

<b>Item 3c</b>	<b>14/00900/OUTMAJ</b>
<b>Case Officer</b>	<b>Caron Taylor</b>
<b>Ward</b>	<b>Pennine</b>
<b>Proposal</b>	<b>Outline application for residential development on north and south side of Moss Lane cul-de-sac for up to 32 dwellings, specifying the access point</b>
<b>Location</b>	<b>Land 150M West Leatherlands Farm Moss Lane Whittle-Le-Woods</b>
<b>Applicant</b>	<b>The Talbot Estate</b>
<b>Consultation expiry:</b>	<b>23<sup>rd</sup> September 2014</b>
<b>Decision due by:</b>	<b>20<sup>th</sup> November 2014</b>

**Recommendation**

That the application is approved subject to conditions and a Section 106 agreement.

**Executive Summary**

The application is made in outline with only the access point specified. The access is considered acceptable and it is considered that a scheme acceptable in terms of layout, appearance, scale and landscaping can be satisfactorily achieved on site.

## Representations

**Whittle-le-Woods Parish Council** state that despite being in the local plan there was some concern regarding access, as this would certainly make Moss Lane busier and residents at Springside Gardens already are concerned about junction safety.

### **Cllr Gordon France**

- States he wrote to the people who did the public consultation about his worries over traffic problems on Moss Lane;
- Along with County Councillor Kim Snape they have campaigned for many months for traffic calming measures on the bend before the A6;
- The traffic particularly from Blackburn Road is travelling far too fast. Rumble strips will be installed;
- The agent said that all the traffic won't be on the road at once but what about the school run;
- These properties will be family homes so they object to the application even though the land is allocated [in the Local Plan], on road safety issues;
- At the very least it needs to be seen if L.C.C calming measures have an effect before putting more traffic on a dangerous road.

**In total 1 representation has been received**

### **Objection**

Total No. received: 1

- Increase traffic volumes on Moss Lane. There have been a spate of traffic accidents on Moss Lane over the past few years primarily as a result of speeding vehicles losing control and turning over;
- The junction at the A6 end of Moss Lane at peak times is extremely busy and as result of this queuing occurs along Moss Lane, generally back to Springside Gardens. Despite complaints to LCC little has been done with the exception of new chevrons. Adding 32 housing plots equating to 50-60 vehicles potentially at peak times will only add to the standing traffic at the A6 Junction;
- Moss Lane is not properly controlled by the Police with HGV's greater than 7.5t using Moss Lane constantly as a short cut along with hundreds of other vehicles to avoid the traffic light systems at the Sea View, Hartwood Hall Roundabout and the M61 Junction 8;
- It will reduced the number of green fields to the west of the M61 Corridor;
- Retention of the public footpath across the proposed development must be maintained, including the open ditch and the environmental habitat that exists as well as the existing trees being retained around the development;

## Consultees

<b>Consultee</b>	<b>Summary of Comments received</b>
Police Architectural Liaison Officer	<p>Advise the principles of Secure by Design are incorporated.</p> <p>The site layout for the scheme incorporates a number of footpaths and cycle links running through them e.g. to northern and southern side of Moss Lane. Whilst permeability is supported in new housing developments it should be carefully integrated into the scheme so as not to generate crime. Footpaths should be at least 3 metres wide with a 2 metre verge on either side, should be well lit with an even spread of lighting and afforded as much natural surveillance from the surrounding dwellings as possible e.g. from active rooms such as the lounge.</p> <p>There are communal car parking areas shown on the site layout. These should be located where natural surveillance across them</p>

