

## **PLANNING APPLICATIONS COMMITTEE**

### **ADDENDUM 1<sup>st</sup> October 2019**

#### **Item**

- 3 **AMEND Conditions to read:**  
1. The development to which this permission relates must be begun not later than the expiration of three years from the decision date of the original application (034076) which is the 10th August 2018.

#### **SCHEDULE OF CONDITIONS:**

2. The development shall not be carried out other than in accordance with the plans contained in the following schedule:

<b>Description</b>	<b>Reference number</b>	<b>Date Received</b>
Location Plan	NUN/LOC/01	10th Nov 2017
Detailed Planning Layout	NUN/01 Rev AT	28th March 2018
Planning House Types	Rev G	8th March 2018
Proposed Section	NUP-J	15th February 2018
Proposed Section	NUP-T	15th February 2018
Adoption & Management Plan	Nun/06 Rev P	16th March 2018
Phasing Plan	Nun/14 Rev A	24th January 2019
Affordable Housing Location	NUN/12 Rev B	16th March 2018
Street Hierarchy Plan	Nun/02 Rev N	16th March 2018
Boundary Treatment Plan	AG/NUN-BT Rev K	16th March 2018
Proposed Plan of Plots Permitted for Occupation	NUN/02 Rev J	16th March 2018
Affordable Housing Statement	Revision G March 2018	28th March 2018
Noise Assessment	March 2018	13th March 2018
Geophysical Report	15/208/ Nov – 15	22nd April 2016
Archaeological Trial Trench Evaluation	16/143 June-July 2016	23rd August 2016
Materials Palette	July 2019 Rev C	1st Aug 2019
Ecological Assessment & Protected Species Report-Update	May 16 Rev A	19th May 2016
Arboricultural Report	Oct 2016	8th November 2016
Flood Risk Assessment	Part 1 Issue 2 AAC 5317 04.01.17	3rd October 2017
Flood Risk Assessment	Part 2 Issue 2 AAC 5317 04.01.17	3 <sup>rd</sup> October 2017
Landscape Strategy Document	Feb18 JBA 15/180 DC01	9th February 2018
Landscape Masterplan for Plots & POS	SK01 Rev H	13th February 2018
Landscape Masterplan for Plots & POS	SK02 Rev H	13th February 2018
Landscape Masterplan for Plots & POS	SK03 Rev H	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-01 Rev E	13th February 2018

Detailed Hard & Soft POS Landscaping	15/180-02 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-03 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-04 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-05 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-06 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-07 Rev E	13th February 2018
Detailed Hard & Soft POS Landscaping	15/180-08 Rev E	13th February 2018

3. Notwithstanding the submitted landscaping plans, no development including site clearance shall commence until a Landscaping Strategy Management Plan (LSMP) and full landscaping plans have been submitted to and approved in writing by the Council. The approved scheme for each phase shall be carried out within 12 months of the commencement of its relevant phase.

4. No development including any site clearance shall take place in any phase, other than in accordance with the Construction Ecological Management Plan (CEMP) revision B and the details approved on the 25<sup>th</sup> September 2019. The approved CEMP and details shall be adhered to throughout the construction period. The CEMP shall include details of:

- a. any pre- construction checks required;
- b. the species safeguards to be employed;
- c. appropriate working practices and timings of construction works;
- d. site clearance methods;
- e. the extent of buffer zones and stand-offs for sensitive ecological features; and
- f. what to do if protected species are discovered during construction.
- g. Details of the body or organisation responsible for the implementation and ongoing management, monitoring and remedial actions of the plan, including the mechanism for funding.

The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate. The CEMP will set out key operations and associated points at which written reports will be submitted by the Ecological Clerk of Works to the Authority evidencing implementation of the contents of the CEMP through dated photographs and associated text. The approved plan will be implemented in accordance with the approved details. The above conditions for Ecological works monitoring arrangements including a timetable covering all key stages and on site actions including what operations an ecologist will be present at and routine submission of written reports including dated photographic records of works and visits at each key stage. The above conditions conform to the British Standard BS 42020:2013 Biodiversity: Code of Practice for Planning and Development.

