

ITEM 7(b)

Application Number: 18/01304/REM

Description Reserved matters application for internal access, appearance, landscaping, layout and scale for 134 units, 75-100 sqm of A1 (retail use) for the provision of a local convenience store with access from Ortensia Drive and the land north of the site, with associated landscaping, infrastructure and ancillary works

AT Land North And West of Wavendon Business Park, Ortensia Drive, Milton Keynes, Wavendon Gate, MK17 8LX

FOR Abbey Development Ltd

Target: 15.03.2019

Extension of Time: Yes

Ward: Wavendon

Parish: Wavendon Parish
Council

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1.0 RECOMMENDATION

- 1.1 It is recommended that permission is granted subject to conditions set out in this report.

2.0 INTRODUCTION

The Site

- 2.1 The site lies directly to the North of Wavendon Business Park and to the East of Ortensia Drive. To the north the site is bounded by land for which two residential developments have been approved. The north western parcel being outline approved (ref: 17/03205/OUT) and the north eastern parcel benefiting from Reserved Matters approval (ref: 17/03283/REM).
- 2.2 The site, measures 5.53 hectares, and is situated to the east of Wavendon Gate to the south of H9 Groveway. The eastern part of the site is located within the Strategic Land Allocation (SLA) which is identified as part of Housing Allocation HS115 in Plan:MK. The site comprises of disused scrub land with some areas of hard standing and low grade woodland.

- 2.3 To the east of the site lies 'The Stables'. This is an established live music venue with two stages, dining and conference facilities. Events are held daily on the site along with around 250 educational sessions a year, and it is licenced until 2am.

The Proposal

- 2.4 The current application seeks reserved matters approval for the provision of 134 residential units and a convenience retail store of 100 sqm. The proposal includes associated works including car parking, landscaping, footpaths off site and a landscaping buffer on the eastern boundary between the housing development and The Stables music venue.
- 2.5 A summary of the proposed accommodation is as follows:

Type of house	Number of Units	Number of Market Units	Number of Affordable Units
2-bed flat	39 (29.1%)	15	24
2-bed house	6 (4.5%)	6	-
3-bed house	63 (47.0%)	47	16
4-bed house	23 (17.2%)	23	-
5-bed house	3 (2.2%)	3	-
Total	134 dwellings	94 market (70.1%)	40 affordable (29.9% affordable)

Reason for referral to committee

- 2.6 The application is referred to the Development Control Committee for determination as a result of a call in from the ward councillor.
- 2.7 The application was deferred from the previous 7th March 2019 Development Control Committee to address the outstanding concerns from The Stables. In response the applicant has agreed to increase the high specification glazing to incorporate a greater number of dwellings on the eastern part of the site. This will be discussed in detail later in this report. This report has also been updated to include all changes (reported in the update paper and verbally to committee) since the publication of the original report.

3.0 RELEVANT POLICIES

3.1 National Planning Policy Framework (2019)

Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

In addition, the National Planning Practice Guidance is also a material consideration

The Development Plan

3.2 Neighbourhood Plan

Wavendon Parish Council is preparing a Neighbourhood Plan for its parish area; the plan is still at an early stage and has not yet been subject to pre-submission public consultation and therefore carries very limited weight at this time.

3.3 Plan: MK (March 2019)

The Council received the Inspector's final report into Plan: MK and concluded that Plan:MK, as amended by main modifications, is sound and provides an appropriate basis for the planning of the Borough up to 2031. The plan was taken to Cabinet (5 March) and Council (20 March) for approval and adoption. Plan:MK was adopted at Council on 20 March 2019 and now forms part of the statutory development plan for Milton Keynes, and includes the Policies Map that indicates land use in the Borough.

Policy MK1 - Presumption in favour of sustainable development

Policy DS1 - Settlement Hierarchy

Policy DS2 - Housing Strategy

Policy SD1 - Place making principles for development

Policy SD11 - General principles for strategic urban extension

Policy HN1 - Housing mix and density

Policy HN2 - Affordable housing

Policy HN4 - Amenity, accessibility and adaptability of homes

Policy CT1 - Sustainable transport network

Policy CT2 - Movement and access

Policy CT3 - Walking and cycling

Policy CT5 - Public transport

Policy CT10 - Parking Provision

Policy INF1 - Delivering Infrastructure

Policy FR1 - Managing flood risk

Policy NE1 - Protection of sites

Policy NE2 - Protected species and priority species and habitats

Policy NE3 - Biodiversity and geological enhancement

Policy NE4 - Green infrastructure

Policy NE5 - Conserving and enhancing landscape character

Policy NE6 - Environmental Pollution

Policy HE1 - Heritage and development

Policy L2 - Protection of open space and existing facilities

Policy L4 - Public open space provision in new estates

Policy D1 - Design a high quality place

Policy D2 - Creating a positive character

Policy D3 - Design of buildings

Policy D4 - Amenity and street scene

Policy SC1 - Sustainable construction

3.4 Supplementary Planning Documents

Milton Keynes Parking Standards 2016
The Milton Keynes Drainage Strategy - Development and Flood Risk
Supplementary Planning Guidance
Sustainable Construction (2007)
New Residential Development Design Guide (April 2012)

3.5 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

4.0 **MAIN ISSUES**

- 4.1 The principle of development was considered acceptable under the outline application. As such the matters to be considered under the current application are as follows:

Principle of Development
Highway matters and parking
Impact on character of the area
Impact on designated heritage assets
Design
Impact on residential amenity
Landscape
Ecology
Drainage and flood risk
Sustainable construction
S106 matters

5.0 **CONSIDERATIONS**

Principle of Development

- 5.1 Under 15/02337/OUT outline consent was granted for up to 134 residential units, 75-100 sqm of A1 (retail use) for the provision of a local convenience store with access from Ortensia Drive and the land north of the site, with associated landscaping, infrastructure and ancillary works. The principle of development at this site has therefore already been established.

Highway matters and parking

- 5.2 Plan:MK policies CT1 and CT2 require the decision maker to have particular regard to any additional traffic generation a development may cause and the resulting impact on the surrounding road network/parking provision/access. In addition, the Milton Keynes adopted Parking Standards SPD sets out the development related

parking standards for Milton Keynes and should be read in conjunction with these policies.

- 5.3 The applicant's revisions to the site layout (to deal with other matters) have resulted in changes to the junctions which the Council's Highways Officers have stated require minor amendments to provide adequate pedestrian routes, in particular around the junction between Plot 88 and Plot 104. The footway on the side of Plot 104 needs extending around the radius to allow for a dropped kerb that will align properly with the footway near Plot 88. It is considered that this is a minor layout change that can be dealt with by condition and in the submission of detailed plans for Section 38 (highways) approval. A pre-commencement condition is already applied to the outline approval (condition 15 of 15/02337/OUT), but it does not clarify that details of the estate road are required. The appropriate condition is therefore applied.

Vehicle Access, Redway and Pedestrian Links

- 5.4 The development will take its principal pedestrian and vehicular access from Ortensia Drive as per the approved access drawing under the outline consent. At this junction with Ortensia Drive the pedestrian and Redway access will run north from the approved access and cross Ortensia Drive at a new refuge (as per the approved access drawing), to link in to the existing Redway on the west of Ortensia Drive. A pedestrian link from this junction will run south on the east side of Ortensia Drive to link to the south. All of the above was approved at the outline stage and secured through conditions and the S106 agreement.
- 5.5 The Redway, as indicated in the outline masterplan, is proposed on the north side of the primary vehicular route through the site, from the junction with Ortensia Drive, to the northern boundary to the west of the convenience store. Highways Officers are supportive of the provision of a Redway, although note that the link through the northern boundary does not currently link to a Redway on the adjacent site to the north, as there is no Redway proposed on that site (permitted under 17/03283/REM), although it does feature separate pedestrian and cycle links from the site to the surrounding roads.
- 5.6 Highways Officers have requested further details of the Redway connection with Ortensia Drive, and the construction of the link to the existing Redway within adopted highway land will require the developer to enter into a S278 Highways Agreement, as the existing Redway is on the west side of Ortensia Drive. Details of the Redway layout and connections will otherwise be required by condition.
- 5.7 In addition, the footpath access to the north-eastern corner was amended by the applicants at the request of The Stables in order to link with the open space on the adjacent site to the north, rather than towards The Stables to the east. The Council's Landscape Architect has expressed concern that this link must be onto the site to the north, and not on to land owned by The Stables, so that the link remains available for use. This has been clarified through an assessment of the land ownership and the extent of the adjacent application sites. Pedestrian access is therefore maintained in this location on public land and considered acceptable.

- 5.8 With these details secured the overall road layout, access and junctions are considered acceptable and compliant with policies CT1, CT2, CT3 of Plan:MK.

Parking

- 5.9 The original layout for the proposal raised concerns with the Council's Highways officer regarding the provision of unallocated and visitor parking, and particularly with the distribution of the unallocated spaces across the site. The site layout was subsequently revised by the applicant to provide sufficient parking to meet the Council's Parking Standards; as shown in the table below there is now a small overprovision of unallocated parking on the site. Cycle parking for the apartment buildings is included within the buildings, and each house includes a garage or shed to provide cycle space. The parking plan for the houses is therefore considered acceptable.
- 5.10 The original provision of 7 car parking spaces for the convenience store was also revised and increased to 8, with the addition of a layby to the front of the building for deliveries. The site plan indicates a position for cycle parking, and details will be required by condition.

- 5.11 A summary of the car parking on the site is included below:

		Parking Standards Requirement - Zone 3			Provided		
House Type	No of units	Allocated	Unallocated		Allocated	Unallocated	
			Visitor	tandem		Visitor	tandem
2-bed flat	39	1 per unit (39 total)	0.75 per unit (29.25)	n/a	229 allocated spaces across the site in accordance with the standards for each plot	78 visitor spaces across the site	n/a
2-bed house	6	2 per unit (12 total)	0.25 per unit (1.5)	0.5 per instance of tandem parking (24)			25 unallocated spaces provided across the site
3-bed house	63	2 per unit (126 total)	0.5 per unit (31.5)				
4-bed house	23	2 per unit (46 total)	0.5 per unit (11.5)				
5-bed house	3	2 per unit (6 total)	0.5 per unit (1.5)				
Convenience Store	100 sqm	1 per 14 sqm (8 total)	n/a		8 adjacent to the site + deliveries layby	n/a	
		237 allocated spaces	100 unallocated spaces (75.25 + 24)		237 allocated spaces	103 unallocated spaces (78 + 25)	
		337 spaces required across the site			340 spaces provided across the site		

- 5.12 Therefore, with conditions imposed as described above, it is considered that the proposal will comply with Plan:MK policies CT1, CT2 and CT3 in providing accessible travel options and ensuring highway safety, and policy CT10 in complying with the Parking Standards SPD and providing adequate parking for the development.

