



Appeal Decision

Site visit made on 9 January 2025

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2025

Appeal Ref: APP/L1765/W/24/3341310

Land to the south-west of Woodlands Park, Poles Lane, Otterbourne, Hampshire SO21 2DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr G Scott-Welsh (The Incuhive Group Ltd) against the decision of Winchester City Council.
 - The application Ref is 23/01079/FUL.
 - The development proposed is construction of flexible incubation space for new businesses within a two storey, BREEAM Excellent, office building.
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Decision

1. The appeal is allowed and planning permission is granted for construction of flexible incubation space for new businesses within a two storey, BREEAM Excellent, office building at land to the south-west of Woodlands Park, Poles Lane, Otterbourne, Hampshire, SO21 2DZ in accordance with the terms of the application, Ref 23/01079/FUL, and subject to the conditions set out in the attached schedule.

Application for costs

2. The appellant made an application for costs. This application for costs has been dealt with in a separate decision.

Preliminary Matters

3. A revised National Planning Policy Framework (the Framework) was published in December 2024. The main parties have had an opportunity to comment, and I have taken the comments received into account. I have had regard to the revised Framework in my decision.
4. At the appeal stage, the Local Planning Authority (LPA) confirmed that the 2nd reason for refusal given in the LPA's decision notice, relating to the site being situated within the buffer zone of a safeguarded waste site, has been overcome. This has been reflected in the main issue, below.
5. During the course of the appeal, a Unilateral Undertaking (UU) was submitted (deed dated 28 February 2025). This is a matter to which I return to below.

Main Issue

6. The main issue is whether or not the appeal site is a suitable location for the proposed development, having particular regard to the spatial strategy in the development plan.

Reasons

7. The appeal site comprises the extensive grounds of a dwelling known as Woodlands, laid to lawn. The site is bounded by woodland on 3 of its 4 boundaries. A wide belt of mature trees protected by a Tree Preservation Order is present on the south-western and north-western boundaries of the site. The site is located outside the settlement boundary of Otterbourne.
8. Policy DS1 of the Winchester District Local Plan Part 1: Joint Core Strategy (adopted 2013) (JCS) provides that, amongst other things, development proposals will be expected to make efficient use of land within existing settlements. Similarly, Policy DM1 of the Winchester District Local Plan Part 2: Development Management and Site Allocations (adopted 2017) (DMSA) provides that, amongst other things, development that accords with the development plan will be permitted within the defined boundaries of certain settlements, including Otterbourne.
9. Policy DM1 also provides that limited infilling will also be permitted in other settlements listed under Policy MTRA3 in the circumstances outlined in that policy. Policy DM1 further provides that, outside of these areas, countryside policies will apply and only development appropriate to a countryside location will be permitted, as specified in Policies MTRA4, MTRA5, DM10 – DM13, etc.
10. As the site is located outside the settlement boundary of Otterbourne, the proposed development would conflict with Policy MTRA3 of the JCS, which only supports development within its defined boundary. Policy MTRA4 of the JCS relates to development in the countryside, where only certain types of development are permitted. The proposed development does not fall within any of the development types listed. The appellant has not sought to argue that the proposed development relates to essential facilities and services in the countryside which may exceptionally be permitted by Policy DM10 of the DMSA.
11. As the proposed development would not comply with Policies MTRA3 and MTRA4 of the JCS and Policy DM10 of the DMSA, the proposed development would conflict with Policy DM1 of the DMSA. It follows that the proposed development would not accord with the spatial strategy as set out in the JCS. The location of the proposed development would not be acceptable in principle.
12. Additionally, the site does not comprise previously developed land. Nor is it allocated for employment purposes. Hence, although Policy CP8 of the JCS encourages opportunities to expand the economic base and foster innovation in the district, the proposed development would conflict with Policy CP8 when read as a whole.
13. I therefore find that the site is not a suitable location for the proposed development, having particular regard to the spatial strategy in the development plan. The proposed development would conflict with Policies DS1, MTRA3, and MTRA4 of the JCS which collectively set out the spatial strategy for the area. It would conflict with Policy CP8 of the JCS which provides that, amongst other things, the LPA will support economic development and diversification across Winchester District, in accordance with the spatial strategies for the District, through the retention, regeneration and intensification of previously developed land and by allocating land as necessary to support employment growth at sustainable locations.

