

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	13/10/2020
Planning Development Manager authorisation:	TF	19/10/2020
Admin checks / despatch completed	CC	19/10/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	19/10/2020

Application: 20/01124/OUT **Town / Parish:** St Osyth Parish Council

Applicant: Mr R.A, T.R, D.R, A.I Sargeant

Address: St Osyth Estate The Bury St Osyth

Development: Variation of conditions 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 27 and 28 of approved application 19/01171/OUT to allow for the discharge of conditions in a phased manner.

1. Town / Parish Council

St Osyth Parish Council No comments

2. Consultation Responses

ECC Highways Dept No comments

ECC SuDS Consultee
14.09.2020 Lead Local Flood Authority position
Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

We have no objection to the change of wording of condition 22.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

3. Planning History

11/00333/OUT	Erection of 190 dwellings on 16.3 hectares of land; new junction and access roads; driveways; parking; footpaths; landscaping and all ancillary works; use of land as an archery range; construction of access drive and layout of parking area including siting of storage container for archery equipment. The proposals also include for a new footway to be built along a section of Colchester Road, south of the Wellwick.	Approved	18.03.2016
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18/01476/DETAIL	Erection of 190 dwellings on 16.3 hectares of land; new junction and access roads; driveways; parking; footpaths; landscaping and all ancillary works; use of land as an archery range; construction of access drive and layout of parking area including siting of storage container for archery equipment. The proposals also include for a new footway to be built along a section of Colchester Road, south of the Wellwick.	Approved	01.07.2020
19/01171/OUT	Variation of conditions 18 and 30 for application 11/00333/OUT to amend wording of condition 18 to 'Land as identified on drawing RW007-008 Rev D to be used for the relocated Bowmans Archery range shall be retained for that use with any ancillary buildings.' and amend wording of condition 30 to only include the following plans Site Plan showing Application Boundary - CC-0175-ABP010-6, Building Envelope/Use Plan - RW007-008 Rev D and Building Storey Heights Plan - RW007-009 Rev E.	Approved	22.06.2020
20/01099/DISCON	Discharge of condition 4 (strategic phasing plan) of approved application 19/01171/OUT.	Approved	09.09.2020
20/01124/OUT	Variation of conditions 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 27 and 28 of approved application 19/01171/OUT to allow for the discharge of conditions in a phased manner.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1	Spatial Strategy
QL2	Promoting Transport Choice
QL3	Minimising and Managing Flood Risk

QL7	Rural Regeneration
QL8	Mixed-Uses
QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses
QL12	Planning Obligations
ER16	Tourism and Leisure Uses
HG1	Housing Provision
HG3A	Mixed Communities
HG6	Dwelling Size and Type
HG7	Residential Densities
HG9	Private Amenity Space
HG14	Side Isolation
COM1	Access for All
COM2	Community Safety
COM6	Provision of Recreational Open Space for New Residential Development
COM19	Contaminated Land
COM21	Light Pollution
COM23	General Pollution
COM26	Contributions to Education Provision
COM29	Utilities
COM31A	Sewerage and Sewage Disposal
EN1	Landscape Character
EN3	Coastal Protection Belt
EN6	Biodiversity
EN6A	Protected Species
EN6B	Habitat Creation
EN11A	Protection of International Sites European Sites and RAMSAR Sites
EN11B	Protection of National Sites SSSI's, National Nature Reserves, Nature Conservation Review Sites, Geological Conservation Review Sites

EN11C	Protection of Local Sites: Local Nature Reserves, County Wildlife Sites, Regionally Important Geological/Geomorphological Sites
EN12	Design and Access Statements
EN13	Sustainable Drainage Systems
EN17	Conservation Areas
EN20	Demolition within Conservation Areas
EN23	Development Within the Proximity of a Listed Building
EN27	Enabling Development
EN27A	St Osyth Priory
EN29	Archaeology
EN30	Historic Towns
TR1A	Development Affecting Highways
TR10A	General Aviation
TR2	Travel Plans
TR3A	Provision for Walking
TR4	Safeguarding and Improving Public Rights of Way
TR5	Provision for Cycling
TR6	Provision for Public Transport Use
TR7	Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1	Presumption in Favour of Sustainable Development
SP3	Meeting Housing Needs
SPL1	Managing Growth
SPL3	Sustainable Design
HP1	Improving Health and Wellbeing
HP2	Community Facilities
HP3	Green Infrastructure
HP4	Safeguarded Local Greenspace
HP5	Open Space, Sports & Recreation Facilities
LP1	Housing Supply
LP3	Housing Density and Standards

LP4	Housing Layout
PP8	Tourism
PP13	The Rural Economy
PPL1	Development and Flood Risk
PPL2	Coastal Protection Belt
PPL3	The Rural Landscape
PPL4	Biodiversity and Geodiversity
PPL5	Water Conservation, Drainage and Sewerage
PPL8	Conservation Areas
PPL9	Listed Buildings
CP1	Sustainable Transport and Accessibility
CP2	Improving the Transport Network

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF (which applies until such time that the figures in the new Local Plan are adopted).