Impact on the character of the area

- 5.13 Plan:MK policies D1, D2, D3, D5, and HN1, along with the Residential Design Guide seek high quality design and appropriate density that relates well to the surrounding area, with a high level of residential amenity and design out opportunities for crime. In addition, section 12 of the NPPF and in particular paragraph 127 provides guidance in respect of design considerations for development.
- 5.14 Design code details have been submitted and approved under planning ref 18/01631/CONS. The Design Code sets the framework for which future reserved matters applications should be implemented. It aims to explain and develop the urban design approach, movement principles, street hierarchies, open space, detailing and security principles to be applied to the detailed designs. The Design Code seeks to control the design of development aspects that are considered necessary to achieve a high quality place, ensuring flexibility within individual parcels whilst a coherent identity across the site is achieved. It is also intended to form a material consideration in the determination of future reserved matters applications by establishing an agreed set of rules to achieve a high quality environment.
- 5.15 As a large part of this site sits within the Strategic Land Allocation (SLA) area, which will be a separate neighbourhood from Wavendon and Wavendon Gate, the scheme has been designed to reference the character of the new neighbourhood and not that of the existing neighbourhoods. The Council's Urban Design Officer is content that this has been proposed on site, and that the scheme complies with the approved Design Code. The case officer agrees.
- 5.16 The SLA includes a Green Buffer in the Plan:MK proposals map and detailed in Plan:MK policy SD7. The Green Buffer covers a large section of the site, as well as The Stables and the land north of Wavendon village to maintain separation between the village and the SLA area. As established, housing is already permitted on the site via the outline application, and concern regarding complete loss of this Landscape Buffer was raised by Urban Design Officer's during the application. The proposal was subsequently revised to establish a 30 metre wide buffer along the whole of the eastern boundary with The Stables, acting as a landscape buffer to address concerns regarding the proximity between the dwellings and The Stables on the grounds of residential amenity (to be addressed later in this report). With this landscape buffer installed and maintained, it is considered that the impact on the character of the area has been fully addressed through revisions to the proposal, and the proposal is considered compliant with policy SD7 in this regard, and Plan:MK policy D1 and D2 in relating well to the surrounding environment.

- 5.17 On this basis, it is considered that the proposed style and layout of the development is appropriate within this context. It is therefore concluded that the design of the development would be acceptable and would comply with policies HN1, D1, D2, D3 and the Residential Design Guide.

Impact on designated heritage assets

- 5.18 The site is to the north-west of Wavendon, which contains five Grade II listed buildings, and one Grade II* listed building (Church of St Mary). The closest of the listed buildings is over 120 metres to the south-east of the closest building on the site, with other buildings, including The Stables, and the landscape buffer between them. It is therefore considered that the development will not have any impact on any designated heritage assets. In addition any archaeological investigations have been covered through conditions on the outline permission. It is therefore considered that the proposal is acceptable in terms of Plan:MK policy HE1.

Design

- 5.19 As discussed above in the section on Character of the Area, it is considered that the development consists of appropriately designed houses, which relate well to the approved adjacent schemes. The Council's Urban Design Officers are overall content with the proposal, having requested amendments during the application process (including retention of the landscape buffer to the eastern boundary, as discussed above). A materials plan has been provided which is considered acceptable and will be secured through the approved plans. The proposal includes landscaped area, quality public realm, legibility through the development and a well-designed layout and it is considered that the proposal therefore complies with Plan:MK policies D1, D2 and D3.
- 5.20 Some final minor amendments have been requested, including consideration of the boundaries of plots 70, 78, and 79. Those changes would not fundamentally change the proposed development, and it is considered that these can be dealt with by way of Landscaping and Boundary Treatments conditions.
- 5.21 The gross density of the site is 24.23 dwellings per hectare, taking into account all ancillary development including the convenience store and open space. The net density of the site is calculated at approximately 33.5 dwellings per hectare (when not counting the convenience store and the larger landscape buffers). This is considered appropriate given that Plan:MK policy HN1 states that "net densities of proposals for 11 or more new dwellings should balance making efficient use of land with respecting the surrounding character and context", and an important aim of the NPPF is making an efficient use of land.
- 5.22 The proposal includes a range and mix of housing types and tenures, including 29.9% affordable units. Policy HN2 of Plan:MK states that proposals for more than 11 homes should provide 31% affordable housing. However, this application was submitted in May 2018, and has therefore been awaiting determination for 10 months under the previous local plan policies. The previous affordable housing policy required 30% of dwellings to be affordable, and this is reflected in the S106 agreement attached to the outline permission, securing the level at 30%. On

balance, the amount of affordable housing provided as part of this scheme is therefore considered acceptable, and it would be unreasonable of the LPA to require the provision of 31% affordable due to amount of time it has taken to determine the application.

- 5.23 The dwellings range from 2 bed flats to 5 bed houses. 47% of the units are 3-bed houses, of which 25% of those are affordable units, which reflects the housing market need for both private and affordable units being predominantly for 3-bed homes, (47% of market need is for 3-bed homes, 38% of affordable housing need is for 3-bed homes, according to the latest Milton Keynes Strategic Housing Market Assessment). 40% of the affordable units on site are 3-bed houses, which is slightly greater than the need across the borough. Overall, it is considered that the mix of homes proposed includes an appropriate variety of type and tenure and is therefore in accordance with Plan:MK policy HN1 and HN2 which seeks that proposal should incorporate a range of house sizes and types.

Impact on residential amenity

- 5.24 Plan:MK policy D5 and the guidance in the New Residential Design Guide seek to ensure that the amenity of existing and future residents will not be compromised, thus reflecting the requirements of Paragraph 17 of the NPPF.
- 5.25 It is noted that concerns have been raised in respect of the quality of amenity space for the future occupiers given the proximity of sewage treatment works. However, the Inspector considered this matter as part of the outline and considered that there was some background noise from the industrial units, however noise levels were low and at that time, there were no issues with odour. The Inspector was satisfied that the future occupiers would be afforded acceptable living conditions in terms of noise. The applicant's odour assessment indicated that emissions were lower than the benchmark figures and concluded that the treatment works would be unlikely to have a detrimental impact on the amenity of future residents. In the absence of any convincing evidence to the contrary, it is considered that a satisfactory standard of amenity can be provided. The matter was dealt with by the Inspector under the outline application in any case.
- 5.26 The applicant has revised the site layout as part of the proposal, and it is considered that the layout complies with the Residential Design Guide in terms of separation distances, access to sunlight, and amenity space. Public amenity space is distributed appropriately through the site and it is proposed that the eastern buffer contains a Locally Equipped Area of Play (LEAP), which will be discussed in the landscape section below, to serve the development and for compliance with policy.
- 5.27 The development proposal otherwise accords with the requirement of policy D5 and the New Residential Design Guide SPD in terms of distances between dwellings and garden provision. It is therefore considered acceptable.

Noise

- 5.28 Paragraph 182 of the National Planning Policy Framework 2018 states that:

“...planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

- 5.29 The Council therefore has a duty to ensure that all appropriate, reasonable and proportionate measures have been taken to safeguard The Stables as the existing music facility. The developer and representatives from The Stables have been involved in ongoing discussions to ensure that this is the case.
- 5.30 The main concern from The Stables relates to the impact that noise from their events, held on a regular basis, could have on the residential amenity of the nearest dwellings, both noise from the music events themselves, and noise from patrons leaving the venue after the event with the associated noise from car engines, queueing, doors closing and patrons chatting as they leave. The concern being that this could lead to noise complaints, which would ultimately lead to impacts on The Stables premises licence and its ultimate closure.
- 5.31 Following the initial submission, extensive discussions were held between representatives of The Stables and the applicants discussing and proposing various mitigation measures to the scheme. These included the retention of the landscape buffer to the east of the site with acoustic fence and raised landform, mitigation measures within this area to reduce the noise impact and amendments to any windows along the eastern elevations of the closest properties to be obscure glazed and non-opening to prevent overlooking, and reduce potential impact from noise.

Noise - Landscape Buffer, Acoustic Fence and LEAP

- 5.32 In response the applicant has proposed a landscaped buffer to the eastern boundary of the site which is consistently a minimum of 30 metres depth between the boundary of the site and the nearest dwelling. The buffer area will include a raised landform along the eastern boundary which will be fully landscaped to provide a visual screen between The Stables and the nearest dwellings, in addition to the mature landscaping that exists on The Stables side of the boundary. In addition, since the publication of the previous committee report the applicant has agreed to install an acoustic fence along the eastern boundary. This will be placed along the boundary line, between The Stables existing landscaping and the raised land form. The position of the fence is agreed and supported by officers, as placing the fence anywhere off the boundary line creates landscape management issues, potential safety issues with the creation of an inaccessible corridor between the fence and the boundary, and would potentially compromise the delivery of the landscaping (and LEAP) and unacceptable visual intrusion if placed on the raised landform.

- 5.33 The applicant proposed to place the LEAP in this area, to which The Stables originally objected on the basis that a formal LEAP would stop a full depth of landscaping buffer being achieved. In response, it has been discussed with the Landscape Architect and applicant that a “natural-style” LEAP could be incorporated in the buffer area, which would allow the creative land form and earthworks to be constructed, as well as the full depth of landscaping, with the LEAP equipment creatively merged into this landscape. This proposal would ensure policy compliance and will be discussed in the Landscape section of this report. The request for the landscape buffer therefore has been incorporated into the revised Site Layout, with the LEAP and acoustic fence secured by condition.

Noise - Eastern Elevation Windows and High Specification Glazing

- 5.34 The proposed layout of the eastern most dwellings consist of (from north to south) a two-storey detached dwelling, a three-storey apartment block, and two rows of two-storey semi-detached dwellings. In the case of the dwellings, the detached unit contains only one small secondary window on the first floor eastern elevation, serving a bedroom which has a primary south facing window. For the semi-detached dwellings, the only window is a small window serving a landing, and therefore not a habitable room.
- 5.35 In the case of the apartment block, the windows in the second storey have been amended to be obscure glazed and non-opening. This relates to 6 windows across two 2-bed apartments and the communal stairwell. Three of the windows serve habitable rooms (kitchen/living rooms) which have alternative windows openings which are south and west facing respectively, therefore there is minimal concern regarding loss of light. One window serves a bathroom, and one a hallway, therefore there are minimal concerns regarding these windows being obscure glazed. Although it is considered that obscure glazing and non-opening is not ideal, the proposal is considered to be a suitable compromise given that obscure glazing still allows light to enter the rooms, and the other windows available within these flats.
- 5.36 In addition, the applicant has agreed to secure all of the windows on the eastern elevations of the closest plots to the eastern boundary as fixed closed. This constitutes the ground and first floor windows of the flats on the eastern elevation and a small number of secondary windows of the three dwellings in this location. Again, this is not considered ideal, but this has been proposed to respond to The Stables concerns regarding the method of noise monitoring (through open or closed windows) as a result of any noise complaint in the future. It is considered acceptable for future residential amenity, as these windows are secondary windows.
- 5.37 In addition, since the application was last presented to committee, the applicant has agreed to increase the number of plots that will incorporate high specification glazing into the windows, above and beyond what has been suggested by the Council’s acoustic consultants, to be secured by condition (see below paragraphs). The relevant plots to be included will be all the dwellings within 140 metres of the eastern boundary which represents all of the dwellings which are within 175 metres

of the Stables. This list includes all the dwellings that are closer to The Stables than the closest dwellings approved on the permitted residential phase to the north-east (ref: 17/03283/REM) (which do not have high spec glazing). The applicant has agreed this measure at the request of officers, and it should be noted that this will add to the developers build costs, and is not required by the recommended conditions. This will be secured by condition, and represents a welcome effort by the developer to address the concerns where possible and go above and beyond the policy and technical requirements of the proposal. The amendments to the layout and windows are considered to be acceptable by officers and considered to address the concerns raised by The Stables.

