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## Appeal Decision

Site visit made on 4 September 2025

by **G Dring BA (Hons) MA MRTPI MAUDE**

an Inspector appointed by the Secretary of State

Decision date: 9 October 2025

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**Appeal Ref: APP/K3605/W/25/3362353**

**31 Water Lane, Cobham, Surrey KT11 2PA**

- 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 Nick Jarvis, Glenwood Homes Ltd against the decision of Elmbridge Borough Council.
  - The application Ref is 2024/0864.
  - The development proposed is demolition of existing house and detached double garage, and erection of two new semi-detached houses and one detached house, including associated landscaping.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of existing house and detached double garage, and erection of two new semi-detached houses and one detached house, including associated landscaping at 31 Water Lane, Cobham, Surrey KT11 2PA in accordance with the terms of the application, Ref 2024/0864, subject to the conditions in the attached schedule.

### Preliminary Matters

2. I have taken the description of development above from the planning application form as I have not been provided with evidence that the altered description used by the Council was agreed to by the appellant.
3. The Council has confirmed that it wishes to withdraw the third reason for refusal relating to the lack of a legal agreement to secure an affordable housing contribution given a recent change in approach. Therefore, I will not consider this matter as a main issue in this case.

### Main Issues

4. The main issues are the effect of the proposal on:
  - the character and appearance of the area;
  - the living conditions of the occupants of 29 Water Lane with regard to outlooks; and
  - the integrity of European sites.

## Reasons

### *Character and appearance*

5. The appeal site comprises a detached two storey dwelling that is set back from the road within a spacious plot, located within a residential area which is verdant in character. Water Lane contains a variety of house types, sizes, designs and plot widths including a number of dwellings which are of substantial size and massing. The majority of dwellings are two storey and detached but there is a pair of semi-detached dwellings directly adjacent to the appeal site. The prevailing front boundary treatments are formed of hedging, vegetation and trees which contributes to the character of the area.
6. There is variation in the separation distances between dwellings and the side boundaries of their respective plots. Some are very closely related and others, such as the appeal dwelling, are more spaciouly situated. More modern development, directly opposite the appeal site and to the southwest represents a denser pattern of development with dwellings being located in closer proximity to one another and with built form taking up much of the width of their individual plots.
7. The variety in the existing development in terms of layout, design and appearance along with the fact there is consistency in that dwellings are set back from the lane behind parking areas and mature trees and vegetation contributes positively to the character and appearance of the area.
8. The proposal would result in a pair of semi-detached dwellings and a detached dwelling, all two storeys with accommodation in the roof space. Whilst the height and depth of the proposed buildings would be greater than that of the existing dwelling, they would remain in keeping with the height and depth of other dwellings along Water Lane. The scale and massing of the development would also be congruent with the varied built form in the surrounding area.
9. Whilst the pair of semi-detached dwellings would be situated further forward in the plot than the existing dwelling, they would remain set back from the lane a similar distance to that of the development around it, including the dwelling directly adjacent at 29 Water Lane. The siting of the proposed dwellings would therefore appear in keeping with the character of the area. The proposal would utilise the existing access to serve all three dwellings and vegetation would be provided along the front boundary. This would reinforce the existing verdant character of the street scene.
10. The separation distance between the proposed dwellings and the plot boundaries would be closer than in the arrangement of built form immediately adjacent to the appeal site to either side but would nevertheless be in keeping with the separation distances that exist between other dwellings and their respective plot boundaries along Water Lane, in close proximity to the appeal site. The separation between the proposed dwellings and the neighbouring dwellings to either side would also appear appropriate and in keeping with the varied spacing along the lane.
11. The intensification of the residential use of the site would mean the creation of narrower plots than the existing situation at the appeal site and in the case of other plots immediately adjacent, however, there are other plots along the lane that are more limited in width, including those directly opposite the appeal site. This intensification also means that the proposed rear gardens would be narrower than

others along the lane, nevertheless, the overall depth of the garden space would remain. The size and shape of rear gardens serving dwellings along the lane vary considerably with some having much more limited rear garden depths, whilst others have extensive rear gardens. The width of the rear gardens would not be significantly noticeable from public vantage points which would temper this consideration.

