

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Unitary Development Plan - current status

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

STANDARD CONDITIONS

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Economy and Place Directorate at the Customer Service Centre or via the internet at www.sunderland.gov.uk/online-applications/

Ms. Irene Lucas CBE
Chief Executive

Reference No.: 16/01045/FUL Full Application

Proposal: Erection of 59 no. residential dwellings with associated access, landscaping and infrastructure works, to include stopping-up of highways and demolition of footbridge over Parkway (as amended).

Location: Former Glebe Village Newstead Court Glebe Washington

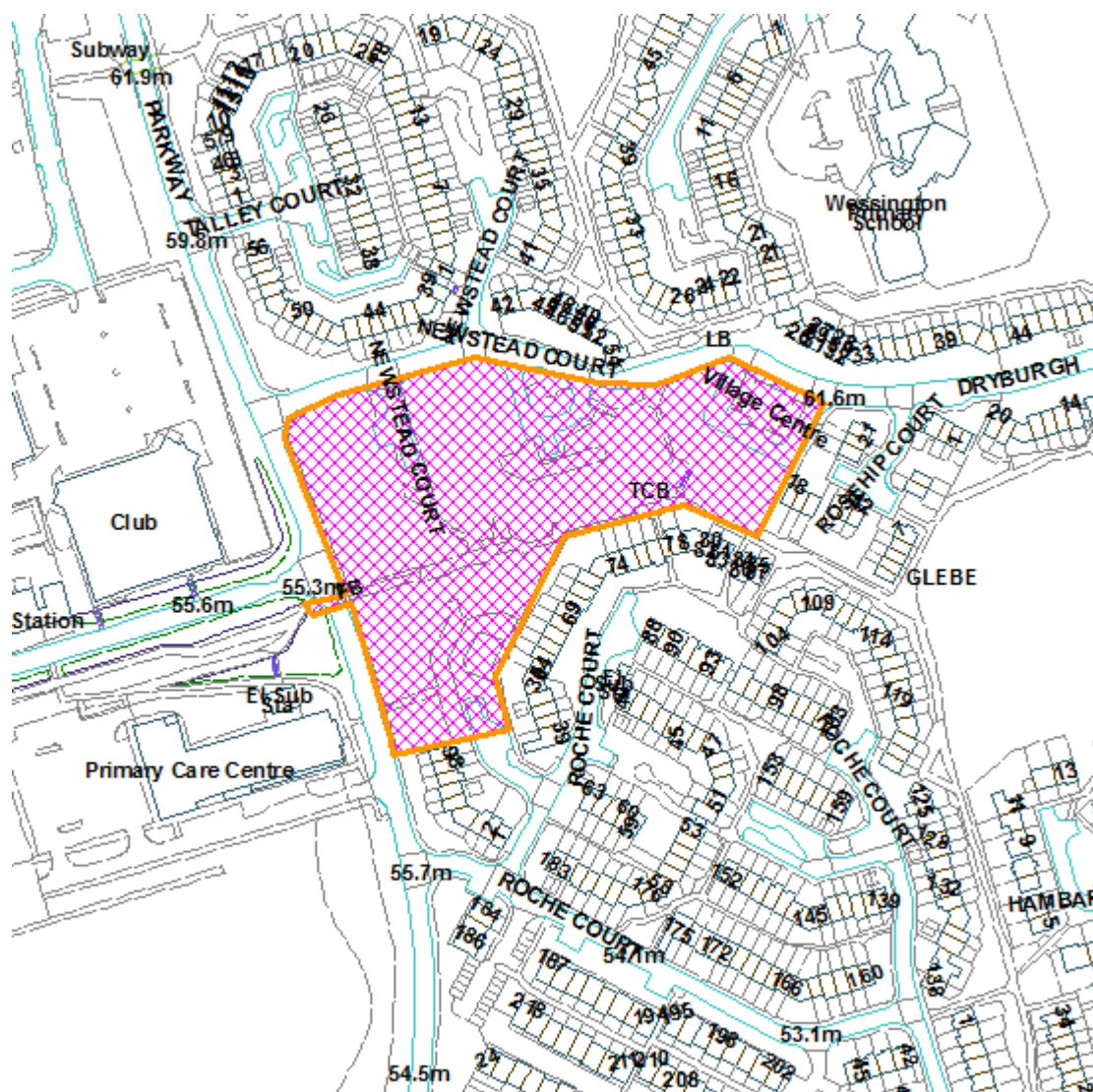
Ward: Washington Central

Applicant: Gentoo Homes

Date Valid: 22 June 2016

Target Date: 21 September 2016

Location Plan



PROPOSAL:

Full planning permission is sought for the erection of 59 no. residential dwellings with associated access, landscaping and infrastructure works, to include stopping-up of highways and demolition of footbridge over Parkway (as amended) at former Glebe village, Newstead Court, Glebe, Washington.

The proposed development affects the site of recently-cleared housing in Glebe village centre, Washington. The development site, which covers an area of approximately 1.82ha, is of an irregular shape and slopes gently downhill from east to west. It was previously occupied by dwellings of Roche Court and Newstead Court, but these were demolished in phases from 2005 onwards. The site has since been levelled and grassed over, although some sections of disused road and hardstanding remain and the site is crossed by footpaths which connect the site with other parts of Glebe village centre and further afield.

One such footpath runs across the site from east-west and leads to a footbridge crossing Parkway, a main road bordering the western boundary of the site. The bridge provides pedestrian access to the facilities of Washington town centre to the west, which include the shops at The Galleries, Washington Leisure Centre and the Primary Care Centre on the west side of Parkway.

The northern boundary of the site is bordered by Newstead Court and Dryburgh, which join to provide an east-west route through the centre of Glebe. Through-traffic is, however, currently restricted by a bus only link. On the north side of this are residential dwellings built during the development of Washington as a New Town in the 1960s and 70s, whilst to the east of the site are the new dwellings of Rosehip Court, granted planning permission in 2008 and 2009 and built on the site of a former nursing home. The southern and south-eastern boundaries of the site are bordered by dwellings of Roche Court, which also date from the 'New Town' period.

As noted earlier, the site is primarily covered by redundant roads and hardstanding and amenity grassland created by the grassing over of the cleared housing plots. The site also features a scattering of semi-mature trees, whilst there are also lengths of hedging around the perimeter of the site, including to the boundary with Parkway.

The application, which has been submitted by Gentoo, proposes the erection of 59 no. residential dwellings on the site, together with associated access, landscaping and infrastructure works. These involve the stopping-up of the redundant areas of highway, footpaths crossing the site and also the demolition of the footbridge crossing Parkway.