Noise Assessment

- 5.38 Prior to many of the additional features and amendments described above, to be secured by condition, and in assessing the necessity for expert advice on this proposal, the Council's Environmental Health Officers suggested that the applicant's noise assessment should be reviewed by external acoustic consultants. This work was subsequently commissioned by the LPA, based on the first layout provided by the applicant, (without the 30 metre eastern buffer). Following further clarification on noise levels from The Stables, the architectural design of The Stables and the applicant's revision to include the eastern landscaped buffer, the consultants provided a further Technical Note to assess the noise and suggested conditions to mitigate for the potential noise impact.
- 5.39 This review established that the applicant's assessment was an appropriate preliminary assessment, with a more robust review provided in the Technical Note following the additional data provided by The Stables. The worst case scenario for music events has been established as being large events with touring bands on an infrequent basis (i.e. a few times a year), and those that are sold out, i.e. generating the most car/traffic noise after the event.
- 5.40 In terms of noise generated from cars/traffic after the event, the applicant's assessment (and acoustic review) concludes that noise from cars and traffic would be heard by residents of the nearest blocks through open windows, but given the distance to the dwellings (due to the revision to include a 30 metre buffer, but assessed without the additional features of raised land form and acoustic fence) this impact would be within acceptable noise environment levels if occurring before 11pm. However, if the noise occurred after 11pm then the recommended noise level would be exceeded, with windows open. However, the potential timeframe for this disturbance is short (around 20 minutes for the car park to empty following a sold-out performance) and the noise level could be mitigated through having closed windows, provided a high specification of acoustic glazing is used. For this reason, the suggested glazing specification will be secured by condition (now for all dwellings on the eastern part of the site), and the applicant's revision to have non-opening windows on the eastern elevation of the closest units to The Stables is accepted (and has been assessed for the residential amenity impacts for future occupiers earlier in this report). It should be noted that having non-opening windows is not one of the conditions suggested by the acoustic consultants, with their design suggestions relying on habitable rooms on the eastern side of the dwellings not having an eastern aspect and the high specification for the glazing of

the nearest windows. Non-opening windows are therefore not specifically required by officers, and neither is the full extent of the applicant's agreed high specification glazing, but have been secured by condition at the applicant's suggestion and The Stables request.

- 5.41 In terms of noise from actual events at The Stables, the applicant's assessment provided recorded data on site during a specific music event. This data was reviewed by the Council's acoustic consultants and calculated an assessment in terms of open windows in the residential blocks closest to The Stables. It concludes that the prevailing increase in noise through partially open windows during this particular event would be 1 to 2 dB over ambient levels, i.e. not a significant level as to cause adverse disturbance.
- 5.42 However, The Stables have provided data to clarify that this event was not a worst case scenario and that particularly noisy worst case scenario events, such as touring bands occur only a few times a year, and can be 5dB to 13dB higher than compared to the event used for the applicant's data collection. The review states that in this scenario "there is the potential for noise levels to be such that they would cause residents to close their windows due to the significant increase in the prevailing ambient noise levels and discernible change in the acoustic character of the noise climate." The review concludes that with windows closed, at the high acoustic specification, then guideline levels of noise would be achieved. Given the low frequency of such events, reliance on having windows closed in these scenarios is considered by the acoustic consultants to not be unreasonable. The increase in the number of units to have high specification glazing included will also ensure that this mitigation scenario works for all of the dwellings on the eastern side of the site.
- 5.43 It should also be noted that the assessment and review were conducted based on data recording on site with existing landscaping in place, and then calculated on relative distances. Since this review, an agreement between the applicant and The Stables has been reached to create the raised landform along the eastern buffer, to be topped by a fully landscaped buffer to provide additional acoustic attenuation, as well as the addition of an acoustic fence along the boundary. This is in addition to the conditions suggested by the Council's acoustic consultants for the specification of the glazing, orientation of the habitable rooms and securing the distance of the buffer. These conditions are supported by the Council's Environmental Health Officer, so the applicant's addition of the raised landform, additional landscaping, acoustic fence, increase in high specification glazing and additional fixed closed windows are all above and beyond what was suggested to be necessary by acoustic experts.
- 5.44 It is therefore concluded that the potential impact from noise on residential amenity has been fully and comprehensively assessed and every reasonable and proportionate measure has been accepted and agreed by the applicant's through revisions to the scheme and acceptance of the suggested conditions.
- 5.45 In addition to these physical measures it has been requested by The Stables that the applicant consider entering into a Deed of Easement to address the potential for future noise complaints, and they believe that this can be dealt with via the

planning process. The impact of noise is a material planning consideration in the determination of this application, however, it is the LPA's position that a Deed of Easement is a separate civil legal process falling entirely outside the planning system, and the applicant has made it clear that they are not prepared to enter into such an agreement at this time, as part of the planning determination. It is the LPA's position that this therefore cannot be controlled through planning obligations or conditions and the deed of easement issue is therefore not a material planning consideration in this case.

- 5.46 However, it is proposed to apply a condition requiring that the developer inform the future occupiers of the dwellings regarding the potential noise nuisance that might be generated from The Stables. If the applicant and The Stables choose to enter into a Deed of Easement in the future, this would fulfil the requirements of this condition. By applying the condition as worded it allows the LPA to ensure that this requirement has been noted on the planning history and would appear as a condition and notification for any future occupiers, whether or not any further legal agreements are undertaken. The condition as worded is enforceable and reasonable for the developer to comply with, and therefore considered acceptable.
- 5.47 The Stables' objection currently remains in place, as they have been previously unconvinced by the result of the applicant's assessment and independent review, and consider that the suggested conditions were not robust enough to ensure the ongoing operation of The Stables will not be compromised. As above, the Council's Environmental Health Officers and Acoustic Consultants are satisfied that the measures are proportionate and will be effective and enforceable. It is therefore considered that the appropriate approach has been taken to reduce the likelihood of a detrimental impact on residential amenity for the occupiers on the eastern part of the site and that the proposal is compliant with Plan:MK policy D5 in this regard. Ultimately it is considered by officers that appropriate amendments and measures have been applied that will reduce the risk of noise complaints and the ongoing operation of The Stables.

Noise Conclusion

- 5.48 It is considered that the changes that have been made during the application process are appropriate and proportionate. A balance needs to be struck between providing a suitable level of measures to alleviate concerns, and avoiding imposing ineffective measures that would have an alternative negative impact on the area or future amenity. The amendments made, in addition to the conditions recommended by the Council's Acoustic Consultants and supported by the Council's Environmental Health Officer, represent the appropriate measures to safeguard the amenity of future residents in terms of noise, while ensuring that the proposal remains policy compliant in terms of other aspects of residential amenity, local open space and the quality of life of future residents. Officers are also satisfied that the proposed development would not put undue pressure on The Stables operations.

Landscape

- 5.49 Collectively, Plan:MK policies D1, D2, D3, D5 and L4 seek to ensure high quality, well designed places which include planting on streets and in public open spaces. In accordance with this policy, the applicant has submitted landscaping proposals which show the provision of soft landscape elements within areas of public realm.
- 5.50 The development site is largely screened from Ortensia Drive to the west, Wavendon Business Park to the south, adjacent housing parcels to the north and The Stables to the east by existing mature trees and hedgerow, the majority of which is proposed to be retained, and in most cases, enhanced on site through further planting. There are some views across the development site from the business park to the South and the neighbouring land to the North East. The existing vegetation provides natural screening to the site and filters views into and out of the development.
- 5.51 Of important consideration is that the SLA identifies the requirement for a Green Buffer to separate the development from Wavendon Village and this should be located, principally along the eastern edge of the site. The applicant has revised their plans to propose to maintain the green character of the site by the retention of existing trees and hedgerows, to the eastern section of the northern boundary and eastern boundary with reinforcements as necessary to form part of the public realm. This is supported by the Council's Urban Design Officer and Landscape Architect.
- 5.52 On site there is a manmade pond located towards the centre of the southern boundary which is occupied by great crested newts. There are also existing badger setts located towards the north of the site. These larger open areas are proposed to be retained and enhance from an ecological perspective, as will be discussed below in the Ecology section of the report.
- 5.53 The Council's Landscape Architect has considered the landscape details throughout the course of the application. Clarification and amendments have been sought in respect of a number of points which have been addressed by the applicant. At the time of writing it is not clear whether the most recent version of the Hard and Soft Landscape Plans, Boundary Treatments, and Levels Plans are approvable, in that very minor amendments are likely to still be required. Given that the Landscape Architects final comments can be provided in an update paper, and for the sake of consistency between these plans, it is considered necessary and appropriate to require the final detailed versions of the above (in addition to additional conditions for the LEAP, earthworks, as below) via condition.
- 5.54 Regarding the eastern landscaped buffer, as described above in regards to Noise and Residential Amenity, the applicant proposes a raised land form along the boundary, topped and surrounded by a belt of trees and other vegetation. A LEAP was proposed in this area which was removed from Site Layout at the request of The Stables. The Council's Landscape Architect and Head of Placemaking object to these changes. Without the LEAP in place the proposal would not be policy compliant, and would be contrary to Policy L4 and Appendix C of Plan:MK. There has been a suggestion that this development could be served by the play area

within the adjacent development. There are two play areas permitted in the adjacent housing parcel a Neighbourhood Area of Plan (NEAP) designed for ages 8 and up, and a LEAP for children up to age 8, both within the wider open space to the north of The Stables. The policy states that a LEAP should have a catchment area of 300 metres, and be placed at 500 metre intervals. Therefore a LEAP is required in this development for policy compliance. Without a LEAP in this location the children of this development would have approximately 500 metres to walk to the nearest facility, and beyond the catchment area, whereas the inclusion of the LEAP reduces this to a maximum of 320 metres. The two LEAPs will be approximately 200 metres apart. However, this is considered suitable given the compliance with the catchment areas achieved by the placement of the LEAP in the eastern buffer and the different style of LEAP now proposed on this development, providing an alternative and varied form of play.

- 5.55 Ultimately removal of the LEAP would be considered to the detriment of the future occupiers of the housing site, as equivalent sufficient facilities are not available in the immediate vicinity. It is also considered that the eastern landscaped buffer is an appropriate location for the LEAP, as it is close to apartment blocks which have limited private amenity space and cannot easily be accommodated within the other open space areas due to the necessary landscape and ecological safeguards and enhancements required.
- 5.56 The Council's Landscape Architect has therefore suggested that the LEAP should continue to be placed in this location, but can be of a "natural-style" that can be incorporated into, and merge with the raised land form and landscaping proposed. This would allow the full extent of the landscape buffer to be implemented without detriment to the provision of the LEAP. The applicant has accepted this proposal, and it is therefore supported, and to be secured by condition. The Council's Landscape Officer has requested full details of the earthworks in order to approve the levels, landscaping and LEAP in this area, and to ensure that they are fully integrated, compatible, and suitable for purpose.
- 5.57 It is considered an appropriate and necessary compromise between balancing the residential amenity and quality of life of future occupiers of the development and the existing music venue.
- 5.58 On this basis of the above considerations, it is considered that the proposed development provides an acceptable landscape scheme that complies with policies D1 and L4 of Plan: MK.

