

Application No: 20/0860C

Location: PLOT 63 (PHASE 2), POCHIN WAY, MIDDLEWICH

Proposal: The proposed development is for a single industrial unit, Use class B1, B2, B8, totalling 123,000 sq. ft. which will incorporate Warehouse space, and offices on the first and second floors. The development would also incorporate:. Car parking provision. A complimentary scheme of soft landscaping;. Pedestrian access paths;. Cycle stores;. Bin store;. Self-contained service yard

Applicant: c.o Agent

Expiry Date: 15-Jun-2020

## **SUMMARY**

This proposal would bring economic benefits through the delivery of new jobs within an established industrial park where the local plan allocates such uses.

The proposal is compatible with the surrounding development and the design, scale and form of the building would sit comfortably with those within the locality.

The impact on neighbouring residential amenity would not be significant.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network subject to a contribution to the to the Middlewich Eastern Bypass in priority and/or transport schemes to Town Bridge, the A54 corridor and Croxton Lane.

The ecological impacts of the development can be satisfactorily mitigated.

Issues of air quality and contaminated land can be controlled by conditions.

It is considered that the development would not prejudice the delivery of a railway station for Middlewich as set out in LPS 43 (Brooks Lane)

The proposals are considered to be in accordance with both the Development Plan and the guidance of the National Planning Policy Framework. Paragraph 11 of the above Framework stipulates that proposals that accord with the Development Plan should be approved without delay. As such, the application is recommended for approval subject to conditions.

The proposal is therefore found to be economically, socially and environmentally sustainable.

**RECOMMENDATION: Approve subject to the completion of a Section 106 Agreement to provide a contribution of £337,260.00 to the Middlewich Eastern Bypass and/or transport schemes to Town Bridge, the A54 corridor and Croxton Lane and conditions.**

## **SITE DESCRIPTION AND CONTEXT**

The application site comprises 2.96 hectares of land on the Midpoint 18 employment site in Middlewich. It is an allocated Strategic Site in the Cheshire East Local Plan Strategy (LPS 44 – Midpoint 18, Middlewich).

The site would be accessed from Pochin Way and is bound by a railway line to the west, part of Pochin Way to the east and to the south there is a resolution to approve 8 buildings for B2/B8 use. This is subject to the completion of a Section 106 Legal Agreement.

## **DETAILS OF PROPOSAL**

The proposed description of development is for a single industrial unit, Use Class B1, B2, B8, totalling 11,242sqm. It will incorporate warehouse space, and offices on the first and second floors. The development would also incorporate, Car parking provision, a scheme of soft landscaping, pedestrian access paths, cycle stores, bin store and a self-contained service yard.

It should be noted that as of 1st September 2020, Class B1 (Business) of the Use Classes Order is revoked and replaced with Class E(g) (Commercial Business and Service). This application was submitted prior to this being brought in and therefore the use classes in effect prior to 1st September 2020 are the ones that should be used until the end of July 2021.

## **RELEVANT HISTORY**

- 31584/1 – Employment uses (B1, B2 and B8), open space along Sanderson's Brook and continuation of the Middlewich Eastern Bypass – approved 29<sup>th</sup> April 2002
- 34743/3 – Development without compliance with condition 11 of application No. 31584/1 – Approved 2<sup>nd</sup> September 2002
- 37737/3 - Modifications of conditions of outline planning permission 8/31584/1 – approved 12<sup>th</sup> October 2004
- 07/0323/OUT – Midpoint 18 Phase 3 – employment, leisure and tourism and completion of MEBP – Approved 3<sup>rd</sup> June 2008
- 09/0738W - Erection of energy from waste facility with associated buildings, car parking and hard standing areas – Refused 29<sup>th</sup> April 2010 – Appeal dismissed 20<sup>th</sup> July 2012
- 11/0899C – Extension of time to 07/0323/OUT – Approved 12<sup>th</sup> July 2011
- 16/2006C – Variation on conditions on Application No. 11/0899C – Approved 22<sup>nd</sup> June 2016

18/1182C - Hybrid Planning Application for the construction and operation of 8 No. B2/B8 Units (total GIA 22.918 M2) comprising two phases :-

Phase 1 - An application for Full planning permission for site re-profiling, new site access off Pochin Way and construction of 2 B2/B8 Units totalling 9.266M2 (GIA) floorspace with associated infrastructure (including hard and soft landscaping); and

Phase 2 - An application for Outline planning permission (with All Matters Reserved) for site re-profiling and construction of 6 No. B2/B8 Units totalling 13.652M2 with associated infrastructure (including hard and soft landscaping).

