

Appendix 3 - Outstanding Missing Conditions 16/03023/FUL

Below is a list of the missing conditions, from the above extant permission.

- **Condition (8):** Prior to construction of any part of the development above ground floor slab level, details of external lighting including security lighting shall be submitted to and approved in writing by the local planning authority. The plans shall show lighting proposed in accordance with BS5489 standards and detail how the presence of bats in the area has been taken into account. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from residential amenity and the appearance of the locality and in the interests of ecology and crime prevention in accordance with Policies D1, and D2A, and NE3 of the Milton Keynes Local Plan 2001-2011 and CS19 of the Core Strategy.

- **Condition (9):** A landscaping scheme, which shall include provision for the planting of trees and shrubs, shall be submitted to and approved by the Local Planning Authority before first use of the development. The scheme shall show the numbers, types and sizes of trees and shrubs to be planted and their location in relation to proposed roads, footpaths and drains. All planting in accordance with the scheme shall be carried out in accordance with the approved details within the first planting season following completion of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as approved.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area.

- **Condition (10):** Prior to the commencement of any development above slab level a Biodiversity Enhancement Scheme detailing specifications and locations of biodiversity enhancements and ongoing management prescriptions shall be submitted to the Local Planning Authority for approval. Once approved the scheme shall be implemented prior to the occupation of the building hereby permitted.

Reason: To ensure long term biodiversity enhancement of the site.

- **Condition (11):** Prior to any development taking place, the developer shall carry out an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site.

The results of this survey detailing the nature and extent of any contamination, together with a strategy for any remedial action deemed necessary to bring the site to a condition suitable for its intended use, shall be

submitted to and approved by the Local Planning Authority before construction works commence.

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.

- **Condition (12):** Any land contamination remedial works shall be carried out in accordance with the approved strategy and validated by submission of an appropriate verification report prior to first occupation of the development.

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.

- **Condition (13):** 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.

- **Condition (14):** All existing trees, woodlands and hedges to be retained are to be protected according to the provisions of BS 5837: 2012 'Trees in relation to design, demolition and construction - Recommendations'. All protective measures especially the fencing and ground protection must be put in place first, 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 and ground protection as specified in 6.2.3.1 - 6.2.3.5 pages 21/22 in BS 5837: 2012.

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 so the fencing can be inspected and approved.

The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations, personnel, structures, tools, storage and materials, for the duration of the construction phase.

The developer shall submit details of the proposed layout and general arrangements of the site in relation to the trees to be retained. In particular details of storage areas including what substances will be stored and where, locations of car parking, welfare facilities, cement plant, fuel storage and where discharge, filling and mixing of substances will take place. The details should include site levels to enable risks posed to trees to be quantified. The RPA will be amended as the arboriculture officer feels appropriate after taking account of the details submitted.

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. Earthworks, level changes, service runs, foundations and all other works involving excavation should not be located within the root protection areas.

Reason: To ensure that the development maintains and enhances existing and proposed landscaping features.

- **Condition (15):** A tree protection plan in accordance with BS 5837:2012 shall be submitted. It should 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.

Reason: To ensure that the development maintains and enhances existing and proposed landscaping features.

- **Condition (16):** Construction details for raised construction, nil-excavation surfaces and foundations shall be submitted for approval, demonstrating that they are both specifically tailored to and are feasible in this site context. Details of the protocol for altering the protective fencing and ensuring the root protection areas remain undamaged during the raised path construction shall also be submitted for approval.

Reason: To ensure that the development maintains and enhances existing and proposed landscaping features.

- **Condition (17):** Prior to any development above slab level, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority, the Plan shall then be updated, in order to reflect operations on the site.

Reason: To ensure the development does not cause unacceptable noise pollution to the detriment of residential amenity.

- **Condition (18):** Any vehicles operating on the site shall be fitted with broadband (White noise reversing alarms).

Reason: To ensure the development does not cause unacceptable noise pollution to the detriment of residential amenity.

- **Condition (19):** Any plant and/or air handling units which are roof mounted shall be directed away from residential properties or suitably screened, to limit operation noise to 5dB below background levels at the nearest noise sensitive receiver.

Reason: To ensure the development does not cause unacceptable noise pollution to the detriment of residential amenity.

- **Condition (20):** The proposed noise barrier, as shown on the submitted drawings shall be installed prior to the occupation of the warehouse and shall thereafter be retained.

Reason: To ensure the development does not cause unacceptable noise pollution to the detriment of residential amenity.

- **Condition (21):** Prior to any development above slab level, a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The site shall therefore be managed in accordance with the approved details.

Reason: To ensure the development provides adequate movement within the site and at the access points.