



Committee and date

North Planning Committee

8 April 2014

Item

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Public

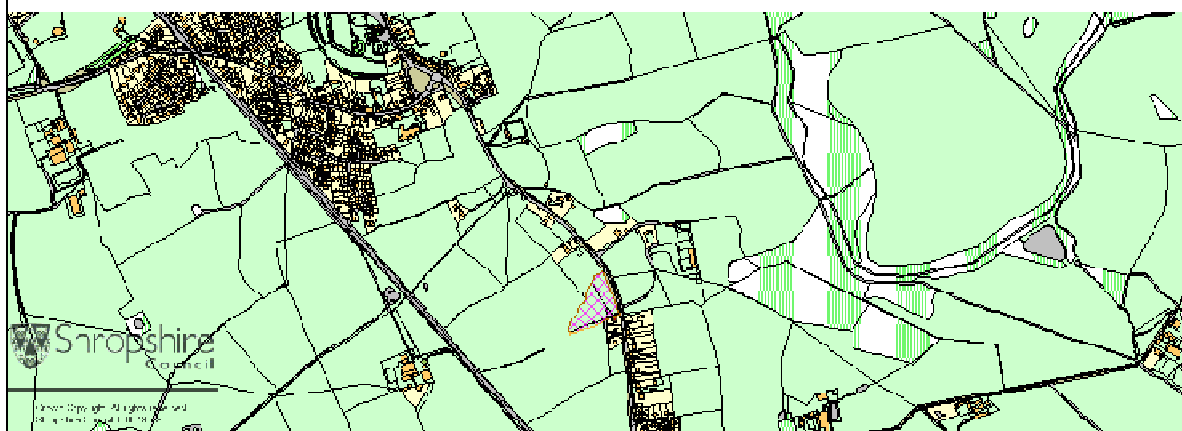
## Development Management Report

Responsible Officer: Tim Rogers

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### Summary of Application

<b><u>Application Number:</u></b> 13/01717/FUL	<b><u>Parish:</u></b>	Whittington
<b><u>Proposal:</u></b> Development of 2 dwellings and relocation of existing store building		
<b><u>Site Address:</u></b> Land North Of Burntwood House Babbinswood Whittington Oswestry Shropshire		
<b><u>Applicant:</u></b> R Bladen And Sons		
<b><u>Case Officer:</u></b> Karen Townend	<b><u>email:</u></b> <a href="mailto:planningdmne@shropshire.gov.uk">planningdmne@shropshire.gov.uk</a>	
<b><u>Grid Ref:</u></b> 333253 - 330359		



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**Recommendation:- Subject to the applicants entering into a S106 legal agreement to secure a financial contribution to affordable housing Grant Permission subject to the conditions set out in Appendix 1.**

## REPORT

### 1.0 THE PROPOSAL

- 1.1 The application is for full planning permission. It was initially submitted for 6 dwellings however the proposal was reduced to two dwellings during the consideration of the application. The application fully details the proposed layout, scale and design of the dwellings and has been submitted with a design and access statement, extended phase 1 habitat survey and drainage assessments.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is currently a paddock and the application form notes that there is a storage building on the land however this is on the larger site initially proposed for 6 dwellings. The reduced site for two dwellings is a smaller parcel of land adjacent to the main road through Babbinswood.
- 2.2 Babbinswood is a predominately linear settlement with dwellings built along the road side. Some of the dwellings are set back but the prevailing character is linear. The only part of the settlement which does not follow this form is the Fitzalan estate at the opposite end of Babbinswood from the application site. The existing houses are a mix of size, style and age.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council have expressed a view which is contrary to officers recommendation and the local member and chair of the planning committee have confirmed that this raises material planning reasons for the committee to consider the application.

### 4.0 COMMUNITY REPRESENTATIONS

#### 4.1 Consultee Comments

- 4.1.1 **Parish Council** – As part of Whittington Parish Council's Planning Policy Statement the Parish Council recognises its obligations to identify sites for up to a maximum of 100 residential properties within the village for the period to 2026.

The Council has already approved schemes within the existing development boundary of Whittington, and the community clusters of Park Hall and Hindford and are well on way to the 100 residential properties now. They are completely opposed to any boundary changes at Babbinswood and this development would be outside the boundary. This would link Babbinswood to Whittington and if approved would set a precedent for other land owners to start applying to develop their land. This Council is totally against this development.

Following the amendment to reduce the number of dwellings commented: The planning application with the amendment showing a reduction of houses from 6 to 2 was considered by the Parish Council at the meeting on Tuesday, 3rd August 2013. There is no change to the Council's comments as shown as submitted on 5th June 2013, members are unanimous in their objections to this planning application (albeit now a reduced number of houses) for the reasons outlined in our submitted comments on 5/06/13.

- 4.1.2 **Council Affordable Housing Officer** – As an open market housing proposal, the Core Strategy requires the development to contribute towards the provision of affordable housing. The detail of this requirement is contained in Core Strategy Policy CS11 together with Chapter 4 of the Council's adopted Supplementary Planning Document on the Type and Affordability of Housing.

The exact contribution is dependent upon the affordable housing rate applicable at the date of submission of a full planning application or reserved matters in the case of an outline application. This rate is reviewed annually. The current affordable housing contribution rate is 10% and as such a proposal for 2 new open market dwellings would be liable to make a contribution equivalent to two times 0.10 of a whole affordable unit (2 x 10%). As this level of contribution is less than a whole unit, it is translated into a cash sum paid by the developer as an off-site Affordable Housing Contribution used by the Council fund the delivery of affordable housing provision elsewhere in the area to be secured through a legal agreement.

- 4.1.3 **Council Highway Officer** – The site has access onto a Class II road within a 40 mph speed limit and located towards the outskirts of the existing residential ribbon development. Vehicles passing the site at this point do not appear to be particularly observing the speed limit. The existing access is located on the inside of a bend at a point where the measure of visibility from the access is restricted in both directions by the adjoining highway boundaries and horizontal alignment of the carriageway.

Notes that the number of houses and extent of the development has been reduced and continues to be served by the existing access. Improvements to the access are proposed in connection with the proposal in terms of amending its layout and providing visibility splays of 2.4 metres by 90.0 metres in both directions. Whilst these amendments are welcomed is of the view that measure of visibility provided should be further increased given the prevailing highway conditions with splays of 120 metres being provided in both directions. From the submitted information the adjoining land in the applicants ownership/control has not been identified, but given that the site forms part of the field and the former application site together with the setting back of Burntwood House frontage boundary, is lead to conclude that further improvements to the line of sight could be sought within the land in the applicants control.

The relocation of the access further to the north together with the visibility splay in a northerly direction being drawn to the centre of the carriageway, which is marked by solid double white lines at this point, may enable a more satisfactory splay to be provided in both directions, especially the southerly direction, which is the traffic side for emerging vehicles.

Would also comment that the development of the site also provides an opportunity to seek the continuation of the footway provision between the existing facility to the south of the application site and the access.

- 4.1.4 **Council Waste Management Officer** – The residents will need to be aware that Shropshire Council operates a kerbside collection policy

- 4.1.5 **Council Ecologist** – Following receipt of additional information recommended conditions and informatives. The email from Susan Worfield dated 29/10/13 has confirmed that there is no evidence on the site of badgers or dormice. Except for the mature oak tree in the southern hedgerow which has some potential for bat roosts, the trees have little bat potential. Notes that this oak tree is shown for retention but if it were to be proposed for removal a bat inspection would be required. Lighting control is recommended on the site boundaries to prevent impacts on foraging bats.

The hedgerow sections shown for removal will have potential for nesting birds and recommends an informative should be attached. A new native species hedgerow is proposed which will offset the hedgerow length to be lost.

- 4.1.6 **Council Drainage Engineer** – This is an amendment to the original application from 6 dwellings to 2 dwellings.

The application form states that the surface water drainage from the proposed development is to be disposed of via soakaways. However no details of the proposed soakaways have been supplied. Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval.

If the tarmac access road slopes towards the highway, the applicant should submit for approval a drainage system to prevent the surface water runoff onto the highway.

On the Pluvial Flood Map, part of the site the site is at risk of surface water flooding. The applicant should provide details on how the surface water runoff will be managed and how the flow of the flood water could be routed away from any property either within the proposed development or any other in the vicinity and to ensure that the finished floor level is set above any known flood.

Also recommended informatives detailing measures to reduce surface water and that consent is required from the service provider for connection to the mains.

## 4.2 **Public Comments**

- 4.2.1 9 letters of representation have been received raising the following concerns:

- land is greenbelt outside development boundaries
- will not retain the break between Babbinswood and Whittington
- Babbinswood is a hamlet not a village
- lack of need
- will be backland development
- loss of agricultural land
- poor access
- impact on wildlife
- land at risk of flooding

- 4.2.2 CPRE Oswestry have also written objecting to the proposal on the grounds that the proposal does not meet the conclusions of the SAMDev, for Babbinswood only

limited infill and conversions will be permitted and there is not a shortfall of housing land. The development is out of context with the existing linear development. Furthermore the development of the site would impact on flora and fauna.

## **5.0 THE MAIN ISSUES**

- Policy & principle of development
- Layout, scale and design
- Impact on residential amenity
- Highways, access, parking and rights of way
- Impact on trees
- Ecology
- Drainage

## **6.0 OFFICER APPRAISAL**

### **6.1 Policy & principle of development**

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Since the adoption of the Councils Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight in the determination of planning applications. The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications.

6.1.2 Policy H7 of the Oswestry Borough Local Plan (OBLP) previously sought to limit new dwellings in Babbinswood to infill developments of one or two dwellings and, exceptionally, small groups of dwellings on suitable sites within the development boundary. The application site lies outside the development boundary for Babbinswood shown on the OBLP.

6.1.3 The emerging 'Site Allocations and Management of Development' DPD (SAMDev) is at the stage of consultation on soundness and the Community Cluster of Park Hall, Babbinswood, Hindford and Lower Frankton does not have any revisions since the first 'preferred options' stage. The policy for development of Community Clusters is set out in policy CS4 of the Core Strategy. The Parish Council have indicated a proposed housing allocation in Park Hall, no sites are proposed in Babbinswood, or the other settlements, and the SAMDev suggests only limited infill and conversions will be permitted in these areas. The development boundary shown in the OBLP for Babbinswood is to be retained and the application site is outside this development boundary.

6.1.4 Within the design and access statement the agent seeks to put forward the argument that Shropshire Council does not have a five year housing land supply and as such the saved policy is out of date and the presumption in favour of

sustainable development within the NPPF should be given greatest weight. The agent also seeks to put forward the argument that there is only one parcel of land left within the development boundary for Babbinswood for infill development and this is being pursued for 2 affordable dwellings.

- 6.1.5 In September 2013 the Council published an updated Five Year Housing Land Supply Statement which indicates that the Council does not have sufficient housing land to show a 5 year land supply and as such paragraph 47 of the NPPF advises that the housing supply policies are out of date. As such policy H7 of the OBLP is out of date and the SAMDev is not yet at a stage where significant weight can be attributed to it. Accordingly the presumption in favour of sustainable development applies.
- 6.1.6 The agent's argument that the site is sustainable is noted, it is acknowledged that there is a kerbed footpath along the opposite side of the road from the site to Whittington and that there are services and facilities in Whittington and public transport facilities to Oswestry and Ellesmere. However, accessibility is not the only test of sustainability.
- 6.1.7 Significant weight must now be given to the NPPF which is for the presumption in favour of sustainable development, with less weight to housing allocation policies. This means looking at the environmental, economic and social sustainability of the proposed development and the balance of the impacts/benefits, within the context of seeking to boost housing supply. Sites on the edge of towns and villages which might previously have been unsuitable for development due to being located outside of any development boundary and therefore contrary to policy will be considered acceptable in principle.
- 6.2 **Layout, scale and design**
- 6.2.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development.
- 6.2.3 Initially the proposal was for 6 dwellings with three along the roadside frontage with a shared drive at the rear of the dwellings. The other three dwellings proposed were to the rear of the front three accessed off the track and set within generous gardens projecting some way back from the existing building line of Babbinswood. The amendment to reduce the number of houses from 6 to 2 has reduced the site area to the land immediate adjacent to Burntwood House and the road. The two dwellings are set back behind a shared drive which is behind the roadside hedge. The principle elevations face towards the road and will ensure that the development does not turn its back on the road. The reduction in the number of dwellings has also removed the backland development of the three at the back of the site.
- 6.2.4 The application form suggests the dwellings will be finished in facing brick and render, with natural slate roofs and timber window frames and doors. The design

and access statement suggests timber framed construction techniques. Both dwellings proposed have dormer windows to the front and rear elevation to reduce the overall height of the dwellings. Both have roof finials, chimneys, arched window headers and casement windows. The two dwellings are similar in design and detailing to each other but plot 2 has a wider frontage to plot 1 and as such the two dwellings will appear as similar but not identical.

6.2.5 It is acknowledged that the Parish Council and local residents have concerns about the development of the site extending beyond the existing boundary of the village and closing the gap between Babbinswood and Whittington however officers do not consider that the development of two dwellings on this site would be significantly or demonstrably harmful as to warrant refusal of the scheme. It is accepted that the site lies outside the development boundary, however with a lack of a five year land supply the development boundary is no longer up to date and can be given little weight. The site is adjacent to the existing village and houses and will not protrude an unacceptable amount into the open countryside between the two settlements as to either appear as detached or as to appear as connecting the two settlements.

6.2.6 Furthermore given the close relationship of Babbinswood to Whittington, the footpath link and good level of services in Whittington the development of the site is considered to be in an accessible location. The provision of new housing on this site would provide an economic benefit in supporting those local services and a benefit during the construction period, the development would provide social benefits through the provision of new housing and a contribution to affordable housing and infrastructure and would provide environmental benefits by an appropriate contribution to the built environment and ensuring biodiversity is enhanced.

6.2.7 Some weight can also be given to the fact that Babbinswood is being put forward as part of a community cluster in the forthcoming SAMDev. Although this document can not be given weight itself the Parish consider that a small level of new house building in Babbinswood would be sustainable and as such it would be difficult to seek to argue that this site, although on the outside edge of the proposed development boundary, is not sustainable when a site within the development boundary would be. As such, taking account of all three threads of sustainable development, the proposed development is considered to be sustainable and there are no issues of harm which would significantly and demonstrably outweigh the benefits.

### 6.3 **Impact on residential amenity**

6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy also indicates that development should safeguard the residential and local amenity. The proposed application site and two new dwellings lie on the outside edge of Babbinswood with agricultural fields to the north, east and west. Burntwood House, a detached two storey dwelling, is the only immediate neighbour and this dwelling lies approximately 13m from the nearest of the two proposed dwellings, on the opposite side of the lane.

6.3.2 Although the existing dwelling has a window at ground floor and a window at first



floor in the end elevation facing towards the site the proposed dwelling only has ground floor windows in the gable end which will be screened by the boundary treatment. Accordingly the distance and the lack of directly facing windows will ensure that the amenities of the existing property are protected and ensure the development meets the requirements of CS6.

#### 6.4 **Highways, access, parking and rights of way**

6.4.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that proposals likely to generate significant levels of traffic should be located in accessible locations where there are opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. This policy also indicates that development should be designed to be safe and accessible to all.

6.4.2 The proposal is to use the existing access off the B5009 which currently serves the store building and surrounding agricultural/ paddock land. The proposals as initially submitted proposed improvements to the width of the access and to the visibility splays by setting back the roadside hedge, piers and railings either side of the access.

6.4.3 The Council Highway Officer requested additional improvements to the visibility splays whether the development is for 6 or 2 dwellings and also noted that given the land ownership the improvements should be possible and could be controlled through a condition or submission of an amended plan. The agent has since submitted an amended plan showing the required visibility splay.

6.4.4 The proposed layout shows sufficient space for parking and turning of two cars per dwelling and given that the development is now only for two dwellings it would not be unreasonable to suggest the occupants position their waste for collection on the edge of the existing highway therefore negating the need for the waste collection vehicle to enter the site. The site as proposed can be designed to be safe in highway terms and the visibility from the existing poor access improved to meet the requirements of adopted policy with regard to this matter.

#### 6.5 **Impact on trees**

6.5.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development should protect and enhance the local natural environment. The proposed layout shows the re-positioning of the roadside hedge to the back of the visibility splay and new hedges planted along the northern and western boundaries of the site. New trees are also shown on the proposed layout plan. As such it is considered by officers that the proposed development will not have a detrimental impact on trees or hedges and the retention of the landscaping could be conditioned.

#### 6.6 **Ecology**

6.6.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources. This will be achieved by ensuring that all development protects and enhances the diversity, high quality and local character of the natural

environmental and does not adversely affect the ecological value of the assets, their immediate surroundings or their connecting corridors. This is reiterated in national planning guidance in policy 11 'Conserving and Enhancing the Natural Environment' of the National Planning Policy Framework. This indicates that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible.