**Resolution to approve subject to the completion of a Section 106 Agreement to secure a contribution to the Middlewich Eastern Bypass**

## **NATIONAL & LOCAL POLICY**

### **National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

### **Development Plan:**

The Development Plan for this area comprises the adopted Cheshire East Local Plan Strategy (CELP), the Revised Publication Draft Site Allocations and Development Policies Document (SADPD) and the saved policies from the Congleton Borough Local Plan First Review (2005).

## **POLICIES**

### **Development Plan**

#### **Cheshire East Local Plan Strategy (CELPS)**

PG1 – Overall Development Strategy  
PG7 – Spatial Distribution of Development  
PG2 – Settlement Hierarchy  
EG1 – Economic Prosperity  
EG3 – Existing and Allocated Employment Sites  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 – Design  
SE2 – Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerows, Woodland  
SE9 – Energy Efficient Development  
SE12 – Pollution, Land Stability and Land Contamination  
SE13 – Flood Risk and Water Management  
IN2 – Developer Contributions  
Site LPS 44 – Midpoint 18, Middlewich

#### **Revised Publication Draft Site Allocations and Development Policies Document (SADPD)**

## INF 6 – Protection of Existing and Proposed Infrastructure

**It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.**

### **Congleton Borough Local Plan First Review (CBLPFR)**

PS4	Towns
GR5	Landscaping
GR6	Amenity and Health
GR9	Accessibility, servicing and provision of parking
NR3	Habitats

The local referendum for the **Middlewich Neighbourhood Plan** was held on 14<sup>th</sup> March 2019 and returned a 'no vote'. As such it carries no weight.

### **Other Material Considerations**

Cheshire East Design Guide

Cheshire and Warrington Local Enterprise Partnership (LEP) – Mid-Cheshire and Middlewich Rail Study.

### **CONSULTATIONS:**

#### **Highways:**

No objection subject to a contribution of £337,260.00 to the Middlewich Eastern Bypass.

#### **Natural England:**

No objection.

#### **Flood Risk Management:**

No objection subject to conditions relating to floor levels and drainage.

#### **Environmental Health:**

No objection subject to conditions/informatives relating to air quality, contaminated land and noise and disruption.

#### **Environment Agency:**

No objection.

#### **Middlewich Town Council:**

None received at the time of report writing.

#### **Network Rail:**

Originally objected to attenuation ponds adjacent to the railway boundary, subsequently further information has been submitted by the developer that clarifies that the ponds will be 30m away from the Network Rail boundary. They also have advice relating to several technical points. These are matters between the developer and Network Rail and not material planning considerations.

**United Utilities:**

No objection subject to drainage conditions.

**Health and Safety Executive**

No objection.

**Cheshire Archaeology Planning Advisory Service:**

No objection subject to a condition requiring a programme of archaeological work in accordance with a written scheme of investigation.

**REPRESENTATIONS:**

None received at the time of report writing.

**APPRAISAL:****Principle of Development**

The site is located within an existing employment area within the Middlewich Settlement Boundary and forms part of the Cheshire Local Plan Strategy Strategic Site 'LPS 44 Midpoint 18'. In respect of this the CELPS identifies that the development will be achieved with (amongst other things) phased delivery of up to 70 hectares of employment land, including the development of existing undeveloped sites: Midpoint 18 (Phases 1 to 3).

Policy EG1 of the CELPS also states that proposals for employment development (use classes B1, B2 and B8) will be supported in principle within key service centres (which includes Middlewich) as well as on employment land allocations in the Development Plan.

