

Appeal Decision

Hearing held on 14 April 2026

Site visits made on 14 and 15 April 2026

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2026

Ref: APP/M2840/W/25/3366989

Land adjacent Hillside, Brick Kiln Road, Raunds, NN9 6HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs H Smith against the decision of North Northamptonshire Council.
 - The application Ref is NE/23/01242/OUT.
 - The development proposed is residential development of up to 86 dwellings (including 27 affordable units), vehicular access, and landscaping.
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Decision

1. The appeal is allowed and outline planning permission is granted for proposed residential development of up to 86 dwellings (including 27 affordable units), vehicular access, and landscaping at land adjacent Hillside, Brick Kiln Road, Raunds, NN9 6HY in accordance with the terms of the application, Ref NE/23/01242/OUT, subject to the conditions in the attached schedule.

Applications for costs

2. Applications for costs in relation to all four appeals were made by the appellants against the council. These are the subject of a separate decision.

Preliminary Matters

3. This is 1 of 4 appeals heard at the same Hearing on adjoining sites. Throughout the determination of the appeals it has been referred to as Appeal A for ease of reference. Appeals B¹, C² and D³ are the subject of separate decisions but due to the close connection between the three proposals it was appropriate to consider them together. This appeal seeks outline planning permission, with all matters reserved other than access, and is for a residential development of up to 86 dwellings. Access to the appeal site from Brick Kiln Road would be through the site for Appeals B and C. This site overlaps with the site for Appeal D to provide the proposed area of open space which would be shared between the two developments.
4. At the Hearing the council confirmed that it was not seeking to defend the reasons for refusal relating to the site's rural location, character and appearance, parking, or the effect on neighbour living conditions. Subject to completion of the circulated Section 106 agreement it also did not seek to defend the reason for refusal relating to recreational disturbance to the Upper Nene Valley Gravel Pits Special Protection Area.

¹ Planning Inspectorate ref: APP/M2840/W/25/3364729

² Planning Inspectorate ref: APP/M2840/W/25/3364730

³ Planning Inspectorate ref: APP/M2840/W/25/3366988

5. The National Planning Policy Framework was updated on 17 August. The update does not substantially alter the objective of conserving and enhancing the natural environment as it applies to protected sites and species. The parties' views were therefore not sought on the update.

Main Issues

6. The main issue in the determination of this appeal is therefore the effect on the Upper Nene Valley Gravel Pits Special Protection Area, including any effect on wintering birds.

Reasons

7. The appeal site lies within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (the SPA). The SPA is a disused sand and gravel pit comprising an extensive series of shallow and deep open waters together with marginal features such as sparsely-vegetated islands, gravel bars and shorelines. It provides a habitat for wintering waterbirds, with more than 2 percent of the British population of Great Bittern and European Golden Plover using the site, along with more than 1 percent of the population of Gadwall. Northern Lapwing are also considered to be a feature of interest of the SPA, although not cited as a qualifying feature. Suitable sites within the zone of influence can also provide habitats for wintering waterbirds and are functionally linked to the SPA, so support its objectives.
8. Whether the appeal proposal would be likely to result in a significant effect to the SPA, and whether the site comprises functionally linked land to the SPA, was the subject of considerable discussion at the Hearing, and I am mindful that the precautionary approach should be taken where doubt exists over the extent of any impact to an SPA. One set of site surveys was provided by the appellant for the preceding winter⁴, indicating that no wintering birds were present on site. Natural England consider that two years of surveys should be provided⁵. This is due to the potential for substantial year-to-year differences in winter habitat availability and bird densities, driven by factors such as weather, hydrology, cropping patterns and food resource distribution. Natural England do note that shorter survey periods can be justified in low-risk situations⁶.
9. The survey for the appeal site records that the site is of limited value for nesting birds as it lacks features that they would prefer, such as bodies of water, and comprises grazed paddocks. My attention was drawn to the case of *Boggis*⁷ which established that a significant effect is one that would undermine the conservation objectives of a European Site that is based on a clear, causal link between the plan or project and the qualifying features of the site. The winter survey conducted by Turnstone Ecology found no records of Great Bittern in the closest part of the SPA to the appeal site. The appeal site does not contain suitable habitats for Gadwall as it lacks standing water bodies and is composed mainly of grazed paddocks. Only a relatively small number of Golden Plover were recorded in the closest part of the SPA, with only one record rising above 1 percent of the British

⁴ Brick Kiln Road, Raunds, Functionally Linked Land (FFL) Assessment and Winter Bird Survey Report 2025 – 2026, dated February and prepared by Turnstone Ecology. This survey informs both Appeal A and Appeal D as the sites adjoin one another and overlap in one place.