	is maximised from dwellings. It is important that communal parking areas are well lit and that they are not situated at the rear of the houses. Rear parking courts are discouraged.
Chorley's Contaminated Land Officer	Request a condition in relation to ground contamination.
Lancashire County Council Highways	<p>The current submission shows that footways will be provided in front of both sites for their full lengths. The existing Public Right of Way to the west of the site is to be diverted and upgraded to a pedestrian/cycle link with similar pedestrian/cycle link provided along the east boundary of the site for enhanced accessibility. The proposal seems to have addressed the concern relating to the closeness of proposed residential accesses at the south east corner of the site by moving the residential accesses further away from the potential access to the yet-to-be developed land east of the site.</p> <p>As recommended, the applicant has agreed to fund the extension of the existing 30mph speed limit restriction past the junction of B6229 Moss Lane and U5801 Moss Lane in the easterly direction. It should however be noted that all highway works are to be undertaken through the Section 278 agreement of the Highways Act 1980.</p> <p>The applicant indicated that parking will be provided to current standard, but will be finalised at reserved matters stage. In terms of layout, the indicative plan seems acceptable; however, the applicant should take a second look at the layouts of the units along the south easterly boundary of the main site and the unit at the end of the main access road to see if they are adequate in terms of space for providing parking, associated driveways and footways.</p> <p>Overall, they have no objection to the proposed development in principle and recommend conditions.</p>
Lancashire County Council Public Rights of Way Officer	<p>The application area incorporates Public Footpath No. 47 Whittle-Woods.</p> <p>They state that Public Rights of Way must not be obstructed during the proposed development. It is the responsibility of the landowner to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. They provide information on how this can be done. This has been forwarded to the agent.</p>
Lancashire County Council's Flood Risk Management Team	Supports the proposed development subject to a full drainage strategy submitted to and approved by the local planning authority.
United Utilities	Have no objection to the proposal provided that a condition requiring a full scheme for the disposal of foul and surface water is submitted and approved is attached to any approval.
Environment Agency	Have reviewed the Flood Risk Assessment submitted with the application prepared by PSA Design Ltd, in relation to the risk of flooding on and off-site, and are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that any subsequent development proceeds in accordance with the recommendations

	outlined in the approved Flood Risk Assessment. To this effect, they recommend conditions be applied to any permission.
Environmental Health (on noise)	Have stated that ideally the noise from the motorway should not exceed 55 decibels in garden areas, which are exceeded in this case. The internal levels would exceed guideline levels if windows were opened facing the motorway. Mitigation measures are proposed in the form of trickle ventilation and mechanical extraction ventilation or passive extract ventilation. This would leave the residents the option of keeping the windows closed and having difficulty in cooling the room or opening the window and being subjected to high noise levels which could affect lifestyle quality.
Chorley's Strategic Housing Officer	<p>30% affordable housing provision is required on the site.</p> <p>Based on 32 units on the site, this would be 10 affordable units.</p> <p>As regards types their preferred mix would be 60% x 2bed and 40% x 3bed houses.</p> <p>In terms of tenure mix a 70%/30% split in terms of Social Rent and Intermediate sale/shared ownership as follows:</p> <p>7 units for Social Rent (5 x 2 bed 4person houses and 2 x 3 bed 5 person houses) 3 units for Intermediate sale/shared ownership (1 x 2 bed 4 person house and 2 x 3 bed 5 person houses).</p>
Public Open Space Comments	<p>The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17<sup>th</sup> September 2013. Therefore, these comments are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD.</p> <p><u>Amenity Greenspace</u> Emerging Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.</p> <p>There is currently a surplus of provision in Whittle-le-Woods in relation to this standard and the site is within the accessibility catchment (800m) of an area of amenity greenspace. A contribution towards new provision in the settlement is therefore not required from this development. However there are areas of amenity greenspace within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (sites 1428 - Orchard Drive and 1432 – Foxglove Drive). A contribution towards improvements to these sites is therefore required from this development. The amount required is £140 per dwelling.</p> <p><u>Provision for children/young people</u> Emerging Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.</p> <p>There is currently a surplus of provision in Whittle-le-Woods in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the settlement is therefore not required from this development. However, there is</p>

an area of provision for children/young people within the accessibility catchment that is identified as being low quality and/or low value in the Open Space Study (site 1431 – The Ridings). A contribution towards improvements to this site is therefore required from this development. The amount required is £134 per dwelling.

Parks and Gardens

There is no requirement to provide a new park or garden on-site within this development.

There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

There is no requirement to provide new natural/semi natural greenspace on-site within this development.

There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments

There is no requirement to provide allotment provision on site within this development.

The site is within the accessibility catchment (10 minutes' drive time) of allotments that are identified as being low quality and/or low value in the Open Space Study (sites 1648 – Preston Rd, Whittle-le-Woods, 1646 - Worthy Street, Chorley, 1649 – Maybank/Oakdene, Withnell Fold). The site is also within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Sylvesters Farm, Euxton (HW5.2). A contribution towards improving existing allotments or new allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.