In addition, the actual need for housing (as set out in the emerging Local Plan) was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local Plan, as recently endorsed by the Local Plan Inspector. Therefore, in weighing the benefits of residential development against the harm, the Inspector's endorsement of the lower housing requirement figure is a strong material consideration which tempers the amount of weight that can reasonably be attributed to the benefit of additional new housing to address the perceived shortfall – given that, against the Local Plan housing requirement there is, in fact, a surplus of supply as opposed to a shortfall.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

This application site is broadly rectangular in shape and measures some 16.3 hectares. The site, known as The 'Wellwick' site, is situated to the north-eastern side of the B1027 Colchester Road, thereby separated from the Park. The site is formed of a 12 hectare crater resulting from gravel extraction undertaken in the 1970s and now lies around 8 metres lower than its surroundings. The area is generally flat with steep verges at the sides. To the southern and western boundaries can be found a scattering of vegetation running alongside Colchester Road. A caravan holiday park lies to the north. To the south are several properties situated on the eastern side of Colchester Road which lead to the main built up area of St Osyth. To the east of the site is an existing Public Right of Way which extends northwards out into open countryside and the nearby Riddles Wood.

The site is situated in a flood zone 1 (lowest flood risk zone) and is not located within a conservation area.

Proposal/Background

Outline planning permission was granted on 19 March 2016 for the erection of 190 dwellings, a new junction and access roads, driveways, parking, footpaths, landscaping and all ancillary works plus use of land as an archery range and a new footway to Colchester Road (application reference 11/00333/OUT).

A S73 application 19/01171/OUT was then approved to alter certain layout parameters secured via condition on the outline to reflect the layout and design of the reserved matters application.

Access to the site was approved at outline stage but all other matters, appearance, landscaping, layout and scale, were reserved for approval and were subsequently approved under planning reference 18/01476/DETAIL.

The proposal for the development of the application site is part of a larger project to conserve St Osyth Priory and Park. The outline planning permission was granted in 2016 for the redevelopment of the site for residential use as part of the "enabling development" to fund the restoration and conservation of buildings within the Priory Estate, as well as providing a new home for the Priory Bowmen Archery Club. A Section 106 Agreement was attached to the outline planning permission, securing funding for works to repair buildings within the Priory Estate, designated as the "Restoration Scheme" and the "Restoration Works". The development of the site will allow works to be undertaken to the Bailiffs Cottage, West/East Darcy House, West Gatehouse, Central Gatehouse and East Gatehouse.

This S73 application seeks wording changes to allow for the submission and approval of information requested by each condition in a phased manner, in accordance with the approved phases for the development. This will reduce the amount of information that is required to be submitted and approved before the development can commence, and will also enable the discharge of conditions to be better managed so information can be submitted on a phase by phase basis.

The proposed condition amendments do not change the fundamental principles of the condition or the reason why they have been imposed.

Appraisal

Impact of Changes

The conditions are proposed to be re-worded to allow details to be provided to reflect the timing of the agreed phasing of the development. This will allow the submission of details on a phase by phase basis and a more efficient commencement of the development. The re-wording of the relevant conditions does not affect their premise and allows for the approval of information in a phased manner to reflect actual construction progress on the ground. It also allows for the commencement of structural landscaping/access work without the need to submit a significant amount of information upfront.

Condition/Legal Agreement

The deed of variation secured under the previous S73 application makes provision for subsequent S73 applications. The enabling works to The Priory are therefore secured.

All other conditions from the original outline permission will be updated where necessary.

Other Considerations

St Osyth Parish Council has not commented. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The maximum number of dwellings to be contained in the development shall be 190.

Reason - To ensure that the impact of the residential development does not exceed what has been assessed through the determination of the outline planning application.

- 3 The development shall be carried out in full accordance with the details contained within the document titled 'Wellwick Land, St Osyth: Strategic Phasing Plan' (as prepared by City & Country) and associated drawing no. CC009-PL-08 rev K, as approved under planning reference 20/01099/DISCON.

Reason - To ensure a satisfactory development programme in the interests of the occupiers of the development and in terms of local amenity.

- 4 No works above ground floor slab level shall commence within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in the construction of that phase have been submitted to and approved, in writing, by the Local Planning Authority. Such materials so approved shall be those used in that particular phase of development.