⁵ Natural England consultation responses on application NE/23/01228/FUL dated 23 December 2024, and on applications NE/23/01242/OUT and NE/23/01228/FUL dated 26 March 2026

⁶ Natural England consultation response dated 26 March 2026

⁷ R (Boggis) v Natural England [2008] EWHC 2954 (Admin) and Court of Appeal Judgement [2009] EWCA Civ. 1061

population. Those parts of the SPA closest to the appeal site are not of importance for wintering Northern Lapwing.

10. The Turnstone Ecology survey covered the appeal sites and fields to the north, as the proximity of suitable fields can lead to birds being present on a site. Within the appeal site the fields were variously found to comprise unsuitable habitat due to their sub-optimal size, grazing and the presence of commercial activity and residential development on neighbouring land overall providing limited high-quality feeding conditions. The agricultural land to the north would be sub-optimal due to cropping of the land and the nearby built development. The extent of grazing or cropping of any land can vary, and low post and wire fences of the sort dividing Field 2 may not impede birds. However, no records of Golden Plover, Gadwall or Lapwing being present on site were found on any of the survey visits, while foxes were found to be present on several occasions which would deter such birds on site.
11. This indicates that the appeal site does not constitute functionally linked land to the SPA. The results of the survey were not challenged by competing technical evidence, either in written evidence or during the Hearing. In this instance, therefore, I am satisfied that this is a low-risk situation. The evidence from one winter's survey is sufficient for me to conclude that there would be no risk to the integrity of the SPA through loss of supporting functionally linked land.
12. The council referred to the Threeways appeal⁸, the STAUNCH challenge⁹, and the Wood Lodge appeal¹⁰ in its 30 March request to further postpone the Hearing. Each of these addresses the matter of whether sufficient evidence was provided to support the claimed position in relation to functionally linked land. The details of the STAUNCH challenge are not before me so I can only note that it was in process at the time of submission, and it is not clear whether the original decision has been upheld or overturned. However, I note that in the Threeways appeal the submitted survey found that suitable habitat occurs throughout the survey area. In the Wood Lodge case there was competing evidence that the appeal site was in use by golden plover and lapwing, with my colleague finding significant doubt that the appellant's surveys were robust enough to show that the appeal site was not used as foraging grounds. These results differ from the evidence submitted in support of Appeals A and D, and therefore they do not lead me to a different conclusion in this case.
13. The council further notes that the public have not been consulted on evidence submitted at appeal. However, interested parties were notified of both the original and reorganised Hearing dates and those notification letters included a link to the council's planning application website and advised that the list of documents would be updated as the appeal proceeds. I am satisfied that proportionate consultations were carried out, given the relatively low level of public interest in these appeals.
14. Residential development within the zone of influence of an SPA can nevertheless lead to increased recreational disturbance to the integrity of the SPA. The council's Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (the SPD) notes that an increase in visitors will in turn increase the level

⁸ APP/X1545/W/25/3369961, Land South of Threeways and 45 The Street, Latchingdon, Essex

⁹ An application for judicial review between the King (on behalf of STAUNCH Campaign Ltd) and North Northamptonshire Council and I. M. Properties (claim no. AC-2025-LON-004708)

¹⁰ APP/M2840/W/24/3354297

of disturbance to the wintering waterbirds, particularly through dog walking. Given the scale of development this would be likely to result in a likely significant effect to the SPA. It is therefore necessary for me to consider whether appropriate measures could be put in place to avoid or mitigate the significant effect.

15. The appellants have provided a signed and completed Section 106 agreement with the appeal. This requires, amongst other obligations, that the developer pay £412.43 per dwelling, index linked, towards mitigation of any effects from the development on the SPA. This figure has been agreed with the council as appropriate for a development of this size and location in accordance with its SPD. The SPD notes that the required mitigation includes access management such as screens and fencing as well as directing walkers to less sensitive areas, alongside wardening and monitoring. These measures collectively limit disturbance to wintering birds, and the completed agreement secures the necessary contribution towards those measures for this development. As the competent authority I am satisfied that the development would not therefore have an adverse effect on the integrity of the SPA.
16. The appeal proposal would consequently not conflict with policy 4 of the North Northamptonshire Joint Core Strategy or policies R16 and R19 of the Raunds Neighbourhood Plan. These require, amongst other things, that development not cause any adverse impact to the SPA including through the disturbance of sensitive habitats. It would also accord with the aims of the SPD to avoid or mitigate adverse effects to the SPA.

