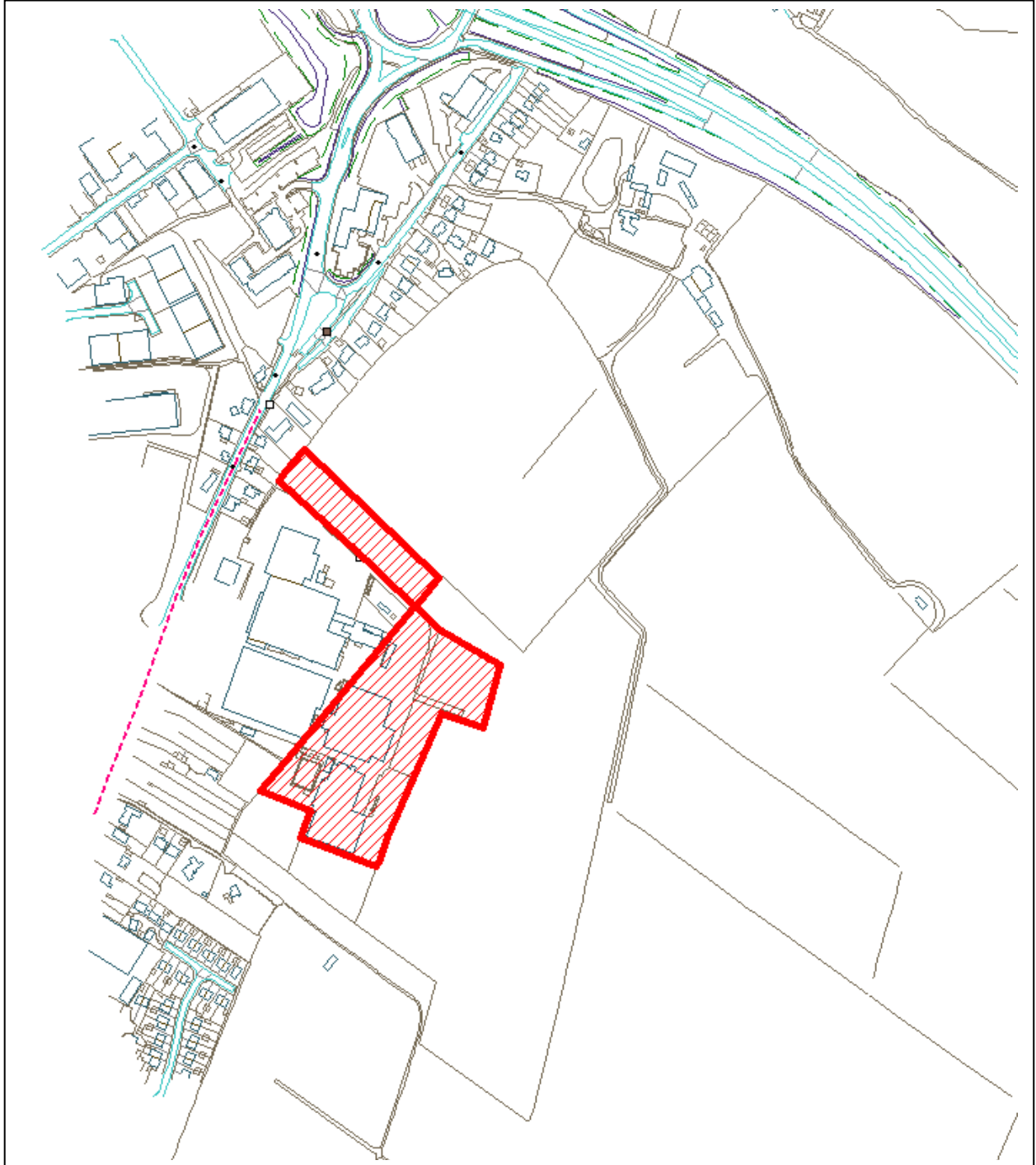


PLANNING COMMITTEE

27 MARCH 2013

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION - 12/00885/OUT - 505 IPSWICH ROAD, COLCHESTER, CO4 4HE



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Application: 12/00885/OUT

Town / Parish:

Applicant: Lands Improvement Holdings Colchester S.a.r.l. - Ms K Turner

Address: 505 Ipswich Road, Colchester, CO4 4HE

Development: Application for the demolition of existing buildings, remediation and earthworks, construction of a new access, bus turning area and junction as well as a spine road (details included within). Outline proposal for the erection of up to 118 residential units (C3 use), a 65 bed care home (C2 use) and 1,300 square metres of commercial (A and B uses) with associated hard and soft landscaping, surface water pumping station, footpaths, secondary access roads, perimeter enclosure, car parking and lighting (details being reserved matters).

Reason for Referral to Planning Committee

The application is referred to the Planning Committee as the site is proposed to be redeveloped for a major residential development that straddles the boundary with Colchester Borough Council (CBC).

1. Executive Summary

- 1.1 Members are advised that the proposed development site lies within the demise of two Local Planning Authorities. The larger part of the site lies within CBC and the smaller (rear area) of the site lies within Tendring. An application has been submitted to each of the authorities relevant to their area and it will fall to each authority to determine that part of the development proposal within their boundaries. At the time of writing this report CBC are to report their application to the CBC Planning Committee on 14 March 2013. The application is recommended to the members of the CBC Committee for approval. As these papers are produced before the CBC meeting is held, members of the Tendring Planning Committee will be updated of the resolution taken by CBC members when this report is presented to the Tendring Planning Committee on 27 March 2013.
- 1.2 It should be noted that if members resolve to approve planning permission then Tendring and CBC will jointly instruct the completion of the legal agreement to ensure a comprehensive package of mitigation measures.
- 1.3 The planning application has been submitted as a hybrid application. The first part seeks full planning permission for the demolition of the existing buildings on the site, together with site decontamination and earthworks, as well as the construction of a new access road to the site from Ipswich Road and associated spine road and bus turning area. The second element seeks outline planning permission for the residential development of the site.
- 1.4 Since its original submission as a mixed residential and commercial development, the scheme has been amended to remove the commercial element of the proposal (this was located within that part of the site within the demise of CBC).
- 1.5 The Council's adopted local plan and emerging local plan do not allocate the site for any specific purpose but it is currently within an employment use. The site is the subject of a Planning and Development Brief that has the status of an adopted Supplementary Planning Document (2010) in CBC and on which Tendring was consulted. The brief supports a mixed use development. Regard has been had to the policy status of the site in the processing of the application and a package of mitigation measures has been negotiated to address the loss of an employment site (amongst other things). The scheme is therefore considered to accord with national and local planning policies and is recommended for conditional

approval following the successful completion of a Section 106 legal agreement the application.

Recommendation

APPROVE subject to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990.

The Head of Planning to be authorised under delegated powers to complete the agreement to provide the following:

- 7 no. Affordable housing units or a commuted sum to be agreed for off-site provision
- £465,000 for education provision
- £56,000 for loss of employment
- £77,960 for adoption of open space

That following the completion of the s106 agreement the Head of Planning to be authorised under delegated powers to :

Grant FULL planning permission for the following works:

- Demolition of all buildings and structures
- Breaking out of hardstanding
- Implementation of appropriate remediation
- Bulk earthworks to ground formation levels
- Tree removal and tree protection works
- Central spine road

Subject to the conditions outlined in Appendix A.