Ecology

- 5.59 The application site contains a number of trees and protected species including badger setts and great crested newts (GCN), and is supported by a number of assessment and appraisals in support of the Preliminary work conducted at the outline stage of the application.
- 5.60 A Tree Protection Plan has been provided and the applicant will be required to adhere to the plan and the associated Root Protection Arrangements for existing trees on the site. There are no trees with Tree Preservation Orders on the site,

although the Council's Countryside Officer notes that there is a veteran Poplar Tree within the norther group of trees. The applicant's Arboricultural Assessment has identified that the tree is a large mature specimen, but with failing branches, requiring removal. Subsequently the applicant's consultant has suggested that the location and potential ecological benefits of retaining the tree warrant reducing the crown, but retaining the tree for habitat purposes, while reducing the risk of falling branches. This approach is supported by the Countryside Officer and will be secured by condition.

- 5.61 The applicant has chosen to enter into the GCN District Licensing Scheme as a result of the potential for harm to GCN on the site, which will mitigate the impact as a result of the development in addition to the retention of the pond. In addition, a buffer zone has been established on the north of the site to accommodate the badger setts, and avoid any development in those areas. The approach to Protected Species is supported by the Countryside officer.
- 5.62 General ecological enhancement is proposed via a Biodiversity Enhancement Strategy, and required by condition to the outline permission (condition 23 of 15/02337/OUT). At the time of writing this report it is not clear whether the Countryside Officer is fully supportive of the scheme, and in any case, it is required to be submitted separately under approval of the outline condition.
- 5.63 With the above assessments, methods of working and enhancements proposed and secured by conditions it is considered that the proposal comprises a suitable avoidance, enhancement and mitigation strategy to be in compliance with Plan:MK policies NE2 and NE3, and a resulting net gain in biodiversity as required by the NPPF.

Drainage and flood risk

- 5.64 The Council's Flood and Water Management Officer (as Lead Local Flood Authority (LLFA) officer) has assessed the applicant's Drainage Strategy and initially had objections to the scheme. The scheme has been revised and no comments have subsequently been received from the LLFA. Pre-commencement conditions for details of surface water drainage, as well as storm water and foul water drainage are already secured through the outline permission (condition 10, 12, and 13 of 15/02337/OUT) and it is therefore considered unnecessary to apply a condition here.
- 5.65 On this basis the proposal complies with policies FR1 and FR2 of the Plan: MK in that risk of flooding will not be increased on or off site and that an adequate drainage system and method of surface water disposal will be provided.

Sustainable Construction

- 5.66 The applicant has provided a Sustainability Statement to comply with the requirements of Plan:MK policy SC1. The Statement indicates the energy efficiencies which have been included in the design of the buildings, and the location for the installation of photovoltaic panels. A carbon offsetting contribution was also included with the S106 Agreement associated with the outline application.

It is therefore considered that the proposal meets the requirement of policy SC1 and is acceptable.

S106 matters

- 5.67 The outline site specific s106 covers subsequent detail and amendment applications and therefore this application would fall under the original s106 and no further s106 or variation is required. These contributions met the tests for obligations as outlined at paragraph 204 of the NPPF and are in accordance with CIL Regulations 122 and 123.

Other Matters

- 5.68 Conditions on the outline permission required submission during the reserved matters phases of lighting plans, confirmation of measures to meet Secure by Design principles and infrastructure for superfast broadband. These details have not been submitted with the reserved matters application, and therefore these conditions are replicated for approval of details as part of this permission.

6.0 CONCLUSIONS

- 6.1 Ultimately, it is considered by officers that the proposal represents an acceptable scheme and provides appropriate measures, which balance the needs of the future occupiers and the existing adjacent land occupiers, as well as mitigating for the impact and enhancing the character, landscape and ecology of the area.
- 6.2 The proposed development responds to the outline planning permission, the policy requirements of the development plan and the National Planning Policy Frameworks, as well as the Parking Standards SPD. In accordance with the presumption in favour of sustainable development, it is therefore recommended that planning permission is granted subject to the conditions set out below.

7.0 CONDITIONS

Outline Permission

1. Nothing herein contained shall be deemed to affect or vary the conditions imposed on outline planning permission ref. 15/02337/OUT, dated: 8th February 2017, which shall continue in full force and effect.

Reason: For the avoidance of doubt.

Expiration Date

2. The development hereby permitted shall begin before the expiration of two years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

Estate Roads Details

3. Prior to the commencement of the development hereby permitted details of the access road, estate roads and footways shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling shall be occupied until the estate roads and footways which provide access to it from the existing highway have been laid out and constructed in accordance with the approved details. The estate road and footways so laid out shall be retained thereafter.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policies CT1 and CT2 of Plan:MK (2019).

Details of the Redway

4. Prior to the commencement of the development details of the proposed Redway connection from and through the development to the existing Redway on Ortensia Drive shall be submitted to, and be approved in writing by, the Local Planning Authority. The details shall include the section of Redway within the site that shall be maintained at 3m wide and the refuge / crossing on Ortensia Drive. No dwelling shall be occupied until the Redway and crossing have laid out and constructed in accordance with the approved details.

Reason: To minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with policies CT1 and CT2 of Plan:MK (2019).

Cycle Parking – Apartment Provision

5. Prior to the first occupation of the apartments hereby permitted the proposed bicycle parking for the apartments, as shown on the approved drawings, shall be provided and shall be retained thereafter.

Reason: To ensure that adequate cycle parking facilities are provided to serve the development in accordance with policies CT10 of Plan:MK (2019) and the Parking Standards SPD.

Cycle Parking – Convenience Store Details

6. Prior to the first occupation of the convenience store details of the proposed bicycle parking for the convenience store shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the convenience store.

Reason: To ensure that adequate cycle parking facilities are provided to serve the convenience store in accordance with policies CT10 of Plan:MK (2019) and the Parking Standards SPD.

Parking Spaces Implementation

7. No part of the development hereby permitted shall be occupied until the parking spaces shown on the approved site layout serving that dwelling have been laid out and surfaced in accordance with the plans hereby approved. The parking spaces shall be retained thereafter and only be used for the parking of vehicles.

Reason: To ensure that sufficient parking is provided to meet the needs of the development in accordance with policies CT10 of Plan:MK (2019) and the Parking Standards SPD.

Floor and Ground Levels

8. No development shall take place until details of the proposed finished floor levels of all buildings and the finished ground levels of the site, in relation to existing site levels of surrounding property, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access, the appearance of the development, the connections with the surrounding sites and the amenities of neighbouring properties in accordance with policy D1 of Plan:MK (2019).

Buffer Zone

9. The open space buffer zone on the eastern boundary of the site, with a minimum distance of 30 metres between the eastern site boundary and the closest residential units, as shown in the approved plans, shall be maintained on site in perpetuity.

Reason: To safeguard the residential amenity of future residents in accordance with policy D1 and D5 of the Plan:MK (2019).

Sound Insulation Measures

10. Prior to the first occupation of the dwellings hereby permitted the detailed glazing specification, as outlined below, shall be submitted to, and approved in writing by, the Local Planning Authority.

This condition applies to the residential units on plot numbers: 84 - 91, 99 - 112, 113-118, and 119-134, as shown on the approved plans.

The sound insulation performance of the glazing units (including frames) of all windows in the above listed plots shall afford a minimum of 30dB Rw (28dB Rw+Ctr) with 19dB Rw at 63Hz and 24dB Rw at 125 Hz.

The performance of the selected ventilation system for these plots shall not undermine the performance of the specified glazing and shall seek to achieve 36dB Dne,w (34dB Dne,w + Ctr).

The glazing shall be installed in all of the residential units listed below prior to the first occupation of those residential units and maintained on site in perpetuity.

Reason: To safeguard the residential amenity of future residents from operational noise from The Stables in accordance with policy D5 of Plan:MK (2019).

Fixed/Opaque windows

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), prior to the first occupation of the apartment building

identified as “113-118” on the approved plans, the second floor windows on the eastern elevation shall be installed as obscurely glazed to a minimum level 3 within the Pilkington range of Textured Glass or equivalent and fixed shut. The windows shall remain obscurely glazed and fixed shut in perpetuity.

Reason: To safeguard the residential amenity of future residents from operational noise at The Stables in accordance with policy D5 of Plan:MK (2019).

Fixed windows

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), prior to the first occupation of the apartment building identified as “113-118”, and the dwellings identified as “Plot 109”, “Plot 119” and “Plot 127” on the approved plans, all windows on the eastern elevation shall be installed as fixed shut windows. The windows shall remain fixed shut in perpetuity.

Reason: To safeguard the residential amenity of future residents from operational noise at The Stables in accordance with policy D5 of Plan:MK (2019).

Occupier Noise Notification

13. Prior to the first occupation of the development hereby permitted a scheme outlining how the developer will notify new residents of the development of the potential noise environment and the acoustic mitigation measures that are in place across the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the residential amenity of future residents from operational noise at The Stables in accordance with policy D5 of Plan:MK (2019).

Acoustic Fence

14. Prior to the first occupation of the development hereby permitted a scheme for the installation of an acoustic fence along the eastern boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include specification details of the acoustic fence, including exact position, height, colour, materials and details of construction, and shall show how the fence has been integrated into the landscaping. The fence shall be installed prior to the first occupation of the development, and shall be maintained on site in perpetuity.

Reason: To safeguard the residential amenity of future residents from operational noise at The Stables in accordance with policy D1 and D5 of Plan:MK (2019).

Landscape Details

15. Notwithstanding the approved plans, no development shall take place above slab level until a detailed Hard and Soft Landscape Scheme has been submitted to, and approved in writing by, the Local Planning Authority.

These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian

access and circulation areas; play equipment, bins etc.; proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications (including cultivation and other operations associated with tree, plant and grass establishment); and the implementation programme.

Development shall be carried out in accordance with the approved details and implementation programme. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policy D1 of Plan:MK (2019).

Boundary Treatments

16. Notwithstanding the approved plans, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site.

The development shall be carried out in accordance with the approved details prior to the occupation of each dwelling to which the boundary treatment relates, and shall thereafter be retained in that form.

For the avoidance of doubt, this condition supersedes condition 18 of the outline permission 16/02106/OUT.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with policy D1 of Plan:MK (2019).

Tree Protection

17. Prior to the commencement of the development hereby permitted all existing trees to be retained are to be protected according to the provisions of the approved tree protection details in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. All protective measures especially the fencing must be put in place first, prior to any other work commencing on site. The fencing shall be of the same specification and ground protection as that depicted 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. The Root Protection Area (RPA) within the protective fencing must be kept

free of all construction, construction plant, machinery, personnel, digging and scraping, water-logging; changes in level, building materials and all other operations, personnel, structures, tools, storage and materials, for the duration of the construction phase. No fire shall be lit such that it is closer than 20 metres to any tree or that flames would come within 5 metres of any part of any tree.

Reason: To ensure adequate protection of existing trees either on the site or adjacent to the site boundary throughout the construction process in accordance with policies D1, NE2 and NE3 of Plan:MK (2019)

Poplar Tree

18. The Poplar tree identified as T6 in the submitted Arboricultural Impact Assessment shall be reduced, but retained on site in accordance with the Letter from ACD Environmental dated: 28th January 2019 (received: 7th February 2019).

Reason: In order to maintain priority habitats on site and ensure a net gain in biodiversity in balance with ensuring site safety for future residents in accordance with policies D1, NE2 and NE3 of Plan:MK (2019).

