
Appeal Decision

Site visit made on 9 December 2025

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/R3650/W/25/3365366

**Units J and K, Pierrepont Home Farm, The Reeds Road, Frensham, Surrey
GU10 3BS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Countryside Regeneration Trust against the decision of Waverley Borough Council.
 - The application Ref WA/2024/01917 was approved on 11 November 2024 and planning permission was granted subject to conditions.
 - The development permitted is change of use from micro-brewery (Use Class B2) to mixed use micro-brewery (Use Class B2) and sale of drink and food on the premises (Use Class E (b)), siting of storage container; installation of a canopy and associated works without complying with conditions attached to planning permission Ref WA/2023/02045, dated 27 June 2024.
 - The conditions in dispute are Nos 7, 8, 11, 12, 14, 15 and 16 which are listed along with their reasons in the attached Schedule 1: Disputed Conditions.
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Decision

1. The appeal is allowed and the planning permission Ref WA/2024/01917 for 'change of use from micro-brewery (Use Class B2) to mixed use micro-brewery (Use Class B2) and sale of drink and food on the premises (Use Class E (b)), siting of storage container; installation of a canopy and associated works without complying with conditions attached to planning permission Ref WA/2023/02045, dated 27 June 2024' at Units J and K, Pierrepont Home Farm, The Reeds Road, Frensham, Surrey GU10 3BS approved on 11 November 2024 by Waverley Borough Council is varied by deleting conditions 7, 8, 11, 12, 14 and 16 and substituting the following conditions:
 - 8) The hours of operation of the Tap Room premises (providing sale of drink and food on the premises) both indoors and outdoors shall only be between 0800 and 2100 Monday to Sunday and all members of the public shall have left the site by 2130. There shall be no private parties, functions or other events held at the site at any time.
 - 11) No works or alterations to the earth bank to the rear of the buildings on the site or development otherwise related to the siting of a storage container hereby permitted shall take place until a scheme to protect trees comprising an Arboriculture Method Statement and scaled Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:
 - a) protection fence and stabilisation feet (if applied) which shall remain clear of spoil and materials. A minimum clear gap of 1 metre shall thereafter be maintained during demolition and construction activities.

- b) Notices which shall be fixed at regular intervals at head height to tree protection fence panels alerting construction workers to the tree protection area which shall not be entered.
- c) Considering the rural location and likelihood of unaccustomed wildlife, particularly nocturnal birds and bats in flight, to the sudden erection of tree protection fencing, brightly coloured ribbons, bird scare tags or similar which shall be attached to the mesh of each protection fence panel at shoulder height (1.5 metres).

The scheme for the protection of trees shall be carried out as approved.

- 14) No works or alterations to the earth bank to the rear of the buildings on the site or development otherwise related to the siting of a storage container hereby permitted shall take place until a Construction and Environmental Management Plan ('CEMP') in respect of works to the earth bank and the siting of a storage container has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but is not limited to:
- a) Map showing the location of all of the ecological features.
 - b) Risk assessment of the potentially damaging construction activities.
 - c) Practical measures to avoid and reduce impacts during construction.
 - d) Location and timing of works to avoid harm to biodiversity features.
 - e) Responsible persons and lines of communication.
 - f) Use of protective fences, exclusion barriers and warning signs.
 - g) The provision of bird and bat boxes on buildings or nearby trees.

The construction of the development shall be carried out in accordance with the approved CEMP.

2. For the avoidance of doubt, conditions 7, 12 and 16 are deleted without substitute. Condition 15 is retained.

Background and Procedural Matters

- 3. The appeal site includes two adjoining buildings which are part of a former farm complex located close to the River Wey within the Surrey Hills National Landscape¹ ('the NL').
- 4. The Council granted planning permission at the site for development described as 'Change of Use From Micro-Brewery (Use Class B2) to Mixed Use Micro-Brewery (Use Class B2) and Sale of Drink and Food on the Premises (Use Class E (b)), siting of Storage container; installation of a canopy and associated works'² (hereafter referred to as 'the Original Permission').
- 5. The Council's officer report for the Original Permission provides further detail of the approved development, referring to the installation of insulation to the underside of the roof in Building K; the siting of a storage container set into an earth bank to the

¹ Formerly known as the Surrey Hills Area of Outstanding Natural Beauty or 'AONB'

² Application ref WA/2023/02045

rear of the buildings; the installation of a covered outdoor seating area with 'stretch tent' to the front of the buildings; provision of a mobile food truck parking area; and cycle and vehicle parking as well as the change of use.