At a national level the NPPF also requires Local Planning Authorities to: *“create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*

The proposal is therefore acceptable in principle subject to compliance with other relevant considerations.

**Design and Landscape**

Policy SE1 of the CELP advises that the proposal should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable architecture, livability/workability and safety.

The character of the Midpoint 18 employment site is one of industrial premises of designs in keeping with their use. The building is uniform and utilitarian in appearance and are designed for functionality rather than form. It would be finished in a mixture of composite and built up profiled cladding walls coloured Anthracite at the top, grey aluminium centrally and silver at the bottom and the roof would be profiled roof cladding in Goosewing Grey. The proposed building is similar in design and size to other units in the vicinity, and it is considered that it will not appear as an alien or incongruous feature within the street-scene.

Currently the land is open with industrial buildings to the east on Brooks Lane, the Cheshire Policy custody suite to the north and similar buildings approved but not yet constructed to the south and the west.

Detailed landscaping plans have not been submitted but there is adequate space for some screen planting at the front of the site adjacent to the access and some planting on the perimeter of the site. Planting adjacent to the railway should be of species recommended in Network Rail's recommended planting species. Detailed landscaping plans should be controlled by condition should the application be approved.

## **Amenity**

Policy GR6 of CBLP and Policy SE12 of CELP require development to ensure that there would be no unduly detrimental effects on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking. Policy SE12 also requires development to ensure that it is designed and located so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 103 of the NPPF and the Government's Air Quality Strategy.

The area is predominately industrial in character being positioned on the edge of Midpoint 18. There are no residential properties in the immediate vicinity of the site and as such, no significant adverse impacts are anticipated in respect of noise and disruption, visual intrusion and loss of daylight/sunlight or privacy subject to appropriate conditions.

A full detailed air quality assessment has been submitted in support of the application. Environmental Protection originally recommended refusal of the application due to lack of information in this regard. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- 2017 Verification;
- Opening year do-minimum (DM) (predicted traffic flows in 2020 should the proposals not proceed); and
- Opening year do-something (DS) (predicted traffic flows in 2020 should the proposals be completed, with the addition of traffic generated by the proposed development).

The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to both NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations. None of the receptors are predicted to experience greater than a 1% increase relative to the AQAL, although some of the receptors are located within the town's AQMAs and it is this department's opinion that any increase in concentrations within an AQMA is considered significant as it is directly converse to our local air quality management objectives, the NPPF and the Council's Air Quality Action Plan.

There is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related

emissions on Local Air Quality. Taking into account the uncertainties with modelling, the impacts of the development could be worse than predicted.

Middlewich has two Air Quality Management Areas and, as such, the cumulative impact of developments in and around the town is likely to make the situation worse, unless managed.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The report also recommends the installation of electric vehicle charging units and ultra-low NOX emission boilers which Environmental Protection Officers are in agreement with.

The Contaminated Land team has no objection to the application subject to conditions relating to assessments and investigations for contamination on the land.

Informatives are recommended in relation to construction hours, piling, floor floating and dust management.

## **Energy Efficiency**

Policy SE 9 (Energy Efficient Development) of the CELPS requires that non-residential development over 1,000sqm will be expected to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. This matter can be controlled by condition.

Policy SE 9 also refers to district heating networks for developments of 10,000sqm or more installing a site wide district heating network. In the case of this site there is no district heating network, nor is there one planned in the near future. The policy goes on to say that where a district heating network does not yet exist, applicants need to demonstrate that the heating and cooling equipment installed is capable of connection to a network at a later date. This matter can also be controlled by condition.

## **Highways**

### Background

Phases 1 and 2 for commercial development have been approved with access taken from Pochin Way, this application is for Phase 3 which is directly adjacent to Phases 1 and 2

### Access

The access to Phase 3 is taken from Pochin Way with separation from the existing approved access to Phases 1 and 2. The access is 9m wide with 12m radii and provides adequate visibility for the 30 mph speed limit. The access design is a suitable standard to serve a commercial development with HGV movements.

