



Appeal Decisions

Site visit made on 8 July 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 August 2025

Appeal A Ref: APP/V0510/W/24/3357194

Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ

- 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 Christian Cooper of James Development Company Limited against the decision of East Cambridgeshire District Council.
 - The application Ref is 24/00318/FUL.
 - The development proposed is Erection of 2 Three-Bedroom Semi-Detached Bungalows with Off-Street Parking and associated landscaping.
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Appeal B Ref: APP/V0510/W/25/3363980

Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Christian Cooper of James Development Company Limited against East Cambridgeshire District Council.
 - The application Ref is 24/01119/FUL.
 - The development proposed is Erection of 2 Detached Four Bedroom Homes with Garages, off-street parking and associated landscaping.
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Appeal C Ref: APP/V0510/W/25/3365248

Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Christian Cooper of James Development Company Limited against East Cambridgeshire District Council.
 - The application Ref is 24/01234/FUL.
 - The development proposed is Erection of 1 Detached Five-Bedroom Home with Attached Garage, off-street parking and associated landscaping.
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Decision – Appeal A

1. The appeal is allowed and planning permission is granted for Erection of 2 three-bedroom semi-detached bungalows with off-street parking and associated landscaping, at Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ, in accordance with the terms of the application, Ref 24/00318/FUL, subject to the conditions in the attached schedule.

Decision – Appeal B

2. The appeal is allowed and planning permission is granted for Erection of 2 Detached Four Bedroom Homes with Garages, off-street parking and associated landscaping, at Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ, in accordance with the terms of the application, Ref 24/01119/FUL, subject to the conditions in the attached schedule.

Decision – Appeal C

3. The appeal is allowed and planning permission is granted for Erection of 1 Detached Five-Bedroom Home with Attached Garage, off-street parking and associated landscaping, at Land to East of 38 and 38a Chapel Lane, Wicken, Ely, Cambs CB7 5XZ, in accordance with the terms of the application, Ref 24/01234/FUL, subject to the conditions in the attached schedule.

Applications for Costs

4. Applications for costs have been made by the appellant against East Cambridgeshire District Council and are the subject of separate decisions.

Preliminary Matters

5. As set out in the banner headings above, this decision letter addresses three appeals. The appeals all relate to the erection of dwellings on the same site, although the scale and nature of the proposals vary. Each appeal has been determined against its specific considerations, although I have addressed the common issues together to ensure conciseness and avoid duplication.
6. Appeal A relates to a planning application that was refused by the Council. Appeals B and C relate to the Council's failure to determine planning applications within statutory timescales. Whilst no formal decision was issued by the Council for these cases, the Council's Statement of Case outlines what the likely reasons for the refusal of planning permission would have been, had a decision been made. I have relied on these putative reasons to establish the main issues.
7. Two other appeals on the same site¹ are addressed in a separate decision letter. For the avoidance of doubt, all appeals have been determined concurrently.

Main Issues

8. In respect of Appeal A only, the main issues are whether the proposed development would:
 - have an acceptable effect on the character and appearance of the area; and
 - make appropriate provision for biodiversity.
9. An additional main issue in respect of all appeals is whether the appeal site is a suitable location for housing, having regard to the spatial strategy of the development plan.