6. The appellant subsequently made an application under section 73 of the Town and Country Planning Act 1990 ('the Act') seeking to vary conditions of the Original Permission. The Council approved the application and a new permission was issued ('the Appeal Permission')³.
7. The current appeal relates to the appellant's requests to have certain conditions of the Appeal Permission varied or removed.

Main Issue

8. The National Planning Policy Framework ('the Framework') outlines that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
9. In this light and with regard to the evidence before me, the main issue is whether or not each of the disputed conditions (8, 11, 12, 14, 15, 16 and 7) complies with the tests for conditions set out within the Framework.

Reasons

Condition 8 - Hours

10. In granting the Original Permission, the Council imposed a condition including provision that the hours of operation of the Tap Room shall 'only be between 8.00am to 8.00pm Monday to Sunday (excluding Bank Holidays)'. In this construction, the clause 'excluding bank holidays' would to my reading logically indicate that the use was not permitted on Bank Holidays at all, rather than Bank Holidays being exempt from the specified hours of 8.00am to 8.00pm. I cannot therefore agree with the appellant that the Original Permission allows the use to operate at any time on Bank Holidays.
11. When it granted the Appeal Permission, the Council amended the terms of what is now condition 8 to set out that the hours of operation of the Tap Room 'shall only be between 8.00am to 9.00pm Monday to Sunday, no opening whatsoever on Bank Holidays', enabling the use to operate for one hour later into the evenings but retaining the restriction on Bank Holiday operations albeit more clearly expressed. As part of the current appeal, the appellant is seeking to remove the restriction on operating on Bank Holidays.
12. The reasons given for imposing the relevant conditions in both the Original Permission and the Appeal Permission refer to the protection of the visual amenity and character of the Surrey Hills NL and safeguarding of neighbouring residential amenity.
13. Under Section 85 of the Countryside and Rights of Way Act 2000 (as amended), there is a duty to seek to further the purpose of conserving and enhancing the natural beauty of the NL. The Surrey Hills Management Plan 2020-2025 ('the SHMP') records that the NL is an intriguingly diverse landscape characterised by

³ Application ref WA/2024/01917

hills and valleys, traditional mixed farming, a patchwork of chalk grassland and heathland, sunken lanes, picturesque villages and market towns.

14. The appeal site is part of a complex of historic buildings within surroundings that predominantly comprise parcels of woodland, water meadow and agricultural land which are crossed by rights of way. This provides for a generally rural quality and a sense of tranquillity which is one of the features, along with dark skies, that the SHMP identifies as contributing to the special character of the NL. However, the development on the appeal site and other commercial uses at Pierrepont Home Farm would generate a degree of activity in the area. The SHMP also recognises that the NL attracts millions of visitors who contribute to the economy and that it provides an outstanding natural resource for residents to enjoy outdoor pursuits and taste local food and drink.
15. In terms of neighbouring residents, there are existing dwellings within the Pierrepont Home Farm complex. Other nearby dwellings are set some distance away, but they are in some cases on or close to routes that provide access to the site.
16. The nature of the Tap Room use means that there would be activity on the site, as well as comings and goings which would inevitably generate a degree of noise and disturbance which could be perceived at nearby dwellings and within the wider landscape. Despite the rural surroundings however, the site is part of an existing group of buildings within the landscape. Condition 8 of the Appeal Permission further includes a restriction on the use operating beyond 9.00pm with customers required to have left the site by 9.30pm so that noise and disturbance would not extend late into the evening when people would be more likely to be trying to sleep. Other conditions stipulate additional requirements for a noise management plan and restrictions on the playing of music, while holding of private parties, functions or other events is also restricted by Condition 8. Furthermore, permission was granted for a temporary period, thereby enabling the actual effects of the proposal to be considered in any future assessment of whether or not permanent permission should be granted.
17. The ability to open on Bank Holidays as the appellant is seeking would potentially allow operation every day of the year. However, the Council has offered no compelling evidence to explain why there would be a different or greater expectation for peace and quiet at nearby dwellings, nor why there would be a greater degree of intrusion to the NL, on Bank Holidays as opposed to Sundays. Furthermore, I note that while the Council's report for the Original Permission referred to comments by the AONB advisor requesting restrictions including to limit hours of operation in the evenings, it does not record that there was any request for a restriction on Bank Holiday opening. In my judgement and from the evidence before me, I do not see that there would be any tangible distinction or consider that the operation on Bank Holidays would stand out over and above what would occur on Sundays. Moreover, the actual increase in the number of days that the site could operate on from the existing situation would be very small, even more so when noting the temporary period that the permission has been granted for.
18. Whether or not other units within the Pierrepont Home Farm complex are subject to restrictions preventing operations on both Sundays and Bank Holidays, the Original Permission already provides that the appeal site can operate on Sundays, distinguishing it from other units. In my assessment, the above factors taken