12. Overall, whilst I agree that the resultant development would appear denser in terms of the pattern of development, compared with the existing situation, I do not consider that it would appear overly cramped or dominant in appearance, given it would reflect the denser modern development already established along the lane, which informs the pattern of development in the local area. The lack of garaging proposed would not in my view result in a development that would appear out of character with the area.
13. I therefore find that the proposal would not be harmful to the character and appearance of the area. Consequently, it would comply with Policies CS10 and CS17 of the Elmbridge Core Strategy July 2011(CS) and Policies DM2 and DM10 of the Elmbridge Local Plan - Development Management Plan April 2015 (DMP). These policies seek, amongst other things, that all new development is well designed and integrates with, enhances and respects the local character of the area. It would also comply with an overarching aim of the Design and Character Supplementary Planning Document April 2012, which is to provide a sensitive response to the character of a place. For the same reasons the proposal would comply with paragraph 135 of the National Planning Policy Framework (the Framework) which states that developments should be sympathetic to local character.

#### *Living conditions*

14. The position of the proposed dwellings would result in a rearwards projection that would go beyond the rear building line of 29 Water Lane. Whilst this is also the case in the existing situation, the appeal proposal would bring two storey development much closer to the side boundary which is situated alongside the rear garden of No 29.
15. Views towards the proposed dwellings from the rear windows at both the ground floor and first level of No 29 would be at an angle and given the separation, I do not consider that the proposal would appear overly dominant in these views. This is because the main outlooks from No 29 across the rear garden space towards the rear boundary would remain open. However, I accept that the increase in the amount of built form in closer proximity to the boundary would be clearly noticeable from the users of the rear garden space at No 29.
16. The proposed built form would be set off the side boundary of Plot 1, but in fairly close proximity towards the rear of the proposed dwelling. There is an existing lane that runs between the appeal site and No 29, which is separated from both by the existing boundary treatments. This intervening lane extends the separation and provides a buffer between the appeal proposal and the rear garden space serving No 29. The side elevation facing No 29 would provide detailing such as the fenestration and chimney and the roof would slope away. The proposed dwelling also steps down to single storey level to the rear for a short distance. These features mean that the massing of the development would be broken up visually.

The garden area serving the occupants of No 29 is also generously sized and there is vegetation and trees along the boundary which would filter the view of the proposal from certain points within the garden.

17. Therefore, seen from the rear garden of No 29, the side elevation of the proposed dwelling on Plot 1 would replace the existing open views across the side and rear garden of the appeal site. I accept this would be disappointing for those neighbours but in my view, taking the above considerations into account, it would not result in an overbearing development that would create an unacceptable loss of outlook considering the distances involved and the residential setting. This is a view shared by the Planning Officer who assessed the application.
18. I therefore find that the proposal would not cause unacceptable harm to the living conditions of the occupants of 29 Water Lane with regard to outlooks. As such it would comply with Policy DM2 of the DMP which seeks, amongst other things, that development proposals should be designed to offer an appropriate outlook and that the amenity of neighbouring users is protected. For the same reasons I do not find conflict with paragraph 135 of the Framework.