THE TOTAL FINANCIAL CONTRIBUTION REQUIRED FROM THIS DEVELOPMENT IS AS FOLLOWS:

Amenity greenspace	= £4,760
Equipped play area	= £4,556
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £510
Playing Pitches	= £54,366
<b>Total</b>	<b>= £64,192</b>

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## **Assessment**

### Principle of the development

1. In the existing adopted Local Plan (2003) the site is designated as Safeguarded Land, so the proposal would be contrary to Policy DC3 (specifically DC3.8). Policy DC3 states that development other than that permissible in the countryside under Policies DC1 or DC2 will not be permitted on Safeguarded Land. However, the Inspector has issued a partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. The emerging plan has been found to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers.
2. The Council accepted the Inspector's modification for Development Management purposes at its Executive Committee on 21<sup>st</sup> November 2013. It is therefore considered that significant weight can be given to the Inspector's report, and to the policies and proposals of the emerging Local Plan, as amended by the main modification.
3. The site is part of a wider proposed housing allocation in the emerging Local Plan under Policy HS1.43C so housing development on the site is acceptable in principle.
4. In terms of phasing Policy HS2 of this plan sets out a phasing schedule and the land off Moss Lane allocation is scheduled for the second phase, 2016 – 2021 and the third phase 2021-2026.
5. The application is only made in outline and therefore a reserved matters application would need to be made before any development could start on site and therefore it may be that the development would not be completed until 2016. The pre-ambles to Policy HS2 states that it is not the intention of the indicative phasing to prevent development coming forward at an earlier phase than indicated but rather to deliver a flexible and responsible supply of housing land, it will be necessary to consider the impact on infrastructure. Given the size of the site it is not considered it would undermine policy HS2 as a whole if development took place a little earlier than 2016 and therefore the proposal is considered acceptable in this respect.

### Affordable Housing

6. Policy 7 of the adopted Core Strategy requires affordable housing to be provided on sites of 15 or more dwellings or 0.5 hectares in size (which this is) otherwise the proposal would be contrary to this policy at a level of 30%. This is proposed by the application and will need to be secured by a Section 106 agreement. The proposal is therefore considered acceptable in relation to Policy 7.

### Density

7. Policy 5 of the adopted Core Strategy covers housing density and requires developments to be in keeping with an area but also make an efficient use of land. The proposal, if 32 dwellings were built would result in the equivalent of 23.8 dwellings per hectare. An indicative layout has been provided and it is considered that the proposal would be in keeping with the modern housing estates to the north and west of the site and the proposal is therefore considered acceptable in this respect.

### Levels

8. The site is roughly triangular in shape with a small portion of the site separated from the rest by Moss Lane cul-de-sac, which comes off the main road Moss Lane and leads to Leatherlands Farm and other residential properties, before continuing to a dead end where it meets the motorway.
9. The highest point of the site is in the west corner close to Springside Gardens and gradually slopes away to the northeast. There is an approximate gradual difference in levels of 4.5m across the site. From the southern boundary of the site there is banking

approximately 8m high from the site up to the main Moss Lane. This banking is outside the application site.

#### Impact on the neighbours

10. There are existing residential properties along the northwest boundary of the site and Leatherlands Farm is to the east. The northeast of the site bounds with an open field that forms the rest of the allocated housing site.
11. There is an existing ditch/drain and public footpath that run along the northeast boundary of the between the proposal and the existing development to the northwest.
12. The application is only made in outline specifying the access point, so the layout of the proposal is not applied for, however an indicative layout has been provided showing that an acceptable relationship between proposed and existing properties can be achieved on the site.

#### Noise from the motorway

13. The closest part of the application site is approximately 95m from the M61 Motorway. A noise assessment has been submitted with the application.
14. The Planning Practice Guidance (PPG) on noise states that local planning authorities in decision taking should identify whether the overall effect of noise exposure would be above the 'significant adverse effect level' or not. This is reiterated by the Noise Policy Statement for England. Noise above this 'significant adverse effect level' should be avoided, noise below this may need to be mitigated and reduced to a minimum.
15. In relation to noise there are no European or national noise limits which have to be met. The National Planning Policy Framework states that planning decisions should aim to:
  - avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
  - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
16. No guidance is given on what a significant impact is. There is a British Standard (BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings) that states: It is desirable that external noise level does not exceed 50 decibels with an upper guidelines of 55 decibels in noisier environment. It goes onto say that:

*It is also recognised that these guidelines values are not achievable in all circumstances where development might be desirable. In higher noise area, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors might be warranted. In such situations, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.*
17. In this case the site is adjacent to the strategic transport network in the form of the M61 and is therefore in a higher noise area. Therefore it is considered that the test for noise in this case is that the development is designed to achieve the lowest practicable noise levels.
18. The application is only made in outline and does not include the layout of the proposal. Therefore at this stage the Council must be satisfied that at any reserved matters stage a layout could be achieved that would have acceptable levels of noise from the motorway.
19. The report recommends a number of mitigation measures to reduce noise to the properties internally. This includes enhanced double glazing on some plots and mechanical ventilation along with acoustic trickle vents. Although the comments of Environmental Health are noted the Planning Practice Guidance on noise states that significant adverse effects should only be avoided when there is no alternative ventilation

so windows have to be kept closed. Alternative ventilation is proposed in this case so the proposal is considered in line with the PPG.