together mean that operation of the site on Bank Holidays (with equivalent hours to what is permitted on Sundays) would not result in any meaningfully greater effect on either the living conditions of neighbouring occupiers or the visual amenity and character of the Surrey Hills NL including its tranquillity or dark skies than the existing situation. I am satisfied in this context that the natural beauty of the NL would be conserved.

19. For these reasons, I find that variation of condition 8 of the Appeal Permission to allow the operation on Bank Holidays with equivalent hours to those that apply on Sundays and maintaining restrictions on the holding of private parties or events would not cause unacceptable harm to the NL or the living conditions of nearby residential occupiers through noise or disturbance. Accordingly, variation of Condition 8 in this way would not result in conflict with Policy RE3 of the Local Plan Part 1: Strategic Policies and Sites 2018 ('the LPP1') or Policy DM4 of the Local Plan Part 2: Site Allocations and Development Management Policies 2022 ('the LPP2') which include requirements that development responds effectively to its surroundings and local context and that protects and enhances the character and qualities of the NL. Nor would there be conflict with Policy DM1 of the LPP2 insofar as it stipulates that development should avoid significant harm to the amenity of occupants of nearby land and buildings.
20. On this basis, I conclude that condition 8 in its current form is not necessary and so it would not comply with the tests for conditions set out within the Framework. It should therefore be removed from the Appeal Permission and replaced by a substitute condition, modified to omit the restriction on opening on Bank Holidays. I have further made minor changes to the wording of the modified condition which I consider to be necessary in the interests of ensuring adequate clarity and precision as to what is required.

Condition 11 - Arboricultural Method Statement and Tree Protection Plan

21. The Council's reports describe the Original Permission application as 'retrospective', but I saw at my visit that the siting of a storage container set into an earth bank element of the approved development had not been implemented.
22. This element of the proposal would entail removal of part of the existing vegetated earth bank to the rear of the buildings on the site. The appellant suggests that the section to be removed would be small and that there are no trees that would be impacted. However, I saw a large number of trees in the surrounding area including on the rest of the bank and around the access into the site. These trees make an important contribution to the character and appearance of the area and NL. The evidence before me also refers to ancient woodland in the vicinity of the site.
23. The process of carrying out alterations to the bank and installing the storage container would necessarily involve at least part of the wider area around the affected section of bank, including to be able to access this part of the site. Given the reasonable width and volume of the bank that would be removed and in the absence of any detail from the appellant to suggest otherwise, it seems to me that this could be expected to include access for machinery as well as by construction staff. There could also be a need to store machinery, equipment and/or materials.
24. Notwithstanding that there may not be trees on the section of bank to be removed, I am in no doubt that the proximity of such construction activity would have the potential to adversely affect trees that are present in the surrounding area including

through direct damage or effects on root systems such as that might occur through compaction of soil or pollution. Consequent detriment to the health and longevity of trees would be harmful to the character and appearance of the area and would result in conflict with Policies NE2 and TD1 of the LPP1 and Policy DM11 of the LPP2. Together and amongst other things, these broadly seek maintenance and enhancement of existing trees and woodland, development that responds to local character, and adequate protection of trees during all phases of development to avoid damage.