The development comprises a mix of house types from Gentoo's range (the 'Ash', 'Yew', 'Poplar', 'Elder', 'Laburnum' and 'Larch' house types), with 10 no. detached dwellings, 43 no. semi-detached dwellings and 6 no. mid-terrace dwellings providing 2-bedroom, 3-bedroom and 4-bedroom options. All dwellings are two-storeys in scale and feature dual-pitched roofs, although there is variation in design between the house types, with some characterised by gabled frontages and projecting gables.

The new dwellings will primarily front two cul-de-sac streets leading into the site from the north. One street leads off Newstead Court and runs parallel to the western boundary of the site, whilst the second leads off Dryburgh, just to the west of the bus-only link. The dwellings on the west side of the cul-de-sac off Newstead Court will back-on to Parkway, whilst those to the east of the site will back on to the existing dwellings of Rosehip Court. The development will also involve the erection of dwellings fronting Newstead Court, whilst three dwellings at the south-west corner of the site will be accessed via an existing cul-de-sac spur of Roche Court.

All dwellings benefit from sizeable front and rear gardens (front gardens will predominantly be open-plan) and each property is provided with a dedicated off-street parking space. The 'Laburnum' house types feature integral garages, whilst some benefit from private detached garages. A total of 20 no. visitor parking bays are to be provided throughout the development, including some flanking Newstead Court and Dryburgh and two at the end of the existing cul-de-sac off Roche Court at the south-east corner of the site.

As noted previously, the development involves the demolition of the existing footbridge over Parkway, the raised eastern approach to which effectively severs the application site in two. The bridge is proposed to be replaced by a surface-level 'zebra' crossing over Parkway at a location approximately 45 metres to the south of the bridge, adjacent to the Primary Care Centre. A new footpath will lead eastwards from this point, to connect with the end of the cul-de-sac off Newstead Court and then to run on between the new dwellings and the rear of Roche Court towards Glebe village centre.

The trees around the site are all proposed to be felled to allow for the development, although the length of hedging to the boundary with Parkway is intended to be retained as part of the landscaping of the site.

The application has been accompanied by the following supporting information and documentation:

- Design and Access Statement;
- Planning Statement;
- Transport Statement;
- Ecological Assessment;
- Arboricultural Assessment;
- Land Contamination and Mining Risk Assessment;
- Statement of Community Involvement;
- Flood Risk Assessment;
- Drainage Strategy;

Members should note that the proposals have been subject to a series of minor revisions and amendments, the reasons for which are primarily covered in the next section of this report. The proposed boundary of the site has also been marginally altered at the applicant's request, after it was identified that a narrow strip of land to the north-east corner of the site was actually outside of the applicant's ownership.

Members should also note that a planning application for a development comprising 71 no. dwellings on the site was submitted in 2007 (application no. 07/00348/FUL). The application was, however, withdrawn after concerns were identified in relation to the demolition of the footbridge over Parkway.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Washington Central - Ward Councillor Consultation
Network Management
Environmental Health
Flood and Coastal Group Engineer
Environment Agency
Director Of Children's Services
Southern Area Command - Police
Northumbrian Water
NE Ambulance Service NHS Trust
Fire Prevention Officer

Final Date for Receipt of Representations: **19.07.2016**

REPRESENTATIONS:

Public consultation - two representations received, from the occupiers of 8 and 9 Roche Court.

The author of the representation from no. 8 is largely in favour of the proposed development, including the demolition of the footbridge (described as an 'eyesore'), but raises the following concerns:

- The end of the cul-de-sac next to 8 Roche Court should not be connected through to the development site;
- It would be easier to accept the demolition of the bridge if it could be replaced;
- Questions whether there is enough parking to cater for residents of the new housing and visitors;
- Concern over stopping-up of highways (although author appears to actually be expressing concern in relation to any temporary closure of roads during construction works);
- Questions whether the existing utilities infrastructure is able to cope with the new development;
- Queries whether Gentoo will be liable to pay the Council in relation to covenants on the land;

To clarify, the submitted plans do not show the existing cul-de-sac end next to 8 Roche Court being opened up to create a 'through route' to connect with the development site and it will remain a 'dead-end'.

With regard to concerns over closure of roads during construction works, this would be a matter for the developer to discuss with the Council as Local Highway Authority as and when required. In addition, it is for the developer to work with the relevant utilities companies to identify any alterations or expansion to infrastructure required to facilitate the development. The query raised in relation to the transfer of any covenants affecting the site is not, however, a planning matter.

The other comments relating to the footbridge and parking are material planning considerations and are addressed in the following section in this report.

The representation from 9 Roche Court objects to the development and raises the following concerns:

- The development will reduce parking adjacent to the property as residents of Roche Court use the end of the cul-de-sac to park cars and vans;
- Building the three new dwellings at the end of Roche Court will limit opportunities for on-street parking;
- If existing residents all have to park outside their own houses it could cause blockages in the street;

As noted above, matters relating to parking will be considered in more detail later in this report.

In addition to the above, correspondence has been received from the Chair of the Tyne and Wear Joint Local Access Forum, which has asked for clarification on the proposed arrangements in relation to the alternative crossing of Parkway subsequent to the demolition of the footbridge. Details of the proposals have been provided to the Forum (by email dated 30.09.2016), but no further correspondence has been received.

Northumbrian Water - no issues in relation to drainage and sewerage in respect of the proposed scheme, provided that the development is undertaken in accordance with the drainage strategy submitted with the application, in particular the stated intention to use soakaways for the disposal of surface water. The comments received also contain informative notes relating to any necessary diversion, relocation or protection of Northumbrian Water's existing apparatus at the site. The comments provided have also been issued to the applicant for their information.

Tyne and Wear Fire and Rescue Service - no objections to the development.