14. The proposed development would conflict with Policy DM1 of the DMSA which has been summarised above, and with Policy DM10 of the DMSA which provides that, amongst other things, in the countryside, the development of essential facilities and services to serve local communities may exceptionally be permitted, where it complies with the development plan and certain listed criteria.

Other Matters

15. The submitted Transport Statement incorporates traffic surveys which assessed traffic flow volumes and vehicle speeds within the vicinity of the existing access at the site onto Poles Lane. The Transport Statement states that the increases in traffic flows would be negligible, and analysis using an established methodology has not been provided which contradicts this evidence. The highways works to be implemented via the obligations in the UU would ensure that appropriate visibility splays are provided at the access to the site.
16. Hence, the evidence, including my observations of Poles Lane, does not demonstrate that the proposed development would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios, which paragraph 116 of the Framework sets out as the standard for development to be prevented or refused on highways grounds.
17. The submitted Flood Risk Assessment demonstrates that an appropriately-designed surface water drainage scheme would avoid flood risk to people and property. This could be secured via a planning condition.
18. The proposed development would not set a precedent, as any future planning applications would be considered by the LPA on their own merits.

Other Considerations and Planning Balance

19. Paragraph 15 of the Framework makes it clear that the planning system should be genuinely plan-led. In this regard, the proposed development would result in harm in achieving the spatial strategy as set out in the development plan. However, the harm caused in this respect needs to be put into perspective. The site is an especially large garden which forms part of a domestic residence. Its individual contribution towards the character of the countryside, whilst of inherent value, is not extensive. With this in mind, I consider that the magnitude of harm caused to the spatial strategy would be mitigated by the following 3 factors.
20. Firstly, the submitted Sequential Test concluded that, taking account of the type of development proposed, which is office incubation space for start-up / move-on businesses, there are no sequentially preferable sites or properties that are either suitable, available or financially viable for the business to move / expand to. The LPA have not provided any specific evidence to rebut the conclusions of the Sequential Test.
21. Consequently, at the present time, the proposed development would not be likely to come forward at any alternative location within the district of Winchester. As such, the dismissal of this appeal would not be likely to result in the proposed development being sited in a location favoured by the development plan. Rather, it would likely not come forward at all. In such circumstances, there would be no contribution towards the achievement of the aims of the spatial strategy. The

proposed development of one vacant parcel of land of less than 3 hectares in the countryside would only worsen this situation by a limited extent.

22. Secondly, the site is located less than approximately 60 metres outside of the settlement boundary of Otterbourne. I observed that the site is within a comfortable walking distance of the nearest bus stops on Otterbourne Road. The route along Otterbourne Road towards Shawford railway station suffers from a lack of any cycle lanes and street lighting, and this road is often very busy, but would still be a viable route for confident cyclists. This railway station offers regular services to several towns and cities. Therefore, the site could be adequately accessed by sustainable modes of transport.
23. Thirdly, although the proposed development would be sited on an undeveloped parcel of land, the proposed office building would be set well-back from the carriageway on a site which is largely shielded from public vantage points by trees. Poles Lane has 2 industrial estates stemming from it, and an employment hub directly opposite the site at Poles Copse supports several separate businesses, as well as the Veolia Waste Transfer Station. As mentioned above, the Transport Statement states that the increases in traffic flows would be negligible. Thus, the increased levels of activity generated would not meaningfully alter the character of the area. It follows that the proposed development would not result in harm to the character and appearance of the countryside.
24. Taking all of the above into account, the proposed development would cause limited harm in achieving the spatial strategy, and no further harms would arise. The particular circumstances of this case indicate that little weight should be given to the proposed development's conflict with the relevant policies of the development plan.
25. I now turn to those other considerations which weigh in favour of the proposed development. The submitted UU contains obligations to ensure that the office building would only be let to start-up / move-on businesses, and that an appropriate management strategy would facilitate this. These obligations are necessary to ensure that the particular business model, which is fundamental to the proposed development, would be realised in practice, rather than generic office space being provided on site.
26. I observed that there is no paved footway for some distance from the access to the site towards the motorway bridge, where a paved footpath then emerges. This means that to access the site from Poles Lane on foot when travelling westwards, one would either need to walk along the grass verge on the site's side of Poles Lane, or walk along the very narrow path on the opposite side of Poles Lane and cross the busy road. The present circumstances therefore make it highly unlikely that anyone would attempt to access the site on foot.
27. This situation would be resolved by the implementation of the highways works secured by the UU, which include (amongst other matters), the creation of a footway which would connect the site to the existing footway. The UU also makes provision for the implementation of a Travel Plan, which is necessary to ensure that the proposed development appropriately promotes sustainable transport.
28. The obligations in the UU have a direct bearing on the implementation of the proposed development as intended, and do not go beyond what would be fairly and reasonably related in scale and kind to the proposed development.

