

APPENDIX 1: LAND AT DOWDING WAY: PROPOSED DRAFT CONDITIONS

TIME LIMIT

1. The **PHASE 1** development hereby permitted and as shown outlined in red on plan nos. 4356 A100 P22; 4356 A112 P4; and 4356 A115 P2; shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approval of the details of the access, landscape, layout, scale, design and external appearance of the buildings, and the landscaping of the **PHASE 2** site as shown outlined in red on plan nos. 4356 A112 P4 and 4356 A115 P2 (hereinafter called "the reserved matters") shall be obtained in writing from the local planning authority before any development within the relevant phase is commenced. The reserved matters shall accord with the following parameter plans: 4356 A114 P6; 4356 M101 P5.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

3. Application for approval of the reserved matters for **PHASE 2** (pursuant to Condition 2) shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

4. The **PHASE 2** development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved whichever is the later.

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

APPROVED PLANS

5. The development hereby permitted shall be carried out in accordance with the details shown on the approved plans listed below: A100 P22; A103 P2; A112 P4; A115 P2; A136 P4; A200 P4; A201 P5; A202 P5; A203 P4; A204 P6; A205 P5; A207 P2; A209 P2; A210 P10; A211 P4; A300 P5; A311 P7; A400 P5; A410 P2; A413 P4; M101 P5.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

FINISHED FLOOR LEVELS

6. Prior to the commencement of the **PHASE 1** development, details of the finished floor levels of the building of the development hereby permitted in relation to existing ground levels shall be submitted to and approved in writing by the local planning authority. The development or shall be carried out in accordance with the approved details.

Reason: To ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, the amenities of neighbouring

occupiers and existing trees, hedgerows and other landscaping, in accordance with Policies T 1, DM 9, DM 18 and DM 19 of the Local Plan Submission Version 2017 and with Policies DBE2, DBE3, DBE4, DBE9, LL11 and RP3 of the Adopted Local Plan and Alterations 2006.

7. Prior to the commencement of the **PHASE 2** development, details of the finished floor levels of all of the buildings within the development hereby permitted in relation to existing ground levels shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, the amenities of neighbouring occupiers and existing trees, hedgerows and other landscaping, in accordance with Policies T 1, DM 9, DM 18 and DM 19 of the Local Plan Submission Version 2017 and with DBE2, DBE3, DBE4, DBE9, LL11 and RP3 of the Adopted Local Plan and Alterations 2006.

MATERIALS

8. Prior to the commencement of any above ground works, samples of the materials to be used in the construction of the external surfaces of the **PHASE 1** development hereby permitted, including any external cladding, decorative fascia or panels, balustrades and glazing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Civic Offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: To ensure a high quality design and satisfactory appearance to the development as a whole in accordance with Policies DM 9 of the Local Plan Submission Version and with Policies DBE1 and DBE4 of the Adopted Local Plan and Alterations 2006.

9. Prior to the commencement of any above ground works, samples of the materials to be used in the construction of the external surfaces of the **PHASE 2** development hereby permitted, including any external cladding, decorative fascia or panels, balustrades and glazing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Civic Offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: To ensure a high quality design and satisfactory appearance to the development as a whole in accordance with Policies DM 9 of the Local Plan Submission Version and with Policies DBE1 and DBE4 of the Adopted Local Plan and Alterations 2006.

PHASE 1: DESIGN & LANDSCAPE

10. Prior to the commencement of the **PHASE 1** development hereby permitted (including ground works, vegetation clearance), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

- (d) Measures to protect badgers from being trapped in open excavations and/or pipe culverts.
- (e) The location and timings of sensitive works to avoid harm to biodiversity features.
- (f) The times during which construction when specialist ecologists need to be present on site to oversee works.
- (g) Responsible persons and lines of communication.
- (h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid or mitigate the effects of the construction of the development on ecological receptors, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

11. Prior to the commencement of any above ground works of the **PHASE 1** development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure; car parking layouts; green wall on the eastern elevation and south west corner of the multi storey car park; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); and existing trees to be retained.

Reason: To ensure a satisfactory appearance to the development and landscape treatment of the site. To safeguard the visual character of the immediate area in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

12. Soft landscape works pursuant to Condition 10 shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons 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 similar size and species, unless the local planning authority gives written approval to any variation.

Reason: To ensure a satisfactory appearance to the development and landscape treatment of the site. To safeguard the visual character of the immediate area in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

13. Prior to the commencement of any above ground works for the **PHASE 1** development hereby permitted, details have been submitted to and approved in writing by the local planning authority of:

- a) The trees, shrubs or hedges within the site which are to be retained;
- b) A scheme for the protection of the trees, shrubs or hedges to be retained, produced in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction. The development shall be implemented in accordance with the approved details and:
 - i. No operations shall be undertaken on site in connection with the development hereby permitted (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place;
 - ii. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme;
 - iii. Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the local planning authority;
 - iv. No tree, shrub or hedge shown to be retained shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written approval of the local planning authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written approval to any variation.

Reason: To protect existing trees during the construction works and to ensure that the character and amenity of the area are not impaired, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

14. Prior to the first occupation of the **PHASE 1** development hereby approved, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

15. The development hereby permitted shall proceed in accordance with the terms of the Arboricultural Impact Assessment (Arboricultural Impact Assessment, Tyler Grange, September 2019). Its implementation shall include the supervision of the tree protection during the demolition and construction phases by an Arboricultural Consultant (provided by the applicant with the agreement of the local planning authority).

Reason: To protect existing trees during the construction works in order to ensure that the character and amenity of the area are not impaired, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

16. Prior to the first occupation of the **PHASE 1** development, a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following.

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure habitat enhancement within the landscape of the development, in accordance with Policies DM 1, DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

PHASE 2: DESIGN & LANDSCAPE

17. Prior to the commencement of the **PHASE 2** development hereby permitted (including demolition, ground works, vegetation clearance), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- (a) Risk assessment of potentially damaging construction activities.
- (b) Identification of "biodiversity protection zones".
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- (d) Measures to protect badgers from being trapped in open excavations and/or pipe culverts.
- (e) The location and timings of sensitive works to avoid harm to biodiversity features.

(f) The times during which construction when specialist ecologists need to be present on site to oversee works.

(g) Responsible persons and lines of communication.

(h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

(i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory appearance to the development and landscape treatment of the site. To safeguard the visual character of the immediate area in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

18. The details to be submitted for the approval of the local planning authority in accordance with

Condition (2) above shall include:

(a) hard surfacing materials;

(b) car parking layouts;

(c) other vehicles and pedestrian access and circulation areas;

(d) means of enclosure;

(e) retained historic landscape features and proposals for restoration where relevant;

(f) existing trees and hedgerows to be retained;

(g) soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants (to include structurally diverse habitat and local species of provenance), noting species, plant sizes and proposed numbers/densities where appropriate. Details shall include replacement hedgerow planting;

(h) tree/hedgerow removal;

(i) tree planting, including species, planting location, timing of planting, specification and maintenance. Details shall include:

(j) tree protection measures;

(k) measures for biodiversity enhancement;

(l) programme of management for the soft planting;

(m) proposed finished levels or contours;

(o) external lighting;

(p) secure cycle storage facilities;

(q) refuse facilities;

(r) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs etc.);

(s) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines) including heating strips, indicating lines, manholes, supports etc.

The approved hard and soft landscape works shall be carried out prior to the first occupation of any part of the **PHASE 2** development hereby permitted. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory appearance to the development and landscape treatment of the site. To safeguard the visual character of the immediate area in accordance with Policies T 1, DM 9, DM 18 and DM 19 of the Local Plan Submission Version 2017 and with Policies DBE2, DBE3, DBE4, DBE9, LL11 and RP3 of the Adopted Local Plan and Alterations 2006.

19. Prior to the first occupation of the **PHASE 2** development hereby approved, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

20. Prior to the first occupation of the **PHASE 2** development, a landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall include the following.

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (g) Details of the body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure habitat enhancement within the landscape of the development, in accordance with Policies DM 3, DM 5 and DM 9 of the Local Plan Submission Version and with LL10 and LL11 of the Adopted Local Plan and Alterations 2006.

21. Prior to the first occupation of the development, a staff and visitor accessibility strategy shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the way in which all staff and visitors will have access to the on-site

café, outdoor amenity and other key facilities. The agreed strategy shall be implemented in accordance with the approved details.

Reason: In the interest of good design and accessibility, in accordance with policy DM 9 of the Local Plan Submission Version and with Policies DBE1 and DBE4 of the Adopted Local Plan and Alterations 2006.

HIGHWAYS

22. Prior to the commencement of each phase of development hereby permitted (**PHASE 1** or **PHASE 2**), a Construction Management/Method Plan and Statement with respect to the construction phase of the development shall be submitted to and approved in writing by the local planning authority. Development works shall be undertaken in accordance with the approved Construction Management/Method Statement. The details shall include, amongst other things; hours of work/piling; contractors parking areas, compounds, storage areas and details of wheel washing facilities including location of petrol/oil interceptors in all car parking/washing/ repair facilities; the management of crossings of the public highway and other public rights of way; minimisation of dust emissions arising from construction activities on the site; post construction restoration/reinstatement of the working areas and any temporary access to the public highway; and details of the responsible person (site manager/office) who can be contacted.

Reason: In the interest of highways and pedestrian safety and the character and appearance of the development. To prevent oil-polluted discharges entering local watercourses. To ensure satisfactory provision in relation to adjoining properties and circulation within the site, in accordance with Policies T 1 and DM 9 of the Local Plan Submission Version and with Policies DBE1, DBE4 and ST4 of the Adopted Local Plan and Alterations 2006.

23. Prior to the commencement of any above ground works for each phase of the development hereby permitted (**PHASE 1** and **PHASE 2**), a highways management plan with respect to that phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The highways management plan shall include the management responsibilities and maintenance schedule for the private access road; the on-site car and cycle parking; servicing, loading and unloading, turning and waiting areas. The management plan shall be carried out in accordance with the approved details and its requirements adhered to thereafter.

Reason: In the interest of highways and pedestrian safety and the character and appearance of the development, in accordance with Policies T 1 and DM 9 of the Local Plan Submission Version and with Policies DBE1, DBE4 and ST4 of the Adopted Local Plan and Alterations 2006.

24. Prior to the commencement of the **PHASE 2** development hereby permitted, full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- i. Roads, footways, foul and on-site water drainage.
- ii. Existing and proposed access arrangements including visibility splays.
- iii. Parking provision in accordance with adopted standard.
- iv. Cycle parking provision in accordance with adopted standard including details of lighting, accessible pass gate specification (including width and weight), location and specification of bike stands, electric bicycle charge point, and bike maintenance stand.

v. Servicing areas, loading areas and turning areas for all vehicles.

Thereafter, the development shall only be carried out in accordance with the approved details.

Reason: In the interests of maintaining highway efficiency and safety and the character and appearance of the development, in accordance with Policies T 1 and DM 9 of the Local Plan Submission Version and with Policies DBE1, DBE4 and ST4 of the Adopted Local Plan and Alterations 2006.

25. Prior to commencement of each phase of the development hereby permitted (PHASE 1 or PHASE 2), swept path assessments for the specified phase of development shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:

- a) Large car accessing car parking spaces to demonstrate that they can be safely entered and departed from. This should be demonstrated for the car parking spaces that are in corners and for one midway in a row. This will be necessary for any public or employment car parks;
- b) Swept path assessment for a fire tender manoeuvring within the site to demonstrate that a fire tender can safely manoeuvre within to access all units;
- c) Swept path assessment for a public transport bus to demonstrate that, should a bus route be diverted through the site, the internal network can accommodate a bus;
- d) Swept path assessment for a refuse vehicle to demonstrate that refuse collection and servicing can take place within the development site;
- e) Swept path assessments for servicing and delivery vehicles for any commercial land uses to demonstrate that servicing and deliveries can be accommodated within the development site and within the respective land use sites. Thereafter, the development, or the specified phase(s) of the development (whichever is the sooner) shall only be carried out in accordance with the approved details.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Policy T 1 of the Local Plan Submission Version and with Policy ST4 of the Adopted Local Plan and Alterations 2006.

ECOLOGY

26. The development hereby permitted shall be carried out in accordance with the Ecological Appraisal (Ecological Assessment, Southern Ecological Solutions, September 2019) and the Ecological Mitigation and Enhancement Measures (Table 20. Summary of impacts, mitigation and residual effects and as detailed in the Ecological Assessment, Southern Ecological Solutions, September 2019). Prior to the commencement of above ground works a timetable for the implementation of the ecological mitigation measures shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation interests to the amenity of the area, in accordance with Policy DM 1 of the Local Plan Submission Version and with CP1 of the Adopted Local Plan and Alterations 2006.

SUDS/GROUND CONDITIONS

27. Prior to the commencement of each phase of the development hereby permitted (**PHASE 1 or PHASE 2**), details of earth works proposed as part of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing relationship of proposed mounding to existing vegetation and surrounding landform. Development or the specified phase of the development (whichever is the sooner) shall be carried out in accordance with the approved details.

Reason: To ensure that construction is carried out at a suitable level having regard to drainage, access, the appearance of the development, the amenities of neighbouring occupiers and existing trees, hedgerows and other landscaping, in accordance with Policies T 1, DM 9, DM 18 and DM 19 of the Local Plan Submission Version 2017 and with Policies DBE2, DBE3, DBE4, DBE9, LL11 and RP3 of the Adopted Local Plan and Alterations 2006.

28. No development on the **PHASE 1** site approved by this planning permission shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Adept Civil and Structural Consulting, ref: 03.18004-ACE-ZZ-ZZ-RP-C-001 and the Drainage Strategy indicated on drawing nos. Phase 1 Drainage Layout P2; Site Wide Drainage Strategy P1.

The surface water drainage scheme should include:

- (a) Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site;
- (b) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
- (c) Implementing the appropriate drainage strategy based on attenuation and discharge, using appropriate SuDS measures;
- (d) Details of how the scheme shall be maintained and managed after completion;
- (e) Detailed engineered drawings of the proposed SuDS measures.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users, in accordance with Policies DM 18 and DM 19 of the Local Plan Submission Version and with Policy RP5A and U3B of the Adopted Local Plan and Alterations 2006.

29. No development on the **PHASE 2** site approved by this planning permission shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Adept Civil and Structural Consulting, ref: 03.18004-ACE-ZZ-ZZ-RP-C-001.

The surface water drainage scheme should include:

- (a) Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site;

- (b) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event;
- (c) Implementing the appropriate drainage strategy based on attenuation and discharge, using appropriate SuDS measures;
- (d) Details of how the scheme shall be maintained and managed after completion;
- (e) Detailed engineered drawings of the proposed SuDS measures.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users, in accordance with Policies DM 18 and DM 19 of the Local Plan Submission Version and with Policy RP5A and U3B of the Adopted Local Plan and Alterations 2006.

30. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, prior to commencement of development, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that adequate protection of human health is maintained and the quality of groundwater is protected, in accordance with Policy DM 18 and DM 19 of the Local Plan Submission Version 2017, the Thames River Basin Management Plan, Planning Practice Guidance and the National Planning Policy Framework.

31. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that adequate protection of human health is maintained and the quality of groundwater is protected, in accordance with Policy DM 18 and DM 19 of the Local Plan Submission Version 2017, the Thames River Basin Management Plan, Planning Practice Guidance and the National Planning Policy Framework.

32. The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development. To ensure that adequate protection of human health is maintained

and the quality of groundwater is protected, in accordance with Policy DM 21 of the Local Plan Submission Version and with Policy RP4 of the Adopted Local Plan and Alterations 2006.

SUSTAINABILITY/ENERGY

33. Prior to the commencement of any above ground works for each phase of the development (**PHASE 1 or PHASE 2**), a method statement that demonstrates the way in which the development will meet the minimum sustainability levels and standards as set out in the Energy Statement (Envision, September 2019) and Sustainability Statement (Envision, September 2019) shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include both passive and active sustainability measures to be incorporated into the built fabric of the development and those measures to be carried out during the construction phase of development. The development shall be carried out in accordance with the approved details.

Reason: In the interest of delivering positive sustainability and environmental benefits. To support the move towards a low carbon economy, in accordance with the National Planning Policy Framework and Policies DM 20 of the Local Plan Submission Version and with Policy CP8 of the Adopted Local Plan and Alterations 2006.

NOISE QUALITY

34. The use hereby permitted must cease during any period that the rating level of noise (as defined by BS4142:2014) from any fixed mechanical plant on site exceeds the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:2014.

Reason: To protect nearby noise sensitive residential and commercial premises from significant loss of amenity due to noise, in accordance with Policy DM 9 of the Local Plan Submission Version and policy DBE9 of the Adopted Local Plan and Alterations 2006.

LIGHTING

35. Prior to the occupation of the development, a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of lux levels, lighting design and when all non-essential external lighting for the **PHASE 1** shall be non-illuminated.