¹ APP/V0510/W/24/3363755 and APP/V0510/W/24/3355259

Reasons

Character and appearance – Appeal A only

10. The appeal site comprises a vacant and overgrown parcel of land located outside the defined development envelope of Wicken. It is bound on two sides by recently completed residential development, including detached bungalows to the rear (south) and a two-storey detached dwelling fronting Chapel Lane to the side (east). The site has clearly defined boundaries and is visually enclosed by surrounding built form, with ancillary structures such as garages and sheds present on the adjacent plot to the west.
11. The Appeal A proposal consists of two semi-detached bungalows of a height and scale comparable to the bungalows to the rear. Whilst the dwellings would occupy much of the width of the plot, their form and massing would not appear incongruous in the context of the surrounding development. Although semi-detached in nature, this typology is not uncharacteristic of the area, with similar examples found along Chapel Lane. The proposal would therefore reflect the established pattern of development and would not appear cramped or contrived within the site.
12. The Council has raised concerns that the layout and form of the proposed dwellings would fail to respect the spacious character of the area and would result in a visually dominant roof form. However, the site's containment by existing development, its limited contribution to the openness of the countryside, and the compatibility of the proposed scale and design with neighbouring properties mitigate these concerns. The proposed dwellings would not result in harm to key views or the wider rural landscape, nor would they adversely affect the living conditions of neighbouring occupiers.
13. Overall, I conclude that the proposal would be acceptable in terms of its effect on the character and appearance of the area. It would be compatible with the surrounding built form and would not result in significant harm to the visual qualities of the locality. The development would therefore comply with Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, April 2015 (As amended 2023) (the LP), which collectively seek to ensure that new development conserves and enhances the character of the area, relates sympathetically to its surroundings, and contributes positively to the local environment. It would also accord with the relevant provisions of the National Planning Policy Framework (the Framework), which have similar aims.

Biodiversity – Appeal A only

14. LP Policy ENV 7 requires all development proposals to protect the biodiversity and geological value of land and buildings, minimise harm to environmental features, and maximise opportunities for habitat creation and enhancement. Although the policy does not explicitly require measurable biodiversity net gain (BNG) for every development, it sets a clear expectation that biodiversity should be safeguarded and enhanced wherever possible.
15. The Council raised concerns regarding Appeal A due to the absence of a BNG report and insufficient information to demonstrate the ecological baseline value of the site prior to its clearance. It was considered that the removal of dense undergrowth and established landscape features may have resulted in biodiversity

loss, and without a clear understanding of the site's original ecological value, the adequacy of proposed mitigation measures could not be verified.

16. However, the appellant has submitted additional details in support of Appeals B and C, which demonstrate that a biodiversity net gain of between 12.5% and 15.6% could be achieved, and the Council has accepted the validity of the baseline assessment and the proposed enhancement measures. Although Appeal A was not initially accompanied by a BNG report, the comparable site conditions and scale of development suggest that similar biodiversity outcomes could reasonably be achieved.
17. Given the non-prescriptive nature of Policy ENV 7, and the broader evidence available from the linked appeals, it is reasonable to find that the proposed development would not result in significant harm to biodiversity and it would accord with the provisions of the development plan. The site's previous use as a builder's yard and the acceptance of its baseline condition further support this finding. Subject to the implementation of appropriate enhancement measures, which could be secured by condition, the Appeal A proposal would make suitable provision for biodiversity.
18. Accordingly, I conclude that the proposal would make appropriate provision for biodiversity and would accord with LP Policy ENV 7 of the Local Plan and the relevant provisions of the Natural Environment SPD, which seek to avoid harm and secure measurable gains for biodiversity as part of new development.

Suitability of location

19. Policy GROWTH 2 of the LP sets out a spatial strategy that strictly controls development outside defined development envelopes, with the aim of protecting the countryside and the setting of towns and villages. Outside these envelopes, development is limited to specific categories, such as affordable housing, dwellings for essential rural workers, and residential care homes. The appeal proposals, comprising market housing, do not fall within any of these exception categories.
20. On this basis, the Council argues that full weight should be given to Policy GROWTH 2, supported by its robust five-year housing land supply and strong Housing Delivery Test performance. The LP was subject to a Single Issue Review adopted in October 2023, which reaffirmed the validity of its spatial strategy. The Council maintains that no material considerations have been presented that would justify a departure from the development plan.
21. Nevertheless, whilst the site lies outside the development envelope, it is adjacent to existing residential development. Although the directly adjoining site to the west is not in residential use, residential properties lie immediately beyond it. In spatial, functional, and visual terms, the appeal site appears as an undeveloped gap within an otherwise developed frontage along Chapel Lane, and does not exhibit the characteristics of open countryside.
22. The site itself is vacant and underutilised, enclosed on two sides by residential development and bound by Chapel Lane to the north. It benefits from recent infrastructure improvements along Chapel Lane, including a lit footpath and upgraded highway. Visually, the site is well-contained, and its development would be compatible with the surrounding built form. As established under a previous

main issue, the Appeal A proposal would not harm the character or appearance of the area, and the Council identified no such specific harm in relation to Appeals B and C. Furthermore, each of the proposals would make efficient use of land, consistent with the objectives of the Framework.