29. I therefore consider that the obligations set out in the UU are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development and that they would comply with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), so far as is relevant to the UU, and the 3 tests for planning obligations set out in paragraph 58 of the Framework.
30. It is important to note that the proposed development is not for employment land in general terms, or for generic office space. The UU would ensure that the office building is occupied by start-up / move-on businesses only. The proposed development would thereby support Winchester's start-up business community, which comprises businesses which are by their nature entrepreneurial and innovative.
31. The evidence indicates that there is a waiting list comprising at least 50 businesses which could utilise the office space as start-up / move-on businesses. Many of these businesses relate to individuals living to the south of Winchester. The proposed development would contribute towards meeting this evident unmet demand, which is specific to the south of Winchester. In this way, the proposed development would help to address the specific locational requirements of start-up / move-on businesses, which is supported by paragraph 87 of the Framework.
32. Paragraph 85 of the Framework provides that, amongst other things, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The appellant has calculated that the operational benefit of the business incubation centre would be the potential accommodation of approximately 178 full-time equivalent jobs which would generate approximately £6.2 million of wages and approximately £13 million of Gross Value Added every year. These figures have not been disputed by the LPA. The evidence therefore indicates that the proposed development would provide a substantial contribution towards economic growth. For these reasons, the economic benefits of the proposed development attract significant weight.
33. The proposed office building would have an attractive and distinctive design. It would be required to achieve BREEAM Level Excellent, thereby ensuring a high standard of sustainable construction and an energy-efficient building. The proposed development would result in biodiversity enhancements on site, which could be secured via a planning condition. The scale of these benefits would not however be significant. These matters therefore provide little weight in favour of the proposed development.
34. It follows that the significant weight given to the benefits of the proposed development would outweigh the little weight given to the proposed development's conflict with the relevant policies of the development plan.
35. Reference has been made to emerging Policy E9 in support of the proposed development. Limited details are before me regarding the extent to which there are unresolved objections to this emerging policy. Even if I were to find that emerging Policy E9 carried little or no weight, the benefits of the proposed development on their own terms would be sufficient to outweigh the identified conflict with the relevant policies of the development plan. Hence, it is not necessary to consider emerging Policy E9 in any further detail.

36. Overall, in accordance with s38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), as a matter of planning judgement I find that the other considerations indicate that the appeal should be determined otherwise than in accordance with the development plan.

Conditions

37. I have had regard to the conditions suggested by the LPA. I have considered them against the advice on conditions set out in the Framework and the Planning Practice Guidance.

Conditions imposed

38. Conditions are necessary, in the interests of clarity and enforceability, setting out the timescale for the commencement of development (condition 1) and the approved plans (condition 2), respectively.
39. The submitted Arboricultural Implications Assessment and Method Statement contains a Preliminary Arboricultural Method Statement, which includes an illustrative Tree Protection Plan and an illustrative specification for tree protection barriers. Due to the preliminary nature of these documents, it is necessary for full and finalised details for tree protection matters to be approved in writing by the LPA. As such, a condition is necessary requiring a scheme for the protection of the retained trees to be approved in writing by the LPA, so that trees are appropriately safeguarded during the construction phase of the proposed development (condition 3).
40. A condition is necessary requiring a scheme of supervision for the arboricultural protection measures to be approved in writing by the LPA, to ensure that the tree protection measures are supervised, so that trees are appropriately safeguarded during the construction phase of the proposed development (condition 4).
41. A condition is necessary requiring that a Construction Environment Management Plan (CEMP) is approved in writing by the LPA, to ensure that trees, protected species, and habitats are appropriately safeguarded during the construction phase of the proposed development (condition 5).
42. A condition is necessary requiring a surface water drainage scheme (including a management and maintenance plan for the lifetime of the development) to be approved in writing by the LPA, to ensure that flood risk is not increased off-site (condition 6).
43. A condition is necessary requiring samples of all external facing materials to be approved in writing by the LPA, to ensure that the proposed development has a satisfactory appearance, which complements the character and appearance of the area (condition 7).
44. A condition is necessary requiring full details of both hard and soft landscape works to be approved in writing by the LPA, to ensure a satisfactory appearance for the proposed development (condition 8).
45. A condition is necessary requiring a Biodiversity Enhancement Plan to be approved in writing by the LPA, to ensure that protected species and habitats are safeguarded over the long-term and that an overall net gain for biodiversity is achieved on site (condition 9).

46. A condition is necessary requiring that a scheme for the disposal of foul water is approved in writing by the LPA, to protect water quality and biodiversity in the vicinity of the site (condition 10).
47. A condition is necessary requiring a lighting plan to be approved in writing by the LPA, to ensure that bats and other nocturnal species using the woodland are not adversely impacted by lighting (condition 11).
48. A condition is necessary requiring that the office building shall achieve a BREEAM Level Excellent, to ensure that the proposed development meets the sustainability standard specified in the description of the development (condition 12).
49. A condition is necessary specifying the timings for all planting / seeding / turfing to be carried out, and to set out contingencies to follow if any trees or plants die, are removed or become seriously damaged / diseased, to ensure that the soft landscaping on site, which contributes to appearance of the development and the character of the area, is maintained over the long-term (condition 13).

Conditions not imposed

50. Imposed conditions 3 and 4 would ensure that trees are protected during the construction phase of the proposed development, including arrangements for supervision of the arboricultural works and inspection of those works by the LPA's Arboricultural Officer. The LPA's suggested conditions 4, 5, and 8 are covered by imposed conditions 3 and 4.
51. Imposed condition 3 requires that the scheme for the protection of the retained trees shall be carried out as approved. Any arboricultural works falling outside of that approved would be unauthorised by this permission, meaning that the LPA's suggested condition 6 is not necessary. Imposed condition 3 does not preclude an amended tree protection scheme being approved by the LPA at any time, if required, which appears to be the focus of the LPA's suggested condition 7. Details of the proposed pre-commencement meeting, referred to in the LPA's suggested condition 9, are required to be approved by the LPA via imposed condition 4. For these reasons, I have not imposed the LPA's suggested conditions 6, 7, and 9, which instead would be covered by the LPA's approval of a tree protection scheme and an arboricultural supervision scheme via imposed conditions 3 and 4.
52. The mitigation and compensation measures put forward in the submitted Ecological Impact Assessment are in part based upon the illustrative Tree Protection Plan referred to above, and a Landscape Sketch Plan which lacks detail as to the exact tree species to be planted, with the report only suggesting certain native species for planting. The report also lacks detail as to the specific locations of certain enhancement measures, such as the exact location of the proposed bat boxes. As the LPA's suggested condition 12 requires in part that the development shall proceed in accordance with these measures, which are lacking in detail, it would not be reasonable to impose this condition.
53. However, imposed condition 5 requires a CEMP to be approved in writing by the LPA. The approved CEMP would be based on the mitigation and compensation measures in the Ecological Impact Assessment, and imposed condition 9 requires a Biodiversity Enhancement Plan to be approved in writing by the LPA. Hence,

imposed conditions 5 and 9 would cover the requirements of the LPA's suggested condition 12.