**5. No development including any site clearance shall take place other than in accordance with the details approved on the 25<sup>th</sup> September 2019 for Biodiversity Enhancement and a Management Plan. The approved BEMP shall be adhered to throughout the construction period and will include a method statement for the translocation of GCN and other reptiles. The content of the method statement shall include the:**

- a) Purpose and objectives for the proposed work;**
- b) Detailed design and/or working method(s) necessary to achieve stated objectives;**
- c) Extent and location of proposed works shown on appropriate scale maps and plans;**
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
- e) Persons responsible for implementing the works shall be carried out in strict accordance with the approved details and shall be retained in that manner thereafter.**

**6. No development shall commence other than in accordance with the Arboricultural Method Statement October 2016 received on the 8.11.16; and AWA2197 Arboricultural Method Statement dated June 2019 approved on the 25th September 2019. No tree or hedgerow other than those shown within these Arboricultural Reports shall be removed unless otherwise agreed. No construction works shall commence until measures for the protection of the trees and hedges to be retained have been provided and approved in writing by the Council and the agreed measures are to be implemented in full during the course of development. The submitted information must include details of a no dig methodology in relation to Tree T8 and T19. The scheme shall conform to BS5837:2012. The general dead wooding and ivy removal recommended within the Arboricultural assessment (para 4.3.6) and within appendix 4 must be carried out in all Play and Open Spaces prior to adoption.**

**Any tree or plant (including any replacement) which, within a period of five years from the implementation of that phase, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species unless the Council consents in writing to any variation.**

**7. No development, groundworks or remediation shall be undertaken other than in accordance with Phasing Plan Nun/14 Rev A received on the 24th January 2019. The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the approved Phasing Plan.**

**8. No development shall commence other than in accordance with the lighting details approved under reference 20.11.330.90 / A 1 of 2 – Contours Higham Lane S38 Warwickshire County Council Street Lighting dated 25.03.2019; 20.11.330.90 / A 2 of 2 – Contours Higham Lane S38 Warwickshire County Council Street Lighting dated 25.03.2019 and 20.11.330.89 & 90 / 3-3/A Higham Lane S278 Warwickshire County Council Street Lighting dated 09/03/2019. Approved in writing by the Council on the 29th April 2019. The approved plan will be implemented in accordance with the approved details.**

9. No construction will be undertaken other than in accordance with the Construction Management Plan Revision A, dated September 2018 approved in writing by the Council in a letter dated 10th October 2018. Only the agreed details shall be implemented on site and shall be adhered to throughout the duration of construction.

10. No development shall take place other than in accordance with the flood modelling WSP Hydraulic Model Approval Certificate, Higham Lane, Nuneaton dated 16/05/2019; WSP Infoworks ICM Watercourse Model Review, Higham Lane, Nuneaton dated 15/05/2019 and RPS Watercourse Modelling Report, Higham Lane, Nuneaton CLE30231 v6 dated 14/05/2019. These were approved in writing by the Council in consultation with Warwickshire County Council on the 3rd July 2019. The findings from the model should thereafter be incorporated into the final site layout using the sequential approach and in accordance with national guidance on development within floodplain.

11. No development shall take place other than in accordance with the details approved on the 4th July 2019 for the western part of the site only for the approved detailed surface water drainage scheme. No development shall take place until a detailed surface water drainage scheme for the eastern part of the site, based on sustainable drainage principles, the approved FRA, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Council in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme to be submitted shall:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate for the site.
- Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.
- Provide a maintenance plan to the Council giving details on how the entire surface water systems shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the Council.

12. No development shall commence other than in accordance with the details approved on the 4th July 2019 for the western part of the site only for the approved foul sewage details. No development shall commence until drainage plans for the disposal of foul sewage for the eastern part of the site has been submitted to and approved by the Council. The scheme shall be implemented in accordance with the approved details before the dwellings are occupied.

13. The development permitted by this planning permission shall not be carried out other than in general accordance with the location of attenuation ponds as detailed in the Conceptual Levels and Drainage Strategy and with the details approved under condition 11.

14. On completion of the attenuation ponds, the developer must procure a post installation inspection of balancing features by ROSPA (or a similarly recognised safety body agreed by the Council). Based on the recommendations of the approved site visit, a report must be submitted providing details of the signage and fencing recommended at the site visit. Once approved by the Council, these safety measures are to be installed and maintained in perpetuity by the Developers Management Company.

15. No development shall commence other than in accordance with the details approved on the 12th July 2019 for the land outside the 'no build zone' and 20m buffer marked on drawing 2176212 subject to installation of the gas protection measures; validation and receipt of validation report in accordance with the submitted verification plan. For other areas, no development shall commence on any phase until:

- a) A contaminated land assessment and associated remedial strategy for that phase, has been submitted to, and agreed in writing by the Council.
- b) The approved remediation works shall be completed on site, in accordance with a quality assurance scheme, agreed as part of the contaminated land assessment.
- c) If during implementation of this development, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remedial strategy shall be submitted to and agreed in writing by the Council before the additional remediation works are carried out. The agreed strategy shall be implemented in full prior to completion of the development hereby approved and
- d) On completion of the agreed remediation works, a closure report and certificate of compliance, endorsed by the interested party/parties shall be submitted to and agreed in writing by the Council.