Reason: To protect nearby light sensitive residential and commercial premises from significant loss of amenity due to excessive lighting. To protect the character and amenity of the area, in accordance with Policy DM 9 of the Local Plan Submission Version and policy DBE9 of the Adopted Local Plan and Alterations 2006.

ARCHAEOLOGY

36. No development shall take place on the **Phase 2** site before the implementation of a programme of archaeological work relating to that phase in accordance with a written scheme of investigation that shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate opportunity is provided for archaeological research on this historically important site. To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development, in accordance with Policy DM 7 of the Local Plan Submission Version and Policy

RESTRICTIVE CONDITIONS

37. The maximum gross internal floorspace hereby permitted for the Phase 1 development shall not exceed the hereby approved figure as specified in the below table.

Phase 1 Accommodation	Gross Internal area (GIA) (sqm)
Warehouse – Level 00	25,718
Ancillary accommodation – Level 00	2,006
Ancillary accommodation – Level 01	472
Ancillary accommodation – Level 02	751
Ancillary accommodation – Level 03	173
Ancillary accommodation – Level 04	608
Mezzanines	22,868
Gatehouse	25
Total Storage & Distribution Floorspace (Class B8)	52,621
Photo Studio Level 1	2,323
Photo Studio Level 2	2,323
Total Photo Studio Floorspace (sui generis)	4,645

Reason: For the avoidance of doubt, this includes floorspace created by the installation of an internal mezzanine the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works to ensure compliance with Policy T 1 of the Local Plan Submission Version and with Policy ST6 of the Adopted Local Plan and Alterations 2006.

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure shall be constructed without the prior written permission of the Local Planning Authority.

Reason: To allow the Local Planning Authority to retain control of the development in the interests of maintaining the character and appearance of the area. In the interests of residential and visual amenity, in accordance with Policy DM 9 of the Local Plan Submission Version and policy DBE9 of the Adopted Local Plan and Alterations 2006.

39. Notwithstanding the hereby approved plans any extract/air conditioning/refrigeration and /or ventilation system proposed for installation outside of the approved roof plant enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to its installation within or on any individual Unit. The development shall be carried out in accordance with the approved details.

Reason: To protect nearby noise sensitive residential and commercial premises from significant loss of amenity due to noise, in accordance with Policy DM 9 of the Local Plan Submission Version and policy DBE9 of the Adopted Local Plan and Alterations 2006.

INFORMATIVES

1. The Local Planning Authority has been positive and proactive in its consideration of this planning application suggesting improvements to the development during the course of the application. The applicant submitted amended plans and additional and revised information resulting in a form of development that improves the economic, social and environmental conditions of the District.
2. Any advertisements and / or signage shall be agreed separately under the Town and Country Planning (Control of Advertisements) Regulations 2007.
3. The applicant is advised that no waste materials generated as a result of the proposed demolition and/or construction operations shall be burnt on the site. All such refuse shall be disposed of by suitable alternative methods.
4. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.
5. Thames Water Advisory: No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. The developer can request information by visiting the Thames Water website at thameswater.co.uk/preplanning.
6. Environmental Protection and Drainage Advisory: The applicant has provided a surface water drainage strategy and the general principles of the design are acceptable. The Environmental Protection and Drainage Team will require further information/clarification at the discharge of conditions stage on the following:
 - Evidence of the required water quality treatment for the southern part of the access road in line with Chapter 26 of the SuDS Manual.
 - Details of mitigation measures in place for the overall site in relation to fuel and oil spillage.
 - Evidence of a permit to discharge into the main river from the Environment Agency.
 - Details of pump contingency.
 - Health and safety precautions to be included in relation to the open water features.
 - Survey of the existing watercourse and its ability to take the additional surface water from the development.
 - Details of where any flooded volume for the 1 in 100 year plus 40% will be contained within the site as per the planning statement.
 - A detailed drainage plan must be supplied including details of any interceptors for fuel spillage, silt traps, catch pits, exceedance routing, in addition to details already covered in the Flood Risk Assessment.

7. All work within of affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority. The applicant is advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SM03 – Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood, CM13 3HD.

8. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of legislation. The public's rights and ease of passage over public footpath no 62 Waltham Abbey, shall be maintained free and unobstructed free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

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