Eastern Buffer Details

19. Notwithstanding the approved plans, no development shall take place above slab level until details of the proposed landscape buffer and earthwork details on the eastern part of the site have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include levels, landscaping plans, and include plans and cross-sections that show that the natural style local play area can be accommodated in this area.

The approved scheme shall be constructed and implemented on site prior to the first occupation of the development, and maintained on site thereafter.

Reason: To ensure appropriate mitigation has been provided in this area and that the scheme can provide the natural play area as required by policy, therefore ensuring compliance with policies D1 and D5 of Plan:MK (2019).

Local Play Area Details

20. Prior to the implementation and construction of the raised land form and landscape buffer on the eastern part of the site, a detailed scheme for a Local Play Area, in a "natural style", which integrates with landform contouring, proposed landscaped buffer and avoids root protection areas of retained trees and hedgerows shall be submitted to and approved in writing by the Local Planning Authority.

Details shall include:

- details of the type and location of play/recreation equipment, seating and associated structures to be situated within the play area(s);
- details of the surface treatment; and
- details of the long-term management and maintenance arrangements of the play area(s).

The approved scheme shall be constructed in accordance with the approved details and completed prior to the first occupation of the development, and maintained on site thereafter. The site for the local play area shall not be used for any purpose other than as a play area.

Reason: To ensure that a natural-style play area is provided and that the scheme complies with policy D1 and L4 of Plan:MK (2019).

Protected Species Surveys

21. Within the three months prior to the commencement of the development the site shall be visited by a suitably qualified ecologist to review badger interest, and provide an updated review on the impact of badgers and their habitats. Prior to the commencement of the development the above review shall be submitted to, and approved in writing by, the Local Planning Authority.

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

Great Crested Newts Condition 1

22. The development must be delivered in accordance with the terms and conditions of Milton Keynes Council's organisational licence (WML-OR25) and with the proposals detailed on plan 'Impacts Plan 3, dated Oct 2018'.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR25, and in accordance with policy NE2 of Plan:MK (2019).

Great Crested Newts Condition 2

23. No development (including ground investigations, site preparatory works and ground clearance) can take place until a certificate from the Delivery Partner (as set out in the District Licence WML-OR25), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence.

The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development (any on-site works which may impact on great crested newts or their habitat) hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts in accordance with policy NE2 of Plan:MK (2019).

Great Crested Newts Condition 3

24. All site works (including ground investigations, site preparatory works, ground clearance etc.) must be carried out in accordance with best practice guidance

(GCN Mitigation Principles, as set out in the District Licence WML-OR25) and using reasonable avoidance measures. In addition:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to ground clearance or removal of such features (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of works.

Reason: In order to adequately mitigate impacts on great crested newts with policy NE2 of Plan:MK (2019).

Lighting Scheme

25. No development shall take place above slab level until a lighting scheme for all public and private areas, footpaths and parking areas has been submitted to, and approved in writing by, the Local Planning Authority. The lighting scheme shall include details of the lights proposed, a lux plan showing maximum, minimum, average and uniformity levels, details of means of electricity supply to each light and how the lights will be managed and maintained in the future. If any lighting is required within the vicinity of current or built-in bat features, it shall be low level with baffles to direct the light away from the boxes and units, thus preventing severance of bat commuting and foraging routes. The approved scheme for each phase or part shall be implemented prior to the first use of that phase or part.

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

Soft Landscape Management and Maintenance Plan

26. Prior to the first occupation of the development hereby permitted a Soft Landscape Management and Maintenance Plan shall be submitted to, and approved in writing by, the Local Planning Authority.

The plan shall be for a minimum period of 5 years, and shall include a detailed plan of the landscape features requiring management and maintenance (including biodiversity enhancement measures), a statement of long term design objectives, management responsibilities and a schedule of landscape maintenance with details of the arrangements for its implementation for all landscaped open space and public amenity areas, other than privately owned domestic gardens. The landscape management plan shall be carried out in full accordance with the approved details.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance policies D1, NE2 and NE3 of Plan:MK (2019).

Secure by Design

27. The development hereby permitted shall be constructed in accordance with Secured by Design principles and each dwelling shall achieve Secured by Design accreditation (as awarded by Thames Valley Police) prior to the occupation of that dwelling.

Reason: In the interests of reducing crime and disorder in accordance policy EH7 of Plan:MK (2019). .

Superfast Broadband Infrastructure

28. Prior to the commencement of the development above slab level details of how superfast broadband infrastructures will be delivered to every household, subject to network capacity being available, shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed superfast broadband infrastructures shall be installed prior to the first occupation of each associated dwelling within that phase or part of the development.

Reason: To ensure that residents have access to high quality telecommunications and ICT networks in accordance policies EH7 and CT9 of Plan:MK (2019).

Sustainability Statement

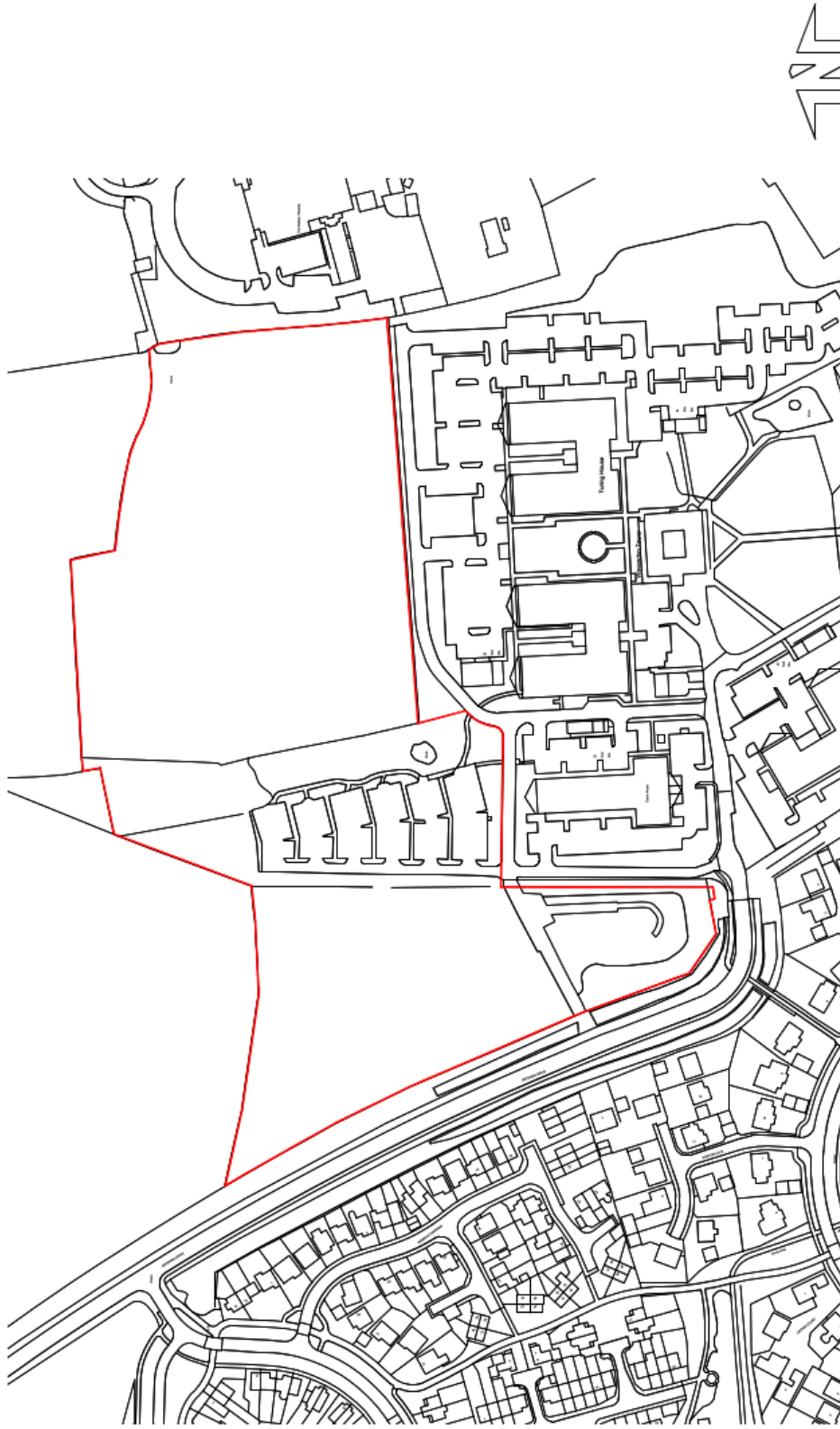
29. The development hereby approved shall be carried out in accordance with the proposals within the submitted 'Sustainability Statement' dated: 18 May 2018.



Reason: To reduce the resource consumption of the development in accordance with policy SC1 of Plan:MK (2019).

Informative Noise Levels

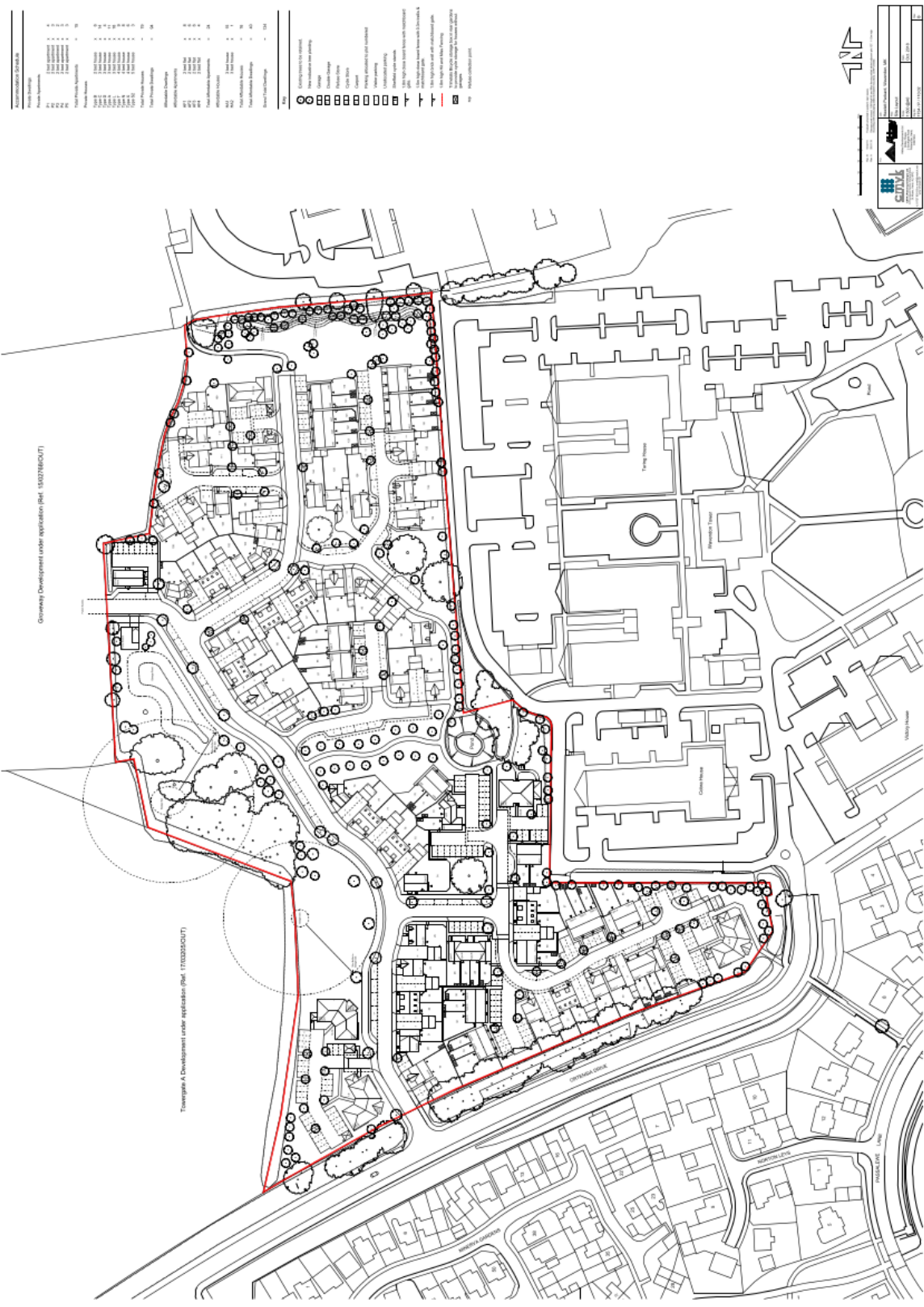
The internal ambient noise levels within all habitable rooms should satisfy the guideline values for BS8233:2014:

35dB LAeq,16h (daytime 0700-2300) in living rooms and bedrooms;
30dB LAeq,8h (night-time 2300-0700) in bedrooms.