Reason - To ensure a satisfactory development in relation to external appearance.

- 5 No development shall take place within each phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for that phase, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the phase and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 - Trees in relation to design, demolition and construction."

Reason - In the interests of visual amenity.

- 6 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development within each phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure that planting and landscaping can endure and remain in place for the long-term.

- 7 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until precise details of the provision, siting, height, design and materials of all boundary walls and fences which face onto public spaces/highways or private drives in that phase have been submitted to and approved in writing by the Local Planning Authority. The boundary walls and fences so approved shall be erected prior to the building/s to which they relate being first occupied and shall thereafter be retained in their approved form.

Reason - To ensure a satisfactory development in terms of appearance and functionality, in the interests of amenity.

- 8 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas within that phase, other than, privately owned, domestic gardens, has been submitted to and approved, in writing, by the Local Planning Authority. The landscape management plan for that phase shall be carried out as approved in accordance with the details and timescales in the plan. The scheme shall include the following elements:

- a) Detail extent and type of new planting (NB planting to be of native species of local provenance);
- b) Details of any SUDS e.g. attenuation ponds, wetlands;
- c) Details of the on-site recreational area, including its size and any proposed footpaths and cycleways;
- d) Details of maintenance regimes; and
- e) Details of any new habitat created on site.

Reason - To ensure best practice measures are used on the site and during the construction phase of the development to secure necessary landscaping and minimise the impact on birds and wildlife.

- 9 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until details of the provision for the storage of bicycles for each dwelling within that phase are approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and shall be provided prior to the building/s to which they relate being first occupied and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

Reason - To promote the use of sustainable means of transport.

- 10 No development shall take place, including any works of demolition, until details of a wheel and underbody cleaning facility within the site and adjacent to the egress onto the highway have been submitted to and approved in writing by the Local Planning Authority and that facility shall be maintained during the periods of demolition and construction.

Reason - To ensure that loose materials and spoil are not brought out onto the highway, in the interests of highway safety.

- 11 No occupation of the development hereby permitted shall take place until the following have been completed (details of which shall have been submitted to and agreed in writing by the Local Planning Authority):
- a) The highway works as shown in principle on planning application drawing number 208104/21 Rev. E dated November 2013 prepared by Waterman Boreham. Works include:
 - i) The removal of the existing access and lay-by;
 - ii) A priority junction off the B1027 to provide access to the proposal site. Junction to include 2no. 3 metre wide footways and a 160 x 2.4 x 160 metre visibility splay maintained clear to the ground at all times;
 - iii) A right turn lane at the priority junction mentioned above to include 2no. pedestrian central islands; and
 - iv) A bell mouth access off Colchester Road to provide access to the proposal site. Bell mouth to include kerbed radii and a 70 x 2.4 x 70 metre visibility splay maintained clear to the ground at all times (as shown in principle on planning application drawing number 208104/07 Rev. F dated 19 January 2012 prepared by Waterman Boreham).

b) Two new bus stops (to current ECC specification) on the B1027 adjacent to the proposal site (subject to agreement with the local bus service operators) AND/OR upgrade to current ECC specification the two nearest bus stops in Colchester Road.

Reason - To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

- 12 The highway details shown on planning application drawing number 208104/21 Rev. E dated November 2013 prepared by Waterman Boreham shall be implemented for each phase of the development prior to the first occupation within that phase of the development. Works include;
- a) Retention of the lay-by located on the western side of the B1027 south of the proposal site access;
 - b) A 3 metre wide footway between the proposal site access and the lay-by mentioned above; and
 - c) A 3 metre wide footway between the proposal site access and the pedestrian central island at the northern end of the proposed right turn lane.

Reason - To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

- 13 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until details of the gates at the proposed bell mouth access off Colchester Road have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development.

Reason - In the interest of highway safety.

- 14 Prior to first occupation within each phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) details of a Transport Information and Marketing Scheme (green travel pack) for sustainable transport shall have been previously submitted to and approved in writing by the Local Planning Authority. The Transport Information and Marketing Scheme shall be implemented as approved.

Reason - In the interests of promoting sustainable development and transport.

- 15 No development shall commence within the relevant phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until an ecological survey of the pond located in the north-west corner of the site has been undertaken and submitted to the Local Planning Authority. If any protected species are present, the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method of protection) and post construction monitoring arrangements. No development shall be undertaken except in accordance with the approved scheme of mitigation and monitoring.

Reason - In order to safeguard protected wildlife species and their habitats.

- 16 Land as identified on drawing RW007-008 Rev D to be used for the relocated Bowmans Archery range shall be retained for that use with any ancillary buildings.