### Car Parking

There are a total of 116 car parking spaces provided that includes 4 disabled spaces and 11 electric vehicle charging points. Cycle parking for 24 cycles is also provided. Parking for 35 HGVs is provided in a separate area to the north and west of the building.

The car parking provision is below current CEC standards for B2/B8. The standards for B1 use require 1 space per 30sqm, for B2 use the first 235sqm there should be 1 space per 30sqm and then 1 space per 50sqm and for B8 use for warehouse storage 1 space per 80sqm with 1 lorry space per 200sqm and for warehouse distribution 1 space per 60sqm and 1 lorry space per 200sqm. (For a B8 use the standard would equate to 140 spaces). It should be noted that these standards are recommended levels and can be varied according to site circumstances. The applicant has undertaken vehicle parking accumulation assessments that indicate that 116 spaces would be sufficient. It is considered that the level of car parking is sufficient for the proposal and given the location of the site, any possible on-street parking would not cause any highway problems.

#### Development Traffic Impact

As with Phases 1 and 2 the trip generation for Phase 3 has been derived from Trics database for both all vehicles and HGV vehicles in both am and pm peak hours 08.00 -09.00 and 16.00 – 17.00.

The network assessment for this application has been limited to the one roundabout junction at the A54/Pochin Way/B5309 Centurion Way, the capacity assessment being at 2025 with and without the MEB. In all scenarios the roundabout junction would not produce excessive queuing that would result in an objection on capacity grounds.

As indicated on the Phase 1 and 2 application, the major concern of the Highway Authority is the level of congestion that occurs in Middlewich at the Leadsmithy Street/Kinderton Street signal junction and causes extensive queues in some cases affecting the operation of the A54/Pochin Way/B5309 Centurion Way roundabout. This application along with the previous phases will increase traffic through Middlewich and it is therefore important that mitigation measures are provided either to improve the operation of the existing Leadsmithy/A54 signal junction or to remove traffic from the junction by means of the Middlewich Eastern Bypass.

#### Summary

This application is for a further phase of development in addition to the existing phases which were deemed acceptable subject to providing a contribution for mitigation measures either for the Middlewich Eastern Bypass or to improve the A54 corridor through Middlewich.

Therefore, the same level of contribution applied to previous phases should also be provided on this application and this is based upon the calculated level of £30 per sq. m. of gross floor area.

The application is considered acceptable in highway terms subject to the financial contribution as detailed above for either the MEB or the A54 being secured via a S106 Agreement.

#### **Nature Conservation**

##### Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones. Natural England has been consulted and raised no objection to the proposals in respect of SSSIs. No further action in respect of statutory designated sites is therefore required.



### Non-statutory Designated Sites

The proposed development is located adjacent to Cledford Lane Limebeds Local Wildlife Site (LWS). It is considered that the proposed development would be unlikely to result in any long term adverse impacts upon the features for which the LWS was selected.

### Otter and Water Vole

Only a single survey visit undertaken for Water Vole has been undertaken rather than the two visits required by current best practice. Water Voles have not however been recorded on Sanderson's Brook for a number of years and so this species is unlikely to be present. It is therefore considered that a satisfactory amount of surveys has been undertaken.

Whilst Otters have been recorded on Sanderson's brook in the past there is no evidence of this species having been present for several years.

In addition the proposed development retains an undeveloped buffer of semi-natural habitat against the brook, which would reduce the potential impacts on these species if they were present. It is therefore considered that neither of these species is reasonably likely to be present or affected by the proposed development.

If planning consent is granted a condition would however be required to secure the submission and implementation of proposals to safeguard the brook corridor during the construction phase.

### Nesting Birds

The application site is likely to support a number of breeding bird species, potentially including more widespread priority species which are a material consideration for planning. The site is however unlikely to be of significant importance overall for breeding birds.

If planning consent is granted a condition is required to safeguard nesting birds.

### Lighting

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent, particularly along the railway corridor. To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the Local Planning Authority.

