**Provisional Conditions South Caldecotte Appeal**

**Plan Numbers List**

The approved development shall be carried out in accordance with the following

drawings/details:

Date Registered 15th July 2019.

|  |  |
| --- | --- |
| **Plan Name** | **Plan Reference**  |
| Site Location Plan |   |
| Proposed Site Access Roundabout  |   |
| Parameters Plan  |   |
| Cross Section through Visibility Splay |   |

**Reserved Matters**

Approval of the details of the appearance, landscaping, layout and scale (hereinafter called ''the reserved matters'') shall be obtained in writing from the Local

Planning Authority before any development is commenced on the relevant phase or part hereby approved.

Reason: This is outline permission only and these matters have been reserved for the

subsequent approval, (in three relevant phases) of the Local Planning Authority.

**Time**

Application/s for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun no later than the latest of the

following dates:-

i. The expiration of three years from the date of this permission; or

ii. The expiration of two years from the date of the approval of the last of the reserved matters to be approved

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

**Phasing plan**

Prior to the commencement of development of any phase or part of the development, a phasing plan for the whole site shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the phasing plan shall include the timing and delivery of all roads, footways, redway. The development shall take place in accordance with the approved phasing plan.

Reason: In order to clarify the terms of this planning permission and ensure that the development proceeds in a planned and phased manner.

**Scale of Development**

The development hereby permitted shall not exceed 241,000 sq m unless otherwise agreed in writing with the Local Planning Authority (NB wording can be agreed between the two parties).

Reason: To ensure development conforms to the outline planning permission.

**Contamination**

The development shall be carried out in accordance with the mitigation and remedial works as set out in the **submitted contamination report**. Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the site is fit for its proposed purpose and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with Plan:MK policy NE6.

**LVIA**

As part of any reserved matters application, an updated LVIA shall be submitted (wording can be agreed).

Reason: To ensure an acceptable impact in terms of visual impact of the development.

**Landscape Strategy**

Reserved matters applications for each phase or part of the development shall include a landscaping scheme with detailed drawings showing which trees and hedgerows are to be retained and which trees and hedgerows are proposed to be felled or lopped. The landscaping scheme shall also show planting locations in relation to associated infrastructure; a proportion of native species and species beneficial to wildlife; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Any trees or shrubs removed, dying, severely damaged or diseased within five years of planting shall be replaced in the next planting season with trees or shrubs of such size and species to be agreed by the Local Planning Authority.

Reason: To protect significant trees, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area

Sustainability

**Green Infrastructure**

Reserved matters applications for each phase or part of the development shall include timing of delivery of all associated Green Infrastructure. This includes footpaths, and the created elements of the landscape management strategy. The development shall be carried out in accordance with the approved delivery prior to the occupation of any dwelling within that phase.

Reason:

**Sustainability**

Reserved matters applications for each phase or part of the development hereby permitted shall be accompanied by a Sustainability Statement for that phase or part including, as a minimum, details required by Policy SC1 of Plan: MK. The approved details shall be implemented for each building prior to the first occupation of that building.

Reason: To ensure that the development complies with the sustainable aims and objectives of the Plan: MK policy SC1 and the NPPF.

**Levels**

Any reserved matters application shall be accompanied by details of the

proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure that construction is carried out at suitable levels having regard to

drainage, access, the appearance of the development and the amenities of neighbouring properties in accordance with Policies D3 and D5 of Milton Keynes

adopted Plan: MK (2019).

**Lighting Scheme (bat friendly)**

Any reserved matters applications for the development hereby permitted shall include a lighting scheme for all public and private areas, footpaths and parking areas to be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the lights proposed, a lux plan showing maximum, minimum, average and uniformity levels, details of means of electricity supply to each light and how the lights will be managed and maintained in the future.

If any lighting is required within the vicinity of current or built-in bat features, it shall be low level with baffles to direct the light away from the boxes and units, thus preventing severance of bat commuting and foraging routes. The approved scheme for each phase or part shall be implemented prior to the first use of that phase or part.

Reason: To preserve habitats and protect species, to minimise the effect of development on the area and to reduce the impact on surrounding residents from light spill in accordance with policies D5 and NE2 of Plan:MK (2019).

**Ecology/Biodiversity**

Any reserved matters application shall be accompanied by a Biodiversity Enhancement Scheme and Management Plan including lighting levels, to be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the relevant phase or part of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with Policy NE3 of Plan: MK (2019).

**Drainage**

No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Sustainable Drainage Statement prepared by BWB (ref: SCD-BWB-ZZ-XX-RP-CD-0001\_SDS) dated 09/07/2019 and shall also include:

a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;

b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

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c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;

d) Full details of the proposed attenuation and flow control measures;

e) Temporary storage facilities if the development is to be phased;

f) A timetable for implementation if the development is to be phased;

g) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

h) Full details of the maintenance/adoption of the surface water drainage system;

i) Measures taken to prevent pollution of the receiving groundwater and/or surface water

**Tree Conditions**

Tree Protection/Construction

No phase of development shall take place until all existing trees and hedges to be retained are protected according to the provisions of BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. All protective measures especially tree protection fencing must be put in place prior to any other work commencing on site (this includes vegetation clearance, ground-works, vehicle movements, machinery / materials delivery etc.). The fencing shall be of the same specification as that depicted in figure 2, page 20. Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing. Once erected the local authority tree officer shall be notified within 24 hours of its installation so the fencing can be inspected and approved. The RPA within the protective fencing shall be kept free of all storage, materials, tools, machinery, construction plant, personnel, construction, digging and scraping, service runs, water-logging, changes in level and all other operations and structures, for the duration of the construction phase. No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Reason: To protect trees and hedgerows to be retained, safeguard the character of the area, preserve habitat and to minimise the effect of development on the area in accordance in accordance with policies D1, D2 and NE5 of Plan: MK.