Reason - To provide for the proposed relocation of the Bowmans Archery Range from Priory Park.

- 17 No development shall take place within each phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be carried out as approved for that phase and any subsequent variations shall be agreed in writing by the Local Planning Authority. Each CEMP shall include the following elements:

- a) A detailed schedule setting out how works will be phased to avoid construction at particularly sensitive times e.g. during freezing periods when wintering birds are most vulnerable to disturbance;
- b) Plans showing which sensitive areas of the site will have restricted access as stated in paragraph 7.302 of the Environmental Statement;
- c) Drawings showing details of design and type of external lighting to minimise the impact on bats and birds;
- d) Measures to ensure nesting birds, bats and reptiles are not harmed during the construction phases as stated in paragraph 7.325 of the Environmental Statement;
- e) Measures to ensure disturbance to breeding birds is minimised; and
- f) Details of the measures taken to minimise the risk of pollution on the site.

Reason - To ensure best practice measures are used on the site and during the construction phase of the development to minimise the impact on birds and wildlife.

- 18 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of that phase of the development has been submitted to and agreed in writing by the Local Planning Authority. The scheme for each phase shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.

Reason - To enhance the sustainability of the development through better use of water, energy and materials.

- 19 No development shall commence within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a wastewater strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the wastewater strategy so approved.

Reason - To prevent environmental and amenity problems.

- 20 No development shall commence within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

- 21 Prior to the commencement of development within each phase of the development (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan), a scheme for the provision and implementation of surface water drainage, incorporating sustainable drainage principles for that phase and an assessment of the hydrological and hydrogeological context of the development in that phase, shall be submitted and agreed, in writing, with the Local Planning Authority. The scheme for that phase shall be constructed and completed in accordance with the approved plans and prior to the occupancy of any part of the proposed development. Surface water shall be discharged from the site at a rate no greater than 4.87l/s as identified within the submitted Flood Risk Assessment.

Reason - To ensure the risk of flooding is not increased as a result of the development.

- 22 No development shall commence within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a survey to confirm (or otherwise) the presence of bats on the application site has been submitted to and approved in writing by the Local Planning Authority. If bats are present the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method of protection). No development within a phase that shall contain buildings shall be undertaken except in accordance with the approved scheme of mitigation.

Reason - In order to safeguard protected wildlife species and their habitats.

- 23 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until details of external lighting for that phase have been submitted and approved in writing by the Local Planning Authority. External lighting shall be implemented in accordance with the approved scheme.

Reason - To ensure lighting is sensitively designed, minimises light spillage and avoids illuminating bat commuting and foraging routes and to ensure the use of low level, directional lighting to minimise light pollution.

- 24 No works above ground floor slab level shall take place within each phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) until a scheme for the provision and implementation of rainwater harvesting within that phase has been submitted to and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.

Reason - To enhance the sustainability of the development through efficient use of water resources.

- 25 No development shall begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority and the measures approved in the scheme have been fully implemented. The scheme shall include an investigation and assessment to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

Reason - The site has been used for mineral extraction and there is a likelihood of contamination. It is essential, if the site is to be developed for housing, that any contamination is identified and addressed.

- 26 No residential dwelling hereby approved shall be first occupied until a fibre optic broadband connection has been installed for that dwelling on an open access basis and directly accessed from the nearest British Telecom exchange, incorporating the use of resistant tubing, has been installed at the site, in accordance with details that shall be submitted and approved, in writing, by the Local Planning Authority.

Reason - To ensure the development is able to be equipped with high speed broadband.

- 27 Prior to commencement within any phase of the development that shall contain new-build residential dwellings or other new buildings (in accordance with the approved Phasing Plan ref. CC009-PL-08 Rev K or any subsequently approved Phasing Plan) or at a later date agreed in writing by the Local Planning Authority, the applicants shall submit to the Local Planning Authority, in writing, a Local Recruitment Strategy to include details of how the applicant/ developer shall use their reasonable endeavours to promote and encourage the recruitment of employees and other staff in the locality of the application site, for the construction of the development and for the uses of the development thereafter. The approved Local Recruitment Strategy shall be adhered to therein after.

Reason - To promote and encourage the recruitment of employees and other staff in the locality of the application site.

- 28 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan showing Application Boundary - CC-0175-ABP010-6
Building Envelope/Use Plan RW007-008 Rev D
Building Storey Heights Plan RW007-009 Rev E
Highway Work Plans 208104/21 Rev. E dated November 2013 prepared by Waterman Boreham

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The applicant is reminded that this permission is linked to a planning obligation under Section 106 of the Town and Country Planning Act 1990.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO