing hydrants within the site. This would still make sure that fire safety is considered which is the reason the Council required the condition. In addition, should contamination be found during the development, then it would be necessary for the appellant to submit mitigation details to the Council for consideration.
31. Notwithstanding the submitted details, it is also necessary in the interest of the amenity of the area to submit a landscaping scheme to be agreed in writing with the Council.

Conclusion

32. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is allowed.

Graham Wyatt

INSPECTOR

APPEARANCES

For the Appellant

Robert Walton	Counsel for the appellant
Matthew Brewer	RPS
Robert Evans	Cannon Consulting Engineers
Eoghan Sheils	Sheils Flynn Ltd.
Matt Cloke	Churchmanor Estates Co Ltd.

For the Council

Peter White	Planning Officer - West Suffolk Council
Chris Rand	Planning Policy Officer - West Suffolk Council
Andrea Mayley	Economic Development Officer - West Suffolk Council
Jaki Fisher	Ecology and Landscape Officer - West Suffolk Council
Matthew Axton	Environment Officer – West Suffolk Council

DOCUMENTS

Suffolk Business Park Extension Masterplan June 2010
St Edmundsbury Green Infrastructure Strategy September 2009
Planning Rebuttal Statement September 2019
Landscape Issues – Rebuttal Statement September 2019
Highways Issues – Rebuttal Statement September 2019
RPS Update Letter dated 12 August 2019
Concept Statement Suffolk Business Park

Schedule of Conditions

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the details shown on the following approved plans and documents:

Site Location Plan	
B30069-20 Rev A	Existing Layout
B30069-23 Rev A	Proposed Elevations
B30069-21 Rev L	Proposed Site Layout
B30069-22 Rev G	Proposed Forecourt Layout
B30069-24	Proposed Building Elevations
B30069-25 Rev F	Proposed Fencing Layout
B30069-26 Rev G	Proposed Sections A-A, B-B
B30069-49 Rev D	White Lining Layout
B30069-70 SFCL	Proposed Commodity Layout
B30069-PRE-SK1	Vent and Plant Markup
402-PA-061(02) B	Plot 800 - Landscape Plan (option 1)

3. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:
 - Temporary drainage systems
 - Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - Measures for managing any on or offsite flood risk associated with construction
4. No development shall commence above slab level until a scheme for the provision and implementation electric car charging points for the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The scheme shall be implemented, and the measures provided, made available for use and retained, in accordance with such timetable as may be agreed.
5. Prior to commencement of development a scheme for the provision of fire hydrants to serve the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants to serve the site have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form.

7. No development approved by this planning permission shall take place until a mediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) if it is considered necessary, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail, if considered necessary a long term monitoring and maintenance plan.
 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.
8. If, during development, contamination not previously identified 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 the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
9. Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out, maintained and retained in accordance with the approved details.
10. The development hereby permitted may not commence until such time as a scheme to install any underground tanks has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.
11. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for

those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

12. The development shall not be brought into use until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. B30069-21 Rev L and been made available for use. Thereafter the access shall be retained in the specified form.
13. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be implemented before any other part of the development is commenced and shall be retained thereafter in its approved form.
14. The use shall not commence until the area(s) within the site shown on B30069- 22 Rev G for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
15. Before the development is commenced full details of the separate staff and public cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Both facilities shall be covered and illuminated and the public facility shall be of such a design so as to not obstruct forward visibility of lorries using the site. The approved details shall be installed in their entirety before the use hereby approved is first brought into operation and shall be retained thereafter and used for no other purpose.
16. Prior to the hereby approved use first being brought into operation a footway provision of 1.8m width (as shown in drawing 402-PA-061(02) B) shall link the hereby approved PFS to the existing footway provision on the eastern side of Sow Lane south of the A14.
17. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No construction vehicles movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
18. Within 1 month of development commencing on site details of a fence that will prevent drivers on the surrounding highway network (including the A14 and the east bound off slip road) being dazzled by vehicles within the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the following:

how the fence is fixed to the ground,
the type of material used for the fence

how it will be maintained / replaced in the future
Its precise location within the proposed hedge and how much space the hedge will have to mature around the fence

The approved details shall be installed in their entirety before the development hereby approved is first brought into use and retained thereafter.

19. Before the access is first used, visibility splays shall be provided as shown on Drawing No. B30069-21 Rev L with an X dimension of 4.5m and a Y dimension of 70m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
20. No development above ground level shall take place until the following is submitted to and agreed in writing by the Local Planning Authority
 1. a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, in general conformity with drawing 402-PA – 061 (2) B. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); existing and proposed ground levels, schedules of plants noting species, plant sizes and proposed numbers/ densities;
 2. a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas including retention of clear visibility for any planting areas that may affect any highway sight lines together with a timetable for the implementation of the landscape management plan.
21. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation. The landscape management plan shall be carried out in accordance with the approved details and timetable for the lifetime of the project.

~END~