And grant OUTLINE planning permission for the following works:

- Up to 73 residential units with up to three storeys
- Car parking
- Soft and hard landscaping scheme, including boundary buffer treatment
- Sustainable urban drainage systems
- Play space
- Lighting
- Means of perimeter enclosure and associated structures

Subject to the conditions outlined in Appendix B.

2. Planning Policy

2.1 The following national policies are relevant to this application:

The National Planning Policy Framework (NPPF)

- 2.2 The NPPF presumes in favour of sustainable development, which requires Local Planning Authorities to **positively** seek opportunities to meet the development needs of their area whilst allowing sufficient flexibility to adapt to change. The NPPF states that policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Applications for alternative uses should be treated on their merits having regard to market signals. It also encourages the reuse of previously developed brownfield sites – particularly those that are not of high environmental value.
- 2.3 The NPPF requires a mix of housing to be delivered that serves the needs of the community and reflects local demand in terms of size, type and tenure. In delivering such development high regard should be paid to good design that take into account the views of the community.
- 2.4 It also places an emphasis on conserving and enhancing the natural environment.
- 2.5 It should also be remembered that the NPPF places a significant emphasis on a **duty to co-operate** on planning issues that cross administrative boundaries. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
- 2.6 The NPPF states that Local Authorities should take account of changes in market conditions over time and be sufficiently flexible to prevent development being stalled. To ensure viability, the costs of any requirements should provide competitive returns to a willing landowner and a willing developer to enable the development to be deliverable.

Adopted and Emerging Local Plan Policies

- 2.7 Members are advised that as the adopted local plan will no longer exist after 27th March 2013 this report has had regard to both the outgoing adopted local plan policies and also the emerging local plan policies that the NPPF advises can be awarded weight when determining planning applications.
- 2.8 The most relevant policies of the adopted Tendring District Local Plan 2007 include:
- QL8 - Mixed Uses
 - QL9 - Design of New Development
 - QL11 - Environmental Impacts and Compatibility of Uses
 - ER3 - Protection of Employment Land
 - HG1 - Housing Provision
 - HG3A - Mixed Communities
 - HG4 - Affordable Housing and New Developments
 - HG7 - Residential Densities

HG9 - Private Amenity Space

COM6 - Provision of Recreational Open Space for New Residential Development

COM20 - Air Pollution/Air Quality

COM23 - General Pollution

EN11b - Protection of National Sites

2.9 The most relevant policies of the emerging local plan include :

SD1 - Presumption in Favour of Sustainable Development

SD2 - Urban Settlements

SD7 - Securing Facilities and Infrastructure

SD8 - Transport and Accessibility

SD9 - Design of New Development

SD10 - Sustainable Construction

PEO3 - Housing Density

PEO4 - Standards for New Housing

PEO5 - Housing Layout in Tendring

PEO8 - Aspirational Housing

PEO9 - Family Housing

PEO10 - Council Housing

PEO22 - Green Infrastructure in New Residential Development

PEO23 - Children's Play Areas

PLA4 - Nature Conservation and Geo-Diversity

2.10 The policies of the emerging local plan are material considerations but as some of the listed policies are the subject of objection following the public consultation in January 2013 at the present time limited weight can be attached to their relevance.

2.11 Members should also note that within the CBC's Adopted Site Allocations document, policy SA CE1 Mixed Use Sites specifically identifies the Betts Factory site as an allocated site.

2.12 The following comments are made in relation to the development of the site:

- Comprehensive redevelopment required including land within Tendring District
- Future uses guided by a detailed Development Brief
- Mixed use will be expected to include employment and up to 200 dwellings
- Re-development of the site will need to have regard to Bullock Wood SSSI and the adjacent orchard
- Site is over a minor ground aquifer zone and a SUDS scheme is expected to be

developed on site to ensure any potential flood risk is minimised.

2.13 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents (SPD):

- Statement of Community Involvement
- Vehicle Parking Standards
- Recreational Open Space in New Development
- The Essex Design Guide
- External Materials in New Developments
- Ardleigh Village Design Statement (as a material consideration)

2.14 Members should also note that the site is the subject of a Planning and Development Brief that has the status of a Supplementary Planning Document in CBC. This document was adopted by the CBC in December 2010. The Brief was produced by consultants working on behalf of the Council and was intended to benefit potential developers of the site as it set out the requirements of Colchester and Tendring councils, the Highway Authority and other service providers. The document sets out the principles of development, including land uses, layout, design, provision of open space, access, landscaping and provision for wildlife and protection of existing vegetation. Officers of Colchester Council were involved with the production of the Brief, and discussions were also held with officers at Tendring District Council and Essex County Council as Highway Authority. It is also the case that discussions were held with representatives of the local community and a two-day public consultation event was held on 12-13 March 2008. The Brief has not been adopted as a Supplementary Planning Document by Tendring but it does represent a **material consideration** in the determination of this application.

2.15 A summary of the key principles emerging from the Brief is given below for Members' information:

- A mixed use redevelopment scheme was sought and within this a significant residential component was envisaged
- The commercial element of the scheme (anticipated at 1300 square metres floor space) should be located within the Ipswich Road frontage of the site. It was envisaged that the commercial element of the scheme should consist of uses that serve the local community
- A variety of dwelling types and character areas should be provided across the site with essentially a more urban form to the front and a more rural form to the rear (towards Bullock Wood and the orchard land). The SPD further advises that '...It is evident through CBC's aspirations for the site that the more urban and larger forms of development [will be] within enclosed squares and generally within the central section of the site. Retaining the larger development forms in the central area of the site will allow for a better transitional relationship between the orchard land and SSSI and the built form.
- The site should have a residential density of between 30 and 50 dwellings per hectare. The SPD states that '...This will result in a predominantly two storey development with some three storey houses and flats to differentiate and break up the roof lines and create visual interest in the street scene. The flatted element of the scheme will predominantly be located to the front of the site along Ipswich Road...'

- Affordable housing provision will require 35% of the total residential provision to be of an affordable nature. The SPD states that ‘...The exact tenure mix will be decided through negotiation with the Borough Council but any proposal will be required to provide a mix of housing to meet the diverse needs of the community. However, the Borough Council will expect to see the majority of affordable units to be of a rented tenure...’
- The site is to be served by a priority junction in Ipswich Road and parking should be in accordance with the emerging (at that time) standards
- At least 10% of the land within the red line application site should be given over to public open space and the SPD identified that the orchard land would be a suitable location for this provision.
- Submitted proposals should demonstrate appropriate sustainability measures such as sustainable construction techniques, drainage schemes etc. Dwellings will be encouraged to secure a minimum of Code 3 under the Code for Sustainable Homes.
- The ongoing protection of Bullock Wood is essential (bearing in mind its SSSI status) and the SPD advises that ‘...the Councils will expect to see an impenetrable buffer within any proposed scheme to be completed prior to occupation of the development...no back gardens of proposed residential properties [should] face directly on to the SSSI...’