Other Matters

17. The submitted Section 106 agreement also secures other contributions, including a commitment to provide 27 affordable homes, to offer 5% of the private dwellings for sale as custom build units, provide open space within the site and to make financial contributions towards special educational needs, libraries and the monitoring of the travel plan for the development. These contributions have been agreed with the council as meeting the needs directly arising from the development, including supporting local infrastructure, and are necessary to make the development acceptable in planning terms, directly related to it and fairly and reasonably related in scale and kind. The agreement is therefore acceptable.
18. Residents expressed concerns over the increase in traffic resulting from the development. I saw during my site visits that Brick Kiln Road is well used. The road connects Raunds to the A45 and the local supermarket. If the proposed development is built out in full, together with that proposed under Appeals B and C, then more than a hundred new homes would access Brick Kiln Road from the shared junction. However, the junction would be wide with good visibility in both directions. The highways consultee did not object to the development and the council did not consider that the effect on traffic in the area would be so significant that it would justify refusing permission. The proposal includes a travel plan promoting sustainable travel in the area which can be secured by condition. Given the above considerations I see no reason to disagree.
19. Concerns were also raised regarding a perceived overprovision of housing in the district. However, the parties agreed during the Hearing that the council can only demonstrate a 4.6 year supply of deliverable housing land against the national

requirement for a 5 year supply. In such circumstances windfall sites such as this contribute to making up the shortfall.

Conditions

20. The appellants and council discussed the proposed conditions at length, and they were discussed further at the Hearing. I have reviewed the conditions in accordance with the six tests set out in the National Planning Policy Framework and, where necessary, amended the wording of conditions accordingly. The appellants gave their agreement for some conditions to require action on their part pre-commencement of works at the Hearing.
21. Conditions 1 and 2 specify the remaining reserved matters and require that application for their approval must be made within 3 years of the date of this permission. Condition 3 states that development must commence within 2 years of approval of the last of the reserved matters. Condition 4 specifies the approved plans.
22. Conditions 5 to 8 require the approval of tree and landscape details, external materials of construction and boundary treatments. These are to ensure that the finished appearance of the development would be acceptable.
23. Condition 9 requires the approval and implementation of a surface water management scheme for the site. Condition 10 requires the approval and implementation of a foul water drainage scheme. Conditions 11 to 16 relate to the detection and management of contamination at the site. At the hearing the appellant referred to a Phase 1 report that has been submitted for the site and suggested that condition 10 is therefore already satisfied. However, the consultee comments suggest that this report doesn't cover the entire site. For the sake of certainty, therefore, it is reasonable to require the submission of additional information, or at least clarification of the extent of information already submitted.
24. Condition 17 requires sustainability measures in the form of electric vehicle charging points and water efficiency measures. Condition 18 specifies acceptable hours of work to prevent undue disturbance to neighbouring occupiers. Condition 19 requires agreement of final floor levels of the development to ensure that its scale is acceptable in this location. Condition 20 requires the approval and implementation of a construction traffic management plan to ensure that the effect on the local highway network is acceptable.
25. Condition 21 requires the management of waste from the development for the lifetime of the development. Condition 22 requires the approval of acoustic mitigation measures, which is reasonable given the neighbouring commercial properties. Conditions 23 and 24 state that no burning of materials shall take place on site during construction, demolition or site preparation works, and that dust shall be managed, both to prevent nuisance to neighbouring occupiers. Condition 25 requires that vehicles related to the construction of the development not be parked off-site. This is to prevent obstruction of the public highway.
26. Condition 26 requires the implementation of a programme of archaeological works at the site. Condition 27 secures minimum accessibility standards for the housing at the site. Condition 28 requires minimum space standards for each new home to be built as part of the development. Condition 29 secures completion of the approved access before occupation of the development.

27. Condition 30 requires the submission and approval of a Great Crested Newt Non-Licensed Method Statement, with the development proceeding in accordance with its conclusions. It was suggested at the hearing that consultee responses did away with this requirement. However, the Nature Development response of 14 May 2024 seeks further information on Great Crested Newts and no later response appears to be in evidence before me on this point.
28. Conditions 31 to 33 secure the updating of badger surveys and a mitigation strategy report, as well as the agreement and implementation of construction and landscape ecological management plans.

Conclusion

29. The appeal proposal accords with the development plan. There are no material considerations to indicate that a decision should be taken otherwise than in accordance with it. Therefore, for the reasons set out above, the appeal is allowed.