POLICIES:

In the Unitary Development Plan the site is subject to the following policies;

EN_10_Proposals for unallocated sites to be compatible with the neighbourhood
 EN_12_Conflicts between new development and flood risk / water resources
 EN_14_Development on unstable or contaminated land or land at risk from landfill/mine gas
 H_1_Provision for new housing
 H_4_Density of housing development to at least reflect that of the locality
 H_8_Windfall sites to accord with other policies unless specific benefits are provided
 H_21_Open space requirements in new residential developments (over 40 bed spaces)
 B_2_Scale, massing layout and setting of new developments
 B_3_Protection of public/ private open space (urban green space)
 CN_22_Developments affecting protected wildlife species and habitats
 CN_17_Tree Preservation Orders and replacement of trees
 T_8_The needs of pedestrians will be given a high priority throughout the city.
 T_10_Protect footpaths; identify new ones & adapt some as multi-user routes
 T_14_Accessibility of new developments, need to avoid congestion and safety problems arising
 T_22_Parking standards in new developments
 WA_27_Strategic footpath link

COMMENTS:

ISSUES TO CONSIDER

The National Planning Policy Framework (NPPF) provides the current Government planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out a series of 12 'core planning principles' which should underpin plan-making and decision-taking and are considered to contribute to the

over-arching aim of delivering sustainable development. Particularly relevant in this case are the principles that development should:

- Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas;
- Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land);
- Planning should actively manage patterns of growth to make fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable;

These core principles of the NPPF feed into policies EN10, EN12 EN14, H1, H4, H8, H21, B2, B3, CN17, CN22, T8, T10, T14, T22 and WA27 of the Council's adopted Unitary Development Plan (UDP), which are relevant to the consideration of this application.

With reference to the local and national planning policy background set out above, it is considered that the main issues to examine in the determination of this application are as follows:

1. **Principle of proposed development;**
2. **Impact of development on residential amenity;**
3. **Visual amenity and urban design considerations;**
4. **Implications of development in relation to highway and pedestrian safety;**
5. **Implications of development in relation to flooding and drainage;**
6. **Implications of development in relation to ecology and trees;**
7. **Implications of development in relation to land contamination;**
8. **Section 106 contributions**

1.PRINCIPLE OF DEVELOPMENT

With regard to the principle of the proposed development, it is observed that the development site is not allocated for a specific land use by the proposals map of the City Council's adopted Unitary Development Plan (1998). The site is, however, identified by the Council's 2013 Strategic Housing Land Availability Assessment (SHLAA) as being 'deliverable' for a residential development of approximately 56 no. units within 1-5 years.

Policy EN10 of the UDP is therefore applicable, and this advises that where the proposals map does not indicate a specific land use allocation, the prevailing pattern of land use is intended to remain. Proposals for new development should be compatible with neighbouring land uses.

To this end, the application site lies within an established residential area and, as noted earlier in this report, was previously occupied by residential dwellings. The proposed development is therefore considered to accord with policy EN10's requirements.

The proposed development is also considered to satisfy policy H1 of the Council's UDP, which states that the Council will support new housing schemes, especially where they assist in the regeneration of existing residential areas and, as is also encouraged by the core principles of the NPPF, secure the re-use of vacant and derelict land.

In addition to the above, it is observed that in its current condition, the application site acts as an area of open green space. To this end, policy B3 of the UDP seeks to protect open space of amenity, recreational or nature conservation value from inappropriate development. It must be recognised, however, that the application site was not planned to become formal open amenity space; rather, it was simply grassed over following the demolition of the earlier dwellings in the interests of ensuring the site was not left in an unsightly condition.

In these circumstances, it is considered that any amenity, recreation or nature conservation value the application site has as open space is of an informal and temporary nature and that any such value accrued in the period since the demolition of the earlier housing should not preclude the re-development of the site in an appropriate manner.

With regard to the above, it is considered that the proposed scheme will respect the prevailing pattern of land use and will deliver much-needed housing on a brownfield site identified as deliverable in the short-term by the SHLAA. As such, it is considered that the principle of the development is acceptable and compliant with the objectives of policies EN10, H1 and B3 of the UDP and the core principles of the NPPF.

2. IMPACT OF DEVELOPMENT ON RESIDENTIAL AMENITY

Policy B2 of the UDP requires new development proposals to respect the amenity of existing residential properties. To assist in achieving this aim, the Council's adopted 'Residential Design Guide' Supplementary Planning Document (SPD) provides spacing requirements between existing and new residential dwellings in order to afford occupiers acceptable levels of outlook, space and privacy. A distance of 21 metres should be provided between elevations containing main living room windows and 14 metres between an elevation containing living room windows and a blank elevation (or one which only contains secondary windows). A further 5 metres should be added to the interface distance for any additional storeys to any of the properties in question.

In this case, there are existing dwellings to the north, south and east of the application site. The dwellings to the north of the site (those of Newstead Court) are primarily two-storeys in scale and interface distances of at least 14 or 21 metres can comfortably be achieved between these properties and those along the northern edge of the development site.

There is one three-storey block within the row of dwellings to the north side of Newstead Court and at this point, an interface distance of approximately 23.5 metres will be achieved to the new dwellings opposite (to plots 38 to 41). This is a little below the recommended distance set out by the SPD (this would be 26 metres); the arrangement will not, however, result in any significant negative impact on the existing properties in terms of their outlook and privacy given that they will face two-storey dwellings.

The dwellings to the south of the site (those of Roche Court) are also primarily two-storeys in scale and again, interface distances of 14 and 21 metres between existing and new dwellings are readily achievable. There are also two three-storey buildings within the row of existing dwellings to the south of the site and again there is a slight shortfall in the desired spacing standards. As above, however, this shortfall will not lead to any significant harm being caused to the amenity of the existing properties given that they will face two-storey dwellings.

To the east of the site are the new dwellings of Rosehip Court and spacing of at least 14 or 21 metres can be achieved between these existing properties and those to be built within the development site.

In terms of the amenity of future residents of the development, it is considered that the proposed layout and dwelling types will achieve housing which provides prospective occupiers with acceptable living conditions. The dwellings are all of a good size and will be afforded appropriate levels of outlook, privacy and natural light and all will be provided with usable and appropriately-sized areas of private external amenity space.

As noted above, there are three locations at which the recommended spacing standards set out by the SPD are not fully met, with the new dwellings to plots 38-41, 47 and 48, which are faced by existing three-storey buildings, being affected. The shortfalls are, however, relatively marginal and it is considered that the proposed arrangements will still afford prospective residents with appropriate levels of outlook and privacy and that the affected dwellings will not be subject to unacceptable levels of overshadowing.

Also of relevance in considering the proposed site layout is policy H21 of the UDP, which sets out that new residential development of more than 40 bed spaces should incorporate amenity open space/casual playspace in line with recommended ratios based on the availability of open space within a prescribed radius of the site. To this end, in response to consultation, the Council's Urban Design officer questioned the limited amount of greenspace within the development, which effectively amounts to small areas of planting and grassed open space alongside footpaths and at other locations throughout the site.

It is accepted, however, that the application site is located within an area of Washington which benefits from high levels of greenspace in comparison to other areas of the City (as evidenced by the Council's Sunderland Greenspace Audit and Report 2012) and that Glebe Park and Princess Anne Park are both within 500 metres of the development site. In these circumstances, it is considered that the limited amount of greenspace afforded by the development is acceptable in this particular case and that residents of the proposed development will still be afforded good opportunity to access (including on foot) high-quality areas of open space for recreational and other amenity purposes.

In addition to the above, it is recognised that the development site's location is such that it is extremely well connected to existing amenities and services; the shops, food outlets and leisure facilities of Washington town centre are within walking distance, whilst the site also benefits from good public transport links, with buses serving both Parkway and Newstead Court/Dryburgh. The site is also well-connected to the local road network, with the A1231 Sunderland Highway and A182 both easily accessed via Parkway.

With regard to the above comments, it is considered that the impact of the proposals on the amenity of surrounding properties is acceptable and that the development will also provide prospective occupiers of the new development with acceptable living conditions and standards of amenity. The proposals therefore comply with the requirements of policy B2 of the UDP and the core principles of the NPPF in this regard.

3. VISUAL AMENITY AND URBAN DESIGN CONSIDERATIONS

In alignment with the core principles of the NPPF, policy B2 of the UDP also requires new development proposals to respect and enhance visual amenity, whilst the aforementioned 'Residential Design Guide' SPD seeks to deliver high standards of urban design.

In response to consultation, the Council's Urban Design officer has advised that the layout, scale and massing of the development is broadly acceptable and responds well to the surrounding

context of the site. The proposed layout will also ensure that pedestrian connections within the site, including the footpath running to the south of plots 4, 22, 28 and 47, are afforded natural surveillance and will therefore offer safe and usable routes.

The following observations have, however, been made:

- Limited information on boundary treatments within the site and to its perimeter (other than the retention of the hedge to the boundary with Parkway);
- Concerns over location and layout of visitor parking bays within the development, especially along Dryburgh and Newstead Court;
- Clarification of boundary treatments to plots 4, 22, 28 and 47, which are adjacent to the public footpath;
- Clarification of means of achieving architectural variety within the site, including details of materials to be used and proposed boundary treatments;

These matters were drawn to the attention of the applicant and additional information has subsequently been submitted. Full details of boundary treatments throughout the site have been provided and, following further discussions, revisions made to improve the boundary treatment to Parkway and to ensure that the footpath adjacent to plot 4 is afforded adequate natural surveillance by the dwelling's ground floor windows. In addition, the applicant has clarified that architectural variety between dwellings will be achieved by utilising alternative brick and tile colours whilst revisions have also been made to the type and location of visitor parking bays (those to Dryburgh and Newstead Court will now be bays rather than simply marked out on the existing carriageway).

The revisions and clarifications have been considered by the Council's Urban Design officer and it has been confirmed that all concerns and issues raised have been satisfactorily addressed. As such, it is considered that the scheme is acceptable in terms of visual amenity and urban design and that it will sit comfortably with the surroundings of the application site. The development is therefore considered to comply with the requirements of policy B2 of the UDP, the Council's 'Residential Design Guide' SPD and the core principles of the NPPF.

4. HIGHWAY AND PEDESTRIAN SAFETY CONSIDERATIONS

Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment - plans and decisions should take account of whether opportunities for sustainable transport modes have been taken up and whether safe and suitable access to the site can be achieved for all people. Development should, however, only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

In addition, paragraph 35 of the NPPF places emphasis on protecting and exploiting opportunities for the use of sustainable transport modes for the movement of goods or people; to this end, development should be located and designed so as to give priority to pedestrian and cycle movements and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians. Paragraph 69, meanwhile, states that planning decisions should aim to deliver places which promote safe and accessible environments and provide clear and legible pedestrian routes, whilst paragraph 75 sets out that Local Planning Authorities should look to protect and enhance public rights of way and accesses.

On a local level, policy T14 of the UDP states that new development proposals must not give rise to conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires

new development to be afforded an appropriate level of car parking. In addition, the existing path through the site and over the footbridge across Parkway is identified as a 'strategic footpath' by the UDP Proposals Map, with policy WA27 setting out that the path is designed to link Springwell village with the River Wear and A19 via Washington town centre. Policy T10 states that the Council will seek to protect and review such routes and deliver upgrades and improvements where feasible, whilst policy T8 sets out a priority to improving and developing pedestrian links between residential areas and shopping centres.

The implications of the proposals in relation to highway safety, parking and pedestrian movement have been assessed in detail by the Council's Highways officers and, in response to consultation, a range of observations and recommendations have been provided. These are considered in more detail below.

Removal of footbridge

It is clear that a primary matter for consideration is the acceptability of demolishing the existing footbridge over Parkway, which currently provides a high-level segregated route over the road, and it being replaced by a surface-level crossing.

To this end, the applicant has undertaken a pedestrian survey in order to establish the number of people crossing Parkway on a typical weekday (Tuesday 22nd March 2016) over a 12-hour period. The results of the survey have been included in the Transport Statement (carried out by Fairhurst) submitted with the planning application. The survey recorded a total of 672 people during this period, covering both eastbound and westbound movement. Of these, 201 used the footbridge to cross Parkway, with the remainder using other routes to its north and south.

The busiest use of the bridge during morning hours was between 10:00 and 11:00, when it was used by 19 people, with the busiest afternoon period between 15:00 and 16:00, when it was used by 35 people. In contrast, the busiest crossing periods to the south of the bridge were between 09:00 and 10:00 (50 people) and between 15:00 and 16:00 (47 people), whilst to the north of the bridge the busiest crossing periods were between 10:00 and 11:00 (5 people) and 14:00 and 15:00 (6 people).

These results have been compared against a previous survey carried out in 2007, which recorded a total of 1083 people crossing Parkway, of which 456 used the bridge.

The two surveys reveal that the numbers of people crossing Parkway has dropped by 411 between 2007 and 2016, with 255 fewer using the bridge. The drop in use could be partly attributable to the continued vacancy of the application site, the increased use of the existing pedestrian island to access the Primary Care Centre and the more recent removal of the high-level walkways which previously served both The Galleries and Washington Leisure Centre and connected to the western end of the bridge.

As has already been described, the applicant wishes to demolish the footbridge on the basis that its removal will support and enable the redevelopment of the site. At present, the bridge effectively severs the site in two and presents a significant obstacle in delivering a cohesive and comprehensive redevelopment of the site. Retaining the bridge would also serve to reduce the area available for development and consequently would reduce the number of housing units it could accommodate. The results of the survey are, it is argued, considered to support the proposal to demolish the bridge.

The Council's Highways officers have concluded that based on the submitted evidence, which records a clear reduction in the use of the bridge, the removal of the footbridge can be supported

subject to the provision of a suitably-designed alternative at-grade crossing. Securing such a crossing will, in combination with the new footway routes provided within the development, provide more appropriate pedestrian access to local amenities and facilities, to the benefit of residents of both the new development and existing dwellings.

Alternative crossing

As stated above, the developer will need to provide an alternative safe crossing point over Parkway at a location which takes account of the natural desire lines of pedestrians visiting nearby amenities. To this end, the applicant has agreed to commission the City Council to design an at-grade crossing at the site of the existing pedestrian refuge in Parkway, 45 metres to the south of the footbridge.

Following discussions between the applicant and Highways officers, plans have been drawn up for a 'zebra' crossing at the location described above, which, subject to the approval of the application, would be installed by the City Council at the applicant's expense.

The Council's Highways officers consider this crossing arrangement to be appropriate and that it will serve to maintain and improve access from Glebe to Washington Primary Care Centre and The Galleries/Leisure Centre. In the event Members elect to approve the application, it is recommended that a suitably-worded condition is imposed to finalise the detailed design of the crossing and its implementation via an agreement under Section 278 of the Highways Act.

Demolition work

A condition will be required to agree the method of demolition and removal with a safe system of working and, where necessary, traffic management, to be planned to minimise disruption to the public. Details of the treatment of the approaches to the footbridge will also need to be agreed. Any road closures would need to be agreed with the Council's Highways officers.

Bus link to Newstead Court/Dryburgh

During the development of the proposals, the applicant asked that the Council give consideration to be given to the removal of the 'bus only' link between Newstead Court and Dryburgh. The Council's Highways officers were of the view that this link should be retained and a survey of the use of the link, submitted as part of the Transport Statement, has confirmed that it is generally well observed and that misuse is relatively infrequent. The survey is considered to support the retention of the bus link and the plans submitted with the application show it being retained.

Public transport

Given the retention of the bus link and continuation of existing public transport arrangements (buses serving Parkway and Newstead Court/Dryburgh), the development does not appear to give rise to any concerns in relation to the ability of residents to access to public transport.

Highways standards

The Council's Highways officers have provided details of standards for adoptable highways within the development and in respect of shared surface and shared driveway arrangements, visibility splays and turning heads. Where necessary, the applicant has modified road designs to meet the required standards and following these revisions, the scheme is considered to be acceptable in this regard. The developer should also clarify whether it wishes for roads within the development to be formally adopted by the City Council.

Resident and visitor parking

The number of resident and visitor parking spaces provided with the development is considered to be acceptable for a development of this scale, however the visitor parking spaces shown within the highway of Newstead Court and Dryburgh are not considered to be appropriate. These have been replaced by parking bays set in from the main highway. The revised proposals are considered to be acceptable.

Stopping-up of highway

The development requires the stopping-up of sections of adopted highway, footway, verge and footpath. An order under Section 247 of the Town and Country Planning Act (1990) is required and the applicant has been asked to clarify whether they intend to submit a stopping-up application directly to the Department for Transport or whether they wish for the Council to handle the process on their behalf. The footbridge has established highway rights and would need to be included in the stopping-up order.

Section 278 Agreement

An agreement under Section 278 of the Highways Act is required in respect of all works within existing adopted highway. The developer should confirm intent to enter into such an agreement and that the Council's reasonable costs will be met.

Construction traffic/site compound

The Council's Highways officers have requested that a condition be imposed to require submission of details of construction traffic routes, site deliveries, site compounds, contractor parking and control measures to keep mud/debris off the public highway. It is recommended that in the event Members elect to approve the application, a condition to this effect is imposed.

With regard to the above comments, careful consideration has been given to the implications of the development in relation to highway and pedestrian safety and pedestrian movement, with particular attention given to the proposed demolition of the footbridge. In relation to this matter, it is accepted that the use of the bridge has decreased significantly in the last 9 years and that its demolition will serve to secure the delivery of a viable housing scheme on a brownfield site set within an existing urban area. As such, and given that an agreement has been reached on a suitable alternative arrangement for crossing Parkway, it is considered that the loss of the bridge will not be of detriment to pedestrian links within the area and that residents of both the new development and existing dwellings will still be afforded a safe, attractive route to and from the amenities of nearby Washington town centre.

Regard has also been given to the concerns raised by the submitted representations in relation to parking arrangements; as detailed above, however, the number and location of parking spaces available for residents and visitors is considered to be acceptable. The new dwellings adjacent to the end of the cul-de-sac of Roche Court will all be afforded their own in-curtilage parking spaces, whilst two visitor parking bays will also be created off the end of the existing section of road. As such, and despite the concerns of the objector from 9 Roche Court, it is considered that the proposed development is unlikely to result in existing residents experiencing any significant parking difficulties at this location.

Given the above, and as all other relevant matters have been satisfactorily addressed, it is considered that, subject to the conditions mentioned, the implications of the development in relation to highway safety, pedestrian safety and pedestrian movement are acceptable, in accordance with the requirements and objectives of the core principles and paragraphs 32, 35, 69 and 75 of the NPPF and policies T8, T10, T14 and T22 of the Council's UDP.

5. FLOODING AND DRAINAGE ISSUES

Paragraph 103 of the NPPF states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere and should only consider development to be appropriate in flood-risk areas where certain criteria are satisfied. Meanwhile, policy EN12 of the UDP states that in assessing development proposals, the Council will seek to ensure that the proposal will not materially impede the flow of flood water, or increase the number of people of properties at risk of flooding.

As Members may be aware, the City Council is now the Lead Local Flood Authority (LLFA) in respect of major development proposals, with responsibility for matters pertaining to the management of surface water. A Ministerial Statement from the Department for Communities and Local Government (dated 18th December 2014), to be read in conjunction with the policies of the NPPF, sets out that the Government expects decisions on planning applications relating to major development to ensure that sustainable drainage systems (SuDS) for the management of run-off are put in place, unless this is demonstrated to be inappropriate.

In considering planning applications, the LLFA should be satisfied that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. Technical Guidance produced by DEFRA (March 2015) sets out non-statutory technical standards for SuDS and this should be used to inform the preparation of a SuDS scheme in association with a development proposal.

The application has been accompanied by a Flood Risk Assessment (FRA) and a Foul and Surface Water Drainage Strategy (both produced by Datum). The FRA concludes that the development site is located within Flood Zone 1 (at lowest risk of flooding) and that flood risk from other sources is low. By restricting surface water discharge, there will be no increased flood risk to other properties in the area. The Drainage Strategy, meanwhile, outlines what are considered to represent sustainable drainage schemes for the development, which are primarily intended to involve infiltration systems to dispose of surface water.

The Council's Flood and Coastal Team has considered the application details and initially advised that although the developer is generally following the correct principles, more detail is required before approval can be given. This should include a more detailed drainage plan and report to show the chosen drainage option as it would be constructed. This should be supported by ground investigations to establish levels of permeability and it should show both highway and plot drainage.

The applicant's consultant has engaged in further discussions with the Council's Flood and Coastal Team, culminating in the submission of a revised/improved Surface Water Drainage Strategy. Further additional information and points for clarification have also been provided in an email from the consultant dated 05.10.2016. The revised Strategy sets out that infiltration systems will be used to manage all surface water run-off for the central and eastern areas of the site, whilst the lower western area of the site will use a combination of soakaways and a traditional surface water system. Highways, meanwhile, will drain to a soakaway.

The Council's Flood and Coastal Team has considered the revised Strategy and the additional information supplied by the applicant's consultant and has confirmed that sufficient information and detail has now been provided to accept the applicant's proposed approach to drainage and flood risk. It is requested, however, that a condition be imposed which requires compliance with the revised Strategy, that the developer provides final specifications of soakaways to be adopted by the Council as Local Highway Authority and that an updated drainage plan for the disposal of surface and foul water is also submitted.

Subject to the imposition and satisfactory discharge of this condition, it is considered that the proposed drainage scheme will be acceptable and will result in the development being compliant with the aims and objectives of the aforementioned UDP policies, the NPPF and the DEFRA guidance in this regard.

6. ECOLOGY AND TREES

Section 11 of the NPPF sets out a general strategy for the conservation and enhancement of the natural environment, and it advises that the planning system should recognise the wider benefits of ecosystem services and minimise impacts on biodiversity and provide net gains in biodiversity where possible. On a local level, policy CN22 states that development proposals which would adversely affect any animal or plant species afforded special protection by law, or its habitat, will not be permitted unless mitigating action is achievable.

The planning application has been accompanied by a 'Preliminary Ecological Appraisal Report' (produced by Ecosurv Ecological Consultants, April 2016), which considers any significant ecological constraints affecting the development site. The Report advises that there are no statutory or non-statutory designated sites within 2km of the development site and that it offers very limited potential in terms of flora, fauna and wildlife habitats. As such, it concludes that the development is unlikely to have a negative impact on ecology and biodiversity and that no further surveys are required, on the proviso that shrub and tree clearance is undertaken outside the bird breeding season (February to September). The Report does provide, however, some general recommendations in respect of mitigation measures to alleviate any negative impacts of the development in relation to ecology and biodiversity.

With regard to trees, paragraph 118 of the NPPF sets out that planning permission should be refused for development resulting in the loss or deterioration of ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and the benefits of, the development in that location clearly outweigh the loss. Policy CN17 of the UDP, meanwhile, seeks to retain trees which make a valuable contribution to amenity.

The Arboricultural Impact Assessment (AIA) submitted with the application (prepared by Dendra Consulting Ltd.) assesses the quality of the trees at the site which, as noted earlier, are all proposed to be felled to facilitate the proposed development (save for the hedge to Parkway). The AIA identifies a total of 44 no. individual trees across the site, together with one group of trees, which are likely the remnants of planting undertaken at the time the housing of Glebe was built in the late 1960s and 70s. Of these trees, the majority are considered to be of 'low' quality, with some of 'moderate' quality and four being unsuitable for retention. None of the trees are considered to be of 'high' value.

The loss of the trees at the site is unfortunate, but necessary to secure the layout proposed by the applicant and seeking to incorporate existing trees into the layout would serve to limit the developable areas within the site. In any case, none of the trees to be felled are of high value; they

would not, for example, be worthy of full protection through a Tree Preservation Order. As such, it is considered that the implications of the development in relation to trees is acceptable, insofar as the benefits of the development are considered to outweigh the loss of trees which, ultimately, make only a moderate contribution to the amenity of the locality. The new landscaping delivered with the scheme will also include the provision of new trees which, to a degree, will offset the loss of those being felled.

With regard to the above comments, it is considered that the implications of the proposed development in relation to ecology and trees are acceptable and that the proposals comply with the aims and objectives of the aforementioned paragraphs of the NPPF and policies CN17 and CN22 of the Council's UDP.

7. LAND CONTAMINATION/MINING RISK ISSUES

Paragraph 121 of the NPPF states that planning decisions must ensure that development sites are suitable for the new use, taking account of ground conditions and land instability, including from former activities such as mining and pollution. Meanwhile, policy EN14 of the UDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The 'Preliminary Contamination and Mining Risk Assessment' (produced by FWS, May 2016) has identified a requirement for an intrusive ground investigation, which should be focused on addressing the contaminants identified within the report and providing geotechnical information for design purposes. To this end, the Assessment sets out a recommended range of additional ground investigation works to guide such a programme.

The Assessment has been considered in detail by the Council's Public Protection and Regulatory Services officers. No significant concerns have been raised in relation to the Assessment and its findings, but it is recommended that conditions be imposed which require the undertaking of a 'Phase II' intrusive investigation and, if necessary, the development of a remedial strategy/verification plan, verification report and unexpected ground conditions. The Phase II report should also cover risk to water quality, any risks presented by groundwater flooding, the characterisation of top-soil and documentation of site walkover surveys.

With regard to the above comments, it is considered that subject to the imposition of the recommended conditions, the implications of the development in respect of land contamination and mining risk is acceptable, in accordance with the requirements of paragraph 121 of the NPPF and policy EN14 of the UDP.

8. SECTION 106 CONTRIBUTIONS

Paragraph 73 of the NPPF and policy H21 of the UDP underline the importance of affording high-quality recreational and open space provision in association with new developments. In cases where a development involves the erection of more than 10 no. dwellings, it is the Council's usual practice to secure a contribution to the provision of children's play equipment, either as part of the development or at an off-site location.

The proposed development does not include any on-site play provision and as such, the Council's Assistant Head of Community Services has indicated that a financial contribution of £41,359 (i.e. £701 x number of dwellings proposed) should be sought via an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended). In this instance, the contribution would be utilised towards the provision of new play facilities or the improvement of existing facilities (where appropriate) in the Washington Central Ward, with funds being utilised to support on-going maintenance of play parks.

In addition to the above, paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and should give great weight to the need to create, expand or alter schools and work with schools promoters to identify and resolve key planning issues before applications are submitted.

Furthermore, policy R3 of the UDP states that where the effects of a development would require additional off-site infrastructure or community facilities or where certain important features of the site are affected which cannot be controlled by planning conditions, the developer will normally be expected to enter into a planning obligation with the Council to enable suitable provision to be made.

To this end, the Council's Business Relationships and Governance Manager in the Education and Lifelong Learning team has advised that a financial contribution towards school places in the locality should be requested and secured as part of a S106 agreement. A contribution of £109,097 has been calculated, based on the number of bedrooms being provided within the development.

Finally, in line with the objectives of paragraph 50 of the NPPF and policy H16 of the UDP, the City Council will normally seek to secure the provision of affordable housing as part of new residential development involving 15 or more units. The usual requirement, as recommended by the Council's most recent Strategic Housing Market Assessment, is for 10% of units within a new development to be affordable, at a split of 75% social/affordable rent - 25% intermediate tenure.

The applicant has agreed to the contributions requested in relation to off-site play space and education and is also willing to provide 6 no. affordable housing units as part of the proposed development (identified as the dwellings to plots 1-6 of the proposed layout). It has been requested by the applicant, however, that these units are all 'affordable rent', rather than split in the manner mentioned above; there is no objection to such an arrangement on the basis that there is currently a significant need and demand for affordable rented accommodation in the City.

To summarise, a draft Section 106 agreement has been drawn up by the Council's Solicitor which is designed to secure:

- Contribution of £41,359 towards off-site play, to be spent on the cost of providing new or improving or maintaining existing facilities in the Washington Central Ward. The contribution would be payable in full prior to commencement of development and be spent within 2 years of the completion of development;
- Contribution of £109, 907 towards education, to be invested in primary schools and academies within a 2-mile radius of the development site. The contribution would be paid in full prior to the commencement of development and be spent within 10 years of the receipt of the payment;
- Provision of 6 no. affordable housing units on-site, all to be affordable rented units;

The terms of the agreement have been agreed by the applicant and their solicitor and it is consequently anticipated that the Section 106 agreement will be completed and sealed in the near future, although this may occur after the meeting of the Sub-Committee on 18th October 2016.

CONCLUSION

In conclusion, it is considered that the principle of the proposed development is acceptable and that the scheme will have the significant benefit of delivering the appropriate redevelopment of a brownfield site occupying a sustainable location in close proximity to the facilities and services of Washington town centre. Furthermore, the proposed development is considered to respond satisfactorily to its context and will integrate well into the existing built environment and it will also serve to provide prospective residents with an acceptable standard of amenity, whilst ensuring that the living conditions of existing residential properties in the area are appropriately respected.

The implications of the development in relation to highway safety and pedestrian movement have been given careful consideration, with particular regard given to the proposed demolition of the footbridge over Parkway. For the reasons detailed earlier in this report, it is considered that its removal and replacement with a surface-level crossing is acceptable and will not serve to significantly hinder the movement of pedestrians or limit their ability to reach the services and facilities of Washington town centre.

In addition to the above, the implications of the development in relation to flood risk and drainage, trees, ecology and land contamination have been found to be acceptable.

The proposed development will also see appropriate financial contributions made towards off-site play provision and education facilities, whilst the scheme will deliver an appropriate level of affordable housing as part of the development. These will be secured via the agreement under Section 106 of the Town and Country Planning Act, which accompanies this application.

The proposed development is therefore considered to satisfy the aims and objectives of the core principles and relevant paragraphs of the NPPF, the Council's UDP and the Council's 'Residential Design Guide' SPD as referenced throughout the report, and as a consequence the scheme is considered to represent a sustainable form of development which delivers much-needed housing at an appropriate location.

It is consequently recommended that the application is delegated to the Executive Director of Economy and Place, who is minded to approve the application, subject to the conditions set out at the foot of this report and also subject to the signing of an agreement under the provisions of section 106 of the Town and Country Planning Act, 1990 (as amended).

EQUALITY ACT 2010 - 149 PUBLIC SECTOR EQUALITY DUTY

During the detailed consideration of this application/proposal an equality impact assessment has been undertaken which demonstrates that due regard has been given to the duties placed on the LPA's as required by the aforementioned Act. As part of the assessment of the application/proposal due regard has been given to the following relevant protected characteristics:-

- o age;
- o disability;

- o gender reassignment;
- o pregnancy and maternity;
- o race;
- o religion or belief;
- o sex;
- o sexual orientation.

The LPA is committed to (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In addition, the LPA, in the assessment of this application/proposal has given due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This approach involves (a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The LPA has taken reasonable and proportionate steps to meet the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities, as part of this planning application/proposal.

Due regard has been given to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves. Particular consideration has been given to the need to'

- (a) tackle prejudice, and
- (b) promote understanding.

Finally, the LPA recognise that compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

RECOMMENDATION: Delegate to the Executive Director of Economy and Place who is minded to approve the application subject to the signing of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and subject to the conditions set out below.

Conditions:

- 1 The development to which this permission relates must be begun not later than three years beginning with the date on which permission is granted, as required by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to ensure that the development is carried out within a reasonable period of time.
- 2 Unless otherwise first agreed in writing with the Local Planning Authority, the development hereby granted permission shall be carried out in full accordance with the following approved plans:

Layouts

- drawing no. 16-02-100 Site Location Plan, Rev A
- drawing no. 16-02-200 Rev H, Proposed Site Drawings Colour Plan,
- drawing no. 16-02-203 Rev C, Proposed Tenure Mix,
- drawing no. 16-02-204 Rev C, Proposed Adoptable Surfaces,
- drawing no. 16-02-205 Rev P5, Proposed External Works Layout
- drawing no. 16-02-202 Rev C, Proposed Site Plan by No. of Bedrooms
- drawing no. 16-02-218-219, Proposed Streetscape Elevations-Elev C

- Proposed House Types
- drawing no. 16-02-208 Yew,
- drawing no. 16-02-207 Holly
- drawing no. 16-02-209 Lawson
- drawing no. 16-02-210 Ash
- drawing no. 16-02-211 Poplar
- drawing no. 16-02-216 Poplar (1)
- drawing no. 16-02-213 Laburnum
- drawing no. 16-02-214 Elder V2
- drawing no. 16-02-217 Elder (1)
- drawing no. 16-02-215 Larch

Proposed boundary details

- drawing no. GEN-44C-800 R-04, boundary details - railings,
- drawing no. 16-02-800 TF-05, boundary details - 1.8m timber fencing,
- drawing no. 16-02-800 TF-05A, boundary details - 1.2m timber fencing,
- drawing no. GEN-44C-800 TF-08, boundary details - 1.8m timber fencing with brick piers,
- drawing no. 16-02-800 TF-09A, boundary details - 1.8m timber fencing with trellis and brick piers,
- drawing no. 16-02-800 W-08, boundary details - masonry walls,

Replacement crossing design drawings

- TRS-16-0000254-003 - Option B Zebra
- TRS-16-0000254-004 - Location Plan

the Surface Water Drainage Strategy, Issue no. 3 (19.09.2016) produced by Datum, and email from Mr Kevin Boal of Datum (received 05/10/2016),

In order to ensure that the completed development accords with the scheme approved and to comply with policy B2 of the adopted Unitary Development Plan.