16. No development shall take place other than within the area highlighted in blue other than in accordance with:

- i) The Written Scheme of Investigation (WSI) approved under document T1574 Written Scheme of Investigation for archaeological trial trench evaluation on land east of Higham Lane Nuneaton, Warwickshire April 2018 dated 27/06/2018 approved by the Council on the 6th November 2018.
- iii) The Archaeological Mitigation Strategy approved under documents T1574 Written Scheme of Investigation for archaeological trial trench evaluation on land east of Higham Lane Nuneaton, Warwickshire April 2018 dated 27/06/2018; Archaeological Trial Trench Evaluation on land at Higham Lane, May 2019 Report No. 19/60 dated

**20 June 2019 and DJ/ML/16120/LET/GE02 Higham Lane, Nuneaton – Additional Site Investigation – Former Whitehouse Farm Buildings Area. Approved by the Council on the 6th November 2018 and 26th July 2018.**

**ii) The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI must be undertaken and a report detailing the results of this fieldwork shall be submitted to and approved by the Council.**

**The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.**

**17. No development shall commence other than in accordance with the boundary treatments, including new walls, fences, and retaining walls approved on the 25th September 2019 under reference AG/Nun-BT Rev N Boundary Treatments dated 18.07.19. No dwelling shall be occupied until the agreed boundary treatment has been carried out in accordance with the approved details.**

**18. No development shall commence other than using the materials provided in the Materials Palette July 2019 Rev C received on the 1<sup>st</sup> Aug 2019, unless agreed otherwise in writing by the Council. The development shall not be carried out other than in accordance with the approved details.**

**19. No development shall take place until other than in accordance with the details approved on the 25th September 2019 for the provision and management of a 4 metre wide buffer zone alongside the Change Brook shall be submitted to and agreed in writing by the Council. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Council. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:**

- Plans showing the extent and layout of the buffer zone.**
- Details of any proposed planting scheme (for example, native species).**
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management.**
- Plus production of detailed management plan.**
- Details of any proposed footpaths, fencing, lighting etc. 035947**

**20. No development shall commence other than in accordance with the two emergency access details approved under ADC/1274/131 Rev P8 Series 1100 Construction Kerbing, Footways and Paved Areas Layout dated 09/08/18 16120-301 Rev C Highway Construction Details dated 04.09.18 and Persimmon Cover Letter dated 06/09/2018. Approved by the Council on the 9th October 2018. The development shall not be occupied until provision has been made in accordance with the approved details.**

21. No development shall commence other than in accordance with the glazing, ventilation and fencing details approved under CW/Nun-NMP Rev A Noise Mitigation Plan dated 25.05.18 and 21797/03-18/5823 Noise Assessment dated March 2018 approved in writing by the Council on the 4th October 2018. No dwelling shall be occupied other than in accordance with the approved details.

22. No development shall commence other than in accordance with AG/Nun-BT Rev N Boundary Treatments dated 18.07.19 approved on the 25th September 2019 and the approved 2m high fence and gates approved on Revision N for the buffer zone (to prevent public access to the north of plots 1 to 239 whilst providing egress for mammals). These plots shall not be occupied until the approved fence and gates have been erected in accordance with the approved details and maintained in perpetuity thereafter unless otherwise agreed in writing by the Council.

23. No development shall commence other than in accordance with the provision of adequate water supplies and fire hydrants approved under the documents A6W/12208/04/04/46 1 of 2 Higham Lane Nuneaton, Severn Trent Water AMP6 Rev B dated 16/03/18 and A6W/12208/04/04/46 2 of 2 Higham Lane Nuneaton, Severn Trent Water AMP6 Rev B dated 16/03/18. On the understanding that eleven hydrant are installed at points TW01, WO06, WO19, WO32, WO35, WO36, FH01, FH02, FH03, FH04, AND FH05 as per drawings supplied and approved by the Council on the 4th October 2018. The development shall not be occupied until provision has been made in accordance with the approved details.

24. No development shall other than in accordance with the details approved on the 25th September 2019 for a Management Plan providing the proposed details of the private maintenance of the green areas including the wildlife buffer not being adopted. The approved Management Plan shall be implemented in full in perpetuity unless agreed otherwise by the Council.

25. No development shall take place in any phase until details of the layout of the open space, including the equipped play area, public open space, ecological and landscaping enhancement areas, boundary details (including knee rail fencing), site securing (including gates, trip rails and kissing gates), surfacing, drainage, bins, seating, signage and notice/information boards, has been submitted to and approved in writing by the Council. No development shall be carried out other than in accordance with the approved details.