### Badgers

No Badger setts were recorded during the most recent surveys. Evidence of Badgers being active on site was however observed. It is considered that based on the current status of this species on site, the proposed development is not likely to have a significant adverse impact. However, as the status of Badgers on a site can change within a short timescale, it is recommended that if planning consent is granted a condition be attached which requires the submission of an updated Badger survey prior to the commencement of development.

### Great Crested Newts

Whilst Great Crested Newts are known to occur in this locality the known breeding ponds within 250m of the site are isolated from the application site by roads and running water. It is therefore

considered that Great Crested Newts are not reasonably likely to be present or affected by the proposed development.

### Reptiles

Whilst reptiles are known to occur in Middlewich the habitats on site are not particularly suitable for this species group. It is therefore considered that reptiles are not reasonably likely to occur on this site.

### Habitat Creation Area

The proposed layout includes a habitat creation area in the northern corner of the application site. Details of this should be provided as part of the Ecological Enhancement Strategy discussed below.

A further condition requiring the submission and implementation of a 25 year habitat management plan would also be required to secure the long term viability of the newly created habitats

### Biodiversity Net gain

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. It is recommended that the applicant undertakes and submits an assessment of the residual ecological impacts of the proposed development using the Defra biodiversity offsetting 'metric' methodology.

An assessment of this type would both quantify the residual impacts of the development (after identified potential impacts have been avoided, mitigated and compensated for in accordance with the mitigation hierarchy) and calculate in 'units' whether the proposed development would deliver a net gain or loss for biodiversity.

This planning application also provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

A condition should be attached which requires the submission of an ecological enhancement strategy.

### **Flood Risk and Drainage**

The Council's Flood Risk Manager has assessed the application and is satisfied that, subject to conditions, the proposal is acceptable in flood risk terms.

United Utilities have no objection subject to drainage conditions.

### **Archaeology**

Further to previous recommendations from the Cheshire Archaeologist, more supporting documentation has been produced which has allowed them to re-assess the archaeological requirement of this proposed development.

This supporting documentation is the Metal Detector survey report produced by Salford Archaeology which outlined the findings of the recommended metal detector survey and identifies a moderate potential for the surviving of below ground remains relating to the Roman period within the proposed development area.

Subsequently, given this new supporting information and the information from the Desk Based Assessment, there is a reasonable potential that the ground works for this proposed development may impact these below ground remains.

Therefore, a programme of targeted archaeological trenches should be considered in order to identify and record any below ground features. These targeted trenches should be no more than 10m x 10m to cover specific areas and the locations of these trenches should be informed by the artefact concentrations shown within the results of the Metal Detector survey. A smaller targeted trench of no more than 5m x 5m may be situated within the pond area of the proposed environmental section to the North of the site to ensure there are no further archaeological remains that will be disturbed by the excavation of the pond feature. There should also be an experience Metal Detector present to scan the spoil to ensure the collection of any additional causal loss items. This work can be secured by condition.

### **Other Matters**

Figure 15.49 of the CELPS identifies a broad area in which a future railway station will be sited in Middlewich. Policies for the strategic allocations to either side of the rail line in this area, LPS 43 'Brooks Lane' (point 7) and LPS 44 'Midpoint 18' (point 3), seek the provision of land for a new station.

LPS 43 (Brooks Lane) refers to development achieved through a masterplan led approach that will determine the precise nature and quantum of development that is appropriate for this strategic location. Cheshire East Cabinet on the 8 September 2020 approved the Brooks Lane (Middlewich) Development Framework (Masterplan) as a Supplementary Planning Document ("SPD"). The SPD is now a material consideration in decision making. This in its illustrative masterplan indicates that a potential new railway station, at Middlewich, and associated infrastructure could be delivered to the north of the site and the police custody suite

Policy INF 6 of the SADPD requires that development will only be permitted where it is unlikely to adversely impact on existing infrastructure or the delivery of proposals for new and improved infrastructure in the borough. This includes a railway station in Middlewich. Although this document is yet to be adopted and carries limited weight, it is a material consideration to consider the impact of this proposal on the delivery of infrastructure indicated in the SPD.