23. The Council has referred to another appeal decision where the Inspector concluded that conflict with Policy GROWTH 2 should be given significant weight, even in the absence of demonstrable harm. The Inspector cautioned that overlooking such conflict could undermine the development plan as the starting point for decision-making. Whilst this decision is a material consideration, each appeal must be assessed on its own merits, taking into account the specific circumstances of the site and proposal.
24. Additionally, even if the Council could demonstrate a five-year supply of deliverable housing sites, this should not be seen as a bar to further development. The Framework makes clear that housing delivery remains a priority, and proposals should not be resisted solely on the basis of adequate supply.
25. In this case, although the development does not meet any of the specific exceptions listed in Policy GROWTH 2, the site-specific factors, chiefly its containment by existing development, absence of visual harm, and infrastructure improvements, carry weight, as do the benefits of housing provision and the Framework's support for rural vitality and efficient land use. The overarching aims of Policy GROWTH 2 are to protect the countryside and settlement character, none of which are compromised here. Taken together, the considerations outlined above provide sufficient justification to support residential development on the site.
26. Accordingly, whilst this is a finely balanced assessment, I find no conflict with the key aims of LP Policy GROWTH 2. The balance of considerations therefore tips marginally in favour of the proposal, and I conclude that the appeal site would be a suitable location for housing, having regard to the spatial strategy of the development plan and the material considerations specific to this case.

Other Matters

27. The appeal site lies near two designated European Sites: the Wicken Fen Ramsar site and the Fenland Special Area of Conservation (SAC). Wicken Fen is one of the few remaining undrained peat fens in East Anglia, supporting a diverse mosaic of habitats and notable species, including the endangered fen violet (*Viola persicifolia*) and over 120 Red Data Book invertebrates. The Fenland SAC is designated for its rare *Molinia* meadows and calcareous fens, and for supporting protected species such as the spined loach (*Cobitis taenia*) and great crested newt (*Triturus cristatus*).
28. Natural England has advised that the proposed development would not have a significant adverse impact on these protected sites or their surrounding landscapes. The Council reached a similar conclusion.
29. Having considered the evidence, I am satisfied that, given the location of the site, the nature and limited scale of the development, and the characteristics of the surrounding environment, the proposal, whether considered on its own or in combination with other developments, would not result in harm to the integrity of the European Sites.

30. I therefore agree with the conclusions of both Natural England and the Council that the proposals would not undermine the conservation objectives of the designated sites. An appropriate assessment under the Habitats Regulations is not required. The proposal is therefore consistent with the relevant provisions of the Framework that seek to protect habitats sites of particular importance.

Conditions

31. The Council has provided a list of suggested conditions for each appeal, which I have considered against the tests set out in the Framework and the Planning Practice Guidance (PPG). Where appropriate, I have omitted or amended certain conditions to ensure compliance with these provisions.
32. To safeguard future and neighbouring occupiers from potential land contamination, conditions requiring site investigation, risk assessment, and, if necessary, remediation works are justified.
33. A condition requiring further details if piling is used during construction is necessary to protect the living conditions of nearby residents. Similarly, a restriction on construction hours is appropriate for the same reason.
34. Conditions requiring the implementation of tree protection measures and ecological and biodiversity enhancements are necessary to safeguard existing natural features and support biodiversity.
35. For Appeal A, a condition requiring the provision of visibility splays has been recommended. Although not explicitly listed for Appeals B and C, the Council's officer report confirms that this requirement was raised by the Highways Officer. Based on the available evidence, I find this condition necessary for all appeals to ensure highway safety. Additional conditions securing the implementation of access, parking, and turning areas, along with measures to prevent surface water runoff from hard surfaces onto the highway, are also justified for the same reason and to support sustainable drainage.
36. A condition requiring the implementation of soft landscaping measures has been suggested for Appeals B and C, based on the details shown in the approved site layout. For Appeal A, a condition requiring the submission of further landscaping details has been proposed, despite the approved layout including similar information. In this context, a single condition requiring the implementation of the approved soft landscaping scheme would be sufficient for all appeals and would serve the interests of the character and appearance of the area. This condition can also secure hard landscaping.
37. Conditions requiring details of boundary treatments and external materials have been suggested. However, as these elements are already illustrated on the approved plans, additional conditions requiring their submission are unnecessary. Nonetheless, to safeguard the living conditions of future occupiers, it is appropriate to require that the approved boundary treatments be installed prior to occupation.
38. A condition has been suggested to limit noise from air source heat pumps to background levels. However, no noise survey has been provided to demonstrate whether this requirement is achievable, nor is there compelling evidence that noise from the pumps would adversely affect occupiers' living conditions. I am therefore not persuaded that this condition is necessary or enforceable.