25. Furthermore, the fact that the permission may have been granted on a temporary basis would not negate any effects that might arise during or consequent on the carrying out of alterations to the earth bank or installation of the storage container.
26. I consider given this context that it would in principle be reasonable and necessary to require that measures are in place to ensure adequate protection for trees. However, this would only be the case during the carrying out of outstanding works to remove part of the earth bank and install the storage container. Given that there is no requirement to implement the entirety of a planning permission and that the storage container aspect of the proposal may not ultimately come forward, I consider that a blanket requirement to provide details of tree protection measures as currently required by condition 11 is unnecessary.
27. For these reasons, I conclude that condition 11 in its current form would not comply with the tests for conditions set out within the Framework. It should therefore be removed from the Appeal Permission and replaced by a substitute condition, modified to require that details of tree protection measures are submitted before any works relating to alterations to the bank and installation of the storage container took place which is when protection would become necessary. I have also made other minor changes to the modified condition in the interests of clarity and precision as to what is required.

Condition 12 – Tree Protection Notification

28. I have found in respect of condition 11 that a requirement for measures to protect trees during construction works related to the installation of the storage container and alterations to the earth bank would be reasonable and necessary.
29. Nevertheless, condition 11 would require that the approved tree protection measures are implemented, and the Council has provided no clear explanation of why this would be ineffective to ensure compliance such that condition 12 which further requires submission of photographic evidence of tree protection and continued monitoring would be necessary.
30. The relevant works are of relatively modest scale and likely duration, and in my view the additional requirements of condition 12 over and above condition 11 would be unduly onerous and unnecessary.
31. For these reasons, I am not persuaded that condition 12 is reasonable or necessary. It would not comply with the tests for conditions set out within the Framework and I conclude that it should be removed from the Appeal Permission.

Condition 14 – Construction Environmental Management Plan

32. The development may be largely limited to within the area of existing buildings and hardstanding but I have noted above that alterations to the earth bank at the rear of the buildings associated with the siting of a storage container remain outstanding.
33. Construction activity associated with this element of the proposal may be localised and of relatively short duration. Even so, it would affect a vegetated bank which is very close to much larger areas of woodland as well as meadow between the appeal site and River Wey including areas designated for their nature conservation value. With regard to this context, I consider that there is a reasonable likelihood that damage and/or disruption during construction works could, if not properly managed, cause detriment to features of nature conservation and biodiversity interest either on the bank itself or within the surrounding area. This would result in conflict with Policy NE1 of the LPP1 and Policy DM1 of the LPP2 which include requirements broadly seeking conservation and enhancement of biodiversity and to avoid harm to environmental assets.
34. The appellant has suggested that necessary mitigation measures to address such potential effects were identified in the Ecological Appraisal dated January 2024 ('the EA') by ESL Ecological Services which was submitted with the Original Permission application.
35. However, I note that the EA refers to scrub removal taking place in the winter of 2023/2024. Given that this date has now passed, updated details would be necessary to ensure that the timing of works would be appropriate. In addition, the EA does not detail any precautionary approaches to be taken to ensure that there would not be adverse effects on habitats or species that may be present on or nearby the site at the time of works. Nor does it provide for measures to contribute to the enhancement of biodiversity as required by Policy NE1 of the LPP1, despite the appellant's suggestions elsewhere that bat and bird boxes would be installed.
36. For these reasons, I consider it reasonable and necessary to require a Construction and Environmental Management Plan ('CEMP') to provide further detail, and implementation of measures to ensure adequate conservation and enhancement of biodiversity interest during construction activity.
37. As with condition 11 however, this would only be necessary where works to remove the section of bank and install the storage container came forward. Accordingly, I conclude that condition 14 in its current form would not comply with the tests for conditions set out within the Framework. It should therefore be removed from the Appeal Permission and replaced by a substitute condition, modified to require submission of the CEMP before any works relating to alterations to the bank and installation of the storage container took place.

Condition 15 - Floodplain Grazing Marsh Protection

38. The area of floodplain grazing marsh between the appeal site and the River Wey is identified as a habitat of principle importance. Having regard to the nature of the approved development, the elements that remain outstanding and provision through condition 14 for a CEMP, I am satisfied that construction activity would not result in adverse effects on the marsh.