20. In terms of external areas the report recommends acoustic fencing at a height of 2.4m to mitigate noise. Noise mapping has been provided showing the impact of noise on the illustrative layout. This shows that the majority of the site does not suffer from external noise levels of more than 58 decibels, however some areas of rear gardens reach up to 60 decibels and front gardens nearest the motorway reach up to 64 decibels. The front gardens of properties are considered less sensitive to noise as they are not used as private amenity space. It is therefore considered that an acceptable layout can be achieved at reserved matters stage.
21. As the layout of the proposal will have an impact on the noise levels on the site it is considered necessary to impose a condition requiring any reserved matters application to be accompanied by a noise impact assessment demonstrating how the layout has been designed to minimise noise to the lowest practicable levels and include any necessary mitigation measures. Subject to this the proposal is considered acceptable in relation to noise.
22. As has already been noted, the site is part of a wider housing allocation, the rest of the site being nearer to the motorway than this part of the site. It is therefore likely that when the rest of the site (in separate ownership) is developed, noise mitigation measures will be implemented against the motorway that will further benefit this site. The Council cannot guarantee that this site will be developed in the future but it is considered the proposal is acceptable even if the adjacent site to the east is not developed.

#### Design and layout

23. The appearance and layout of the properties is not applied for, however it is considered that a scheme acceptable in these respects can be achieved on the site.

#### Open space

24. There is justification for a financial contribution of £64,192 towards public open space in relation to emerging Local Plan Policies HS4A and HS4B and the approach in the Open Space and Playing Pitch Supplementary Planning Document. This will need to be secured by a Section 106 agreement and subject to this the proposal is considered acceptable in relation to Policies HS4A and HS4B.

#### Trees and landscape

25. There are a number of trees on the perimeters of the site. One of these, an Oak on the northwest boundary adjacent to Olive Close, is already protected by Tree Preservation Order 12 (Whittle-le-Woods) 1992.
26. Other trees are either category B (moderate quality and value) or (low quality and value) C. A further Tree Preservation Order has been placed on the category B trees. One is on the left hand side of the side access and the others are along the north side of the separate smaller part of the site and the indicative layout shows these to be retained.
27. There is currently a hedgerow running along both sides of Moss Lane. It is considered necessary to introduce a new footway along the frontage of the development for pedestrians. On the north side of Moss Lane the indicative layout shows this will involve relocating the existing hedgerow to the west of the proposed access point 2-3m further north. The indicative layout also shows the potential for the introduction of a new footway to the north and south sides of the road. The relocation and retention of the hedgerows is considered necessary to retain the character of the area as much as possible and is welcomed.
28. The proposed landscaping of the site would form part of any reserved matters application.
29. The proposal is therefore considered acceptable in terms of trees and landscaping.



### Ecology

30. An ecological survey and assessment accompanies the application. This states that development of the site will have no adverse effect on statutory or non-statutory designated sites.
31. In terms of vegetation and habitats the site is occupied by improved grassland, tall-herb vegetation and Bramble scrub and is in agricultural management. None of these habitats is species-rich or of significant interest in terms of the plant species composition. None of the habitats present are representative of semi-natural habitat and no rare or uncommon plant species were detected.
32. The hedgerows do not meet the criteria to be 'important' under The Hedgerows Regulations 1997, but all hedgerows are listed as a UK BAP Priority Habitat/Habitat of Principal Importance.
33. There is no evidence of protected species detected at the site.
34. There is dense Ivy on the trunks and upper branches of three trees and two others may be used by roosting bats. The report recommends that these trees are retained.
35. The report makes a number of recommendations to protect wildlife and to minimise any effects on biodiversity including retention of hedgerows and certain trees, protective fencing around trees during construction, works outside the bird breeding season and that the existing drainage ditch on the site is incorporated into a Sustainable Urban Drainage System. It also recommends the installation of boxes for House Sparrows.
36. The trees have been protected by a Tree Preservation Order and it is considered the other elements can be secured by conditions. The proposal is therefore considered acceptable in relation to ecology.

### Flood risk and drainage

37. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency, but it is over 1 hectare in size (1.34ha) and a necessary Flood Risk Assessment has been submitted. This has been reviewed by the Environment Agency and they are satisfied that the development could not be an unacceptable risk of flooding or exacerbate flood risk elsewhere provided that development proceeds in accordance with the assessment. Conditions are proposed to control this and the proposal is therefore considered acceptable in relation to flood risk.
38. In terms of drainage United Utilities have no objection to the application subject to a condition requiring a scheme for disposal of foul and surface water have been submitted to and approved by the Council. The Environment Agency also requests a condition securing a surface water drainage scheme and Lancashire County Council as the Lead Local Flood Authority request a drainage strategy condition. Such conditions are proposed and the proposal is therefore considered acceptable in this respect.

### Traffic and transport

39. Access to serve the development is applied for as part of this outline application and comes off the Moss Lane cul-de-sac approximately halfway along the road frontage of the site.
40. Lancashire County Council Highways have no objection to the application and note that footways will be provided on both sides of Moss Lane for their full length. They also note that the developer has agreed to fund an extension of the existing 30mph speed limit restriction past the junction where the Moss Lane cul-de-sac meets the main Moss Lane to high speeds at the junction. They advise all physical highway works will be undertaken through Section 278 of the Highways Act 1980.

41. At present the 30mph speed limit coming out of Whittle-le-Woods changes to national speed limit on the main road just before the entrance to the Moss Lane cul-de-sac. To extend this further along the main Moss Lane would require a Traffic Regulation Order by Lancashire County Council as the Highways Authority. The Council cannot require Traffic Regulations Orders to be implemented as part of a planning permission as such Orders are open to public consultation and therefore it cannot guarantee that they are made. The Council can however, secure funding from a developer for the Traffic Regulation Process to take place. This will be secured via a Section 106 agreement.
42. The access is considered acceptable in relation to the application.
43. In terms of parking Policy ST4 of the emerging Local Plan requires two or three bed properties to have two parking spaces and four bed properties to have three parking spaces. It is considered that sufficient parking can be provided on the site at reserved matters stage.
44. The application is therefore considered acceptable in relation to traffic and transport.

#### Public Right of Way

45. Public Footpath number 47 runs along the northwest boundary and cuts across the west corner of the site. This is shown to be retained on the indicative plan and the applicant has been made aware that a diversion may be required under the Town and Country Planning Act depending on the layout at reserved matters stage.

#### Contamination and coal mines

46. The site is in a low risk area as identified by the Coal Authority. This requires an informative note to be applied to any permission.
47. The Council's contaminated land officer has required a condition be imposed on any permission requiring submission of a report including an initial desk study, site walkover and risk assessment.

#### Community Infrastructure Levy

48. The scheme will be liable for the Community Infrastructure Levy (CIL) at £65 per square meter. This scheme is only made in outline with access specified for up to 32 dwellings, the final CIL will be calculated at reserved matters stage. An exemption form CIL can be applied for in relation to affordable housing units.

#### **Overall Conclusion**

45. The application is recommended for approval subject to conditions and a Section 106 agreement.

#### **Planning Policies**

46. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

#### **Planning History**

There is no planning history directly relevant to this application.

#### **Suggested Conditions**

No.	Condition
1.	An application for approval of the reserved matters (namely the appearance,

	<p>layout, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>						
2.	<p>Prior to the commencement of the development a Carbon Reduction Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate that either appropriate decentralised, renewable or low carbon energy sources will be installed and implemented to reduce the carbon dioxide emissions of the development by at least 15% or additional building fabric insulation measures are installed beyond what is required to achieve the relevant Code Level rating. The development shall only be carried out in accordance with the approved Carbon Reduction Statement.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>						
3.	<p>Either, before the development hereby permitted is first commenced, or with any reserved matters application, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>						
4.	<p>No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should:</p> <ul style="list-style-type: none"> <li>• Demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event;</li> <li>• Fully appraise the use of various sustainable drainage systems (SUDS) methods on site at the detailed design stage. The development must allow the first 5mm of rainfall to be intercepted and infiltrated on site.</li> </ul> <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p><i>Reason: To prevent flooding both on and off site by ensuring the satisfactory storage of/disposal of surface water from the site.</i></p>						
5.	<p>The dwellings hereby permitted shall achieve Level 4 of the Code for Sustainable Homes if commenced after 1 January 2013 and Level 6 if commenced after 1 January 2016. Within six months of completion a Final Code Certificate shall be submitted to the Local Planning Authority showing it has met the relevant Code Level.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>						
6.	<p>The development shall be limited to no more than 32 new properties and shall be carried out in accordance with the following plans:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Title</th> <th style="width: 33%;">Drawing Reference</th> <th style="width: 33%;">Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>0428/93 00A</td> <td>18<sup>th</sup> August 2014</td> </tr> </tbody> </table>	Title	Drawing Reference	Received date	Location Plan	0428/93 00A	18 <sup>th</sup> August 2014
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Location Plan	0428/93 00A	18 <sup>th</sup> August 2014					

	Illustrative Development Framework Plan (approving access point only)	473-TAL 03	18 <sup>th</sup> August 2014
	<i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>		
7.	<p>Either, before the development hereby permitted is first commenced, or with any reserved matters application, details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>		
8.	<p>Either, before the development hereby permitted is first commenced, or with any reserved matters application full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>		
9.	<p>Due to the size of the development and the proposed sensitive end-use (residential housing and gardens), either before the development hereby permitted is first commenced, or with any reserved matters application, the applicant shall submit and have approved in writing a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.</p> <p><i>Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use.</i></p>		
10.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>		
11.	<p>Any trees, shrubs, Bramble scrub or other suitable breeding bird habitat which are to be removed as part of the proposals are only removed outside the bird breeding season (March to August inclusive). If any buildings or vegetation is scheduled for removal in the bird breeding season advice from an Ecologist must be sought. It may be necessary to carry out a walkover survey to adequately demonstrate that no breeding birds, active nests, eggs or fledglings are present in the area to be cleared. If breeding birds are recorded the Ecologist will issue guidance in relation to the protection of the nesting birds in conjunction with the scheduled works. This may involve cordoning off an area of the site until the young birds have fledged.</p> <p><i>Reason: All wild birds are protected under the Wildlife and Countryside Act 1981 while they are breeding.</i></p>		
12.	<p>Either, before the development hereby permitted is first commenced, or with any reserved matters application, details of House Sparrow terraces (including their type and position of on the new properties and garages) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be</p>		

	<p>carried out in accordance with the approved details.  <i>Reason: To maximise opportunities for nesting House Sparrow a UK Biodiversity Action Plan (BAP) Priority Species in serious decline.</i></p>
13.	<p>Before any development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.  <i>Reason: To ensure a satisfactory means of drainage.</i></p>
14.	<p>Any reserved matters application shall be accompanied by a noise impact assessment demonstrating how the layout has been designed to minimise noise to the lowest practicable levels and shall include any necessary noise mitigation measures.  <i>Reason: To ensure the site is laid out and designed to ensure the lowest practicable levels noise from the M61 motorway.</i></p>
15.	<p>No part of the development hereby approved shall be occupied until the approved access has been constructed and completed in accordance with the scheme details.  <i>Reason: To ensure a satisfactory access for the development.</i></p>
16.	<p>No development shall commence until a stage 1 safety audit for the proposed extension of the speed limit restriction has been submitted to and approved in writing by the local planning authority. Any safety concerns highlighted shall be mitigated against by the developer according to details to be submitted to and approved in writing by the local planning authority.  <i>Reason: In the interest of highway safety.</i></p>
17.	<p>Prior to commencement of the development, a construction management plan shall be submitted to and approved in writing by the local planning authority. The plan to include method and details of construction including vehicle routing to the site, construction and contractor's traffic parking (to prevent parking or waiting on the public highway) and specify construction hours and days. The approved construction plan to be implemented and adhered to during the construction of the development.  <i>Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods and safeguard the amenities of local residents.</i></p>
18.	<p>For the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.  <i>Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials, thus creating potential hazards to road users.</i></p>
19.	<p>Any reserved matters application shall be accompanied by details of pedestrian/cycle links through the site from Orchard Drive to the north, to Moss Lane in the south. No part of the development shall be occupied or brought into use until the links have been constructed in accordance with the approved details and are available for use.  <i>Reason: In the interest of highway safety and sustainability.</i></p>
20.	<p>Any reserved matters application shall include details of new public footways to be provided to Moss Lane (cul-de-sac).  <i>Reason: To ensure acceptable pedestrian routes are provided to the site.</i></p>
21.	<p>Prior to the commencement of the development, a 'Design Stage' assessment and</p>

	<p>related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>
22.	<p>Either, before the development hereby permitted is first commenced, or with any reserved matters application, full details of the alignment, height and appearance of all fences and walls to be erected between the plots and to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>