39. Conditions removing certain permitted development rights have been proposed. However, the PPG advises that such restrictions must be clearly justified. In this case, no compelling reasons have been provided, and I do not consider these conditions to meet the tests of necessity or reasonableness.

Conclusion

40. For the reasons given above, I conclude that Appeals A, B and C should be allowed subject to the conditions listed in the attached schedules.

P Storey

INSPECTOR

Appeal A Ref: APP/V0510/W/24/3357194

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan – dated 21 March 2024
 - Site Layout & Location / Ownership Plan – 1101-51
 - Ground and First Floor Plans and Sections – 1101-54
 - North & West Contextual Elevations, Site Plan Extract – 1101-52
 - North Contextual Elevations – 1101-52a
 - South & East Contextual Elevations, Site Plan Extract – 1101-53
 - South Contextual Elevations – 1101-53a
 - West Contextual Elevations – 1101-53b
 - East Contextual Elevations – 1101-52b
 - Landscaping Proposals – dated March 20th 2024
 - Surface Water Disposal Strategy Statement – dated 19 April 2024
- 3) No development, other than site clearance, shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken, and a written report of the findings has been submitted to and approved in writing by the local planning authority. This must be undertaken by competent persons, and 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; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s); and
 - (iv) A timetable for the implementation of any remediation works.

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timetable.
- 4) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

- 5) No works involving piling shall take place until a report/method statement has been submitted to and approved in writing by the local planning authority, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. The development shall thereafter be carried out in accordance with the approved details.
- 6) Construction times and deliveries, with the exception of internal works, shall be limited to the following hours: 0730 to 1800 each day Monday to Friday; 0730 to 1300 Saturdays; and at no time on Sundays, Bank Holidays and Public Holidays.
- 7) The boundary treatments shown on the approved plans shall be installed in accordance with the approved details prior to the first occupation of the development hereby permitted.
- 8) The development shall be carried out in accordance with the conclusions and recommendations set out within the Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan prepared by Hayden's Arboricultural Consultations and dated 11th April 2024 and Drawing Ref. 10908-D-AIA.
- 9) The development shall be carried out in accordance with the findings and recommendations of the Preliminary Ecological Appraisal dated November 2022 and the biodiversity improvements set out within the Biodiversity Improvement Strategy dated 20th March 2024. The biodiversity improvements shall be delivered prior to occupation of the first dwelling and retained thereafter.
- 10) All hard and soft landscaping works shall be carried out in accordance with the details shown on the approved plans, no later than the end of the first planting season following the first occupation of the development hereby permitted. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place. The approved details shall be retained thereafter.
- 11) Prior to first occupation of the development hereby permitted, the access, on-site parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved details, including drainage measures to prevent surface water runoff on to the adjacent public highway. These areas shall be retained thereafter in accordance with the approved details.
- 12) Prior to the first occupation of the development hereby permitted, visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

**** End of conditions ****

Appeal B Ref: APP/V0510/W/25/3363980

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Layout & Location / Ownership Plan – 1101-251 Rev B
Plot 1 – House type CH25 - 1101-252
Plot 2 – House type CH25 - 1101-253
Garage for Plots 1 & 2 – 1101-254
Biodiversity Net Gain Analysis – 1101-255
Surface Water Disposal Strategy Statement – dated 12 November 2024
- 3) No development, other than site clearance, shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken, and a written report of the findings has been submitted to and approved in writing by the local planning authority. This must be undertaken by competent persons, and 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; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
(iii) An appraisal of remedial options, and proposal of the preferred option(s);
and
(iv) A timetable for the implementation of any remediation works.