39. Be that as it may, the proximity and relationship of the site to the marsh means that there could be potential for activity associated with the operation of the development to adversely affect the habitat. Indeed, interested parties have referred to customers of the site entering the meadow which could damage or disturb habitat. I have also noted references in representations to effects associated with wastewater, whether or not the drainage is existing. In my view, the resulting potential for harm to the nature conservation value of the marsh which would conflict with Policy NE1 of the LPP1 means that it remains necessary and reasonable to secure details and implementation of measures to manage and mitigate the operational effects of the development on the habitat.
40. For these reasons, I conclude that condition 15 is reasonable and necessary in accordance with the tests for conditions set out within the Framework. Accordingly, it should not be removed from the Appeal Permission.

Condition 16 – Biodiversity Enhancement and Mitigation Plan

41. The appellant indicated in making the appeal that Condition 16 which requires submission of a Biodiversity Enhancement and Mitigation Plan ('BEMP') was disputed. The reasons for this are not specifically discussed within its statement.
42. Nevertheless, I note the Council's assertion that the reasons for imposing condition 16 were clearly stated in its officer report. However, although the officer report for the Appeal Permission includes a statement that conditions including in respect of a BEMP were recommended by Surrey Wildlife Trust ('SWT'), I can identify no reference in the report for the Original Permission to this being a recommendation of SWT, nor other explanation of why a BEMP would be required. The section on 'biodiversity and compliance with Habitats and Species Regulations 2017' within the report for the Original Permission does note a recommendation by SWT that development should incorporate the provision of bird and bat boxes by way of a condition. However, this is included as a requirement within condition 14 and aside from the works to the earth bank and siting of the storage container, development works would not be on parts of the site comprising natural habitat that might appropriately warrant enhancement.
43. From the information before me, I am unable to discern any clear justification for provision of a BEMP and given the nature and modest scale of the proposal, I consider this would be an unnecessary and unduly onerous requirement.
44. For these reasons, I am not satisfied that condition 16 is necessary or reasonable. It would not comply with the tests for conditions set out within the Framework and I conclude that it should be removed from the Appeal Permission.

Condition 7 - Landscape and Ecological Management Plan

45. Condition 7 requires submission of a Landscape and Ecological Management Plan ('LEMP'). However, the majority of the appeal site comprises buildings or hardstanding where there would be very limited scope to realistically provide landscape or ecological features as part of development. Furthermore, modified conditions 11 and 14 would require measures to protect trees and a CEMP including provision for installation of bat and bird boxes. These would serve to protect the value of the vegetated bank to the rear of the buildings and contribute to the enhancement of biodiversity. I consider that these conditions would offer

appropriate and proportionate mitigation for potential effects of the proposal on biodiversity and natural features to ensure compliance with policy NE1 of the LPP1.

46. Against this context and having regard to the nature of the site and modest scale of the development that is permitted, I consider that a requirement for a LEMP would be excessive and unnecessary to make the development acceptable in planning terms. I am also concerned that the requirement for ongoing management and monitoring when the Appeal Permission is itself temporary would be disproportionate and unreasonable.
47. For these reasons, I am not satisfied that condition 7 is necessary or reasonable. It would not comply with the tests for conditions set out within the Framework and I conclude that it should be removed from the Appeal Permission.

Other Matters

48. I have noted concerns raised by interested parties including in relation to the principle of the development that has been permitted. However, the principle of the development was approved under the Original Permission which sits alongside the Appeal Permission and I am satisfied in the absence of any compelling evidence to demonstrate otherwise that the removal or modification of conditions in accordance with my findings above would not give rise to new or additional harm or unacceptable effects including in respect of traffic or wildlife that would warrant dismissal of the appeal.
49. Should conditions not be complied with or there be other breaches of planning control at either the appeal site or on other premises nearby, which could include unauthorised storage, it would be open to the Council to consider taking enforcement action.

Conclusion

50. For the reasons given above, I find that the appeal should be allowed and that the Appeal Permission should be varied by deleting disputed conditions 7, 8, 11, 12, 14 and 16 and substituting modified versions of conditions 8, 11 and 14. However, condition 15 remains reasonable and necessary and should not be removed.

J Bowyer

INSPECTOR

Schedule 1: Appeal Permission Disputed Conditions and Reasons

Condition 7

Within six months of the date of this permission, a Landscape Ecological Management Plan (LEMP) shall be submitted to and be approved by the Local Planning Authority. The LEMP shall include:

- a) Designation and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions, together with a plan of management

compartments.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period.

g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

i) Legal and funding mechanisms.

j) Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Once approved the development shall be completed at all times in accordance with the approved details.