The LEP prepared a Strategic Outline Business Case (SOBC) following a request by the Department for Transport with a view to identifying government funding to progress the project. The LEP commissioned consultants WSP to carry out a feasibility study into the re-opening of the line for passenger services and the provision of a station. The report was published in 2019. A follow up study has not been published as yet.

It is considered that as the future railway station has now been included within the LPS 43 (Brooks Lane) allocation and the fact that there would be space for infrastructure to the north of the site, that the proposal would not prejudice the delivery of this in the future.

The applicant has provided an overlay plan showing the proposed development in relation to the siting of the future railway station. This shows that the development would be highly unlikely to

prejudice the delivery of the station at some point in the future. This plan is included in the key plans pack.

### **S106 contributions:**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In this case, the contribution to the Middlewich Eastern Bypass in priority and/or transport schemes to Town Bridge, the A54 corridor and Croxton Lane is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. The trigger for payment should be first occupation of the building.

### **CONCLUSIONS**

This proposal would bring economic benefits through the delivery of new jobs within an established industrial park where the local plan allocates such uses.

The proposal is compatible with the surrounding development and the design, scale and form of the building would sit comfortably with those within the locality.

The impact on neighbouring residential amenity would not be significant.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network subject to a contribution to the to the Middlewich Eastern Bypass in priority and/or transport schemes to Town Bridge, the A54 corridor and Croxton Lane.

The ecological impacts of the development can be satisfactorily mitigated.

Issues of air quality and contaminated land can be controlled by conditions.

It is considered that the development would not prejudice the delivery of a railway station for Middlewich as set out in LPS 43 (Brooks Lane)

The proposals are considered to be in accordance with both the Development Plan and the guidance of the National Planning Policy Framework. Paragraph 11 of the above Framework stipulates that proposals that accord with the Development Plan should be approved without delay. As such, the application is recommended for approval subject to conditions.

The proposal is therefore found to be economically, socially and environmentally sustainable.

### **RECOMMENDATION:**

**Approve subject to the completion of a Section 106 Agreement to secure a contribution of £337,260.00 to the Middlewich Eastern Bypass in priority and/or transport schemes to Town Bridge, the A54 corridor and Croxton Lane and the following conditions:**

- 1. Time limit (3 years)**
- 2. Development in accordance with the approved plans**
- 3. Implementation and retention of the recommended mitigation set out in the Noise Impact Assessment**
- 4. Submission and implementation of an Electric Vehicle Infrastructure plan**
- 5. Submission and approval of details ultra low emission boilers**
- 6. Submission of Phase I Preliminary Risk Assessment and if required, a Phase II ground investigation and risk assessment, if Phase II indicates remediation is necessary, submission of a remediation strategy**
- 7. Submission and approval of a verification report in accordance with the remediation strategy**
- 8. Testing of soil and soil forming materials to be brought on to the site**
- 9. Ceasing of works if during the course of development, contamination not previously identified is found**
- 10. Development to be carried out in accordance with the submitted Flood Risk Assessment**
- 11. Submission of detailed drainage strategy**
- 12. Submission and approval of details of ground levels and finished floor levels**
- 13. Submission and implementation of a detailed landscape plan**
- 14. Submission and implementation of proposals to safeguard the Sandersons brook corridor during the construction phase**
- 15. Protection of nesting birds**
- 16. Submission and approval of external lighting details**
- 17. Submission of an updated Badger Survey prior to commencement of development**
- 18. Submission and approval of a 25 year habitat management plan**
- 19. Submission and approval of an ecological enhancement strategy**
- 20. Submission and implementation of a programme of archaeological works**
- 21. Provision of a minimum of 10% of the predicted energy requirements of the development from decentralised and renewable or low carbon sources**
- 22. Submission of details that demonstrate that heating and cooling equipment is capable of connection to a district heating network in the future**
- 23. Restriction of uses under the new Class E of the Use Classes Order to E(g)(i) (Offices), E(g)(ii) (Research and Development) and E(g)(iii) (industrial processes)**

**In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.**

**Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