3. Relevant Planning History

- 3.1 The site has been subject to a number of planning applications in the past but these all relate to the industrial use of the site and none are relevant to the current proposal that seeks a residential redevelopment.

4. Consultations

- 4.1 Members are advised that in order to ensure a comprehensive and co ordinate approach to the consideration of the proposals for this site, the majority of consultations were undertaken by CBC on behalf of both Council's.

The following represents a summary of those consultations.

Highways

- 4.2 The Highway Authority required an amendment to the initially-submitted layout drawing for the spine road (bearing in mind that full planning permission is being sought for this element) that demonstrated that buses etc. could access the site. Amended drawings have been submitted that show this can be achieved safely. On this basis the Authority does not object to the proposal, subject to the imposition of conditions and securing necessary off-site highway improvement works.
- 4.3 The Highways Agency has confirmed that it has no objection to the proposal and has issued a Direction to this effect.

Environmental Health

- 4.4 CBC Environmental Control has confirmed that it has no objection to the proposals but would require the imposition of conditions on a grant of planning permission.

Contaminated Land Officer

4.5 CBC's Contaminated Land Officer has commented on the proposals as follows:

'The Contaminated Land officer has read the documents submitted in support of this application. It is noted that some elevated levels of contaminants have been recorded on the site, in both soils and groundwater, and that further investigation, identification of appropriate remedial actions and verification will therefore be required. Note that further consideration of contamination matters is required, both for the demolition phase and the development phase of this application. However, if the recommended actions are fully implemented, based on the information proved, it would appear that the site can be made suitable for the proposed use.'

4.6 The recommendation also includes the imposition of conditions on a grant of planning permission.

Housing

4.7 The Council's affordable housing officer has confirmed that a housing contribution in line with the Council's adopted local plan will be required subject to the results of viability testing.

Natural England

4.8 As part of the consultation process Natural England's views on the proposal were sought. Members should note that the parts of the site that are of particular concern to that organisation i.e. Bullock Wood to the rear (which has SSSI status) and the orchard land are within Tendring District. Natural England has confirmed that it has no objection to the proposal.

CBC's Arboriculture Officer

4.9 'Generally I am in agreement with the conclusions and recommendations made within the report however the following points should be noted:

4.10 The outline application details that numerous trees within boundary of the site are low to moderate value. I am in agreement with this and do not consider that there loss is of particular consequence to the area. The most important trees are outside of the development area and form the character of the larger area. It is important that these trees are maintained and given adequate space to continue to thrive. The principles outlined within the report are acceptable but further detail will be required at reserved matters to ensure adequate siting of buildings, location of services, position of internal roads and any other possible adverse issue between trees and the built form are considered.'

CBC's Landscape Officer

4.11 Has confirmed that the details of the landscaping scheme can be addressed at the reserved matters stage; the information being indicative at this stage. Specific comments related to the impact of the development on Bullock Wood and how this interface will be treated, although it is acknowledged that this section of the development falls within Tendring's area.

The Council's Landscape Officer

4.12 "The information submitted by Natural England identify the steps need to be taken to protect the Bullock Wood SSSI that is also afforded protection by means of a Tendring District Council Tree Preservation Order TPO/12/01.

- 4.13 In addition to this the comments provided by the Landscape Planning Officer from Colchester Borough Council makes reference to the need to ensure that buffer zone is provided between Bullock Wood and the new dwellings and infrastructure. This is important both in terms of the physical protection of the SSSI and protected woodland as well as the visual impact.
- 4.14 No additional comments other than to agree with the comments provided by officers of Natural England and Colchester Borough Council.”

Environment Agency

- 4.15 The following comment has been received from the Environment Agency:

‘We have no objections to the planning application. However we consider the proposed development will only be acceptable if the surface water drainage scheme as detailed in the approved Flood Risk Assessment (FRA), Ref COLC-DOC-GLB-ACC-FRA-001, dated 16 July 2012, undertaken by WSP UK, and e-mail of 19 September 2012 from WSP UK, submitted with this application is implemented and secured by way of a planning condition on any planning permission.’

CBC’s Design and Heritage Officer

- 4.16 ‘The principles of the application accord with the adopted development brief for the site. The masterplan demonstrates a largely satisfactory arrangement that has compliant parking standards and garden sizes.
- 4.17 There are a few incidences of poor layout but I am confident that these can be amended at the detailed design stage. The character of the area with its mix of scale, mass and uses is not harmed by the proposals with regard to the massing of non residential uses and the site has adequate frontage to provide the opportunity for some three storey elements at the entrance and along the formal, spine road. The bus turning facility is welcomed as a sustainable attribute and creates the opportunity for new public transport in the area. The landscaping and arrangement at the entrance allows the carriageway to dominate but this can be improved at the detailed design stage.’
- 4.18 CBC also received comments from the Colchester Cycling Campaign that mostly related to the development proposals within CBC’s demise and were addressed in the CBC report.

5. Representations

Parish Council Response

- 5.1 Ardleigh Parish Council supports this application and would like to see the preservation and protection of trees during development of the site.

Representations

- 5.2 In accordance with our Statement of Community Involvement (adopted in 2008) the applicant held two public exhibitions on 10 and 13 March 2012 and also consulted with Ardleigh Parish Council.
- 5.3 CBC received a number of representations (mostly concerned with the commercial element of the scheme that has now been removed from the proposal).

6. Site Description

- 6.1 The site lies within two Local Planning Authority areas. The majority lies within CBC and the smaller area within Tendring. To provide a comprehensive picture, this report describes the entire site as there is little (if any) physical indication on the site of the boundary between the two areas and in effect the site reads as a single entity.
- 6.2 The site has an area of 5.63 hectares. The majority of the site is currently occupied by industrial buildings and associated hardstandings. It is understood that most of the buildings were constructed during the 1950's. The site has been used for a significant length of time for various industrial purposes. The last use was for the manufacture of plastic products including toothpaste caps and containers. The site is now unoccupied and the previous occupiers have relocated to the Severalls Business Park.
- 6.3 The frontage of the site with Ipswich Road is characterised by areas of greensward and tree/hedging that separate the main two storey office building and other ancillary single storey buildings from the boundary.
- 6.4 To the north of the site is an area of disused orchard, while to the south and east is Bullock Wood. This wood is a designated Site of Special Scientific Interest (SSSI). Both the orchard and Bullock Wood lie within Tendring's boundary. The former orchard land is screened from the site by an established line of trees and hedging whilst the SSSI is fenced from the industrial land.
- 6.5 Either side of the site frontage are rows of residential properties that face Ipswich Road. On the opposite side of Ipswich Road is the edge of a significant area of commercial and industrial development including storage buildings, car showrooms and repair facilities.

