

## **PLANNING AND HIGHWAYS (WEST) COMMITTEE MEETING**

### **2<sup>nd</sup> MARCH 2021**

#### **Additional information for Members, planning application ref. 20/01754/FUL**

#### **Additional representations**

A total of 541 no. representations have now been submitted in respect of the application (537 no. were reported on the agenda report). The additional representations received are not considered to have raised any issues which have not already been addressed within the main agenda report.

#### **Updated conditions**

Further to the preparation of the main agenda report, it is recommended to Members that the wording of some of the draft conditions provided within the report is altered and that one further condition is added to the draft list. Conditions 2, 5, 6, 12, 13, 14, 15 and 19 are recommended to be altered, whilst condition 21 is a new condition.

The recommended revision to condition 2 updates the list of plans with which the development should be carried out. The revision to condition 5 means that visitor parking must be sealed and surfaced within six months of final occupation, in line with the programme for final surfacing of roads within the development. The revision to condition 6 would require the northern footpath link to be delivered prior to the occupation of the 48<sup>th</sup> dwelling, so that its delivery will not conflict with the construction programme for the development.

The revision to condition 12 would require the play equipment to be installed and maintained in accordance with the submitted plans and maintenance/management plan. The equipment would be installed prior to occupation of the final dwelling, so that use of the facility would not occur whilst construction works are ongoing. The revision to conditions 13, 14 and 15 targets the construction of the northern footpath link only, as this is the only area of the site where further site investigations and the preparation of a remediation strategy are warranted (as agreed with the Council's Environmental Health team, all other areas of the development site have been satisfactorily addressed by the submitted report). The recommended revision to condition 19 gives greater clarification on the scope of the information required to discharge the condition.

The recommended additional condition 21 requires the submission of final details of the surfacing for driveways to each new dwelling.

#### **Referral to Secretary of State**

As the proposed development is major development which affects the designated Green Belt, it is recommended that in line with the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State to ascertain whether he wishes to call in the application.

**RECOMMENDATION:** Members are recommended to be minded to approve the application, subject to its referral to the Secretary of State, the completion of an agreement under s106 of the Town and Country Planning Act 1990 (as amended) and the conditions provided in the main agenda report, with the wording of conditions 2, 5, 6, 12, 13 and 19 amended and condition 21 added as below:

### **Revised conditions**

*2. The development hereby granted permission shall be carried out in full accordance with the following approved plans:*

*amended location plan, drawing no. ML-LP-001 A;  
amended proposed site plan, drawing no. SV-SLP-001 T;  
amended proposed section plan, drawing no. ML-SS-001 C;  
amended plots 42-48 rear streetscape plan, drawing no. SV-SS-001;  
affordable homes plan, drawing no. SV-SLP-01 A;  
amended engineering plans, drawing nos. 20159 01 P10, 20159 02 P9, 20159 03 P4 and 20159 04 P3;  
amended general arrangement plan, drawing no. D233L 101 EXT G;  
hard surfaces and boundary treatment plan, drawing no. SV-HSP-001 B;  
public open space plan, drawing no. SV-POS-001 E;  
amended shrub and reed bed planting plan, drawing no. D233 P103 EXT D;  
amended tree and hedge plan, drawing no. D233 P102 EXT D;  
amended tree protection plan, drawing no. D233 L100 EXT D;  
standard tree pit detail D233.D.107;  
extra heavy standard tree pit detail D233.D.106;  
landscape specification D233/V1/AG/04.09.20;  
management company plan, drawing no. SV-MCP-001 E;  
maintenance activities schedule - POS footpath links, formal green space, landscape buffer & bund, trees, hedgerow, suds basins & swale and play equipment, dated 24/02/21;  
amended show home planting plan, drawing no. D233 P104 EXT A;  
Shrewsbury house plans, drawing no. SW-PD-001;  
Southwark house plans, drawing no. SK-PD-001;  
Southwark house plan right side elevation, drawing no. SK-S-53 Rev E  
Cypress house plans, drawing nos. CY-SD-001 and CY-MT-001;  
Rochester house plans, drawing no. RO2-PD-001;  
Beverley house plans, drawing no. BV-PD-001;  
Beverley standard house plan type right side elevation, drawing no. BV-S-53  
Richmond house plans, drawing no. RM-PD-001;  
Norwich house plans, drawing no. NO-PD-001;  
Lichfield house plans, drawing no. LD2-PD-001;  
Lancaster house plans, drawing no. LA-PD-001;  
Hornbeam house plans, drawing no. HB-PD-001;  
Durham house plans, drawing no. DH-PD-001;  
Arundel house plans, drawing no. AR2-PD-001;  
Ascot house plans, drawing no. AC-PD-001;  
garage plans, drawing no. DRL-GD-002  
Single Garage Design Rev B*

