



Appeal Decision

Site visit made on 11 October 2022

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 NOVEMBER 2022

Appeal Ref: APP/B3030/W/22/3292692

Land east of Newlink Business Park, Newark, Nottinghamshire

- 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 Tritax Acquisition 39 Limited against the decision of Newark & Sherwood District Council.
 - The application Ref 20/01452/OUTM, dated 31 July 2020, was refused by notice dated 3 November 2021.
 - The development proposed is described as: 'development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping'.
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Decision

1. The appeal is allowed and planning permission is granted for development of the site for distribution uses, including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping at Land East of Newlink Business Park, Newark, Nottinghamshire, in accordance with the terms of the application, Ref 20/01452/OUTM, dated 31 July 2020 and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. For clarity and precision, I have taken the address in the banner heading from the application form appeal form, inserting 'Nottinghamshire' as it is included on the Council's decision notice. I have also taken the description in the banner heading above from the application form. However, in the Decision I have not referred to 'Use Class B8' due to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the amended UCO) coming into force on 1 September 2020, amending the Town and Country Planning (Use Classes) Order 1987 (as amended) (the UCO). Consequently, the use classes listed in the GPDO, including B8 have now been superseded and incorporated within Class E (Commercial, Business and Service) of the amended UCO. In this instance, no party will be prejudiced through the implications of the amended UCO or the introduction of Class E.
3. Outline planning permission is sought, but with all matters reserved, except for access. I have determined the appeal on this basis.

Background and Main Issue

4. The Council's decision notice sets out one reason for refusal relating to the principle of development, through its location. Consequently, the Council has confirmed¹ it would not defend its reason for refusal due to the findings

¹ Letter received by email dated 8 July 2022

contained within a draft Nottinghamshire Core & Outer HMA Logistics Study, June 2022 (the draft study). Accordingly, the Council has not submitted evidence on this matter. Nonetheless, I have maintained this matter as a main issue due to the number of concerns raised by interested parties from the original planning application consultation and additional comments through the notification of this appeal.

5. Accordingly, I identify that the main issue on this appeal is, whether the site is an appropriate location for the proposed development, having particular regard to the effect of safeguarding the countryside.

Reasons

6. The site lies in Landscape Character Zone: ES PZ 4 Winthorpe Village Farmlands. The landscape condition here is defined as moderate and landscape sensitivity is also described as moderate. The policy zone has a landscape action of conserve and create. The appellant submitted a Landscape and Visual Assessment Impact Assessment² (LVIA) with the application to which I have had regard. I also viewed the site from the majority of locations identified in the LVIA and am satisfied that I saw everything I need to assess the impact of the development.
7. The proposed development comprises the erection of a commercial storage and distribution warehouse unit with ancillary offices. The site includes the A17 and the bridge linking land to the north and east to accommodate a proposed access and pedestrian infrastructure, including a new vehicle access from a new roundabout junction on the A17. An extension to the public footpath/cycleway network is also envisaged, with a pedestrian route potentially connecting the existing public right of way to the north of the site and the existing building to the west.
8. Spatial Policy 3 (Rural Areas) of the Amended Core Strategy 2019 (ACS) confirms that, development not in villages or settlements, in the open countryside, will be strictly controlled and restricted to uses which require a rural setting. ACS Core Policy 9 (Sustainable Design) requires a high standard of sustainable design that protects and enhances the natural environment and contributes to the distinctiveness of the locality and requires development that is appropriate in form and scale to the context.
9. ACS Policy 13 (Landscape Character) requires the landscape character of the surrounding area to be conserved and created. Policies DM5 (Design) of the Allocations and Development Management Development Plan Document, 2013 (ADM) requires the local distinctiveness of the District's landscape and character of built form to be reflected in the scale, form, mass, layout, design, materials and detailing of proposals for new development.
10. ADM Policy DM8 (Development in the Open Countryside) states that 'small scale employment development' will only be supported where it can demonstrate the need for a particular rural location and a contribution to providing or sustaining rural employment to meet local needs in accordance with the aims of Core Policy 6. Whilst the site is located outside of Newark Urban Area as defined in the development plan, the proposed development is not considered to comply with any of the exceptions listed. In addition,

² Landscape and Visual Impact Appraisal by Barry Chin Associates dated March 2020

Paragraph 174 of the National Planning Policy Framework (the Framework) requires planning decisions to recognise the intrinsic character and beauty of the countryside.

11. There is little doubt that the proposed development represents a departure from the development plan. Additionally, as the site is currently undeveloped, I accept that the harm from this proposed development to landscape character, visual amenity and potentially the loss of some best and most versatile agricultural land would be permanent. However, it is not known if the land on site would comprise either Grade 3a or 3b in the Agricultural Land Classification and thus could be of moderate quality.
12. For the reasons given above, I conclude that the proposed development would conflict with the strategic and character and appearance aims of ACS Spatial Policy 3, ACS Core Policies 9 and 13, ADM Policies DM5 and DM8. There would also be conflict with Framework, particularly paragraph 174.

Other Matters

13. I have had regard to a number of objections received from interested parties, including local residents and Coddington Parish Council, expressing a wide range of concerns including, but not limited to the following: highways safety; flooding; loss of trees, water table loss of potential public rights of way; wildlife; noise; effect on Coddington and potential future development, amongst other things. However, I note that these matters were considered where relevant by the Council when it determined the planning application. Whilst I can understand the concerns of the interested parties, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these matters.
14. Whilst Section 72(1) of the Act sets out that in the exercise of planning functions that requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area, this statutory duty does not extend to the setting of a conservation area. On the evidence before me, I agree with the Council's observations with regard to Coddington Conservation Area and Winthorpe Conservation Area, where there would be limited and no intervisibility respectively, resulting in overall neutral effects. In the absence of substantive evidence to the contrary, I find that the proposed development would conserve the heritage assets in a manner appropriate to their significance, in line with the Framework.

Planning Balance

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this appeal to be determined in accordance with the development plan unless material considerations indicate otherwise.
16. Whilst ACS Spatial Policy 2 sets out the employment land requirements for the District and provides a strategy for distributing growth. It sets out a minimum employment land requirement of 83.1ha with 51.9ha of the total to be provided within the Newark Area, with the Employment Land Availability Study 2019 confirming that there is sufficient supply of employment land for the Newark area.
17. However, the findings within the draft study has identified a current supply of 800,000m² through existing permissions and allocations in the study area, but

with an overall need identified for 1,486,00m² to 2040 with some of this demand expected to be met in Newark along the A1 and A46 corridors. Consequently, the draft study confirms that there is a very significant shortfall of 686,000m² of land for large scale logistics development in the study area, which includes Newark and Sherwood. Whilst the draft study does not form part of the existing development plan and is still in draft form, it nonetheless forms a material consideration of very significant weight in the determination of this appeal.

18. The adverse impacts of the development would relate to character and appearance and potentially the loss of some best and most versatile agricultural land, both of which would create significant and moderate harm respectively. However, the significant harm to landscape character could be notably reduced through appropriate layout and landscaping, particular in the area of the site adjacent to the existing development, which is similar in scale and appearance to the proposed development. In any event, such considerations would be for a reserved matters stage and could be secured by means of a suitably worded condition.
19. Weighing against the above impacts, the scheme would provide much-needed large scale logistics development, which has been identified as being a resilient sector with particular demand in the e-commerce, automation and electric vehicles. All of which require large, modern facilities to cope with the flow of goods in the most efficient way. The draft study estimates that up to 9000 jobs could be generated across the study area through the delivery of schemes similar to the proposed development across the study area. This is something that the proposed development would contribute directly towards.
20. Sustainable development has three dimensions. The proposed development would involve a loss of greenfield land but in considering the environmental role, this is balanced against the very significant benefits to the economic and social roles through the construction of the proposed development, the support of a resilient business sector and the generation of a notable number of job opportunities, particularly available to those in the study area of the draft study.
21. In my view the benefits of the proposed development clearly outweigh the conflicts with the development plan. I conclude therefore that these are material considerations which mean that in this case the proposed development can be determined other than in accordance with the development plan. I therefore conclude that any adverse impacts of granting planning permission in this instance would not outweigh the benefits when assessed against the policies in the Framework taken as a whole. The proposed development is suitable for the site.

Conditions

22. I have considered what planning conditions would be appropriate, making amendments and minor corrections, where necessary, to ensure clarity and compliance with the tests contained within Paragraph 56 of the Framework and the Planning Practice Guidance. In addition to conditions relating to the time limit for implementation, for reasons of certainty a condition requiring the development to be undertaken in accordance with approved plans/documents is necessary. I have taken this list of plans from the evidence submitted by the appellant, as no such list is provided in the Officer Report and only 2no. plans

are listed on the Council's decision notice. Given the reference to various other plans in the list of suggested conditions, it is necessary to include them for the avoidance of doubt.

23. A pre-commencement condition relating to the submission of a Reserved Matters application is reasonable and necessary for the avoidance of doubt and to define the permission. Pre-commencement conditions for contamination; a Construction Environmental Management Plan; Construction Method Statement; Drainage; Arboriculture; Highways (new roads); Archaeology are all reasonable and necessary in the interest of the living conditions of neighbouring occupiers, highways safety and the environment.
24. Pre-occupation conditions are reasonable and necessary for the new roundabout; footway and cycle facilities; a travel plan; cycle Parking in the interest of highways matters and sustainable travel options as an alternative to a motor vehicle.
25. Other conditions have been included surrounding the maximum parameters set out in the parameter plan; a Biodiversity/Landscape Environmental Management Plan; lighting scheme; arboriculture works; landscaping scheme; transport and parking appraisal; archaeological works; public rights of way and sustainability features are all reasonable and necessary to ensure acceptable effects on ecology, character and appearance, highway safety, archaeology, access and the environment.

Conclusion

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

W Johnson

INSPECTOR

SCHEDULE OF CONDITIONS

Time Limit

- 1) Applications for approval of reserved matters shall be made to the Local Planning Authority not later than 1 year from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Drawings

- 2) The development hereby permitted shall be carried out in accordance with the following plans and documents:

- Site Location Plan 16-233-SGP-XX-XX-DR-A-110001 Rev. A
- Existing Site Plan 16-233-SGP-XX-XX-DR-A-110002
- Parameters Plan 16-233-SGP-XX-XX-DR-A-111002 Rev. C
- Illustrative Site Layout Plan 16-233-SGP-XX-XX-DR-A-F018-001 Rev. E
- Illustrative Landscape Masterplan 2047/20-01 Rev. B
- Illustrative Landscape Sections 2047/20-02 Rev. A

Pre-Commencement

3) Details of the appearance, landscaping, layout and scale ('the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before development begins and the development shall be carried out as approved.

4) Development other than that required to be carried out as part of an approved scheme of remediation or for the purposes of archaeological or other site investigations linked to this planning permission must not commence until Parts A to D of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part D has been complied with in relation to that contamination.

Part A: Site Characterisation

An investigation and risk assessment including an UXO assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Part B: Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part

2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part C: Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Part D: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part C.

5) No development shall be commenced until a Construction Environmental Management Plan (CEMP) incorporating a Reasonable Avoidance Measures Statement (RAMS) and timetable has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify appropriate measures for the safeguarding of protected and locally important species and their habitats and shall include:

- a) an appropriate scale plan showing protection zones where construction activities are restricted and where protective measures will be installed or implemented;
- b) details of protective measures (both physical measures and sensitive working practices) to avoid impact during construction. This shall include the precautionary measures listed by Nottinghamshire Wildlife Trust in their letter dated 18/09/2020) and the pre-construction survey work and / or mitigation measures as summarised in paragraphs 4.24 and 4.27 of the Ecological Appraisal (July 2020 by fpcr);
- c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as the bird nesting season);
- d) details of a person responsible for the management of the protection zones. Development shall be carried out in accordance with the approved details and timetable.

6) No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall

provide the following, which shall be adhered to throughout the construction period:

- a) Details of construction access
 - b) The parking of vehicles of site operatives and visitors
 - c) Loading and unloading of plant and materials
 - d) Storage of oils, fuels, chemicals, plant and materials used in constructing the development
 - e) The erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing
 - f) Wheel-wash washing facilities and road-cleaning arrangements
 - g) Measures to control the emission of dust and dirt during construction
 - h) A scheme for recycling/disposing of waste resulting from site preparation and construction works
 - i) Measures for the protection of the natural environment
 - j) Hours of work on site, including deliveries and removal of materials
 - k) Full details of any piling technique to be employed, if relevant
 - l) Location of temporary buildings and associated generators, compounds, structures and enclosures, and
 - m) Routing of construction traffic
- 7) No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Link Engineering Flood Risk Assessment (FRA) ref. LE19105-NEW-LE-GEN-XX-RP-CE-FRA01 dated July 2020, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to occupation of the development.

The scheme to be submitted shall:

- a) Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- b) Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- c) Provision of surface water run-off attenuation storage in accordance with 'Science Report SC030219 Rainfall Management for Developments' and the approved FRA
- d) Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm

durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

e) For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

f) Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

g) Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term.

8) No works or development shall take place until an arboricultural method statement and scheme for protection of the retained trees/hedgerows has been agreed in writing with the Local Planning Authority. This scheme shall include:

a) A plan showing details and positions of the ground protection areas.

b) Details and position of protection barriers.

c) Details and position of underground service/drainage runs/soakaways and working methods employed should these runs be within the designated root protection area of any retained tree/hedgerow on or adjacent to the application site.

d) Details of any special engineering required to accommodate the protection of retained trees/hedgerows (e.g. in connection with foundations, bridging, water features, hard surfacing).

e) Details of construction and working methods to be employed for the installation of drives and paths within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.

f) Details of timing for the various phases of works or development in the context of the tree/hedgerow protection measures.

All works/development shall be carried out in full accordance with the approved arboricultural method statement and tree/hedgerow protection scheme.

9) No part of the development hereby permitted shall take place until details of the new roads have been submitted to and approved in writing by the Local Planning Authority including layout, street lighting, drainage and outfall proposals, and any proposed structural works. The development shall be implemented in accordance with these details.

10) No development shall take place until written schemes of archaeological investigation and mitigation have been submitted to and approved in writing by the Local Planning Authority. These schemes shall include the following:

a) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).

b) A methodology and timetable of site investigation and recording

c) Provision for site analysis

d) Provision for publication and dissemination of analysis and records

- e) Provision for a programme of community based outreach
- f) Provision for archive deposition
- g) Nomination of a competent person/organisation to undertake the work

The schemes of archaeological investigation must only be undertaken in accordance with the approved details.

Pre-Occupation

11) No part of the development hereby approved shall be occupied / brought into use unless or until the new roundabout junction with the A17 has been provided as shown in principle on the drawings no. Drawing no's 17146-010 rev. E dated July 2019 as clarified by 17146 - SK200930.1 'Proposed Roundabout Layout Deflection Radii' dated September 2020 to the satisfaction of the Local Planning Authority.

12) No part of the development hereby approved shall be occupied / brought into use unless or until the extension of footway and cycle facilities from the Long Hollow Lane roundabout to the proposed site have been provided as shown in principle on the drawing no. no. 17146-010 rev. E Proposed Roundabout Layout and Pedestrian/Cycle Access Improvements' dated July 2019.

13) No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and implementation) to promote travel by sustainable modes which are acceptable to the Local Planning Authority and shall include arrangements for monitoring of progress of the proposals. For the avoidance of doubt, the Travel Plan shall include the following proposals:

- a) prior to the occupation of the development, details of a daily or more frequent return shuttle bus service to connect the development and travel hubs such as Newark's train stations and the main bus stops within Newark shall be submitted and approved in writing by the Local Planning Authority. This bus service shall be operational upon practical completion of the unit(s) and reviewed after at least three months, six months and after twelve months, and thereafter every twelve months and maintained for a period for a minimum period of 10 years from the commencement of the use unless, either a commercial bus service passing within 400 metres of the site comes into operation, or the bus service is proven to be no longer viable. If a commercial service does come into operation, or the bus service is shown to be no longer viable, then the applicant shall seek the written approval of the Local Planning Authority that the service is no longer required;
- b) car usage minimisation including the provision of electrical charging points for cars and other vehicles and the use of car sharing.
- c) details of the ride home facility for members of staff travelling to the site by sustainable modes of transport.

The Travel Plan shall be implemented in accordance with the timetable set out in that plan.

14) No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning

Authority. The cycle stands shall be located near to the main entrance to the development, be covered and that area shall not thereafter be used for any purpose other than the parking of cycles.

Other

15) Reserved matter submissions shall be in accordance with the maximum parameters defined on Drawing No 111002 Rev C 'Parameters Plan' and Location Plan Drawing No 110001 Rev A.

16) No site clearance works including shrubbery removal shall take place and no tree shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to September inclusive) unless a precautionary pre-start nesting bird survey has been carried out by a qualified ecologist/ornithologist and agreed in writing by the Local Planning Authority.

17) Any subsequent reserved matters application(s) shall be accompanied by a Biodiversity/Landscape Environmental Management Plan (LEMP). This shall include:

- a) purpose, aims and objectives of the scheme;
- b) a review of the site's ecological potential and any constraints;
- c) description of target habitats and range of species appropriate for the site;
- d) selection of appropriate strategies for creating/restoring target habitats or introducing target species. This shall include but not be limited to the provision of bat boxes;
- e) selection of specific techniques and practices for establishing vegetation;
- f) sources of habitat materials (e.g. plant stock) or species individuals;
- g) method statement for site preparation and establishment of target features;
- h) extent and location of proposed works;
- i) aftercare and long term management;
- j) the personnel responsible for the work;
- k) timing of the works;
- l) monitoring;
- m) disposal of wastes arising from the works.

All habitat creation and/or restoration works shall be carried out in accordance with the approved details and timescales embodied within the scheme.

18) Any subsequent reserved matters application(s) shall be accompanied by the submission of a detailed lighting scheme. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, and structures they illuminate; a horizontal and vertical illuminance plan to include:

- a) Details of light intrusion, source intensity, and upward light; and
- b) Details of the lighting fittings including their design, colour, intensity and periods of illumination.

No external lighting works shall be installed within any part of the application site other than in accordance with the approved details or in accordance with any alternative external lighting scheme first submitted to and agreed in writing by the Local Planning Authority.

19) The following activities must not be carried out under any circumstances.

- a) No fires to be lit on site within 10 metres of the nearest point of the canopy of any retained tree/hedgerow on or adjacent to the proposal site.
- b) No equipment, signage, fencing etc shall be attached to or be supported by any retained tree on or adjacent to the application site,
- c) No temporary access within designated root protection areas without the prior written approval of the Local Planning Authority.
- d. No mixing of cement, dispensing of fuels or chemicals within 10 metres of any retained tree/hedgerow on or adjacent to the application site.
- e) No soak- aways to be routed within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- f) No stripping of top soils, excavations or changing of levels to occur within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- g) No topsoil, building materials or other to be stored within the root protection areas of any retained tree/hedgerow on or adjacent to the application site.
- h) No alterations or variations of the approved works or protection schemes shall be carried out without the prior written approval of the District Planning Authority.

20) No landscape works shall take place until the Local Planning Authority has approved in writing the full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells.

21) The approved landscaping scheme shall be carried out within 6 months of the first occupation of any building or completion of the development, whichever is soonest. If within a period of 7 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written permission of the Local Planning Authority.

22) Any subsequent reserved matters application(s) shall be accompanied by the submission of a Transport and Parking Appraisal in order to assess the level of on-site parking required for staff and visitors. This identified level of on-site parking shall be demonstrated on the submitted plans and shall also include for provision

within the site for a shuttle bus stop/parking bay. Development shall be carried out and retained in accordance with the approved details.

23) The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant/developer shall notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

24) Reports of the archaeologist's findings (required by the above condition) shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 6 months of the works hereby approved being commenced.

25) The development will require the diversion of existing public rights of way and no part of the development hereby permitted or any temporary works or structures shall obstruct the public right of way until approval has been secured and the diversion has been constructed in accordance with a detailed design and specification first submitted to and approved in writing by the Local Planning Authority.

26) Any subsequent reserved matters application(s) shall include details of sustainability measures and environmentally sustainable features proposed and to be incorporated into the design of the development both during its construction and operation, which builds upon the aims of the submitted Energy and Sustainability Report 23/07/2020 (by Cudd Bentley).

****End of Conditions****