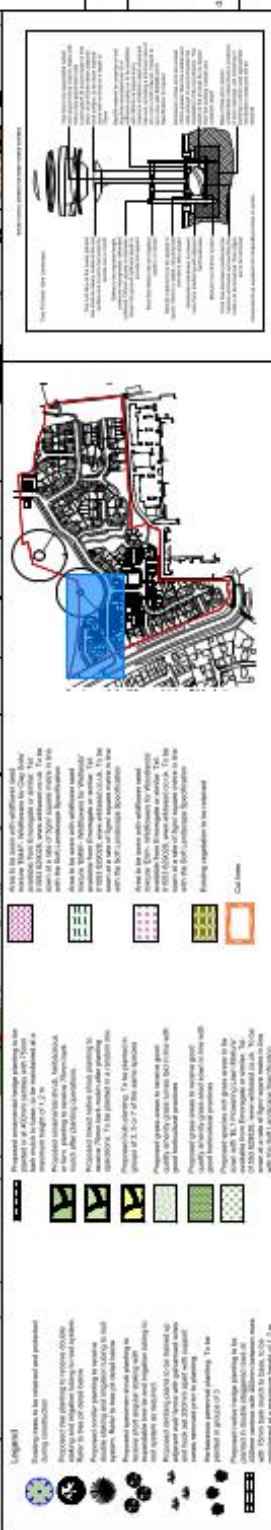


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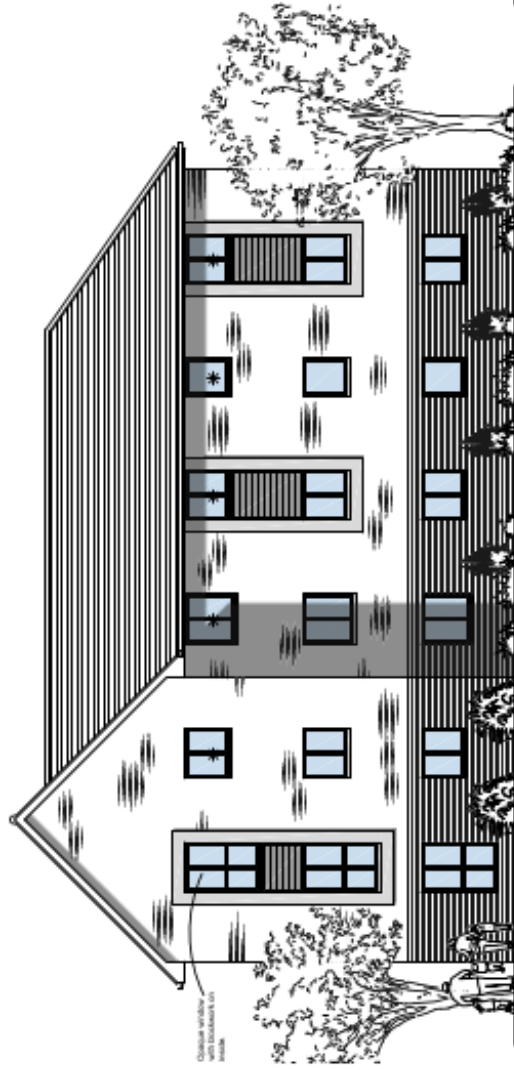




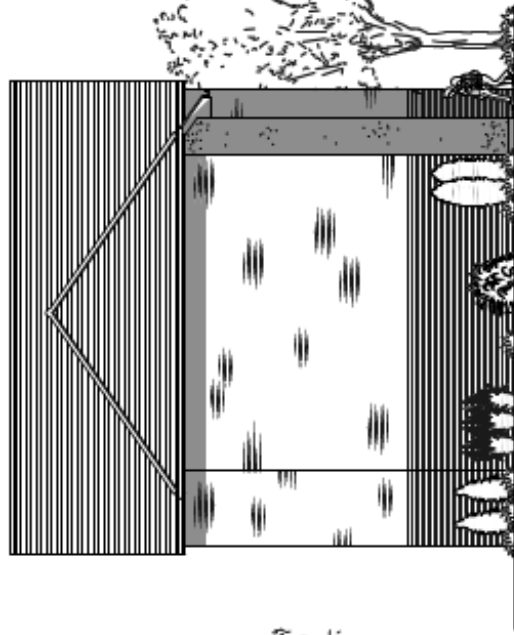
Scale: 1" = 100'	Project Name: [REDACTED]	Sheet: 1 of 1
Client: [REDACTED]	Architect: [REDACTED]	Engineer: [REDACTED]
Site: [REDACTED]	City: [REDACTED]	State: [REDACTED]
Date: [REDACTED]	Author: [REDACTED]	Reviewer: [REDACTED]

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1987-1988 Ford 302 V6
 1. Intake Manifold
 2. Piston
 3. Connecting Rod
 4. Crankshaft
 5. Valve Train
 6. Timing Belt
 7. Water Pump
 8. Oil Pan
 9. Camshaft
 10. Intake Valve
 11. Exhaust Valve
 12. Piston Ring
 13. Connecting Rod Bolt
 14. Crankshaft Bolt
 15. Timing Belt Bolt



Rear Elevation



Side Elevation

* All windows installed shall be in frame
Chassis Cladding and in the Field shall

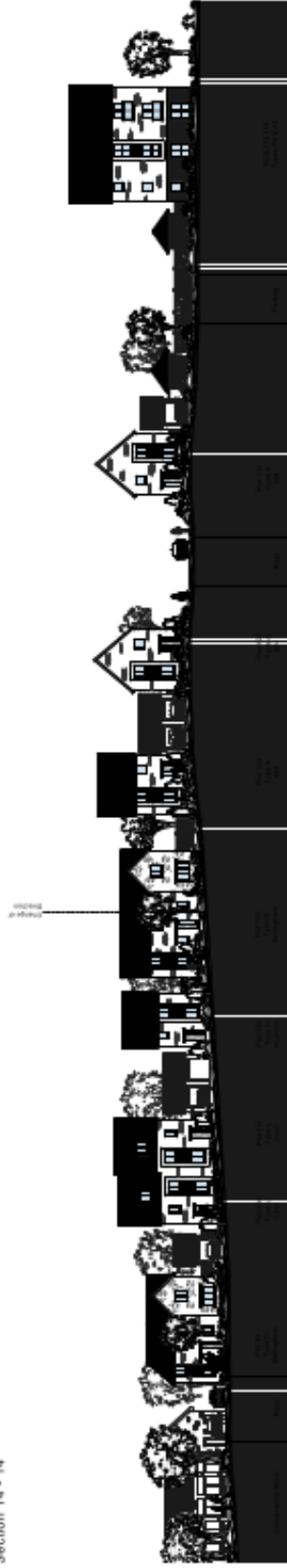
Rev. A 20.01.19 Note added to elevations and Rear view glazing and opaque sections.

 cmk <small>Construction Materials Knowledge</small> <small>cmk (Pty) Ltd</small> <small>4111 Sandown Road</small> <small>Stellenbosch, 7600</small> <small>T: 021 851 2323</small> <small>E: info@cmk.co.za</small> <small>www.cmk.co.za</small>	 APB <small>Abney Developments Ltd</small> <small>2000 Abney Road</small> <small>2000 Abney Road</small> <small>Port of Spain, Trinidad</small> <small>T: 868 622 1111</small> <small>E: info@apb.co.tt</small>	Job: Hewlett Packard, Waverdon, MK	
		Title: Private Apartments 113-118 - Rear & Side Elevations	
Scale: 1:100 @A3		Date: October '18	
Drawn by: 1734 / P / 130.45		Rev: A	





Section 14 - 14



Section 15 - 15



Section 16 - 16



Section 17 - 17



Key Plan (not to scale)

	<p>Project: Louisiana University 000</p> <p>Site: Louisiana University 000</p> <p>Scale: 1/8" = 1'-0"</p> <p>Sheet: 1/8" = 1'-0"</p>
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Appendix to 18/01304/REM

A1.0 RELEVANT PLANNING HISTORY

15/00983/EIASCR

Screening opinion request for proposed residential development on land to provide up to 134 Units together with access from Ortensia Drive
EIANRQ 19.05.2015

15/02337/OUT

Outline application for up to 134 residential units, 75-100 sqm of A1 (retail use) for the provision of a local convenience store with access from Ortensia Drive and the land north of the site, with associated landscaping, infrastructure and ancillary works
PER 08.02.2017

18/01305/DISCON

Details submitted pursuant to discharge of condition 7 (Archaeological Field Evaluation), 8 (Finished Floor Levels), condition 9 (Flood Risk Assessment), condition 10 (Surface Water Disposal), condition 12 (Storm Water Drainage), condition 13 (Foul Water Drainage), condition 14 (Car and Cycle Parking), condition 15 (Construction Access), condition 19 (Open Space Specification), condition 20 (Landscaping Scheme), condition 21 (Tree Protection), condition 23 (Biodiversity Features), condition 24 (Boundary Treatments), condition 25 (Lighting Scheme), condition 27 (Sustainability Statement) and Condition 28 (Broadband Provision) attached to planning permission 15/02337/OUT.
WDN 27.07.2018

18/01631/CONS

Design Code application pursuant to outline permission at Land North And West of Wavendon Business Park.
PER 13.12.2018

A2.0 ADDITIONAL MATTERS

None

A3.0 CONSULTATIONS AND REPRESENTATIONS

A3.1 Wavendon Parish Council

Initial comments received

Objection.

“The proposed detailed development application puts at risk one of the most prized cultural organisations in Milton Keynes and one of the most respected music organisations in the UK.

