

## REPORT NO 5

### Committee Report

<b>Application No:</b>	<b>DC/19/01257/FUL</b>
<b>Case Officer</b>	<b>David Morton</b>
<b>Date Application Valid</b>	<b>19 December 2019</b>
<b>Applicant</b>	<b>Home Group</b>
<b>Site:</b>	<b>Oban Terrace Felling Gateshead</b>
<b>Ward:</b>	<b>Felling</b>
<b>Proposal:</b>	<b>Erection of a residential apartment block, consisting of 12no. 1 bed self contained flats with communal and office space.</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

### 1.0 The Application:

#### 1.1 DESCRIPTION OF THE SITE

The application relates to an area of vacant land, following the demolition of terraced properties. The site is located within a mixed-use area. There are residential properties located to the west, and a care home located to the east. The residential properties are two storeys in height and have offshots in various forms to the rear (east). The Fellingdate Care Centre is a split-level property of four storeys, the building is relatively modern and was constructed in 2010.

1.2 There are highways running to the north and west of the application site with open space located to the south. Land levels within the area and on the application site slope steeply from north to south.

1.3 The application site is not allocated within the Local Plan.

#### 1.4 DESCRIPTION OF THE PROPOSAL

The application seeks full planning permission for the erection of a four-storey building comprising of 12 one-bedroom apartments together with an office, communal lounges, a communal kitchen and communal garden.

1.5 The proposed building has its main frontage to the north, facing onto Sunderland Road. The building has been designed with a flat roof, the building will be constructed mainly in brick with timber effect cladding sections. The main entrance to the building will be defined by an access canopy.

1.6 Main pedestrian and vehicular access will be gained via a single site access to the north and the proposed carpark will also be located to the north of the building. The carpark is designed to accommodate eight spaces, two of which are accessible spaces.

- 1.7 The application is accompanied by the following documents:
- Contaminated Land Risk Assessment & Remediation Strategy;
  - Design and Access Statement;
  - Ecological Appraisal;
  - Flood Risk and Drainage Assessment; and
  - Sunlight and Daylight Assessment.

1.8 **PLANNING HISTORY**

There is no recent planning history associated with the application site.

**2.0 Consultation Responses:**

Northumbria Police                          No objection.

Northumbrian Water                          No objection.

**3.0 Representations:**

- 3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015. A total of four objections have been received and are summarised as follows;

- The proposed development would impact on natural light enjoyed by residential properties;
- The proposed development would have an unacceptable impact on outlook;
- The development could result in impact during construction;
- The design of the proposed development is not in keeping with neighbouring properties; and
- The proposed development could impact on the area and the area has a history of issues regarding drug and other addiction.

**4.0 Policies:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

ENV3 The Built Environment - Character/Design

ENV46 The Durham Biodiversity Action Plan

ENV47 Wildlife Habitats

H4 Windfall and Small Housing Sites

H5 Housing Choice

H13 Local Open Space in Housing Developments

H15 Play Areas in Housing Developments

DC1D Protected Species

DC1J Substrata Drainage-Water Quality

CFR20 Local Open Space

CFR23 Protecting and Imp Existing Open Space

CFR28 Toddlers' Play Areas

CFR29 Juniors' Play Areas

CFR30 Teenagers' Recreation Areas

CS11 Providing a range and choice of housing

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

GPGSPD Gateshead Placemaking Guide SPG

## **5.0 Assessment:**

5.1 The detailed planning considerations are the principle of the proposed development, the impact on design, residential amenity, flood risk, drainage, land contamination, highway safety, contamination, ecology, open space and play area provision and CIL.

### **5.2 PRINCIPLE**

As the application site is not specifically allocated for housing in the UDP, proposals for housing need to be considered in terms of windfall housing under policy H4 of the UDP. Policy H4 of the UDP gives a number of criteria that need to be assessed.

5.3 It is considered that the site meets the saved criteria set out in policy H4 in relation to its sustainable location within an established housing area, close to local services and public transport routes, and it would help to sustain the local community. As a result, the principle of developing this site for residential use is considered acceptable should all other material planning considerations be satisfied.

### **5.4 Housing Mix**

Core Strategy and Urban Core Plan (CSUCP) policy CS11(1) requires that a minimum of 60% of new private housing across the plan area is suitable and attractive for families (i.e. homes with three or more bedrooms).

- 5.5 The application proposes the erection of 12 one-bedroomed apartments, none of which could be family homes.
- 5.6 The development would add to the housing range on offer, however it would not provide any additional family housing but in the context of borough wide housing delivery it is considered that the housing makeup is appropriate in accordance with policies CS10 and CS11 of the CSUCP and saved UDP policies H5 and H10.
- 5.7 Residential space standards  
Policy CS11(4) requires that new residential development provides "adequate space inside and outside of the home to meet the needs of residents". It is considered based upon the submitted information that the application meets this requirement providing adequate space both internally and externally.
- 5.8 It is considered that the principle of residential development of this site is acceptable, subject to all other material planning considerations being satisfied and would be in accord with saved UDP policies H5 and H9 of the UDP, policy CS11 of the CSUCP as well as the NPPF.
- 5.9 DESIGN ISSUES  
The NPPF at Paragraph 124 makes it clear that 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.' It goes on to make clear that 'good design is a key aspect of sustainable development...'  
5.10 Further, Paragraph 130 states that;  
*"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents."*
- 5.11 The CSUCP reflects the general aims of the NPPF encouraging economic growth and identifying the importance of quality of place. Policy CS15 refers specifically to Place Making and the need for new development to demonstrate high and consistent design standards in line with the Council's design guidance contained in the Gateshead Placemaking SPD.
- 5.12 The design of the proposed development demonstrates a well-considered and respectful response to the site, its setting and the obvious site constraints including the significant level changes on the site and separation distances between existing development. The submitted Design and Access Statement (DAS) is thorough and well presented, giving a clear understanding of process, of the site and its context, and all the necessary considerations required to achieve a successful design solution. It provides information at a detailed level,

looking at all relevant aspects of design and successfully presents the proposed design solution in detail.

- 5.13 On this basis, it is considered that the proposed development represents a good design solution which is sympathetic to the surrounding area and would not appear out of keeping with the existing housing stock and other buildings as a result. It is considered necessary to condition that the final details of materials be submitted to the Council (Conditions 3 and 4).
- 5.14 Based on the above, it is considered that the proposed development has successfully demonstrated that it has achieved a high standard of design that will contribute to the site and its surrounding context. The scheme is acceptable from a design point of view and subject to the recommended conditions accords with the design aims and objectives of the NPPF, saved policy ENV3 of the Council's UDP and policy CS15 of the Council's CSUCP.
- 5.15 **RESIDENTIAL AMENITY ISSUES**  
It is considered that the properties which are most likely to be impacted upon by the proposed development are those residential properties located to the west of the application site (most significantly 11 - 19 (odd) Oban Terrace) and Fellingate Care Home(the care home) to the east.
- 5.16 In regard to the care home, there are clearly habitable room windows located within the western elevation of this property. On this basis, the applicant has ensured that where there is a direct interface between the care home and the application site a separation distance of 25 metres has been retained. It should be noted that the application proposes no windows within the eastern elevation facing the care home. Where separation distances fall below 21 metres (non-direct interfaces) the views afforded would be oblique in nature. On this basis, it is considered that the proposed development would not have an unacceptable impact on the occupiers of the care home as the proposed development and would not result in a harmful loss of light, overshadowing, visual intrusion or overlooking.
- 5.17 Turning to the properties located on Oban Terrace, it should be noted that there are no windows proposed within the western elevation of the development. The proposed development would have a separation distance of 9.6 metres from its western elevation to the single storey offshoot and 12 metres to the two-storey offshoot to the rear of 11 and 13 Oban Terrace; only non-habitable windows exist within these elevations. The proposed development has a separation distance of 16.4 metres to the main elevation of 13 and 15 Oban Terrace. The proposed development would have a separation distance of 9.3 metres from the single storey offshoots of 15 and 17 Oban Terrace and 11.5 metres from the two storey offshoots associated with these properties; no windows are located within the eastern elevation of these offshoots. The proposed development would be located 16.3 metres from the main rear elevation of 15 Oban Terrace. Given no windows are located within the western elevation of the proposed development and the relationship with the northern and southern elevations which are oblique, it is considered that no unacceptable overlooking would occur. While it is considered that the development would inevitably impact on

the outlook from the rear of the properties on Oban Terrace, most notably 11 - 19 (odd), it is considered that the development has been positioned and designed to reduce this impact to a minimum and on balance it is considered that the proposed development would not lead to any unacceptable overbearing impact on any property on Oban Terrace.

- 5.18 Turning to sunlight and daylight, given the scale and orientation of the proposed development it is accepted that impact would occur. To this end, the applicant has submitted a Daylight and Sunlight Study assessing the impact of the development in regard to daylight to windows, sunlight to windows and overshadowing to garden/open spaces. The study does identify that some windows (within the rear of 13 Oban Terrace) would suffer a 23% reduction in daylight availability, guidelines suggest a 20% reduction may be noticeable to an occupier; however, the report notes these windows are already significantly hampered by existing neighbouring offshoots. The report also goes on to state that three windows, one within each of 13, 15 and 19 Oban Terrace would marginally fail the sunlight hours test, however it is again noted these windows are '*self-obstructed by the projecting wings/offshoots*'. The overshadowing to gardens and open spaces is shown to be minimal by the study. The submitted study concludes; "... *the numerical results in this study demonstrate that the proposed development will have a very low impact on the light receivable by its neighbouring properties. In our opinion, the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.*" Officers are of the opinion that while the proposed development would result in some impact on sunlight and daylight enjoyed by the occupiers of Oban Terrace this impact would be limited and as such would not warrant the refusal of planning permission.
- 5.19 Further to the above, given the separation distance afforded to the properties to the north (Clayton Terrace) and their commercial use it is considered that no unacceptable impact on amenity would occur.
- 5.20 Construction works associated with the development could impact on the living conditions of adjacent neighbours. It is recommended that conditions be imposed that would require the submission and approval of appropriate details in regard to hours of construction, location of the site compound (including locations for site vehicles and materials) and controls over dust and noise (Conditions 5 and 6).
- 5.21 Based on the above, it is considered that the development is acceptable from a residential amenity point of view and accords with the aims and objectives of the NPPF, saved policy DC2 of the Council's UDP and policy CS14 of the Council's CSUCP.
- 5.22 TRANSPORT ISSUES  
It is considered that the proposed development would not lead to an increase in vehicle or pedestrian movements which could be considered to have any significant impact on the highway network.

- 5.23 Parking requirements have been assessed as falling between typical flats (for which the minimum parking standard would be 15 spaces) and a house of multiple occupation (for which the minimum standard would be 5 spaces). It is considered by officers that eight parking spaces is acceptable, particularly as the rear lane of Oban Terrace could be used for overspill on-street parking without prejudicing highway safety.
- 5.24 While the application has provided for cycle parking, the form and location of this parking is considered to be unacceptable and as such it is considered to condition the final details of cycle parking (Conditions 7 and 8). Further, the application has failed to provide any electric vehicle charging spaces and it is considered necessary to condition the final details of such facilities (Condition 9 and 10).
- 5.25 It is therefore considered that subject to the above conditions the proposed development is acceptable in highways terms and would accord with the aims and objectives of the NPPF and policy CS13 of the Council's CSUCP.
- 5.26 **FLOOD RISK/DRAINAGE**  
A drainage assessment has been submitted and it has been demonstrated that a greenfield runoff rate would be achieved. It is accepted that the proposed drainage system offers a workable solution to dealing with the drainage associated with the site, as such the delivery of the drainage system should be secured through a planning condition (Condition 11).
- 5.27 Subject to the above planning condition the proposal is considered to be acceptable from a flood risk and drainage point of view and would accord with the aims and objectives of the NPPF, saved policy DC1 (j) of the Council's UDP and policy CS17 of the Council's Core Strategy and Urban Core Plan.
- 5.28 **LAND CONTAMINATION**  
A Contaminated Land Risk Assessment, Remediation Strategy and Gas Monitoring Report have been submitted in support of the application. Officers agree with the conclusions of these reports and subject to conditions pertaining to non-identified contamination and the submission of a verification report (Conditions 12 - 15) it is considered that the application is acceptable in land contamination terms.
- 5.29 Subject to the above conditions, the proposal would comply with the aims and requirements of saved policy DC1 of the UDP and policy CS14 of the CSUCP.
- 5.30 **ECOLOGY**  
The planning application is supported by an ecology survey, the report concludes that the proposed development would have '*... no significant adverse effect on notable species and/or habitats*'.
- 5.31 The report, however, makes several recommendations including:
- A landscaping scheme incorporating the use of trees, shrubs and plant species beneficial to wildlife;
  - The provision of 2no. nest boxes for hole nesting bird species; and

- The provision of 2no. integral bat roost features to be incorporated within the fabric of the new building(s) to be constructed on site.
- 5.32 It is considered that the above requirements, in addition to conditions pertaining to tree protection should be attached to the application (Condition X to X).
- 5.33 Therefore, subject to the above conditions it is considered that the proposal would be acceptable in terms of impact on ecology and is in accordance with the aims and requirements of saved policies DC1(d), ENV46 and ENV47 of the UDP and policy CS18 of the CSUCP.
- 5.34 **PLAY AND OPEN SPACE**  
Saved policies H13 and H15 of the Council's UDP require new residential development to contribute towards open space and play provision. This is based on the anticipated population of the development and is based on the standards of open space and play provision required per population under saved policies CFR20, CFR28, CFR29 and CFR30 of the UDP.
- 5.35 Pooling restrictions were introduced by the Community Infrastructure Levy Regulations 2010 which meant that no more than 5 obligations can be pooled in respect of an infrastructure type or infrastructure project. The Council exceeded the 5-obligation maximum in respect of all three types of play (toddler, junior and teenage) and for open space.
- 5.36 With regards to the open space and play space contributions, the legislation has changed to mean that the pooling restriction has now been lifted and therefore, in theory, the Local Planning Authority could seek a contribution towards off site open space and/or play provision. Given that there has not been enough time since the change to the legislation for the Council to identify where an off-site contribution could be spent, the Local Planning Authority are of the opinion that it would not be reasonable in this instance to require it.
- 5.37 Therefore while it cannot be concluded that the appeal proposal would comply with saved policies H13, H15, CFR20, CFR28, CFR29 and CFR30 of the UDP, the Local Planning Authority consider that it is not possible to require any contribution for either off site open space or play provision in this case based on the above assessment.
- 5.38 **COMMUNITY INFRASTRUCTURE LEVY**  
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is CIL chargeable development as it is for housing related development. The development is located within a charging zone with a levy of £0 per square metre for this type of development.
- 5.39 **OTHER MATTERS**  
NPPG at Paragraph: 015 Reference ID: 21a-015-20140306 advises that it is rarely appropriate to use conditions to limit the benefits of the planning permission to a particular person or group of people. As in any application for

dwellings, planning is not able to control the type of individual who would occupy the properties within that use class. As such, concerns relating to the proposed occupants of the residential units has not been afforded weight.

- 5.40 It is considered that all other material planning considerations raised by objectors have been addressed within the main body of the report.

## **6.0 Conclusion**

- 6.1 It is considered that the development would bring about a number of benefits such as providing housing to support growth as set out in the Local Plan. The development would also have economic benefits from construction jobs.
- 6.2 Taking all other relevant issues into account, it is considered that the proposed development is acceptable; the proposal (subject to planning conditions) is considered to accord with the aims and objectives of both national and local planning policies. Given the above, it is recommended that planning permission be granted subject to the planning conditions set out below.

## **7.0 Recommendation:**

- 7.1 That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

9102 S2 P1 – Existing Site Plan  
9103 S2 P1 – Proposed Site Plan  
9108 S2 P1 – Site Sections  
9105 S2 P2 – Site Elevations 1 of 2  
14N617-SK002 P1 – Drainage Layout  
1552-4-2 Rev A – Garden Layout  
9107 S2 P1 – GA Planning Elevations  
9106 S2 P2 – Site Elevations 2 of 2  
1552-4-1 Rev A – Landscape Layout Plan  
Site Location Plan

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

### **Reason**

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

**Reason**

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

No individual external materials shall be used on site until a sample of the relevant material to be used has been submitted to and subsequently approved in writing by the Local Planning Authority.

**Reason**

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The development shall be completed using the materials approved under Condition 3 and retained as such in accordance with the approved details thereafter.

**Reason**

To safeguard the visual amenities of the area in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

5

No development shall commence until a Construction Management Plan (CMP) for the development has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include:

- a dust management plan
- a noise management plan
- contractor parking
- details of delivery arrangements

All works and ancillary operations in connection with the construction of the development, including deliveries to the site, shall be carried out only between 0800 hours and 1700 hours on Mondays to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.

**Reason**

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

6

The development shall be implemented in accordance with the CMP measures approved at condition 5.

Reason

In order to avoid nuisance to the occupiers of adjacent properties during the construction phases of the development in accordance with the NPPF, saved policies DC1(h) and DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan.

7

Prior to the commencement of use hereby permitted final details of cycle storage for staff and residents, including details of the locking mechanism and/or anchor point shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy.

8

The cycle storage provision approved at condition 7 shall be provided prior to the commencement of the use hereby permitted.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy.

9

Prior to first occupation of unit hereby permitted details of electric vehicle charging points to be provided including details of the number, location, specification and timescale for implementation of the charging points have been submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel choices in accordance with the NPPF and policies CS13 of the Council's Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

10

The electric vehicle charging units/points approved at condition 9 shall be provided in accordance with the approved timescales.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP.

11

The drainage scheme hereby approved shall be constructed and maintained in full accordance with the following information;  
Drainage Impact Assessment, BGP, August 2019.

Reason

In order to ensure the provision of satisfactory drainage and avoid pollution of the environment in order to comply with the NPPF, saved Policy DC1(j) of the Unitary Development Plan and Policies CS14 and CS17 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

12

The remediation works detailed in the 'Remediation Strategy' made up of the following documents;

- Phase 2 Site Investigation Report (S140405/SI), Solmek, July 2014;
- Further Contamination Investigation Report (S180616), Solmek, July 2018; and
- Ground Gas Assessment Report (S140405/GAS), November 2014

shall be wholly undertaken within the timescales set out within the approved strategy.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

13

Upon completion of the remediation works detailed in the approved Remediation statement and prior to the occupation of any dwellinghouse hereby permitted, under condition 12, a detailed Remediation Verification report shall be submitted to the Local Planning Authority for approval. The report should provide verification that the required works regarding contamination have been carried out in full accordance with the approved Remediation Strategy Statement, and should provide a summary of remedial works carried out together with relevant documentary evidence and post remediation test result to demonstrate that the required remediation has been fully met.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the National Planning

Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

14

During development works, any undesirable material observed during excavation of the existing ground should be screened and removed. If any areas of odorous, abnormally coloured or suspected contaminated ground are encountered during development works, then operations should cease until the exposed material has been chemically tested. An amended risk assessment of the development (including a timescale for implementation) should then be undertaken, to determine whether remedial works are necessary.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

15

Any works deemed to necessary following testing (as part of condition 14) shall be carried out in accordance with the timescales approved as part of condition 14.

Reason

In order to ensure the safety of site operatives and to ensure that the land is suitable for its end use in accordance with the National Planning Policy Framework, policy CS14 of the Core Strategy and Urban Core Plan and saved policy DC1(p) of the Unitary Development Plan.

16

Notwithstanding the submitted plans, prior to the first occupation of any residential unit hereby approved full details of the proposed landscaping to be provided on site including tree and shrub planting, hedgerow creation and wildflower grassland creation must be submitted to and approved in writing by the local planning authority. The submitted details shall include a timetable for implementation, information on site preparation, species, sizes, planting schedules, establishment, aftercare and long-term management

Reason

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

17

The approved landscaping scheme shall be implemented, maintained and retained in full accordance with the detailed approved under Condition 16.

**Reason**

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

18

Notwithstanding the information submitted no development shall progress above damp course level of the building hereby approved until full details of the bird and bat box scheme to be provided as part of the development, including a timescale for implementation, has been submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure the development provides replacement/enhanced opportunities for protected and priority species in accordance with the NPPF, Unitary Development Plan Policy ENV46 and Policy CS18 of the CSUCP.

19

The approved bird and bat box scheme shall be implemented and retained in full accordance with the detailed approved under Condition 18.

**Reason**

To ensure that a well laid out planting scheme is achieved in the interests of the visual amenity of the area and in accordance with the NPPF, saved policies DC2 and ENV3 of the Unitary Development Plan and policies CS14 and CS15 of the CSUCP.

20

Notwithstanding the submitted information, no development shall commence until a scheme for the protection of the retained trees has been submitted to and approved in writing by the Local Planning Authority. The scheme must include a plan clearly showing the location and specification of the protective fencing to be used.

**Reason**

To ensure the satisfactory protection of trees in accordance with the NPPF, policy CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

**Reason for Pre-commencement Condition**

This pre-commencement condition is required to satisfy the Local Planning Authority that the development can be carried out in a manner that protects existing trees that are to be retained. This information is fundamental to the development and requires approval prior to development starting on the site.

The tree protective fencing approved at condition 10 must be installed prior to the commencement of development and thereafter retained intact for the full duration of the construction works (unless and alternative is agreed in writing by the LPA) and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the Local Planning Authority.

#### Reason

To ensure the satisfactory protection of trees, shrubs and hedges in accordance with the NPPF, policies GV6 and CS18 of the Core Strategy and Urban Core Plan and saved policies DC1, ENV3, ENV44 and ENV47 of the Unitary Development Plan.

#### Reason for Pre-commencement Condition

This pre-commencement condition is required to satisfy the Local Planning Authority that the development can be carried out in a manner that protects existing trees that are to be retained. This information is fundamental to the development and requires approval prior to development starting on the site.