*materials finishes plan, drawing no. SV-MFL-001 B, and accompanying materials 'mood board';  
amended construction management plan, drawing no. SV-CMP-01 E;  
construction traffic plan, drawing no. SV-CTP-001;  
'Response to Environmental Health comments', Homes By Esh;  
Flood Risk Assessment, document no. 20159 FRA 01;  
Surface water management plan, document no. 20159 SWMP 01;  
SuDS maintenance plan, document no. 20159 SUDS 01;  
Temporary drainage works plan, drawing no. 20159 101 P3;  
Permeable drive construction plan, drawing no. 20159 81 P2;*

*Reason: in order to ensure that the completed development accords with the scheme approved and to comply with policy BH1 of the Core Strategy and Development Plan.*

*5. No individual dwelling shall be occupied until its in-curtilage parking space(s) have been constructed and made available for the use of the dwelling's occupiers. Within six months of the final dwelling within the development being occupied, all visitor parking provision for the development must be constructed, surfaced, sealed and made available in accordance with the approved plans. The visitor parking areas shall then be retained and permanently reserved for the parking of vehicles.*

*Reason: to ensure that adequate and satisfactory provision is made for the off-street parking of vehicles and to comply with policy ST3 of the CSDP.*

*6. The proposed footpath link from the north west corner of the housing development must be installed in accordance with the approved details and made available for the use of the public prior to the occupation of the 48th dwelling within the development.*

*Reason: in order to ensure that the footpath link is available at the earliest opportunity and to accord with the objectives of policies ST2 and ST3 of the CSDP.*

*12. The play equipment for the development shall be installed in accordance with the submitted details (drawing no. D233.L.105 EXT A) prior to the occupation of the final dwelling within the development. The installed equipment must then be managed and maintained in accordance with the submitted Maintenance Agreement, Revision A (by Trust Green, dated 24.02.2021).*

*Reason: in order to ensure the development delivers appropriate outdoor play facilities and to comply with the objectives of policy NE4 of the Council's CSDP.*

*13. Development shall not commence on the footpath link to the north of the site until a suitable and sufficient ground investigation and Risk Assessment to assess the nature and extent of any contamination within that area of the site (whether or not it originates on the site) has been submitted to and approved in writing by the Local Planning Authority.*

*The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced and submitted for the approval of the LPA. The report of the findings must include:*

- i a survey of the extent, scale and nature of contamination;*
- ii an assessment of the potential risks to:*
  - o human health;*
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;*
  - o adjoining land;*
  - o ground waters and surface waters;*
  - o ecological systems;*
  - o archaeological sites and ancient monuments; and*
  - o where unacceptable risks are identified, an appraisal of remedial options, and proposal of the preferred option(s).*

*The Investigation and Risk Assessment shall be implemented as approved and must be conducted in accordance with the Environment Agency's "Land contamination: risk management".*

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework Paragraphs 170, 178, 179, and 183.*

*The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect future users of the site and the environment.*

*14. Development on the footpath link to the north shall not commence until a detailed Remediation Scheme to bring that area of the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) has been submitted to and approved in writing by the Local Planning Authority.*

*The Remediation Scheme should be prepared in accordance with the Environment Agency document Land contamination: risk management and must include a suitable options appraisal, all works to be undertaken, proposed remediation objectives, remediation criteria, a timetable of works, site management procedures and a plan for validating the remediation works. The Remediation Scheme must ensure that as a minimum, the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Once the Remediation Scheme has been approved in writing by the Local Planning Authority it shall be known as the Approved Remediation Scheme.*

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.*

*The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a manner to protect future users of the site.*

*15. The Remediation Scheme approved pursuant to conditions 13 and 14 shall be implemented in accordance with the approved timetable of works for that phase.*

*Within six months of the completion of measures identified in the Approved Remediation Scheme and prior to the occupation of any dwelling in that phase, a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be produced and is subject to the approval in writing of the Local Planning Authority.*

*Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the National Planning Policy Framework Paragraphs 170, 178, 179, and 183d.*

*19. Prior to the commencement of the approved landscaping and habitat creation works, a landscape and habitat creation and management plan must be submitted for the approval of the Council as Local Planning Authority. The submitted plan must include details of how proposed habitats will be created, a timetable for their creation and proposals for the ongoing monitoring of the landscape and habitat features, which must be maintained for at least 20 years and secured for in perpetuity. The landscaping and habitat measures must then be created, managed and maintained in accordance with the agreed details for the agreed time periods.*

*Reason: to ensure effective and long-lasting on-site biodiversity enhancements are delivered and to accord with the objectives of policy NE2 of the CSDP.*

#### **Additional condition**

*21. Prior to its installation at any new dwelling within the approved development, details of the proposed surfacing of driveways and shared driveways shall be submitted to the Local Planning Authority for its approval. The development shall then be carried out in full accordance with the agreed details.*

*Reason: in order to deliver an appropriate scheme of hard landscaping and to comply with the objectives of policy NE4 of the CSDP.*