The application appears to disregard the details contained within the outline permission and my council is staggered that the applicants appear to have not consulted at any stage with MKC Planning Officers; otherwise they would have been made aware of the degree to which the application is at variance. Any detailed application must take full account of the existing use of the Stables and not place in jeopardy the future function of this iconic cultural centre.

My council understands that nationally there is grave concern about the number of music venues being forced to close because complaints of noise nuisance from new neighbouring residential schemes, forcing licensing constraints that make the venues unable to conduct their established concert programmes.

Wavendon Parish Council urges Milton Keynes Council to reject this planning application and ensure that the scheme adheres to the requirements agreed at the Outline Planning stage (15/0237/OUT) for a green buffer zone to protect future residents from any impact of The Stables activities, and thereby protect The Stables from any unintended consequences of this development.

In particular the Parish Council would raise a concern over the proposal for three storey flats to be built right on The Stables boundary overlooking the car park area, directly opposite The Stables entrance. With cars coming and going late into the evening, this will invariably cause a nuisance to the residents in addition to spoiling the much-valued rural setting, which has been a key factor in this historic music venue's success for nearly fifty years.

Furthermore, it gives my council concern that The Stables would also be unable to provide Summer Music making activity for children and young people, putting an end to the National Youth Music camps which have taken place on and around the site since 1970. It is vitally important as music tuition in schools continues to decline due to funding challenges, that opportunities for people to develop their talents and skills is retained if the UK is to remain at the forefront of exporting great music around the world and that Milton Keynes is core to achieving that end.

By reference to the Council's paper that accompanied Application 15/02337/OUT my council would draw your attention to the following stipulations:-

Item 5.8:

“when the matter or layout is brought forward as a reserved matters application for the proposals to be considered acceptable no development should be located within the green buffer”

Item 5.18: Design and Layout

“the submitted Conceptual layout is not considered to be acceptable on the basis that development is currently proposed on an area allocated as the SLA green buffer. Reserved matters applications for the proposed layout of this site which propose development on the green buffer are unlikely to be considered acceptable.”

Item 5.23: Impact on Neighbouring Sites

“subject to a layout to be submitted as a part of a reserved matters application showing due consideration of the neighbouring use of The Stables as an entertainment venue..... residential developmentis broadly acceptable..... subject to.....a green buffer being retained, between the two sites”

Item 5.41: Landscaping

“when the matter of layout is brought forward development on this buffer will not be considered acceptable.”

Item 5.44: Landscaping

“Strengthening of the landscaping at the boundary with The Stables is proposed. While the principle of strengthening the landscaping at the boundary may be supported, the green buffer allocation within this location would still be required within layout and landscaping proposals.”

Wavendon Parish Council urges the Development Control Committee to reject this scheme until it is redesigned in line with the outline permission to remove units 93 – 117 and their associated parking and to ensure that any development creates a suitably designed green buffer zone to protect the function and future viability of The Stables”

Additional comments

Highlights relevance of paragraph 182 of the NPPF.

Comments following re-consultation

- A written document must be produced to protect the future viability of the operation of The Stables Theatre as part of the planning approval process.
- Share concerns regarding the siting of a LEAP right next to the boundary and within the Buffer Zone and ask that this is fully resolved with the Stables Theatre before any planning approval is given.
- Agreement with the siting of dwellings should be agreed with all parties prior to planning approval being granted.

A3.2 Walton Community Council

Initial comments received

Walton Community Council objects in the strongest of terms to the planning application on the following grounds:

- The SLA indicated a green buffer which was ignored at the outline stage and which is also ignored at the reserve matters stage. The reserve matters application does not take into account the planning officer's comments for a green buffer and does not show a green buffer as indicated in the SLA. It would appear that the proposed dwellings set out in the reserved matters application have shifted closer to the Stables Theatre than the proposal set out in the outline application.
- There is no point in developing planning frameworks if they are to be ignored.
- The outline application was for a maximum of 134 dwellings and this has not been reduced to take account of the buffer zone. The reserve matters application still proposes 134 dwellings.
- According to the access drawing plan, there is no attempt to show how the access will link with the redway.
- Walton Neighbourhood Plan makes reference to a LEAP and there is no mention of this in the Design and Access Statements (or any other development in that area). There should be a play facility or at least s.106 provision put aside for such an area."

Comments following re-consultation

None received.

A3.3 Ward Councillor-Danesborough and Walton- Cllr David Hopkins

Initial comments received

"I write as ward councillor for Danesborough & Walton to register my strong objection to the above named application,. The proposed detailed development application puts at risk one of the most prized cultural organisations in Milton Keynes and one of the most respected music organisations in the UK.

The application appears to disregard the details contained within the outline permission and my council is staggered that the applicants appear to have not consulted at any stage with MKC Planning Officers; otherwise they would have been made aware of the degree to which the application is at variance. Any detailed application must take full account of the existing use of the Stables and not place in jeopardy the future function of this iconic cultural centre.

My council understands that nationally there is grave concern about the number of music venues being forced to close because complaints of noise nuisance from new neighbouring residential schemes, forcing licensing constraints that make the venues unable to conduct their established concert programmes.

I would urge in the strongest of terms that Milton Keynes Council DC committee reject this planning application and ensure that the scheme is directed to adhere to the requirements

agreed at the Outline Planning stage (15/0237/OUT) for a green buffer zone to protect future residents from any impact of The Stables activities, and thereby protect The Stables from any unintended consequences of this development.

In particular I would raise a concern over the proposal for three storey flats to be built right on The Stables boundary overlooking the car park area, directly opposite The Stables entrance. With cars coming and going late into the evening, this will invariably cause a nuisance to the residents in addition to spoiling the much-valued rural setting, which has been a key factor in this historic music venue's success for nearly fifty years.

Furthermore, it gives me deep concern that The Stables would also be unable to provide Summer Music making activity for children and young people, in effect putting an end to the National Youth Music camps which have taken place on and around the site since 1970. It is vitally important as music tuition in schools continues to decline due to funding challenges, that those opportunities for young people to develop their talents and skills is retained if the UK is to remain at the forefront of exporting great music around the world and that Milton Keynes is core to achieving that end.

By reference to the Council's paper that accompanied Application 15/02337/OUT I would draw your attention to the following stipulations:-

Item 5.8:

".....when the matter or layout is brought forward as a reserved matters application for the proposals to be considered acceptable no development should be located within the green buffer"

Item 5.18: Design and Layout

".....the submitted Conceptual layout is not considered to be acceptable on the basis that development is currently proposed on an area allocated as the SLA green buffer. Reserved matters applications for the proposed layout of this site which propose development on the green buffer are unlikely to be considered acceptable."

Item 5.23: Impact on Neighbouring Sites

"....subject to a layout to be submitted as a part of a reserved matters application showing due consideration of the neighbouring use of The Stables as an entertainment venue..... residential developmentis broadly acceptable..... subject to.....a green buffer being retained, between the two sites"

Item 5.41: Landscaping

"....when the matter of layout is brought forward development on this buffer will not be considered acceptable."

Item 5.44: Landscaping

".....Strengthening of the landscaping at the boundary with The Stables is proposed. While the principle of strengthening the landscaping at the boundary may be supported, the green buffer allocation within this location would still be required within layout and landscaping proposals."

I urge the Development Control Committee to reject this scheme in its present form until it is redesigned in line with the outline permission and in particular to remove units 93 – 117

and their associated parking and to ensure that any development creates a suitably designed green buffer zone to protect the function and future viability of The Stables.”

Comments following re-consultation

“The Stables, The Parish Council and myself as ward councillor would like to have a written policy document from MK Council which clearly sets out the methodology which MK council will use in the event of any noise complaints from the property. I know that the Chief Executive of the Stables and their architects have looked on the MKC website and there is a distinct lack of information around the methodology, yet as they recollect they were all given instructions during at least one International Festival that noise monitoring had to be undertaken through OPEN windows.

The Stables are seeking reassurance that this would not be applied in the future and that any successors to the management of the Stables or the current MKC officers will have sufficient documentation to refer to, ensuring that the Stables will not be put in the position of having to comply with an impossible requirement if the proposed mitigation of CLOSED windows does apply.

Further to this, the Stables remain concerned that the three storey block of flats to the north of the site still leaves them exposed to being overlooked and more vulnerable to noise complaints from this area. It was noted during our last project meeting that a visual separation between the Stables building and residents would help the psychological impact of noise, reducing the likelihood of complaint.

The Stables remains concerned with the proposed resolution of screening / mounding to the boundary and a bit baffled that the plans show a LEAP right up next to the Stables boundary and within the buffer zone. Surely this type of facility would be better situated nearer the centre of the scheme (e.g. in the area of the retained pond)? Its removal from the buffer zone would cut down on the number of footpaths required in the zone and give better scope for landscaping.

There is no suggestion that the buffer zone should be other than a ‘semi-natural area’ with enhanced planting to the natural hedgerow and it ignores the opportunity for significant mounding and substantial tree planting to help the visual separation. Both the Stables and I are not clear on what the reference to the ‘possible acoustic fence?’ means and whether this is instead of, or as well as, the discussed natural planting reinforcement of the boundary. The agreed preference is surely to ensure as much screening and sound separation as possible, whilst retaining the rural aspect of the area, so perhaps a combination approach is required.”

A3.4 Ward Councillor-Danesborough and Walton- Cllr Alice Jenkins

No representations were received at the time of writing this report.

A3.5 Ward Councillor-Danesborough and Walton- Cllr Victoria Hopkins

No representations were received at the time of writing this report.

A3.6 MKC Urban Design

Initial comments

“Objection:

- Part of the site lies within the SLA. Policy CS5 and the Development Framework SPD require the provision of a buffer along the southern and eastern boundaries to maintain the separate character of Wavendon.
- Design Code for the site should be approved before reserved matters application is considered. The Design Code will set the parameters against which this application will be assessed.
- Development should have a distinctive character, which is different from that of Wavendon Gate and Wavendon.
- Frontage to primary street should be active and enclose the street.”

Comments following re-consultation

“My comments on the amended plans are:

- The changes to the design and appearance of the dwellings is supported. The more contemporary approach, taking its cue from the proposed adjoining Crest Nicholson scheme, is appropriate for development within the SLA, which has a separate character from Wavendon.
- Apartment blocks 1-9 and 10-18 should have a door onto the street.
- The rear/side boundaries of plots 70, 78 and 79 are exposed to the public realm. Both from a security and visual point of view this is not good urban design practice. Further consideration should be given to this area to reduce the amount of rear/side boundary exposed to the public realm.”

A3.7 Lead Local Flood Authority

Initial comments

“Objection - Insufficient information provided to demonstrate meeting the requirements of the NPPF, the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015), the drainage requirements of the Milton Keynes Core Strategy (2013), and the MKC Surface Water Drainage Local Guidance for Planning Applications.

There is currently insufficient detail provided to demonstrate the development will meet the required policy.

We object to this application and recommend refusal of planning permission until the applicant has provided the additional detail required to satisfy the above policy.”

Comments following re-consultation

None received.

A3.8 MKC Landscape Services (Tree Officer)

No representations were received at the time of writing this report.

A3.9 MKC Landscape Architect

Initial comments

No comments received.