54. The implementation portion of the LPA's suggested condition 15 has been included within imposed condition 8. The contingencies to follow if any trees or plants die, are removed or become seriously damaged or diseased found within the LPA's suggested condition 15 have been included in imposed condition 13. The LPA's suggested condition 15 is therefore not necessary.
55. The details relating to the long-term maintenance arrangements for the surface water drainage system are included within imposed condition 6. The LPA's suggested condition 17 is accordingly not necessary.
56. The UU requires compliance with an approved Travel Plan, which would ensure that adequate parking provision and electric vehicle charging points are provided on site, and that appropriate arrangements for servicing and deliveries (including refuse collection) are put in place. The UU would also ensure that the appropriate visibility splay at the site access is provided. Therefore, the LPA's suggested conditions 19 and 20 are not necessary.
57. Imposed condition 12 requires that the office building shall achieve a BREEAM Level Excellent, and no building shall be occupied until a Final BREEAM Certificate has been issued for it. As imposed condition 12 would ensure that the appropriate BREEAM specifications for energy and water would be achieved, it is not necessary to impose the LPA's suggested conditions 21 and 22.

Conclusion

58. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations (including the representations of all interested parties), I conclude that the appeal should be allowed.

Alexander O'Doherty

INSPECTOR

Conditions Schedule

Time limit for commencement of development

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

Details & drawings subject to which the planning permission is granted

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Drawing No. 2019_EX_001_), Block Plan (Drawing No. 2019_PR_002_), Proposed Site Plan (Drawing No. 2019_PR_011_), Ground Floor Plan Proposed (Drawing No. 2019_PR_100_), First Floor Plan Proposed (Drawing No. 2019_PR_101_), Roof Plan Proposed (Drawing No. 2019_PR_110_), North and East Elevations (Drawing No. 2019_PR_301_), South and West Elevations (Drawing No. 2019_PR_302_), Internal Elevations (Drawing No. 2019_PR_303_), View From South East (Drawing No. 2019_VS_900_), View From South West (Drawing No. 2019_VS_901_), View From Upper Deck (Drawing No. 2019_VS_902_), General Arrangement Plan (Drawing No. 2078-UBU-XX-00-DR-L-0100) (Rev. P03).

Pre-commencement conditions

- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees, including fencing and ground protection (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) and Arboricultural Implications Assessment and Method Statement for Woodlands Park, Poles Lane, Otterbourne (Barrie Draper, ecourban Ltd) (Ref: 221444 - AIA 2) (dated: 28 March 2023) has been submitted to and approved in writing by the Local Planning Authority. The scheme for the protection of the retained trees shall be carried out as approved.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

- 4) No development shall take place until a scheme of supervision for the arboricultural protection measures required by condition 3 has been submitted to and approved in writing by the Local Planning Authority. This scheme shall be appropriate to the scale and duration of the works and shall include details of:

induction of staff in awareness of arboricultural matters;
identification of individuals and their responsibilities, including an Arboricultural Supervisor responsible for the implementation of protective measures (including fencing and ground protection), special surfacing and all works deemed necessary by the approved arboricultural method statement referred to in condition 3;
statement of delegated powers;
timing and methods of site visiting and record keeping, including updates;
procedures for dealing with variations and incidents;

procedures to inform the Local Planning Authority's Arboricultural Officer once tree protection measures (including fencing and ground protection) have been installed and to facilitate the inspection of those measures by the Arboricultural Officer; and details of the date, venue, and personnel attending a pre-commencement meeting.

The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved in writing by the Local Planning Authority. The scheme of supervision shall be implemented as approved.

