

## PLANNING & LICENSING COMMITTEE

15<sup>TH</sup> MARCH 2022

### ADDENDUM REPORT

Report no.	Item no.	Application no.	Applicant	Parish
55/2022	1	2021/1423/MAO	LANGTON HOMES	LANGHAM

#### Conditions

As set out in the main report there is no objection from highways or the LLFA. For clarity this is a revised set of conditions to take account of minor differences in highway conditions etc.

1. Application for approval of the reserved matters 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 requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. No development shall be commenced until plans and particulars of "the reserved matters" referred to in the above conditions relating to the appearance, landscaping, layout and scale have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
Reason - The application as submitted does not provide sufficient particulars for consideration of these details.
3. The development shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
Reason – To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
4. The Reserved Matters shall provide for a maximum of 50 dwellings.  
REASON - The provision of a greater number of dwellings would reduce the space available for open space, sustainable drainage, ecological interests and result in a cramped form of development and in accordance with Policies SP5 and SP15.
5. The Reserved Matters shall be based upon the following plans and documents:
  - Drainage Strategy Plan ADC2813/DR/051 P2 contained the ADC Report ADC2813-RP-C
  - Proposed Access Junction Layout plan ADC2813-DR-001-P3.

- The recommendations for biodiversity enhancements in sections 4 and 5 of the Feasibility Study For Biodiversity Net Gain by Fauna Forest Ecology dated February 2022.

and shall have regard to:

- The revised Illustrative Master Plan Ref. GL1655 SK1, received on 25 February 2022.
- The Design & Access Statement, Goldby & Luck, November 2021.

REASON - To ensure that the final development accords with the parameters set out in the outline application has an acceptable relationship with the adjoining properties, provides adequate open space and a sustainable drainage scheme and in the interests of proper planning.

6. No development shall commence until details of existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed scheme before any dwelling is first occupied.

Reason: To ensure that the relationship of the proposed dwellings to each other and to adjacent dwellings is acceptable, in the interests of residential amenity.

7. No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Reason: To ensure that appropriate boundaries are installed in the interests of visual and residential amenity.

8. The landscaping scheme to be submitted as part of the reserved matters shall be designed in accordance with the Feasibility Study For Biodiversity Net Gain by Fauna Forest Ecology dated February 2022.

Reason: To ensure that the development provides the requisite increase in biodiversity for the site.

9. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details, approved in Condition 2 above, shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

REASON – To ensure that the landscaping is carried out at the appropriate time and is properly maintained, in the interests of residential and visual amenity.

10. No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.

11. No development shall take place until the existing trees on the site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping / shown to be retained on the approved plan, have been protected by the erection of temporary protective fences in accordance with BS5837:2012 and of a height, size and in positions which shall previously have been agreed, in writing, with the Local Planning Authority. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Within the areas agreed to be protected, the existing ground level shall be neither raised nor lowered, and no materials or temporary building or surplus soil shall be placed or stored there. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

REASON- The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site, in accordance with Policy SP15.

12. The development hereby permitted will be restricted to a maximum discharge rate of 5l/s for the whole site in accordance with the Flood Risk Drainage Strategy Addendum Version 3.

Reason: To ensure that there is no flood risk off the site resulting from the proposed development.

13. The development hereby permitted shall not commence until full details of the design, implementation, maintenance and management of a sustainable drainage system for the site have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Information about the temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts and ditch clearance where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A full capacity and condition assessment of the existing ditches from the discharge point, upstream for 500m and downstream to through Langham Brook to Whissendine Brook;
- e) A timetable for implementation;
- f) Site investigation and test results to confirm infiltrations rates; and
- g) A detailed management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

Reason : To ensure that the proposed development can be adequately drained whilst ensuring there is no flood risk on or off the site resulting from the proposed development.