Comments following re-consultation

“The applicant could propose a natural ‘play-scape’ which will work with landform contouring and tree planting thus combining ground profiling, tree planting and play equipment within a landscape buffer. This is supported by the Strategic Land Allocation Development Framework- Supplementary Planning Document. If expectations are relying purely on landform and new planting to provide a visual landscape buffer that it will take 30-50 years to achieve the same screening contribution as that provided by the large existing mature trees on The Stables grounds along the joint land ownership boundary.

Secondly, I suggest that the applicant may be willing to offer the Stables some additional off site screen planting to increase the opportunities to provide more screening between the development and The Stables.

A third measure to offer The Stables one-off tree management works to improve the long-term health of the large mature trees on The Stables grounds along the joint land ownership boundary. These trees are the greatest asset and contribution available to the applicant and The Stables in terms of providing an instant robust landscape buffer and meaningful visual screen (mitigating visual perception of a noise source). Therefore it makes sense to positively manage this asset to improve their health and longevity.

It would be unreasonable to expect children under the age of eight to access play area in other housing areas that require them to cross traffic on Ortensia Drive and Walton Road. Therefore the nearest provision when built would be the proposed development north of the Stables, but the catchment area alone is unlikely to cover the housing development footprint proposed for the site north of Wavendon business park.

The amenities of future residents of the proposed development should be safeguarded and meet policy standards of provision. Where new development occurs it is important that sufficient open space, recreation and play provision is made to make the proposals acceptable in land use planning terms.”

Further comments following re-consultation

Requests that condition for floor and ground levels remain, as although acceptable, there is some inconsistency with the other approved plans. Comments provided to ensure consistency. Queries the route of the footpath in the north-east corner with confirmation that this will not be routed onto private land. Requests additional conditions for a Soft Landscape Management and Maintenance Plan (including plan for the biodiversity

enhancement). Suggests minor wording amendments to landscape conditions (replace LEAP with Local Play Area).

A3.10 MKC Countryside Officer

Initial comments

- “• It is not clear how development of the site will provide a net gain in biodiversity as required by local and national policies.
- A DEFRA Biodiversity Impact Assessment calculation has not been undertaken to establish a baseline and ensure compensatory habitats will provide a net gain for biodiversity.
- A significant area of scrubby woodland on the western section of the site is being lost to the development. There is no indication of compensatory habitat on the site.
- The area of retained trees beside the dwellings on the N-W of the site seems to have been significantly reduced in size in the Possible Acoustic Alterations layout.
- It is pleasing to see that the buffer strip on the eastern side of the site has been increased to 30m. However, the Possible Acoustic Alterations layout proposal indicates an area with public access throughout, which may not proportionally transfer through to offer greater benefits for wildlife. This area could provide significantly greater benefits if it managed predominantly for biodiversity rather than as public open space or a sufficiently wide area is protected from public access.
- Concern that the attenuation basins in the N/W and centre north of the site seem to have disappeared on the Possible Acoustic Alterations layout, with a loss of marshy/wildflower areas.
- The north to south areas of public open space are isolated from one another with no links from west to east in the lower part of the site.
- The proposal shows existing hedgerows/trees subsumed into private gardens and therefore may be at risk of mis-management.
- The most recent survey shows no bats present in trees to be lost to the development. However, bats are highly mobile and any trees that have bat roost potential should be inspected prior to development and soft felling methodology employed.”

Comments following re-consultation

“A veteran Hybrid Poplar exists within the site. Veteran trees are considered to be irreplaceable habitats and the loss of an irreplaceable habitat is not acceptable in terms of the NPPF.

It is difficult to comment in detail on the proposal without having sight of a modified layout that retains the irreplaceable habitat, incorporates an appropriate root protection zone and includes sufficient habitat creation to compensate for those habitats lost to the development. In the most recent layout, the hybrid poplar will be lost to the development and an inundation basin constructed in that location. However, the inundation basin must be re-located to enable the retention of the veteran tree.

I believe the developer intends to apply for cover under the GCN District Licence, which will enable the development to proceed without applying to Natural England for an individual derogation licence. The NatureSpace report must be submitted to the LPA and listed in the supporting documents. If planning permission is granted, all the conditions

and informatives listed on the report document will be attached to the planning permission. When MKC is in receipt of the final NatureSpace Certificate, authorisation will be issued, enabling the development to legally proceed under the District Licence.

The developer is to be commended for their proposal to include features that link areas of open space for the benefit of wildlife.

The Biodiversity Enhancement Strategy submitted in support of the proposal is based on a layout that will be updated. Therefore, the BES must be updated accordingly.

A Badger Mitigation Strategy has been submitted, based on a survey from October 2017. The survey has identified active badger setts and recommends appropriate exclusion zones. The document also recommends the site is visited to review badger interest within 3 months of the commencement of the development.

Updates required: The developer shall submit a modified scheme layout to the LPA for approval prior to determination of the application.

The developer shall submit an updated Biodiversity Enhancement Strategy that incorporates the retention of the veteran hybrid poplar and based on the modified scheme layout.

The developer shall submit a copy of the NatureSpace report to the LPA prior to determination of the application.”

A3.11 MKC Highways

Initial comments

Requests further information:

“The proposals are generally acceptable; however, the following issues need to be addressed to make the scheme fully acceptable in highway terms:

- Additional visitor / unallocated parking (6 spaces) should be provided for plots 19-35;
- Details of an acceptable connection between the Redway on-site and the one on Ortensia Drive need to be provided;
- Covered cycle parking needs to be provided for the convenience store;
- A servicing area for the convenience store needs to be provided.”|

Comments following re-consultation

“The revised proposals are generally acceptable; however, there are some issues that still need to be addressed if consent is to be granted. These issues are relatively minor and can be adequately covered by suitable conditions.

- Parking (residential): With regard to car parking, there are now 103 visitor (V) / unallocated parking (UP) spaces shown on the layout plan (78 Visitor and 25 UP, to compensate for plots with tandem parking).

The requirement based on the Council's parking standards is 76 visitor spaces and an additional 24 unallocated spaces for the 48 plots with tandem parking. This is a total requirement of 100 spaces and the provision of 103 spaces exceeds this and is acceptable.

The allocated parking provision is 1 per unit for the flats and 2 per unit for the houses, all in accordance with the standards. Therefore, the allocated and unallocated parking provision as proposed is acceptable.

- Redway connection to Ortensia Drive: The Redway through the site is welcomed and the link to the adjoining site noted; however, it is also noted that the adjoining site (17/03283/REM) does not appear to have a corresponding Redway. Towards the junction with Ortensia Drive the proposed Redway appears to narrow and seems to be shown as a footway at the junction. This is not acceptable and the Redway should be maintained at a full 3m width. Furthermore, the connection across Ortensia Drive to the existing Redway needs to be indicated on the plans, including the crossing of the verge between the Ortensia Drive carriageway and the existing Redway.

A pedestrian refuge is indicated on the plans, and although this would normally be welcomed, the refuge shown does not appear to be 2m wide and is not suitable for cyclists. The residual lane widths on Ortensia Drive are also unclear. This refuge either requires removal or full details of a cycle-friendly refuge should be provided for approval.

- Convenience Store; The original provision of 7 car parking spaces for the convenience store has now been increased to 8 as required in the standards and therefore is now acceptable. The revised plan also indicates a service lay-by to the front of the store, which addresses the concerns about servicing from the small car park.

The store now appears to have some cycle parking provision, with the addition of two Sheffield stands. However, there are no details provided and the elevation plans do not show the cycle parking. Furthermore, as requested previously, the cycle parking should be covered.

- Junction adjacent to Plot 88; The revisions to the layout have created a situation where pedestrian movement across the junction between Plot 88 and Plot 104 is not adequately catered for. The footway on the side of Plot 104 needs extending around the radius to allow for a dropped kerb that will align properly with the footway / dropped kerb near Plot 88. This is a minor layout change that can be dealt with by condition and in the submission of detailed plans for Section 38 (highways) approval.

The proposals are now generally acceptable; however, the conditions listed below are required to ensure safe and satisfactory provision for users of the highways within and around the site."

Conditions recommended for estate road details, junction amendments, redway details, cycle parking for the apartments, cycle parking for the convenience store.

A3.12 MKC Environmental Health

Initial comments

Requested the LPA commission acoustic consultants to fully review the applicant's noise assessment.

Comments following re-consultation

"I write regarding the review of the applicants acoustic report provided by Waterman Environmental, and the request for Environmental Health to provide comment on the review.

I have read the review alongside the initial Acoustic Consultants Ltd report and more recent Cole Jarman report. The review is comprehensive and covers the areas of question in the applicants reports, providing clarification of assumptions in the reports that we felt was required. Therefore I agree with the conclusions of the review and have no further comments to make regarding the review of the applicants reports.

However there don't appear to be any clear recommendations for conditions which I understood would be the case. There is a potential glazing specification in the review, but I can't see anything else that could be considered as a potential condition. Could this be clarified please? In addition the only detail of the latest layout is a sketch and description in the review. This is not a criticism of the review, but it would be helpful to have a detailed layout plan if this could be provided."

Following review of suggested conditions:

"I've read through the suggested conditions and am satisfied with the details provided. Therefore I have no further comments to make."

A3.13 Acoustic Consultants

Summary of Initial Review (initial submission)

Undertook a review of the applicant's Noise Assessment, requiring further information from the applicant's regarding mitigation measures, recommending windows would have to be closed under current circumstances and requesting further information from The Stables regarding normal and worst case scenario noise levels.

"Summary

The baseline noise survey and assessment undertaken by Cole Jarman is considered appropriate to allow a preliminary assessment of the potential impact of entertainment noise from The Stables on the residential development. Safeguarding residential amenity is however reliant on windows to the development being closed which may not be realistic during the summer months where cooling through the opening of windows is likely at times to be required.

To ensure a robust assessment it is considered that break-in noise levels with windows open to habitable room in the nearest residential blocks (including residential blocks within

the north-eastern area of the Site) be submitted to demonstrate compliance with both broadband and NR criteria are satisfied. Where it is not possible to achieve both the broadband and NR criteria with windows open, then additional mitigation measures should be submitted which addresses the potential for opening windows during the summer months.”

Summary of Subsequent Technical Note (revised plans)

Reassessment following further information and revision of the layout, concluding that under normal conditions ambient noise levels would be acceptable with open windows. In the infrequent worst case scenario it might be necessary to have windows closed, and this would achieve acceptable noise levels with the specified glazing.

Suggested Conditions

Recommended conditions to secure the 30 metre buffer, secure non-habitable rooms for the eastern elevation of the first row of house, secure internal ambient noise levels and specification of glazing for the first row of houses.

A3.14 Neighbour/ Third Party Representations

Comments have been received from approximately 3050 addresses from across the country (predominantly patrons of The Stables) throughout the application process, raising concerns and objections to the proposal. The material planning considerations are summarised below:

- Concern that noise from the events at The Stables will cause complaints, due to the proximity, position and detail of the nearest dwellings, ultimately leading to The Stables closure;
- Concern that the buffer zone to the east is not significant enough to overcome the above concern;
- Suggestion of the installation of landscaped buffer including earthworks and/or acoustic fence to overcome the above concern;
- Consideration that local infrastructure cannot cope with the development;
- Concern regarding visual separation and overlooking of The Stables grounds;
- Suggestion that the applicants enter into a Deed of Easement, to overcome the potential noise complaints from future occupiers, and consider that this can be dealt with through the planning process; and
- Concern regarding enforceability of conditions.
-