### *European sites*

19. The appeal site is located within the zone of influence of the Thames Basin Heaths Special Protection Area (SPA) which is identified as an internationally important habitat for three rare species of ground nesting birds, the Dartford warbler, nightjar and woodlark. The Conservation of Habitat and Species Regulations 2017 impose a duty on the competent authority to consider whether a proposed development may have a significant effect on the conservation objectives of such sites either alone, or in combination with other plans and projects within the framework of an Appropriate Assessment (AA).
20. The proposed dwellings would be likely to result in additional demand for recreation locally, and such activity within the SPA could cause disturbance to birds and their habitats. The increase from the development alone would be small, but it is likely that in combination with other developments, the proposal could have a significant impact on the integrity of the SPA.
21. The Development Contributions Supplementary Planning Document July 2020 (updated April 2021) (DCSPD) sets out the Thames Basin Heaths SPA Delivery Framework which is a strategic approach to ensuring the protection of the SPA and includes the provision of a Suitable Accessible Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) measures. A financial contribution, as set out in the DCSPD, is required in this case to provide adequate mitigation in relation to the SAMM. Natural England has endorsed this approach, and I am satisfied that the measures identified would adequately address any adverse effects of the proposal on the SPA.
22. The appellant has provided a legal agreement which would secure the requisite financial contribution. The Council has been consulted on the legal agreement and has raised no objection. This contribution would be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. As such, the contributions may be taken into account as mitigation to maintain the integrity of the SPA, and given the evidence before me, I am satisfied that the mitigation

measures have been appropriately secured through the legal agreement and would be used for their intended purpose.

23. In light of the above and following an AA, I find that the proposal would not adversely affect the integrity of the SPA. The proposal would therefore comply with Policy CS13 of the CS which seeks to avoid and mitigate the effects of residential development on the integrity of the SPA.

### **Other Matters**

24. There is no substantive evidence before me that the addition of a pair of semi-detached dwellings of the size proposed in this established residential area would negatively undermine community cohesion nor that there is insufficient capacity in local services and facilities to meet the needs that would be generated by the development.
25. I recognise that there is local concern about the narrowness of Water Lane and the lack of a separate footpath, however, there is no compelling evidence that the vehicle movements associated with two additional dwellings would significantly harm highway or pedestrian safety. I note that the Highway Authority have raised no objections subject to conditions and that the Council consider that sufficient parking would be provided. Based on the evidence before me and my site visit, I can find no reason to disagree.
26. I note the concerns about construction vehicles accessing the site and that other recent developments have caused issues for neighbours in this regard. I also recognise that there is concern that the private road directly opposite might be used by construction vehicles and that it is stated that deliveries could be made to the rear, but that this is not possible. Concerns are also raised about the potential for damage to be caused to the roads due to delivery vehicles accessing the site. Whilst I accept that the construction phase would cause some disruption, this would be temporary and could be mitigated by a revised construction management scheme secured by an appropriately worded condition which would include the hours of operation.
27. Although the proposed dwellings would be taller and sited further into the appeal site than the existing dwelling, they would still retain a significant separation distance from the rear boundary and the rear elevations of the dwellings that front on to Eaton Park Road to the rear of the site. There would also be significant separation between the proposed front elevations of the dwellings and the properties located on the opposite side of Water Lane. As such, the proposal would not lead to any significant loss of privacy in these respects.
28. The proposed dwelling on Plot 3 would extend further back than the existing dwelling and as such would result in a change in relationship with the adjacent property 33 Water Lane. Nevertheless, given the separation proposed between the dwellings and the extensive garden area surrounding No 33, I do not find that the impact of the proposal would be overbearing.
29. The orientation and layout of the dwellings would prevent any unacceptable overshadowing or loss of light sufficient to harm the living conditions of any neighbours. The proposed window layout would include obscure glazing to the en-suite bathroom windows above ground floor level on the side elevations ensuring they would not result in any unacceptable levels of overlooking when subject to a

condition restricting their opening. The rooflights proposed in both side elevations facing the neighbouring properties are high level and as a result would not cause any significant issues of overlooking.

30. The Council has confirmed that the site is in Flood Zone 1 and is at low risk of surface water flooding. There is no substantive evidence before me that the proposal would increase the risk of flooding at the site or elsewhere.
31. Details of the bin stores have been provided and in my view there appears to be sufficient space to provide these within the appeal site. The Council has also suggested a condition requiring details of the bin collection point. I find that this matter can be appropriately dealt with by planning condition.
32. Concerns are raised about the clearance of vegetation that has already taken place. The Council confirm that these works were carried out following consultation with the Council's Tree Officer. I also note that the Council's Tree Officer was consulted on the application and raised no objection subject to conditions. Based on the evidence before me, including the Arboricultural Report (AR) prepared by dpa arboricultural consultants I also find that arboricultural matters can be adequately dealt with by condition.
33. The Surrey Wildlife Trust (SWT) and the Surrey Bat Group were both consulted on the application and have raised no objections on biodiversity grounds subject to conditions. The baseline used for the biodiversity net gain metric was considered acceptable by SWT, given the vegetation already removed from the appeal site did not meet the requirements to be included in the assessment. Additional on-site wildlife enhancements are proposed and the Council has suggested a condition requiring a Biodiversity Enhancement and Management Plan in order to secure these.
34. The introduction of two additional dwellings would have little impact on pollution in terms of during the construction phase and after with the addition of vehicles serving two additional households. While there would be some emissions associated with the demolition of the existing dwelling, this is not so significant to warrant withholding planning permission. The Council has confirmed the site is considered low risk with respect to possible significant ground contamination.
35. The density of the proposed development would not meet the 30dph minimum housing density threshold. It is also identified that the pair of semi-detached dwellings which are identified as being three bedroom, would well exceed the space standards with potential to be converted into four bedroom units and as such they would not meet the identified housing need for smaller dwellings.
36. However, the Council did not refuse the application on the grounds of insufficient density or inappropriate housing mix and I agree that if overriding harm would be caused to the character of an area then such thresholds have to be considered alongside other material considerations including whether the proposal would result in the efficient use of the site. The appeal proposal would provide a net addition of two dwellings in an existing residential area and I find that they would add to the housing mix and supply of the area.
37. The Council has not suggested a condition requiring that the location of heat pumps or air conditioning units should be provided. Given the nature of the site, it would be possible for these features to be adequately sited without significant

visual impact or effects on the amenity of others. There is no compelling evidence before me that these elements of the scheme would be likely to cause any significant issues.

38. Concerns are raised by interested parties about the provision of amenity space for the occupants of the proposal as well as whether sufficient daylight would be provided. The Council has not objected to the appeal proposal on either of these matters, and based on the evidence before me I cannot find a reason to disagree with the Council in this regard.
39. Paragraph 65 of the Framework identifies that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. Nevertheless, the Council has previously sought and secured affordable housing contributions on smaller sites under Policy CS21 of the CS which sets out the need for a financial contribution equivalent to the cost of 20% of the gross number of dwellings on sites of 1-4 dwellings.
40. Since the appeal was submitted the Council has considered different matters including the revisions to the Framework, case law, the effectiveness of Policy CS21 since its adoption in 2011 and the outcome of discussions relating to the draft Local Plan and has resolved to no longer pursue affordable housing contributions on small sites, choosing to align with the requirements of the Framework instead of Policy CS21 of the CS.
41. A legal agreement was submitted initially which would have secured an affordable housing contribution in order to resolve the Council's third reason for refusal. However, a revised legal agreement was submitted removing the affordable housing contribution, following the Council's change in approach on this matter set out above. I therefore find that whilst there would be a conflict with the requirements of Policy CS21 of the CS, such a planning obligation would not be necessary to make the development acceptable in planning terms and as such it would not meet the Framework tests on planning obligations.
42. Damage to private property during the construction phase is raised as a particular concern. There is nothing to suggest that the proposal would result in such damage. In any case, this would form a private matter.
43. Interested parties raise concerns that the grant of permission would set a precedent for other similar developments. However, no directly similar or comparable sites to which this might apply are identified. In any case, each appeal must be determined on its own individual merits. I acknowledge the concerns of the interested parties relating to a lack of engagement from the developer. Nevertheless, this is not a matter that I can consider in reaching my decision on the appeal.

## Conditions

44. The Council has suggested a number of conditions in the event that the appeal be allowed. The appellant has not objected to the suggested conditions. I have altered the wording and combined conditions where necessary to better reflect the advice set out in the Planning Practice Guidance concerning the use of planning conditions, without changing their overall intention.

45. In addition to the standard time limit, a condition setting out the approved plans is necessary to provide certainty. A pre-commencement construction transport management plan condition is also necessary in order to ensure highway safety and the protection of neighbouring amenity. A pre-commencement condition requiring a biodiversity enhancement and management plan is reasonable and required to promote biodiversity.
46. A pre-commencement condition is necessary in relation to tree protection in order to ensure trees are protected prior to commencement. A further tree protection condition is necessary along with a condition relating to retained trees, hedges and hedgerows to ensure the tree protection measures are adhered to throughout the construction phase and that existing vegetation is retained in accordance with the details provided.
47. Conditions requiring a hard and soft landscaping scheme, including tree planting, samples of external materials and the bin collection point details are reasonably necessary in order to best assimilate the proposal into its surroundings and to respond effectively to the character and appearance of the area. I do not find it necessary for the external materials and landscaping scheme to be required at the pre-commencement stage.
48. Conditions securing the provision of the amended access including visibility splays, parking for vehicles and cycles and electric vehicle charging sockets are required in the interests of sustainable transport, highway safety and parking.
49. Conditions are required to ensure windows in the side elevations, above ground floor level are obscure glazed and that both these windows and the rooflights in the side elevations are non-opening below a certain height above the floor level. These are necessary to ensure the privacy of the occupants of the neighbouring properties.
50. A condition is reasonable to ensure a schedule/report relating to arboricultural matters is submitted to and approved by the local planning authority shortly after the completion of the development in accordance with paragraph 5.2 of the AR in the interests of the continued protection of trees and to ensure the development responds to the character and appearance of the area in the longer term.
51. A condition identifying the actions that must be taken should contamination be found during the course of construction is reasonable in the interests of environmental protection.
52. Whilst not suggested by the Council, the Highways Authority did suggest a condition that included a requirement for charging points for e-bikes. Nevertheless, I am not directed to where this is identified as a local planning policy standard, as such I have not imposed it in this case. A number of informatives are suggested by the Highways Authority. However, I have not imposed these as they would have no legal weight. Nevertheless, given they were included in the consultation response to the Council I am satisfied that the appellant has had the opportunity to view them.

## **Conclusion**

53. The Council acknowledge that they cannot demonstrate a five-year supply of deliverable housing land. On that basis, paragraph 11d of the Framework is

triggered. This states that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

54. However, as I have found no conflict with the development plan as a whole, it follows that permission should be granted in any case. There are no material considerations, including the Framework, that would lead me to a different conclusion. The appeal is therefore allowed subject to conditions.

*G Dring*

INSPECTOR

## **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 drawing nos: 00P002 Rev B (Location Plan); 00L050 Rev C (Proposed Site Plan); 00P120 Rev D (Plots 1 and 2 Proposed Plans and Elevations); 00P120 Rev D (Plot 3 Proposed Plans and Elevations); 00A140 Rev A (Existing and Proposed Site Sections); 00P050 Rev C (Proposed Block Plan showing Visibility Splays); 00P006 Rev A (Proposed Bin and Cycle Store); DPA-7501-03 Rev A (Tree Protection Plan); DPA-7501-04 Rev A (Proposed Site Layout, Hard and Soft Landscaping).
- 3) No development, including groundworks and demolition, shall take place until a revised Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CTMP. The CTMP shall include details of:
  - Parking for vehicles of site personnel, operatives and visitors.
  - Loading and unloading of plant and materials.
  - Storage of plant and materials.
  - Programme of works (including measures for traffic management) including provision of boundary hoarding behind and visibility zones.
  - Before and after construction condition surveys of the highway and a scheme for the repair of any damage caused.
  - HGV deliveries and hours of operations.
  - Vehicle routing.
  - Measures to prevent the deposit of materials on the highway.
  - On-site turning for construction vehicles.
- 4) No development, including groundworks and demolition, shall take place until a detailed Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented and maintained in accordance with the approved details. The Biodiversity Enhancement and Management Plan should be based on impact avoidance, mitigation and enhancement measures specified in the Technical Note: Ecology (AA Environmental Ltd, March 2024) and should include:
  - Description and evaluation of features to be provided – including any requirements of the bat mitigation licence; and all retained or created hedgerows, grassland and trees outside of private curtilages.
  - Location plan of all ecological enhancement features being provided.
  - Aims and objectives of management and appropriate management options.

- Prescriptions for management actions, together with a plan of management compartments.
  - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period).
  - Details of the body or organisation responsible for the implementation of the plan.
  - Ongoing monitoring and remedial measures.
  - Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development delivers the biodiversity aims and objectives of the approved scheme.
- 5) No development, including groundworks and demolition, shall take place and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until a pre-commencement meeting has been held on site and attended by a suitably qualified arboriculturist, a representative from the local planning authority and the site manager/foreman. The site visit is required to ensure operatives are aware of the agreed working procedures and the precise position of the approved tree protection measures or/and that all tree protection measures have been installed in accordance with the approved tree protection plan (DPA-7501-03 Rev A).
- 6) After the agreed tree protection measures have been installed in accordance with the approved details, all tree protection measures shall be maintained for the course of the development works. The development shall be implemented in accordance with the approved details and method statements contained in the Arboricultural Report To Accompany Planning Application (DPA/7501/AIA/REV 1) prepared by dpa.
- 7) All existing trees, hedges or hedgerows within the site shall be retained, unless shown on the approved drawings as being removed. Any trees, hedges or hedgerows 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.
- 8) Notwithstanding the submitted details, no development, other than demolition, shall commence until 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 but are not limited to:
- boundary treatments and refuse or other storage units.
  - tree planting including names, species and sizes of the trees and whether they will be containerised or bare root, locations of the trees on a scale plan and planting pit design including tree supports, tree guards and any other protective measures to be used.
  - Any other soft landscaping.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied or in accordance with an agreed implementation programme. Any trees or plants whether new

- or retained 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 in the same place.
- 9) No development, other than demolition, shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
  - 10) The development hereby approved shall not be occupied until details of the bin collection point and its management arrangements have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be maintained thereafter.
  - 11) The development hereby approved shall not be occupied unless and until the proposed modified vehicular access to Water Lane has been constructed and provided with visibility zones in accordance with the approved drawing 00P050 Rev C and thereafter visibility zones shall be kept permanently clear of obstruction over 0.6m in height above ground level.
  - 12) The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles/cycles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
  - 13) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with an electric vehicle fast charge socket (current minimum requirements – 7kw Mode 3 with Type 2 connector – 230v AC 32 Amp single phase dedicated supply) in accordance with the approved plans. The electric vehicle charging sockets shall be retained and maintained thereafter.
  - 14) Prior to first occupation of the development hereby permitted, the first floor windows on the side elevations of the houses shall be glazed with obscure glass that accords with level three obscurity as shown on the Pilkington textured glass privacy levels or equivalent and only openable above a height of 1.7m above the internal floor level of the room to which it serves. The windows shall be permanently retained in that condition thereafter.
  - 15) Prior to first occupation of the development hereby permitted the rooflights on the side elevations of the development hereby permitted shall only be openable above a height of 1.7m above the internal floor level of the room to which it serves. The rooflights shall be permanently retained in that condition thereafter.
  - 16) The completion schedule/report of the agreed arboricultural site supervision and monitoring as approved in the Arboricultural Report To Accompany Planning Application (DPA/7501/AIA/REV 1) prepared by dpa, shall be submitted to and approved in writing by the local planning authority within 20 working days of the substantial completion of the development hereby approved. This shall include evidence of compliance through supervision and monitoring of the agreed activities by a suitably qualified arboriculturist.

- 17) 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.

**END OF SCHEDULE**