- 3 Notwithstanding any indication of materials which may have been given in the application, no development shall take place until a schedule and/or samples of the materials and finishes to be used for the external surfaces, including walls, roofs, doors and windows has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details; in the interests of visual amenity and to comply with policy B2 of the Unitary Development Plan.

- 4 No development shall take place until a scheme of working has been submitted to the satisfaction of the Local Planning Authority; such scheme to include days and hours of working, siting and organisation of the construction compound and site cabins, contractor parking, routes to and from the site for construction traffic, and measures to ameliorate noise, dust, vibration and other effects, and so implemented, in the interests of the proper planning of the development and to protect the amenity of adjacent occupiers and in order to comply with policy B2 of the UDP.
- 5 The construction works required for the development hereby approved shall only be carried out between the hours of 07.00 and 19.00 Monday to Friday and between the hours of 07.30 and 14.00 on Saturdays and at no time on Sundays or Bank Holidays, in order to protect the amenities of the area and to comply with policy B2 of the UDP.
- 6 No deliveries shall be taken at or despatched from the site outside the hours of 07:00 - 19:00 Monday to Friday, 07:30 - 14:00 on Saturdays, nor at any time on Sundays, Bank or Public Holidays to ensure that nearby properties are not adversely affected by the development and to comply with policy B2 of the UDP.
- 7 No tree or hedge shown to be retained on the approved site layout plan shall be cut down, uprooted or destroyed, nor shall any retained tree or hedge be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 "Tree Work", in the interests of visual amenity and to comply with policy CN17 of the UDP.
- 8 No dwelling hereby approved shall be occupied until its off-street parking provision has been constructed, surfaced, sealed and made available in accordance with the approved plans. Each respective parking area shall then be retained and permanently reserved for the parking of vehicles to ensure that adequate and satisfactory provision is made for the off street parking of vehicles and to comply with policy T22 of the UDP.
- 9 None of the dwellings hereby approved shall be occupied until a detailed plan of the new surface-level crossing over Parkway, together with a programme for its implementation via an agreement under Section 278 of the Highways Act, have been agreed in writing with the Council as Local Planning Authority. For the avoidance of doubt, the design and location of the crossing shall be informed by drawing nos. TRS-16-0000254-003 (Option B: Zebra) and TRS-16-0000254-004 (Location Plan). The crossing shall then be installed in accordance with the agreed details and the timings set out in the implementation programme, in order to provide an appropriate alternative crossing of Parkway and comply with the requirements of policy T10 of the UDP and paragraphs 69 and 75 of the NPPF.
- 10 The development hereby approved shall not be commenced until a method statement and schedule of works for the demolition of the footbridge over Parkway has been submitted to and approved by the Local Planning Authority. For the avoidance of doubt, the submitted information shall include the method of demolition and removal, details of a safe system of working, traffic management arrangements and details of the reinstatement/treatment of the approaches to the bridge. All works shall then be carried out in accordance with the agreed

details in order to protect the amenities of the area and to comply with policy B2 and T10 of the UDP.

- 11 The development hereby approved shall not commence until an ecological mitigation and enhancement plan has been submitted to and approved by the Council as Local Planning Authority. For the avoidance of doubt, the scheme shall be informed by Section 10.1 (General Recommendations) of the Preliminary Ecological Appraisal Report (produced by Ecosurv Ecological Consultants, 14/04/2016) submitted with the planning application. The development shall then proceed in complete accordance with the agreed details, in the interests of maintaining/enhancing the ecological and biodiversity value of the site and to comply with the requirements of paragraph 118 of the NPPF and policy CN22 of the UDP.
- 12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and treatment of hard surfaces which shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development. The agreed scheme shall be informed by the ecological mitigation/enhancement measures required in relation to the discharge of condition 11 and shall then be implemented in accordance with the timings set out by condition 13 of this approval, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 13 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the buildings or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, in the interests of visual amenity and to comply with policy B2 of the UDP.
- 14 No development, other than that required to enable the satisfactory discharge of this condition, shall commence until final specifications of the soakaways to be adopted by the Council as Local Highways Authority, an updated drainage plan for surface and foul water and a programme for the subsequent maintenance and management of the drainage strategy for the site have been submitted to and approved in writing by the Council as Local Planning Authority. The drainage strategy associated with the approved development shall then be implemented in full accordance with the approved details and the drainage strategy set out by the 'Surface Water Drainage Strategy' Issue no. 3 (produced by Datum, 19/09/2016) and the email correspondence from Mr Kevin Boal of Datum (received 05/10/2016), in the interests of delivering an appropriate drainage strategy for the site and to comply with the objectives of paragraph 103 of the NPPF and policy EN12 of the UDP.
- 15 Unless otherwise agreed by the Local Planning Authority, no development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions number 16 to number 18 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition number 16 has been complied with in relation to that contamination. To ensure that risks from land contamination to 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 policy EN14 of the Unitary Development Plan.

16 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site (site characterisation), whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. 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: human health property (existing or proposed) including building, crops, livestock, pets, woodland and service line pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11.' To ensure that risks from land contamination to 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 policy EN14 of the Unitary Development Plan.

17 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme to bring 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environment Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that the risks from land contaminated 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 policy EN14 of the Unitary Development Plan.

18 The remediation scheme approved under Condition number 17 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. To ensure that risks from land

contamination to the future users of the land and neighbouring land are minimise, 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 policy EN14 of the Unitary Development Plan.

- 19 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition number 16 (Site Characterisation), and when remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 17 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition number 18 (Implementation of Approved Remediation Scheme). If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. 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 and in accordance with policy EN14 of the Unitary Development Plan.