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timetable.
- 4) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 5) No works involving piling shall take place until a report/method statement has been submitted to and approved in writing by the local planning authority, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. The development shall thereafter be carried out in accordance with the approved details.

- 6) Construction times and deliveries, with the exception of internal works, shall be limited to the following hours: 0730 to 1800 each day Monday to Friday; 0730 to 1300 Saturdays; and at no time on Sundays, Bank Holidays and Public Holidays.
- 7) The boundary treatments shown on the approved plans shall be installed in accordance with the approved details prior to the first occupation of the development hereby permitted.
- 8) The development shall be carried out in accordance with the conclusions and recommendations set out within the Tree Survey and Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants and dated 26 November 2024 and Drawing Ref. 1328-D-Av2-AIA.
- 9) The development shall be carried out in accordance with the findings and recommendations of the Preliminary Ecological Appraisal dated November 2022 and the Small Sites Metric, BNG Area Analysis and BNG Supporting Statement dated October 2024. The biodiversity improvements shall be delivered prior to occupation of the first dwelling and retained thereafter.
- 10) All hard and soft landscaping works shall be carried out in accordance with the details shown on the approved plans, no later than the end of the first planting season following the first occupation of the development hereby permitted. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place. The approved details shall be retained thereafter.
- 11) Prior to first occupation of the development hereby permitted, the access, on-site parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved details, including drainage measures to prevent surface water runoff on to the adjacent public highway. These areas shall be retained thereafter in accordance with the approved details.
- 12) Prior to the first occupation of the development hereby permitted, visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

**** End of conditions ****

Appeal C Ref: APP/V0510/W/25/3365248

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Layout & Location / Ownership Plan – 1101-151 Rev C
General Arrangement, Floor Plans, Front & Rear Elevations – 1101-152 Rev A
Sections and Side Elevations – 1101-153 Rev A
Biodiversity Net Gain Analysis – 1101-155
Surface Water Disposal Strategy Statement – dated 30 November 2024
- 3) No development, other than site clearance, shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken, and a written report of the findings has been submitted to and approved in writing by the local planning authority. This must be undertaken by competent persons, and 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; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s); and
 - (iv) A timetable for the implementation of any remediation works.

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timetable.

- 4) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 5) No works involving piling shall take place until a report/method statement has been submitted to and approved in writing by the local planning authority, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. The development shall thereafter be carried out in accordance with the approved details.

- 6) Construction times and deliveries, with the exception of internal works, shall be limited to the following hours: 0730 to 1800 each day Monday to Friday; 0730 to 1300 Saturdays; and at no time on Sundays, Bank Holidays and Public Holidays.
- 7) The boundary treatments shown on the approved plans shall be installed in accordance with the approved details prior to the first occupation of the development hereby permitted.
- 8) The development shall be carried out in accordance with the conclusions and recommendations set out within the Tree Survey and Arboricultural Impact Assessment prepared by Hayden's Arboricultural Consultants and dated 15 January 2025 and Drawing Ref 11328-D-E-1Unit-AIA.
- 9) The development shall be carried out in accordance with the findings and recommendations of the Preliminary Ecological Appraisal dated November 2022 and the Small Sites Metric, BNG Area Analysis and BNG Supporting Statement dated October 2024. The biodiversity improvements shall be delivered prior to occupation of the dwelling and retained thereafter.
- 10) All hard and soft landscaping works shall be carried out in accordance with the details shown on the approved plans, no later than the end of the first planting season following the first occupation of the development hereby permitted. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place. The approved details shall be retained thereafter.
- 11) Prior to first occupation of the development hereby permitted, the access, on-site parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved details, including drainage measures to prevent surface water runoff on to the adjacent public highway. These areas shall be retained thereafter in accordance with the approved details.
- 12) Prior to the first occupation of the development hereby permitted, visibility splays of 2m x 2m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

**** End of conditions ****