14. The development hereby permitted shall not commence until Land Drainage Consent has been granted for the outfall into the adjacent ordinary water course.  
REASON: To prevent the increased risk of flooding off-site resulting from the proposed development.
15. A detailed design of off-site highway works reflecting the principles shown in Proposed Highway Works plan number ADC2818-DR-002 Rev P1 shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in full prior to first occupation.  
Reason: In the interest of highway safety.
16. Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare.  
Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.
17. Any new trees located within 5m of the existing or proposed public highway must be planted with root-protection, details of which must be approved in writing by the Local Planning Authority.  
Reason: In the interests of highway safety.
18. All private areas of hardstanding will be designed to prevent the discharge of surface water from them onto the existing or proposed public highway.  
Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
19. The proposed principal junction with the existing public highway shall be constructed up to and including at least road base level and be available for use prior to the commencement of any development including the delivery of materials.  
Reason: To ensure that the junction is available for use at the outset in the interests of highway safety.
20. No dwelling shall be occupied until the access road or driveway linking that dwelling to the public highway has been completed to a minimum of base course level and footways/cycleways/shared surfaces shall be completed to surface course level. In the event any of the dwellings will be occupied prior to the access road serving that property being fully surfaced then a timetable and phasing plan for completing the roads shall be submitted to and approved in writing by the Local Planning Authority. The access roads and driveways shall thereafter be completed in accordance with the approved timetable and phasing plan.  
Reason: In the interests of highway safety.
21. Prior to commencement of development vehicle to vehicle visibility splays measuring 2.4m x 56m to the east and 2.4m x 51m to the west on Cold Overton Road as approved on the original planning consent 2020/0380/OUT plan ADC2003-DR-001 Rev P3 and 2.4m x 25m as shown on approved plan ADC2818-DR-001 Rev P4 will be provided and maintained clear of obstruction within 600mm in height above ground level.  
Reason: In the interest of highway safety.

22. The developer shall agree the extent of a pre-condition highway survey and carry out a joint inspection of the condition of the public highway before site traffic commences. The results of the inspection will be provided by way of a photographic survey by the developer to the Local Highway Authority. A similar inspection will take place on completion of the development and any defects identified and repaired.

Reason: In the interests of highway safety.

23. No development shall take place, including any demolition work, until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:-

- a) A scheme for monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmacadam, to be maintained free of mud, slurry and any other form of contamination during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery
- e) Measures to ensure that vehicles can access the site immediately upon arrival to ensure there is no park, waiting, loading/unloading or queuing on the public highway.
- f) Details of site compounds, storage area and contractor/visitor parking/turning.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation of any tree protection measures.
- i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.
- j) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of residential amenity and highway safety.

## **INFORMATIVES**

### **1. CIL Note**

**2. Street Naming & Numbering - Section 17 - 18 Public Health Act 1925**

The development will result in the creation of new street(s) and/or new dwelling(s) and/or allocate appropriate street names and property numbers. This procedure is applicable to the sub-division of premises, which will provide multiple occupancy for both residential and commercial buildings. Before development is commenced an application should be made, allowing 8 weeks to complete. Details are available on our website at the following link:- <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/street-name-and-numbering/>

Should you require assistance please email [snn@rutland.gov.uk](mailto:snn@rutland.gov.uk). Please note this is not a function covered by your planning application but is a statutory obligation of the Local Authority, and must be dealt with as a separate matter following planning approval.

**3. Utility Services - Section 50 NRSWA 1991**

The development is likely to involve works within the public highway in order to provide services to the site or which will affect existing services. Such works must be licenced under the New Roads and Street Works Act 1991. It is essential that, prior to the commencement of such works, adequate time be allowed in the development programme for; the issue of the appropriate licence, approval of temporary traffic management and booking of road space. Further details can be obtained from our website and any queries can be emailed to [highways@rutland.gov.uk](mailto:highways@rutland.gov.uk).

**4. Off-site Highway Works – Section 278 Highways Act 1980**

The development involves extensive works within the public highway. Such works must be the subject of a legal agreement under Section 278 of the Highways Act 1980. It is essential that prior to the commencement of the highway works, adequate time is allowed in the development programme for; approval by the council of the design, contractors, technical vetting, safety audits, approval of temporary traffic management, booking of road space for off-site highway and service works and the completion of the legal agreement. Works must not commence until the legal agreement is in place and road space booked. Please email [highways@rutland.gov.uk](mailto:highways@rutland.gov.uk) for further details.

**5. Penalty for Depositing on the Highway - Section 148, Sub-Sec C Highways Act 1980**

It is an offence to deposit anything including building materials or debris on a highway which may cause interruption to any user of the highway (including footways and verges). In the event that a person is found guilty of this offence, a penalty may be imposed in the form of a fine. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

**6. Removal of Deposits on the Highway – Section 149 Highways Act 1980**

If anything is so deposited on a highway as to constitute a nuisance, the Local Highway Authority may by notice require the person who deposited it there to remove it forthwith and if he fails to comply the Local Highway Authority may make a complaint to a Magistrates Court for a Removal and Disposal Order. In the event that the deposit is considered to constitute a danger, the Local Highway Authority may remove the deposit forthwith and recover reasonable expenses from the person who

made the deposit. It is the responsibility of the developer and contractor(s) to ensure that no building materials or debris are placed on or remain within the highway during or after the construction period.

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