Description of the Proposal

- 6.6 Under the application submitted to Tendring **full planning permission** is sought for the following:
- Demolition of all buildings and structures
 - Breaking out of hardstanding
 - Implementation of appropriate remediation
 - Bulk earthworks to ground formation levels
 - Tree removal and tree protection works
 - Central spine road
- 6.7 And **outline planning permission** is sought for the following:
- Up to 73 residential units up to three storeys
 - Car parking
 - Soft and hard landscaping scheme, including boundary buffer treatment
 - Sustainable urban drainage systems
 - Play space
 - Lighting
 - Means of perimeter enclosure and associated structures
- 6.8 The application submitted to CBC follows a similar hybrid proposal but the submission proposes the construction of up to 128 residential units. On this basis the combined number of residential units is up to 201. It also includes the provision of the site access; bus turning area and the central spine road including the T-junction plus the construction of a surface water pumping station, service diversions and the laying of footpaths and associated access points off site.

- 6.9 Members are advised that meetings were held prior to the submission of the application with Tendring members and officers in accordance with the Council's approved protocol for pre application meetings.
- 6.10 The proposal is accompanied by an Environmental Impact Assessment and the following supporting documents:
- Affordable Housing Statement
 - Design and Access Statement
 - Employment Land Statement
 - Flood Risk Assessment
 - Outline Demolition Method Statement
 - Phase II Bat Survey
 - Photograph Survey
 - Statement of Participation
 - Transport Statement
 - Site Waste Management Plan (Construction and Preparation)
 - Section 106 Heads of Terms
 - Illustrative Masterplan
 - Planning Statement
- 6.11 The various supporting documents have been updated since initial submission to reflect the change in the proposal to a wholly residential redevelopment.
- 6.12 The Design and Access Statement explains that the vision for the site is to:
“.. create an aspirational residential setting, with the opportunity for a care home development fronting Ipswich Road, on a soon to be vacated brownfield site. Bullock Wood to the east and the orchard to the north will be retained and protected as part of the proposals. This will be achieved through:
- The delivery of a range of high quality well-designed housing to meet the needs of the local people and widen their housing choice
 - Creating a distinctive residential environment comprising a number of character areas which reflect the different characteristics of the site
 - Introducing a range of densities and built form principles reflecting the proposed character areas
 - Promoting the principles of Secure by Design
 - Protecting and preserving the landscape character to the north and east of the site
 - Enhancing the vitality of this northern part of Colchester
 - Promoting sustainable access and improving pedestrian and cycle links to the centre of Colchester
 - Improving the site's integration with the SSSI.”
- 6.13 It must also be noted that all the reports submitted with the application have been produced on the basis that a development of up to 230 residential units could be accommodated on the site. This is because the CBC adopted Supplementary Planning Document envisaged that this was the maximum number that could be accommodated on the site. The reduction in numbers to 201 reflects the revisions that have taken place to the scheme as a result of the proactive discussions that have taken place with officers of both Councils and with members and includes a less dense layout to accord with members' aspirations and that takes account of the adopted parking standards of the Council that requires more and larger spaces.
- 6.14 The illustrative layout plan shows the provision of a residential development on the site, served by an access located centrally on the site frontage with Ipswich Road. This access would take the form of a priority junction. The submitted drawings show the provision of a bus lay-by and turning area immediately to the east of the access point leading to a main

spine road towards the rear of the site, with a T-junction and associated roads leading north-easterly and south-westerly towards the boundaries of the site.

- 6.15 The residential development in Tendring is generally in the form of two and two and a half storey semi-detached and detached residential units and establishes a principle which can be built on to provide aspirational housing in the District. The final terms of design and materials for the individual properties will come forward at Reserved matters stage.
- 6.16 Members will note that the part of the site within Tendring would have a direct interface with Bullock Wood. Furthermore, a linear area of open space that is on the northern boundary of the site (formerly used as orchard land) is proposed as an amenity space to serve the overall site and accords with the details of the Development Brief.
- 6.17 As part of the Environmental Impact Assessment a specific parameter plan shows the proposed storey heights of the development. This plan indicates that a range of storey heights would be proposed, with the highest (at three storeys) being located on the boundary of the site with Ipswich Road, and along the main spine road into the site. These all fall within the CBC boundary. A further area of three storey development is proposed within the area of housing that faces the linear open space on the north-eastern periphery of the site. Whilst there will be some three storey development within the Tendring area these are limited to those areas that address the internal spine road junctions and open spaces where taller buildings would be anticipated. The majority of the development within Tendring is of two or two and half storey heights.
- 6.18 The masterplan submission shows a variety of dwelling types across the site from one to two bedroom flats to four bedroom houses. The average density in Tendring is 30 per hectare compared to up to 35 per hectare in Colchester, which relates to a flexible permission for a care home within CBC. This flexible permission would allow for a care home or residential use in order to respond to market demand.
- 6.19 If the care home does come forward this would replace an area of 23 dwellings reducing the overall number of residential properties to 178. Either way this would not impact on the layout within the masterplan that relates to the Tendring area.

7. Assessment

- 7.1 As mentioned earlier in this report, this site is not specifically allocated within the Council's adopted local plan but is protected as an employment site by Policy ER3 of the plan. The established commercial use of the site has now completely ceased – not least because the layout of the site and the standard of the buildings themselves did not meet the requirements of the business. The business has relocated to alternative premises within the Severalls Business Park.
- 7.2 In anticipation of the possible redevelopment of the site a Design and Development Brief for the site has previously been undertaken on behalf of CBC in consultation with Tendring. The following statement is taken from the Brief:
- 7.3 'The site provides a good opportunity to provide a well designed, sustainable mixed use development. With no real development comparable in the locality, the site allows for a level of built form that sympathetically translates between the urban nature of the front (Ipswich Road end) of the site and the more open/ rural areas of the site to the north and west towards Bullock Wood and the orchard land.
- 7.4 Any proposals must be based upon a scheme that sympathetically integrates a well designed architectural built form into a natural woodland environment to the rear of the site. The key vision for the site is a high quality residential scheme that positively impacts on the surrounding environment. It should have a distinct character, a high standard of architecture and public realm.'

- 7.5 The Council has been asked to consider a proposal that in effect is in two parts. Firstly there are the works to prepare the site for redevelopment in the future – consisting of the demolition of the buildings and hardstandings on the site, remediation of land contamination, the associated spine road through the site. Full planning permission is being sought for this work at this stage. Secondly, there is the residential development of the site for which outline planning permission is being sought at this stage (albeit that the application is accompanied by an illustrative masterplan that broadly reflects the requirements of the design and Development Brief.
- 7.6 Examination of the site as it stands reveals that it is covered by a significant amount of built form and associated hardstanding. The removal of these elements and the subsequent remediation of the site to make it fit for residential use (given that it has been used previously for industrial purposes) will clearly impact on the surroundings and these impacts are an important consideration at this stage. As advised earlier in this report, the demolition, remediation, preparation and initial construction stages (for the spine road) have been addressed in depth through the Environmental Impact Assessment process. Additionally, the submission is supported by an Outline Demolition Method Statement, Site Preparation document and Site Construction Waste Management Plans. These reports have described and evaluated the impacts of the various site clearance and remediation processes. Additionally, they have been considered by relevant consultees and it is noted that there is no objection to this element of the proposal, subject to the imposition of conditions.

Design and Layout

- 7.7 Members are advised that although the residential redevelopment scheme is submitted in outline it is accompanied by a comprehensive amount of material that illustrates the evolution and development of the scheme that is submitted for formal determination. Members are reminded that the CBC's SPD for this site requires the creation of areas of different character across the site – contributing a variety of spaces in order to create a cohesive whole. In acknowledgement of this aim a key concept in the submitted scheme is the creation of 5 character areas across the site identified as follows:

Area 1 – Primary Road / Boulevard and bus turning area (all within CBC)

- 7.8 This area is defined by the proposed access into the site, the associated bus turning area and the main avenue access into the site. The Design and Access statement advises that building in this location would be up to three storeys in height and would contain a variety of building types and roof forms. Another key feature is the provision of avenue planting to augment the avenue/boulevard arrangement.

Area 2 – Secondary access road with central open space (partly within CBC and partly within TDC)

- 7.9 This space would contain the green link that runs north/south as well as tree planting and a possible swale at the northern end. Three storey development would be used to define street entrances here – otherwise the scale of development would be at a maximum of 2.5 storeys.

Area 3 – Development fronting onto Ipswich Road (all within CBC)

- 7.10 Accessed via the central avenue the development here would front on to Ipswich Road and distinct buildings would define the entrance point. If the care home option were to be exercised in the future, the DAS advises that this would follow the design principles adopted for this area of the overall development. This area also identifies the site constraint presented by wayleaves to the retained electricity sub station at the southern end of the

frontage. While the majority of development would be set at three storeys the height would reduce where it abuts existing two storey development within the Ipswich Road frontage.

Area 4 – Residential development fronting on to the major amenity area (all within CBC)

- 7.11 The DAS recognises that this space differs from others in that it contains the principle open space serving the site. Members are reminded that the open space area itself (currently orchard) is within our district. The housing at the western end of this space would be set at two storeys and would back on to dwellings fronting Ipswich Road. The remainder would face across the open space, and would be set at between 2.5 and three storeys.

Area 5 – Development fronting on Bullock Wood (all within TDC)

- 7.12 This area falls entirely within our district and is distinguished by the spatial relationship it would have with Bullock Wood. The arrangement of development would create frontages of development that face towards the woodland – the space between containing access roads and soft margins/swales. The character of development here would be predominantly 2 – 2.5 storeys although some focal points could be three storeys. Generally, the density of the development within this part of the site would be less than would be found elsewhere on the overall site.
- 7.13 In terms of the design and layout of the proposed development, the submitted scheme reflects a traditional townscape approach advocated within the Essex Design Guide, whereby dwellings are arranged in a series of mainly perimeter blocks that are accessed by a permeable highway and footpath network. A notable feature of the development would be the provision of the revised access on to Ipswich Road, and the associated avenue leading off the access point. It is considered that such an arrangement establishes a clear hierarchy of space i.e. a main access and spine route that leads to smaller enclaves of dwellings and associated open space, which in itself creates a legible arrangement for pedestrians and motorists alike.
- 7.14 Another notable feature of the development is the relationship between the proposed dwellings and the neighbouring land uses. The arrangement of development is such that the frontage of the site would consist of buildings that relate visually to Ipswich Road, in the same way as the established development along this route.
- 7.15 Additionally, the arrangement of development within the site would mean that important spaces such as the proposed open space (currently orchard) and Bullock Wood to the rear would be fronted by development as opposed to dwellings' rear amenity areas facing these areas. Such an arrangement reinforces the hierarchy of space and, particularly in the case of the open space, allows for informal surveillance to take place. This would assist in making the open space safe and useable.

Scale, Height and Massing

- 7.16 The CBC adopted SPD document in relation to this site considered the issue of building scale as part of the development proposal. Importantly, the SPD advises as follows:

'...In accordance with both the adopted Colchester and Tendring Local Plans the site should have a residential density of between 30 and 50 dwellings per hectare...This will result in a predominantly two storey development with some three storey houses and flats to differentiate and break up the roof lines and create visual interest in the street scene. The flatted element of the scheme will predominantly be located to the front of the site along Ipswich Road. As development moves east across the site, away from Ipswich Road, it will become less dense than the urban forms expected on the Ipswich Road frontage of the site...' (para 3.4.1)

- 7.17 The provision of three storey development assists in defining a hierarchy of development and spaces across a site and also in reinforcing the legibility. It should be borne in mind, of course, that the residential development element of the proposed scheme is submitted in outline, and detailed design issues would therefore be addressed as part of reserved matters submissions. Nevertheless, the principles should be established at this stage in order that a framework is in place to guide reserved matters submissions that could, potentially, be made over a significant period of time.
- 7.18 To this end, it is noted that the scheme proposes the use of three storey development along the site frontage with Ipswich Road, and also along the main avenue into the site. The submitted scheme also proposes some provision of three storey development that would face across the open space area. Although it is the case that there are no instances of three storey development on the same side of this part of Ipswich Road, it is considered that the delivery of three storey development here would not appear visually harmful and incongruous. This is because the site is of sufficient size to absorb three storey elements without it appearing cramped or out of scale in relation to its surroundings.
- 7.19 Furthermore, the existing buildings on the site are of a similar height to those being proposed under this redevelopment proposal albeit of a far greater overall scale individually than the residential development that would replace them. In the case of the three storey development facing across the main area of open space here it would be read within the context of the wider landscape to the north. The remainder of the site would be given over to two storey development which is a height of building that is prevalent within the area. With regard to the issue of scale and massing, the following statement is taken from the applicant's Planning Statement which explains the approach taken:

'As per the Heights Parameter Plan, it is proposed that the development will be largely two and two and a half storeys in height; below the existing building line on site. The three storey buildings, which are concentrated along the frontage, the boulevard and around the two areas of public open space to provide a presence to the development, are 2.5 metres higher than the existing building line. These have however been tested in terms of impact and it has been concluded that the visual impact of these buildings has a negligible effect on the landscape and surrounding views. The proposals therefore conform to CBC's Core Strategy Policy UR2, Development Management Policy DP12, TDC's Local Plan Policy QL9 and the Essex Design Guide (2005)...'

Impact on the Surrounding Area and Neighbouring Properties

- 7.20 The nearest residential development in relation to the application site forms the frontage on to Ipswich Road and is all within the demise of CBC. This issue has been addressed fully within the officer's report to CBC where it is concluded that the layout accords with the Essex Design Guide and would not have a material adverse impact on existing residential amenity levels.
- 7.21 As well as the potential impact of the development on immediate neighbours, the impact of the scheme on the wider area is also an important consideration, not least on Bullock Wood which is immediately adjacent to the application site and which has SSSI status. The woodland falls within our district and must be given careful consideration at this stage and when the details of the interface between this and the proposed development are dealt with at the reserved matters stage. The matter was examined in CBC's SPD document. The following statement is included:

'...It is essential to preserve the natural heritage of the SSSI for future generations. Wildlife and geological features are under pressure from development, pollution, climate change and unsustainable land management. As such, the Councils will expect to see an impenetrable landscaped buffer within any proposed scheme to be completed prior to occupation of the development...'

- 7.22 The masterplan appended to the SPD document included a design feature whereby no back gardens of residential properties backed on to the SSSI. The scheme submitted to Members reflects this requirement. Furthermore the actual boundary between the two sites would be defined by carriageways and close boarded fencing. As a consequence of the creation of the boundary the proposed works would include the removal of sapling growth on the periphery of the woodland, together with the removal of material that had previously been deposited during the former industrial use of the site. Importantly, the proposals – described in the supporting application documents including the habitats assessment and arboriculture report – have been assessed by Natural England and held to be acceptable, notwithstanding the SSSI status of the woodland in which they would take place.
- 7.23 As advised earlier in this report the site clearance and remediation works will have an impact on the amenity of the area and the neighbouring properties. However, this impact is deemed to be manageable and the proposed mitigation of the impact is considered acceptable subject to the imposition of conditions on a grant of planning permission.

Highway Issues

- 7.24 The proposed access into the site, and the spine road leading off this access are elements for which full planning permission is being sought at this stage and are all within CBC. Members are advised that the form of junction on to Ipswich Road and the configuration of the spine road were discussed prior to the submission of the application itself. In terms of the junction this would take the form of a remodelling of the existing site access. Other works proposed in the vicinity of the site access are as follows:
- the provision of a footway on the northern side of the site access to link with the existing footpath on the eastern side of Ipswich Road.
 - a shared footway and cycleway on the southern side of the new access which will link to a new toucan crossing facility on Ipswich Road.
- 7.25 The western end of the spine road into the site would incorporate a bus turning feature that would enable public transportation penetration into the site in the future. The entrance feature has been designed to accommodate a bus stop and adequate turning space for a 12 metre long double-decker bus. Additionally, sufficient land would be safeguarded in order that a bus shelter could be provided as well. Lastly, Members should note that the scheme has been designed in order that a large refuse vehicle (i.e. 9.9 metres in length) can access all areas of the site.
- 7.26 The established use of the site for industrial purposes obviously gave rise to a significant amount of traffic generated by the use and also by employees visits etc. Although the volume of traffic generated by the redevelopment proposals is likely to exceed the levels generated by the previous use it is noted that the Highway Authority and the Highway Agency do not raise an objection to the submitted development proposals. Additionally it is recognised that elements such as the improvement of cycle access to the site and also the fact that access by public transport is being encouraged would promote different methods of transport for both occupiers of and visitors to the site.

Parking Provision

- 7.27 It should be noted that the application submission is made in outline and the only matters to be considered for full permission at this stage are the site demolition and preparation works, together with the new access arrangements and associated spine road. Nevertheless, the pre-application discussions with the applicant were predicated on the basis that the applicable parking standards of the Council must be met as part of any redevelopment proposals and the submitted layout plan has been produced on this basis. Indeed, the compliance with the standard is a factor that has reduced the amount of dwelling units that

are proposed across the site. It should be noted that the parking standards applicable to Tendring are also applicable to CBC and the submitted indicative drawings reflect this situation.

7.28 The Planning Statement accompanying the application confirms the point as follows:

'Car Parking across the site will be provided in accordance with Essex County Council's Parking Standards (2009)'

7.29 Members will also be aware that an outline planning permission for the proposed development could be subject to a condition that requires parking provision in accordance with adopted standards to safeguard the Council's position.

Open Space Provisions

7.30 The submitted plans show that the majority of open space that would serve the development is provided through the utilisation of the former orchard land on the north-eastern boundary of the site (land within Tendring District). This land has an area of 6480 square metres (comprising approximately 10% of the developable site area) and would provide formal play and informal recreation opportunities for the occupiers of the proposed dwellings. The submission indicates that Local Equipped Area of Play (LEAP) would be located on this land.

7.31 The indicative layout plan also shows the provision of 'green corridors' within the site (following the line of the spine roads) augmented with tree planting and grassed areas. At the internal junction of the spine road the plan shows the provision of a larger grassed area, to the front of residential development that would contain a Local Area of Play (LAP).

7.32 Members should note that although the site is immediately adjacent to Bullock Wood, the scheme would not provide for public access to this land. The applicant has been in consultation with Natural England in order to agree a scheme for the boundary treatment between the site and the wood and the principles established include:

- No back gardens directly on to the woodland
- Fencing off of the woodland to prevent public access
- Removal of self-seeding sapling growth at woodland edge

7.33 With regard to the issue of sapling removal Members are advised that the wood itself is covered by a tree preservation order issued by Tendring District Council. A strategy for sapling removal has been agreed with Natural England and this strategy has also been agreed by our Tree and Landscape Officer.

Drainage Issues

7.34 Given the scale and nature of the proposals the application is supported by a Flood Risk Assessment that also includes details of a sustainable drainage strategy for the site. As a principle it is intended that, wherever possible, the existing drainage infrastructure will be utilised and where necessary improved.

7.35 The general drainage strategy of the site is described as follows within the submitted Design and Access Statement:

- diverting existing surface water flows entering foul sewers to new surface water systems
- the implementation of swales to treat the runoff and attenuate flows to rates below the existing rates to reduce the risk of off-site flooding

- designing infrastructure to accommodate forecast increased rainfall rates predicted as a consequence of climate change

7.36 The DAS advises that the proposed swales would discharge to existing ditches through Bullock Wood. As much of the existing vegetation relies on surface water delivered through the ditch system an attenuated flow of surface water drainage from the site (i.e. on-site storage of surface water during high flow periods and discharged over an extended period) is likely to be of some benefit to the woodland in the future.

7.37 Members are advised that the site for the proposal is located within Flood Zone 1 i.e. the least sensitive in terms of flood risk. It is noted that the Environment Agency has confirmed that the proposed re-development is acceptable in terms of the impact it may have, subject to the development being carried out in accordance with the information submitted with the application.

Air Quality

7.38 The Environmental Statement that accompanies the application submission considers the issue of air quality. For Members' information the following comments are included in the Non-Technical Summary document.

7.39 To inform the assessment and determine any constraints to the proposed development, a baseline assessment was undertaken. This involved a review of available air quality monitoring data for the area surrounding the site. The baseline assessment concluded that the main source of air pollution within the area is likely to be emissions from road traffic.

7.40 Consequently, exceedences of the objectives for pollutants may be occurring at a number of locations close to or within Colchester Town Centre and CBC have therefore declared a number of Air Quality Management Areas (AQMAs). However, the proposed development is not located in or near any of the designated AQMAs. No exceedences of the objectives for any of the other pollutants included within the Air Quality Strategy are anticipated within the area.

7.41 An assessment of the potential effects on local air quality arising from activities performed during the site preparation, demolition, earthworks and remediation phase and the construction phase has been undertaken. This showed that during on-site activities releases of dust and fine particle material are likely to occur. The greatest potential for nuisance problems to occur will be within close proximity of the site perimeter; although there may be limited incidences of increased dust deposited on property more distant from the site. However, through good site practice and the implementation of suitable measures (for example, use of appropriate equipment, implementation of screening and dampening measures, use of wheel washers etc.), the effect of dust and fine particle material releases will be reduced and the risk of excessive releases minimised wherever possible. Following measures to reduce the effect of dust and fine particle material emissions during both phases there is considered to be a minimal effect. The effect of construction traffic generated during these two phases of the proposed development was also considered. The main effects will arise in the areas immediately adjacent to the site access for traffic associated with the works and along the designated haulage routes. However, effects will be temporary and providing appropriate measures are implemented, the additional construction traffic associated with the works is considered to be minimal.

7.42 An assessment of air quality effects arising during the operational phase of the proposed development was undertaken through modelling. The model was used to predict the changes in pollutant concentrations that would occur at a number of residential properties and Bullock Wood SSSI as a result of traffic from the proposed development. The results show that the proposed development would cause minimal increases in pollutant concentrations at the residential properties and Bullock Wood SSSI, and indicate that no

exceedances of statutory objectives for pollutants are anticipated for these areas. The effect of the proposed development on pollutant concentrations is therefore considered to be minimal. Pollutant concentrations predicted within the site itself were also below the relevant Air Quality Strategy objective levels.

7.43 In addition, an assessment of the potential effect of the proposed development on pollutant concentrations and the level of nitrogen deposition within the adjacent Bullock Wood SSSI was undertaken. The assessment showed that traffic from the proposed development would have a minimal effect on the SSSI.

7.44 Members should note that the above statement forms part of the Environmental Statement that accompanied the initial planning submission. Following removal of the commercial element of the scheme the applicant has revisited the Statement to consider any likely changes that may have occurred as a result of this revision. The following extract is included in the letter of conformity that supports the Statement:

‘...the proposed change as outlined above [i.e. the proposed additional residential use in lieu of the commercial use] has no material effect on the Environmental Statement (ES) other than assessments relating to the proposed commercial use no longer being of relevance. The conclusions, recommendations and significance of effects previously presented within the ES remain valid and robust and there is no need for the provision of additional material...’

Section 106 Planning Obligations

7.45 This proposal has been considered by both Tendring and Colchester Council’s Development Teams. When the proposal was originally submitted it was accompanied by an Affordable Housing Viability Assessment – this is based on the originally proposed mixed use scheme that included an element of commercial use as well as residential development. The findings of the assessment were that the scheme could support the provision of 10% affordable housing on both Local Authority sites.

7.46 Members will be aware that the Council’s policy requirement for affordable housing seeks to secure 40% of new dwellings within a scheme of 15 or more dwellings (Policy HG4 refers). Clearly the offer was below the amount sought under the policy and on this basis the Viability Assessment submitted by the applicant was independently scrutinised, as well as being considered by members of the Development Team. The Council’s independent consultant (jointly instructed by CBC) commented as follows:

*‘We have reviewed the various documents provided by the applicant’s advisers, and have requested further information where required to support the cost and value assumptions applied in the appraisal. Further information has duly been provided, and as a result of our assessment, **we are satisfied that, overall, the assumptions made in relation to value and cost inputs are reasonable...**We have concluded that, based on the appraisal results, **the level of contributions being offered in respect of planning contributions, including affordable housing, is the maximum that can be reasonably be provided on viability grounds.**’*

7.47 The opinion of the Council’s consultant was that the offer was a reasonable one bearing the circumstances that were relevant in this case. It is pertinent to bear in mind that the redevelopment of this particular site is subject to significant costs relating to land preparation and remediation – given the extent of development that has taken place on the site and also the nature of the industrial use which involved chemical storage etc.

7.48 When assessing the viability issues officers have been mindful that the determination of an application should accord with the economic development aims of the NPPF. Council officers have taken a proactive and pragmatic approach on dealing with viability issues on

this site to ensure deliver of new development and much needed affordable housing. When weighing up the benefits of the development progressing and proposed full provision of all the financial planning obligations, on balance, in this case the environmental and current economic benefits are considered to outweigh the harm of the proposed affordable housing falling below a 40% provision. The strong emphasis in the NPPF on the need to ensure developments remain viable should be remembered.

7.49 An effort has also been made to not conflict with the intentions set out within a recent ministerial statement (Housing Growth) which encourages local planning authorities to negotiate on S106 requirements and affordable housing provision. This statement notes the following:

“It is vital that the affordable housing element of Section 106 agreements negotiated during different economic conditions is not allowed to undermine the viability of sites and prevent any construction of new housing. This results in no development, no regeneration and no community benefits at all when agreements are no longer economically viable.”

7.50 Members are also advised that during the consideration of the application CBC sought to remove the commercial element of the scheme. This falls within CBC’s demise and does not impact upon the proposals within Tendring. CBC have taken the view that the likelihood of achieving occupancy of the commercial floor space, particularly in the current economic climate, had to be balanced against the need to provide as many affordable housing units within the CBC.

7.51 In addition to the replacement of the commercial land, CBC has apportioned £598,215 of their financial s106 package towards affordable housing.

7.52 Tendring’s affordable housing provision has not altered from that agreed by the independent viability consultant to be reasonable and viable for the scheme. Therefore the mix of affordable units proposed is 2No. 2 Bedroom Flats, 3.No. 3 Bedroom Houses for Affordable Rent and 2 No. Shared Ownership 2 Bedroom Flats. The following contributions would also be secured as a result of the proposed development taking place:

- £465,000 for education provision
- £56,000 for loss of employment
- £77,960 for adoption of open space

7.53 The provision of affordable housing submitted as part of the application is based on detailed discussions with the applicant and viability appraisals and testing. Officers accept that there are some constraints that impact on the planning policy requirements in relation to affordable housing however the s106 contributions required by other planning policy requirements have been met in full. The delivery of the site’s redevelopment would create economic benefits, which include the creation of jobs during the construction phase and the provision of other planning obligations by the applicant and the additional residents. Furthermore, to refuse this proposal on viability grounds is likely to result in a delay in delivery of any new residential units.

7.54 Members should also note the recent Appeal decision in relation to Land at The Manor, Shinfield, Reading (reference APP/X0360/A/12/2179141) where the Appeal was allowed on the basis of a 2% affordable housing contribution, given the costs associated with site preparation and decontamination phase; similar to this application.

8. Conclusion

7.55 In summary, it is considered that the proposed redevelopment of the identified site for residential purposes is an acceptable proposal in national and local planning policy terms.

Background Papers

None.

APPENDIX A

Full Conditions

1. Time Limit for Full Permissions – Expiration of three years from date of this permission.
2. Non Standard Condition – Development shall be carried out in accordance with: Outline Demolition Method Statement, Site Waste Management Plan, Demolition Plan, Cut and Fill Plan, and Tree Protection and Retention Plan or as otherwise agreed with the Local Planning Authority (LPA).
3. Tree and Natural Feature Protection: Protected Areas – All trees, shrubs and other natural features not scheduled for removal to be safeguarded behind protective fencing.
4. Tree and Natural Feature Protection: Entire Site – No burning or storage of materials to take place which could damage trees to be retained.
5. Tree and Hedgerow Protection: General – Any trees shown to be retained that die, are removed or fail to thrive will be replaced within 5 years of completion of the development.
6. Non Standard Condition – No works to take place until a scheme of supervision for the arboricultural protection is approved and must include:
 - a. Induction and personnel awareness of Arboricultural matters.
 - b. Identification of individual responsibilities and key personnel.
 - c. Statement of delegated powers.
 - d. Timing and methods of site visiting and record keeping, including updates.
 - e. Procedures for dealing with variations and incidents.
 - f. The scheme of supervision shall be carried out as agreed.
 - g. Scheme administered by qualified arboriculturalist instructed by applicant and approved by LPA.
7. Wheel washing facilities during construction – prior to commencement of development a wheel washing facility within the site and adjacent to egress onto highway to be approved by LPA.
8. Non Standard Condition – A Construction/Works Method Statement shall be submitted and approved by LPA. This must include:-
 - a. The parking of vehicles of site operatives and visitors.
 - b. Hours of deliveries and work; loading and unloading plant and materials and storage of items.
 - c. Erection and maintenance of security hoarding; wheel washing facilities, control of dust and dirt during construction; recycling/disposing of waste from demolition and construction works.
9. Non Standard Condition – No works of any sort to take place outside of:
 - a. Weekdays - 8am – 6pm
 - b. Saturdays – 8am – 1pm
 - c. Sundays and Bank Holidays – No work
10. No deliveries/worker vehicle movements, excluding security outside of following times:-
 - a. Weekdays – 7.30am – 6pm
 - b. Saturdays – 7.30am – 1pm
 - c. Sundays and Bank Holidays – None

11. Non Standard Condition – No demolition or remediation works to commence until frontage of site has been fully secured with fencing.
12. Non Standard Condition – Investigation and Risk Assessment to be completed to assess extent and nature of Contamination. Report to include:-
 - a. Survey of the extent, scale and nature of contamination including soil, gas and asbestos.
 - b. Potential risks to:
 - Human health
 - Property, crops, livestock, pets woodland and service lines and pipes
 - Adjoining land
 - Groundwater's and surface waters
 - Ecological systems
 - Archaeological sites and ancient monuments
 - c. An appraisal of remedial/preferred options
13. Non Standard Condition – A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks. Must include:-
 - a. Works to be undertaken
 - b. Proposed remediation objectives/criteria
 - c. Timetable of works
 - d. Site management procedures.
14. Non Standard Condition – Approved remediation scheme to be carried out in accordance with its terms prior to commencement of development other than that required for remediation. The LPA must be given 2 weeks' notice prior to commencement.
15. Non Standard Condition – If contamination previously not identified is found at any time during development this must be reported immediately to LPA. An investigation and risk assessment must then be carried out.
16. Non Standard Condition – Prior to occupation of any property developer must submit to the LPA a validation report to confirm remediation works have been completed.
17. Non Standard Condition – A monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to LPA must be submitted and approved by LPA.

APPENDIX B

Outline Conditions

1. Time Limit for Outline Permissions Part 1 of 3 – No works to commence until plans and particulars of “the reserved matters” relating to Access, Appearance, Landscaping, Layout and Scale have been submitted and approved by LPA.
2. Time Limit for Outline Permissions Part 2 of 3 – The approval of Reserved Matters must be submitted before the expiration of three years from the date of this permission.
3. Time Limit for Outline Permissions Part 3 of 3 – The development hereby permitted shall be begun before the expiration of 2 years from date of approval of the last of the Reserved Matters to be approved.
4. Development to Accord with Approved Plans – Development permitted in accordance with Drawings:
 - Planning application Red Line Boundary Plans
 - Location Plan
 - Demolition Plan
 - Cut and Fill Plan and Formation Levels Plan
 - Tree Removal and Protection Plans
 - Central Spine Road Geometry Plan
 - Central Spine Road General Arrangement
 - Central Spine Road Drainage Plan
 - Circulation Parameter Plan
 - Green Infrastructure Parameter Plan
 - Maximum Storey Heights Parameter Plan
 - Land Use Parameter Plan
 - Combined Parameter Plan
5. Heights of Buildings – Do not exceed 3 storeys in height.
6. Removal of PD Retaining Garage for Parking – Garage accommodation shall be retained for parking motor vehicles and not be adapted for any other use.
7. Residential Code for Sustainable Homes (Part 1 of 2) – Prior to the commencement of development, evidence that the development is registered with an accreditation body under the Code of Sustainable Homes and a Design Stage or Interim Code Certificate demonstrating Level 3 or higher shall be submitted to the LPA.
8. Residential Code for Sustainable Homes (Part 2 of 2) – Within 3 months of occupation a post-construction Final Code Certificate confirming Code Level 3 or above has been reached will be submitted to the LPA.
9. Full Landscape Proposals – Prior to commencement of development, full details of all landscape works shall have been submitted to the LPA.
10. Landscape Management Plan – Prior to first occupation a landscape management plan shall be submitted to the LPA.
11. Earthworks – Prior to the commencement of development details of all earthworks shall be submitted to the LPA.

12. Tree and Natural Feature Protection: Protected Areas – Prior to the commencement of development all trees, hedges and shrubs not scheduled for removal shall be safeguarded behind protective fencing.
13. Tree and Natural Feature Protection: Entire Site – No burning or storage of materials shall take place where damage could be caused to trees, hedges and shrubs not scheduled for removal.
14. Tree and Hedgerow Protection: General – All trees and hedgerows shall be retained unless shown to be removed on the approved drawings.
15. Tree and Hedgerow Protection: General – No works or development shall be carried out until an Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan are submitted to the LPA for approval.
16. Non Standard Condition – No works or development shall take place until a scheme of supervision for the arboricultural protection measures has been approved by the LPA.
17. Non Standard Condition - All residential units shall be designed so as not to exceed the noise criteria based on World Health Authority figures.
18. Non Standard Condition – Prior to first occupation a validation report for lighting shall be submitted to the LPA.
19. Non Standard Condition – Prior to first occupation details of refuse and recycling storage facilities shall be submitted to the LPA.
20. Non Standard Condition – Prior to first occupation of refuse and recycling storage facilities shall be provided to serve the development.
21. Non Standard Condition – Prior to first occupation the rating level of noise emitted from the site plant equipment shall be measured and not exceed 0dBA at all boundaries near to noise sensitive premises.
22. Non Standard Condition – Prior to their first use, any car parking and service areas shall be screened to minimise noise impact.
23. Non Standard Condition – There shall be no discharge of foul or contaminated drainage from the site into the groundwater or surface waters.
24. Non Standard Condition – The surface water drainage scheme shall be carried out in accordance with the approved Flood Risk Assessment.
25. Non Standard Condition – Development shall not begin until a surface water drainage scheme has been submitted to the LPA.
26. Parking Space/Hardstanding Sizes (Open) – Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space.
27. Parking Space/Hardstanding Sizes (Contained) - Any vehicular hardstanding bounded by walls or other construction shall have minimum dimensions of 3.9 metres x 5.5 metres for each individual parking space.
28. Non Standard Condition – Prior to commencement of development details of a wheel cleaning facility within the site and adjacent to the egress shall be submitted to the LPA.

29. Non Standard Condition – No occupation of development shall take place until the following has been provided or completed:

- Residential Travel Information Packs