- 5) No development shall take place, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The CEMP shall be based on the mitigation and compensation measures in the Ecological Impact Assessment (Final Document (Revision 1)) (ECOSA Ltd) (Ref: 22.0198.0001.F1) (dated: 27 April 2023) and shall provide for:

General:

Phases of development

Code of Construction Practice for all works and operations on the site

Use of fences and barriers to protect adjacent land, including tree protection areas

Measures to be undertaken to minimise impacts on surrounding land, including the protected woodland

Timetable and dates for stages of the development, including land restoration at the completion of construction works

Environmental:

Dust suppression, mitigation and avoidance measures

Measures for minimising construction waste and provision for the re-use and recycling of materials which shall be used in the construction of the development

Noise reduction measures, including use and details of acoustic screens and enclosures, the type of equipment to be used and their hours of operation

Floodlighting and security lighting (directed so as not to cause nuisance to adjoining properties or the protected woodland)

Ecological:

Timing restrictions for staged removal of any vegetation so as not to conflict with breeding seasons

Measures to be taken to prevent contaminants from entering watercourses, the water environment and the protected woodland

Practical measures (both physical measures and sensitive working practices) to avoid or reduce ecological impacts in respect of the protected woodland during construction

Transportation:

A traffic management plan for construction and delivery vehicles entering and leaving the site, including times of movement so as to avoid peak period traffic

The provision of long-term facilities for contractor parking

Methods and phasing of construction works

Access and egress for plant and machinery

Protection of pedestrian routes during construction

Location of temporary site buildings, compounds, construction material, and plant storage areas

Details of the methodology for ensuring dirt is not transferred onto the highway from the site (i.e. wheel washers), and onwards mitigation should this fail, such as the employment of mechanical road sweepers, and the subsequent refresh of street lining (as and when required) should this be damaged during the process.

The approved CEMP shall be adhered to throughout the construction period for the development.

- 6) No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment (The Civil Engineering Practice) (Project Number: 23813) (dated: 28 April 2023), has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include:
- a. A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment;
 - b. Winter groundwater monitoring results and infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed;
 - c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations;
 - d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change;
 - e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753;
 - f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria;
 - g. a timetable for its implementation; and
 - h. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

Conditions pre-permitted use

- 7) No development above ground level shall take place until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample details.

- 8) No development above ground level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

Proposed finished levels or contours, in comparison to existing ground levels, including the damp proof course and ground floor of the office building together with contours to be formed and earthworks to be undertaken;

All boundary treatments;

Hard surfacing materials;

Means of enclosure, including any retaining structures;

Vehicle parking layout;

Other vehicle and pedestrian access and circulation areas;

Soft landscaping works shall include:

Planting plans (for new trees, hedges and other planting);

Written specifications (including cultivation and other operations associated with plant and grass establishment);

Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Implementation programme

The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

- 9) No development above ground level shall take place until a Biodiversity Enhancement Plan (based on the biodiversity enhancement measures specified at section 5 of the Ecological Impact Assessment (Final Document (Revision 1)) (ECOSA Ltd) (Ref: 22.0198.0001.F1) (dated: 27 April 2023) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Biodiversity Enhancement Plan, and the biodiversity enhancement measures approved shall be retained thereafter.
- 10) No development above ground level shall take place until a scheme for the disposal of foul water has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
- 11) No development shall commence above damp proof course level until full details of the lighting plan for the site, including positioning on the office building, level of luminance, direction of lighting, and details of any motion sensors or timers have been submitted to and approved in writing by the Local Planning Authority. Any approved lighting shall be less than 1 lux along the woodland edge. The development shall be carried out in accordance with the approved details.
- 12) The office building hereby permitted shall achieve a BREEAM Level Excellent in accordance with the requirements of the relevant BREEAM scheme. No building shall be occupied until a Final BREEAM Certificate has been issued for it and produced to the Local Planning Authority certifying that BREEAM Level Excellent has been achieved.

Condition post-permitted use

- 13) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the commencement of the use of the office building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

End of Conditions Schedule