M Chalk

INSPECTOR

Appearances

The Hearing heard from the following representatives of the parties:

For the appellants

Tom Cosgrove KC	
Mark Flood	Director, Insight Town Planning Ltd
Andrew Baker	Director, Baker Consultants Ltd
Mark Gash	Director, Turnstone Ecology
Benjamin Arrowsmith	Senior Associate, Roythornes
Alan Brown	Director, Alan Brown Development Services Ltd

For the council

Lisa Greenwood	Principal Development Management Officer
Pete Baish	Lead Officer
Alex Chrusciak	Head of Planning Transformation

Annex 1: Schedule of conditions

- 1) Details of the appearance, landscaping, layout, and scale ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall commence not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable:

Drawing S/NR/23/005A site location plan

Drawing 25273 08 020 01 proposed access with tracking

- 5) No development shall commence, including site clearance, ground works, site preparation or the delivery of materials, until a Tree Protection Plan and Arboricultural Method Statement, prepared in accordance with BS5837:2012, have been submitted to and approved in writing by the local planning authority.

The approved details shall include protective fencing, ground protection measures and methodologies for works within or adjacent to Root Protection Areas.

All tree protection measures shall be installed prior to commencement and retained for the duration of construction. Development shall be carried out in full accordance with the approved details.

- 6) Prior to first occupation of the development, a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved in writing by the local planning authority.

The scheme shall be carried out no later than the first planting season and seeding season following the occupation of the dwellings. Any newly approved trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

- 7) Prior to construction, details of the materials to be used in the construction of the external surfaces of the buildings (including fenestration) and all areas of hard surfacing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained thereafter.
- 8) Prior to first occupation of the development, a scheme of boundary treatments shall be submitted to and approved in writing by the local planning authority. The details to be submitted shall include the position, size, location and materials of the boundary treatment and drawings at an appropriate scale (1:50, 1:100). The boundary treatments shall be erected as approved before the associated development is first brought into use and retained as such thereafter.
- 9) Prior to the commencement of development (except any site clearance, ground investigation, and remediation works) a detailed scheme for surface water drainage for the site, based on sustainable drainage principles and an assessment

of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall:

- (i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) include a timetable for its implementation; and,
- (iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- 10) Prior to the commencement of development (except for any site clearance, ground investigation or remediation works) a scheme for the provision of foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the foul water drainage works have been implemented in complete accordance with the approved scheme.
- 11) The development hereby permitted shall not be commenced until details of a strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to and approved in writing by the local planning authority. This strategy will include a preliminary risk assessment which has identified the following components:
 - 1) All previous uses
 - 2) Potential contaminants associated with those uses
 - 3) A conceptual model of the site indicating sources, pathways and receptors
 - 4) Potentially unacceptable risks arising from contamination at the site
- 12) A site investigation scheme, based on Condition 11 to provide information for a detailed assessment of the risk to all receptors that may be affected, including those onsite shall be submitted to and approved in writing by the local planning authority. This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management or any procedures revoking or replacing those procedures.
- 13) Based on the risk assessment referred to in Condition 12 an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken shall be submitted to and approved in writing by the local planning authority. No development shall take place until the local planning authority has given its written approval of the scheme. This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management or any procedures revoking or replacing those procedures.
- 14) Remediation of the site shall be carried out in accordance with the approved remedial option. The local planning authority must be given two weeks' written notification of the date of commencement of the remediation scheme works.

- 15) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the local planning authority.
- 16) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.
- 17) No occupation of dwellings shall take place until details have been submitted to and approved in writing by the local planning authority which demonstrate the following sustainability measures for the new buildings:
 - a) Electric vehicle charging points (at least one per dwelling);
 - b) Measures to limit water use to no more than 105 litres per person per day and external water use of no more than 5 per person per day.Development shall only take place in accordance with the approved details and all measures shall be available for use upon first occupation of each respective property.
- 18) No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.
- 19) No development including earthworks or groundworks shall take place until a plan, prepared to a scale of not less than 1:500, showing details of existing and proposed final ground and finished floor levels has been submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.
- 20) The applicant will be required to provide a Construction Traffic Management Plan (CTMP) prior to commencement of development. The CTMP should include (but not be limited to):
 - Details of the proposed construction access to the site. The gate must be set back sufficiently to allow the largest delivery vehicle to stop clear of the highway.
 - Tracking is required to demonstrate access into / out of the site and sufficient set back of the gates. This is to be conducted with the largest construction vehicle that will be accessing the site.
 - Details of routing to / from the site
 - Details of hours of operation and delivery times
 - Details of wheel washing and other measures to prevent the discharge of dust and other materials onto the public highway is needed. This is likely to include a wheel washing facility. Furthermore, road sweeping will be necessary if there is any debris deposited onto the highway (not just periods of wet weather) or notification is given from the local authorities.

- Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.

The development shall commence only once the CTMP has been approved in writing by the local planning authority and shall proceed in accordance with the agreed details.

- 21) Details of the storage and disposal of refuse/waste shall be submitted to and approved in writing by the local planning authority and no property shall be occupied until the approved arrangements for that property are in place. The development shall be carried out in accordance with the approved details and the arrangements for storage and disposal of refuse/waste shall be retained for the lifetime of the development.
- 22) Any future reserved matters application shall include a detailed acoustic design report together with mitigation measures which shall be implemented in accordance with an agreed scheme. Details shall include, but not be limited to, the provision of acoustic modelling and details of noise mitigation measures, including timescales for their implementation. Noise mitigation measures shall demonstrate good acoustic design and rely, where possible, upon the layout, orientation of the dwellings, internal layouts and window design to achieve good noise conditions both internally and externally. Noise mitigation measures specified in the approved scheme shall then be carried out in accordance with the approved details and be retained thereafter.
- 23) There shall be no burning of any material on site during construction, demolition or site preparation works.
- 24) During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.
- 25) Construction vehicles, including delivery vehicles and those used in the demolition and clearance of the site, must not park on the public highway outside the development site at any time of the day or night unless specifically agreed in writing with the local planning authority. Vehicles must enter the site immediately and must leave the site in a safe and controlled manner. The public highway shall not be used as a holding area for deliveries. There shall be no contractor parking on the public highway at any time.
- 26) No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
 - (i) Approval of a Written Scheme of Investigation.
 - (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation.

- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork.
 - (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local planning authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the local planning authority.
- 27) As part of any reserved matters application submitted detailed plans shall be submitted to and approved in writing by the local planning authority identifying the 95% of dwellings which would meet the requirements of the National Accessibility Standards in Category 2 (accessible and adaptable dwellings) and the 5% of affordable dwellings which would meet Category 3 (wheelchair user) in accordance with the schedule of the Approved Document M of the Building Regulations (2015). The approved scheme shall be implemented prior to the first occupation of each associated dwelling in accordance with the details.
- 28) As part of any reserved matters application all proposed dwellings shall comply with the Department for Communities and Local Government 'Technical housing standards – nationally described space standards' (dated March 2015) (or any equivalent standard revoking and / or re-enacting that standard).
- 29) Prior to the first occupation of the development the approved access shall be laid out in accordance with the approved plans surfaced in a hard bound material and drained within the site. The access, surfacing and drainage shall be constructed in accordance with the approved details and thereafter be maintained and retained as such in perpetuity.
- 30) No development (including site preparation, groundworks, or clearance) shall commence until a Great Crested Newt Non-Licensed Method Statement (NMLS) has been submitted to and approved in writing by the local planning authority. The NMLS shall include detailed avoidance, mitigation, and working methods to prevent harm to Great Crested Newts. The development shall be carried out in full accordance with the NLMS.
- 31) No development (including ground works or vegetation clearance) shall take place until an updated badger survey and mitigation strategy report has been submitted to and approved in writing by the local planning authority, no more than six months in advance of the likely commencement date. This is to include the following details:
- i) The current status of any setts within the development zone of influence;
 - ii) Whether a licence will be required;
 - iii) The location and construction of an artificial sett (if required);
 - iv) timing of works;
 - v) site precautions to ensure badgers do not become trapped in trenches/excavations.
- The development shall thereafter proceed in accordance with the approved details.
- 32) No development shall take place (including ground works or vegetation clearance) until a Construction Environmental Management Plan for biodiversity (CEMP) has

been submitted to and approved in writing by the local planning authority. The CEMP shall include the following details:

- a) Identification of potentially damaging construction activities;
- b) Identification of biodiversity protection zones;
- c) Practical measures and sensitive working practices to avoid or reduce impacts during construction;
- d) Timing of works to avoid harm to nesting birds;
- e) Responsible persons for overseeing sensitive works;
- f) Use of protective fencing where required.

The development shall thereafter proceed in accordance with the approved details.

- 33) No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following details:

- a) description and evaluation of the features to be created/managed
- b) aims and objectives of management
- c) appropriate management options for achieving aims and objectives
- d) prescriptions for management actions
- e) work schedule
- f) species/seed mixes to be planted/sown
- g) ongoing monitoring and remedial measures

The development shall thereafter proceed in accordance with the approved details.

End of schedule