Replacement Tree Planting

19) As part of any reserved matters application, full details of replacement tree planting in accordance with BS 8545: 2014 shall be submitted for approval as part of a general landscaping scheme where appropriate. This shall include full details of tree sizes, species, planting locations, planting spacing’s, pre-planting ground preparations, planting method and long term maintenance and where appropriate root protection measures and strategy for replacement of trees that fail to thrive within five years of planting.

Reason: To protect trees and hedgerows to be retained, safeguard the character of the area, preserve habitat and to minimise the effect of development on the area in accordance in accordance with policies D1, D2 and NE5 of Plan: MK.

Retained Trees/Maintenance

Any reserved matters application shall be accompanied by:

* An Arboricultural Impact Statement,
* A Tree Protection Plan and,
* An Arboricultural Method Statement

All in accordance with BS 5837:2012 and the details shall include a scale plan accurately marking the position of all the retained trees and hedges, the extent of the root protection areas, the BS 5837: 2012 tree protection fencing along the root protection area margin, any areas to be covered in BS 5837: 2012 ground protection, construction details for the BS 5837: 2012 fencing and ground protection and sufficient detail of hard & soft landscaping works, service and drainage runs and proposed & existing spot levels in sufficient numbers and at appropriate spacing’s to enable the impact of the development on the tree root zones to be assessed for approval in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details.

Reason: To protect trees and hedgerows to be retained, safeguard the character of the area, preserve habitat and to minimise the effect of development on the area in accordance in accordance with policies D1, D2 and NE5 of Plan: MK.

**Archaeological**

No development shall take place until an archaeological field evaluation comprising trial trenching has been completed. The archaeological evaluation shall be detailed in a Written Scheme of Investigation which shall be submitted to and approved in writing by the Local Planning Authority. On completion of the archaeological field evaluation a further Written Scheme of Investigation for a programme of archaeological mitigation in respect of any identified areas of significant buried archaeological remains shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall include a statement of significance and research objectives; and:

a. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works b. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

No development shall take place other than in accordance with the Written Scheme of Investigation so approved. The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To enable expert investigation of cultural remains at this site of archaeological interest in accordance with Policy HE1 of Plan:MK (2019).

**CEMP**

No development, including any works of demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include site procedures to be adopted during the course of construction including:

o routes for construction traffic

o Method of prevention of mud being carried onto the highway

o location of site compound

o loading and unloading of plant and materials

o the erection and maintenance of security fencing/hoardings and lighting

o proposed temporary traffic restrictions

o parking of vehicles of site operatives and visitors

The development shall be carried out in full accordance with the approved CEMP.

Reason: To ensure there are adequate mitigation measures in place, in the interests of highway and pedestrian safety and in order to protect the amenities of existing and future residents in accordance with policies CT1 and NE6 of Plan: MK.

**Highways Conditions**

**A5 Roundabout/Highways England**

No part of the development hereby approved shall be occupied until a Section 278 (of the Highways Act 1980) agreement has been entered into which includes an obligation on the part the applicant to pay the cost of implementing the improvement works to the A5/A4146 junction as required by Highways England (plan and scheme of works will need to be agreed)

Reason: In order to safeguard the integrity of the A5 and its ability to accommodate the development traffic impact.

**Access Details**

As part of any reserved matters application, details of the proposed access junction shown on Proposed Parameters Plan are to be submitted to and approved in writing by the Local Planning Authority. The access shall be laid out and constructed in accordance with the approved details prior to the commencement of development on site.

Reason: In order to provide adequate construction access and to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policy CT1 of Plan: MK.

**Grid Road Upgrade and Reserve**

As part of any reserved matters application, a plan showing details of the area of Brickhill Street to be upgraded to grid road standard and the area of Brickhill Street to be reserved for future grid road upgrade shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policy CT1 of Plan: MK.

**Redway Provision**

As part of any reserved matters application, details of Redway provision within the site, including along the entire length of Brickhill street shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policy CT1 of Plan: MK.

**Brickhill Street/Station Road Mini-Roundabout**

As part of any reserved matters application a plan showing details of sufficient land to improve this junction to a minimum 40m ICD roundabout or suitable alternative to allow HGV provision and capacity shall be submitted.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policy CT1 of Plan: MK.

**Land for Future Railway Bridge**

The two Parties will in principle seek to agree a wording in for a condition in relation to land to be safeguarded for a future railway bridge crossing.

**Travel Plan**

A full travel plan will be required, wording to be agreed between the two parties.

**Onsite Access Roads, etc**

As part of any reserved matters application details of the proposed on-site industrial access roads, footways and Redways shall be submitted to and approved in writing by the Local Planning Authority

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policy CT1 of Plan: MK.

**Cycle Parking**

As part of reserved matters, details of secure, covered parking to be provided as part of an RM application.

**Informatives**

Consent in IDB District

This site falls within the Buckingham and River Ouzel Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.