26. No development shall take place other than in accordance with the details of bird and bat bricks approved under reference 6882-E-1 Rev B Bat & Bird Box Plan dated 21/11/2018 received on the 27/11/2018 and approved on the 27th November 2018. The approved bricks shall be installed before the occupation of that plot.

27. No development shall commence other than in accordance with plan numbers ADC/1274/100 Rev P14 Series 100 General Arrangement dated 18/06/19 and 24.2- -274-001 Rev A Traffic Signal Equipment Purpose of Drawing: Detailed Design dated 18-09-18 approved on the 26<sup>th</sup> September 2019 and in accordance with the preliminary drawings ADC1274/002 Rev D (Provided within the Additional Transport Assessment). Prior to first occupation of the development the access to the site from Higham Lane shall be constructed, located and laid out in general accordance with

the approved arrangements and technical drawings. Minor alterations maybe required during the detailed design process.

28. No more than 250 dwellings can be occupied until completion and opening of the Northern Link Road is provided between Higham Lane, A5 and/or the A47 The Longshoot.

29. The development shall be constructed and laid out in accordance with the approved Site Plan Nun/01 Rev AT and Street Hierarchy Plan Nun/02 Rev N. Minor alterations maybe required during the detailed design process and technical approval process under Section 38 of the Highways Act 1980.

30. No more than 175 dwellings can be occupied until completion and opening of the emergency access is provided onto Higham Lane.

31. No dwelling shall be occupied until details of Sustainable Welcome Packs (Including public transport information) has been submitted and approved in writing by the Council for each phase. The approved packs shall be provided prior to the first occupation of that dwelling.

**4 AMEND Conditions 10 and 11 to read:**

10. No development within the application area shall be occupied until works to improve the access to the site off the A5 Trunk Road, as per Drawing No. FW1406 910 RevA1 (or as amended by Road Safety Audit or detailed design stage), have been implemented and open to traffic. The scheme shall be carried out in accordance with the details approved as part of Stage 1 RSA and a Walking, Cycling & Horse-riding Assessment and Review (WCHAR).

11. Prior to the construction of the proposed pedestrian crossing shown in drawing FW1406 910 RevA1, a survey of the existing drainage assets along the A5 shall be conducted to assess whether this causes detriment to the Highways England's drainage assets. Any necessary drainage mitigation strategy identified shall be approved in writing by the Council in consultation with Highways England. The approved mitigation scheme shall thereafter be constructed in accordance with the approved plans.

**DELETE Conditions 3. (relating to a construction scheme) and 21. (relating to a lighting scheme)**

**ADD to Conditions:**

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Location Plan	70472-D100	21st February 2019
Site Layout	70472-D01 rev AP	11th July 2019
Landscape Plan	70472-D900 rev F	22nd May 2019
Plans and Elevations	70472-D10 rev A	23rd May 2019
Plans and Elevations	70472-D11 rev D	11th June 2019
Plans and Elevations	70472-D12 rev C	23rd May 2019
Plans and Elevations	70472-D14 rev B	23rd May 2019



Plans and Elevations	70472-D18 rev C	23rd May 2019
Plans and Elevations	70472-D20 rev D	23rd May 2019
Plans and Elevations	70472-D22 rev C	23rd May 2019
Plans and Elevations	70472-D23 rev D	23rd May 2019
Plans and Elevations	70472-D24	11th June 2019
Tree Protection Plan	70472-D905	22nd May 2019

**ADD to Neighbour Responses:**

A letter from Cllr Robert Tromans raising the following issues;

1. Does not form part of the adopted plan, so no housing numbers rely on it
2. A revised scheme could be considered where there was no requirement for affordable housing
3. The site would not 'pepper-pot' affordable housing
4. The site does not meet the tests of sustainability
5. There are viability issues on the site
6. Just because this is the current developer does not mean that Committee should made a bad choice of development
7. St Nicholas and Weddington have had over 1000 affordable homes approved
8. The location is not suitable - it is one of the most isolated sites in the Borough. No amenities within walking distance
9. Since the site is not within the adopted plan there is no obligation to grant planning permission, this application is financially unable to meet its CIL obligations
10. Other types of development would better meet the needs of the local community

**ADD to conditions**

20. No development (other than demolition) shall take place until details of adequate bird and bat boxes to new properties have been submitted to, and approved in writing by the Council.

**ADD to Consultees Notified:**

NBBC Sports Development, George Eliot Hospital Trust.

**AMEND no objection to no objection subject to conditions:**

WCC Highways.

**AMEND to section 1. The Principle of Residential Development**

The second paragraph should read:

"This application proposes 59 affordable dwellings on the site, which is obviously a sought after type of housing in the Borough and indeed across the country."