Reason: To safeguard protected species and their habitat and to protect the biodiversity of the site in accordance with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 Policy NE1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2023. This condition is a pre-commencement condition as it goes to the heart of the permission.

Condition 8

The hours of operation of the Tap Room in Building K both indoors and outdoors shall only be between 8.00am to 9.00pm Monday to Sunday, no opening whatsoever on Bank Holidays. All members of the public shall have left the site by 9.30pm; and there shall be no provision for private parties or functions or other events at any time.

Reason: To protect the visual amenity and character of the Surrey Hills AONB, and to safeguard neighbouring residential amenity, in accordance with Policy RE3 of the Local Plan (Part 1) 2018, Policies DM1 and DM4 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

Condition 11

Within six months of the date of this permission, an Arboriculture Method Statement and scaled Tree Protection Plan, shall be submitted to the Local Planning Authority for their prior approval, to include:

a) The protection fence and stabilisation feet (if applied) shall remain clear of spoil and materials. A minimum clear gap of 1 metre shall therefore be maintained during demolition and construction activities.

b) Notices shall be fixed at regular intervals at head height to tree protection fence panels alerting construction workers of the sacrosanct tree protection area which shall not be entered.

c) Considering the rural location and likelihood of unaccustomed wildlife, particularly nocturnal birds and bats in flight, to the sudden erection of tree protection fencing, brightly coloured ribbons, bird scare tags or other approved methods shall be attached to the mesh of each protection fence panel at shoulder height (1.5 metres).

The development shall be carried out in accordance with the approved details. All revisions of the approved details shall be submitted to the Local Authority Tree Officer for their approval before it can be applied.

Reason: In the interests of the protection of the rooting areas of trees in the interests of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2022.

Condition 12

The Local Authority shall be notified at least 2 weeks prior to expected commencement of demolition/construction activities with a written notice. The notification shall include photographic evidence of tree protection, such as temporary ground cover, sacrificial surface layer and Heras fencing. All protection measures shall strictly accord with the approved Tree Protection Plan (TPP) and Arboriculture Method Statement (AMS). The Local Planning Authority shall determine the detail within the notice and if found satisfactory shall provide written approval for the development to proceed. This approval requires continued monitoring by the appointed person to ensure effective tree protection continues throughout the life of the construction in strict accordance with the approved TPP and AMS.

Retained trees which become damaged by demolition and construction activities shall be considered as a breach of this Condition and could lead to a temporary Stop Notice being issued immediately upon the development.

Reason: In the interests of the protection of the rooting areas of trees prior to construction and preservation of the visual amenity and character of the area in accordance with Policies NE2 and TD1 of the of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023.

Condition 14

Within six months of the date of this permission, a Construction and Environmental Management Plan ("CEMP") has been submitted to and been approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to:

- a) Map showing the location of all of the ecological features.
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction.
 - d) Location and timing of works to avoid harm to biodiversity features.
 - e) Responsible persons and lines of communication.
 - f) Use of protected fences, exclusion barriers and warning signs.
 - g) The provision of bird and bat boxes on the buildings or nearby trees.
- The construction of the development shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site and to mitigate any adverse impact from the development on both the strategic and local road networks in accordance with Policies ST1 and NE1 of Local Plan (Part 1) 2018 and in accordance with DfT Circular 01/2022. It is also to ensure impact on neighbouring residents' amenity is minimised in accordance with Policy DM1 of Local Plan (Part 2) 2023. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

Condition 15

Within six months of the date of this permission, details of how the floodplain grazing marsh would be adequately protected from development shall be submitted for approval in writing by the Local Planning Authority. The approved details for the protection of the floodplain grazing marsh shall be implemented.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policies ST1 and NE1 of Local Plan (Part 1) 2018. It is considered necessary for this to be a precommencement condition because the management of the construction needs to be considered before construction commences.

Condition 16

Within six months of the date of this permission, a Biodiversity Enhancement and Mitigation Plan (BEMP), written by a suitably qualified ecologist, shall be submitted to and be approved in writing by the Local Planning Authority. The BEMP shall include details of the proposed ecological enhancements. The development shall proceed in accordance with the approved details.

Reason: To safeguard protected species and their habitat in accordance with the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981. This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.