- 6.6.2 An extended phase 1 habitat survey has been undertaken and submitted with the application. This report concludes that no rare plants were found and the re-positioning of the roadside hedge should be done outside of bird nesting periods. The phase 1 survey also recommended additional surveys for Great Crested Newts which the design and access statement submitted with the application suggests were being undertaken ready for submission. The Council Ecologist initially requested additional information.
- 6.6.3 The information has been submitted, and in addition to reducing the number of dwellings from 6 to 2 this enables the retention of more hedging. The Council Ecologist has confirmed that this information submitted is now acceptable and will ensure that the development does not adversely affect statutorily protected species.
- 6.7 **Drainage**
- 6.7.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk and avoid an adverse impact on water quality and quantity. Foul drainage is proposed to be connected to the existing mains drainage system in the village and surface water is proposed to be dealt with by soakaways and reduction methods such as water butts and permeable surfaces.
- 6.7.2 Connection to the mains for foul drainage is the preferred option and should be considered before any other form of foul drainage. Whether there is capacity in any existing system is a matter for the sewerage provider and a formal application for connection will be required between the applicant and provider. However, this is not a material planning consideration.
- 6.7.3 The concerns of the local residents with regard to flooding of the site are noted. The Council Drainage Engineer has also noted that on the Pluvial Flood Map, part of the site the site is at risk of surface water flooding. However, this is not raised an objection and the Drainage Engineer has requested details to show how the surface water runoff will be managed and how the flow of the flood water could be routed away from any property either within the proposed development or any other in the vicinity and to ensure that the finished floor level is set above any known flood.
- 6.7.4 It is considered that, subject to the design of appropriate surface water management systems, which could be controlled by condition. That the proposed development will not increase flood risk and as such can meet the requirements of policy CS18.

## 6.8 **Affordable Housing**

6.8.1 If this site is deemed suitable for residential development, then there would be a requirement for a contribution towards the provision of affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution on this site would be 10% in line with the current requirements of the SPD Type and Affordability of Housing. As the development is for two dwellings this would equate to a financial contribution to be paid to the Council for the provision of affordable housing of site. This contribution would be secured through a S106 agreement.

## 7.0 **CONCLUSION**

7.1 The development on this site will constitute the provision of a residential development in open countryside and would be contrary to the principles for residential development as indicated in the Oswestry Borough Local Plan. However, Babbinswood is being promoted to fall within a Community Cluster where new residential development would be acceptable under the SAMDev plan and Shropshire Council currently has a housing land supply shortage. As such the National Planning Policy Framework and the presumption in favour of sustainable development is given greater weight with less weight to housing allocation policies. This means looking at the sustainability of the proposed development and the balance of the impacts/benefits, within the context of seeking to boost housing supply, whilst remembering the status of the development plan and all other material considerations.

7.2 The proposed development is adjoining the existing development boundary for Babbinswood which is well connected to the adjacent settlement of Whittington where a number of local services are available including a bus service to Oswestry and Shrewsbury. The development site can be developed to provide a safe means of access, suitable drainage and the layout, scale and appearance are considered to be appropriate and do not result in any detrimental impact on neighbouring properties. The use of the land would not result in the impact on any protected species and wildlife, whilst no important trees will be lost.

7.3 It is therefore considered that this application will assist in contributing to the five year land supply and that having regard that the development site is adjoining a key sustainable settlement where future residents could access a number of services resulting in a sustainable form of development this application should be considered acceptable in principle against the NPPF.

## 8.0 **RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL**

### 8.1 **Risk Management**

There are two principal risks associated with this recommendation as follows:

As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.

The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of

policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than three months after the grounds to make the claim first arose first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

## 8.2 **Human Rights**

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

## 8.3 **Equalities**

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

## 9.0 **FINANCIAL IMPLICATIONS**

9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. **BACKGROUND**

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Core Strategy and Saved Policies:

- CS4 - Community Hubs and Community Clusters
- CS6 - Sustainable Design and Development Principles
- CS17 - Environmental Networks
- CS18 - Sustainable Water Management

**11. ADDITIONAL INFORMATION**

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder)  
Cllr M. Price

Local Member  
Cllr Steve Charmley

Appendices  
APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. All development, demolition or site clearance procedures on the site to which this consent applies shall be undertaken in line with the Great Crested Newt Method Statement June 2013.

Reason: To ensure the protection of great crested newts, a European Protected Species.

#### CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No built development shall commence until details of all external materials, including hard surfacing, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

5. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

#### CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

6. The visibility splays shown on the amended site plan rev E shall be provided in both directions from the access along the highway prior to the dwellings being occupied. All growths and structures in front of these lines shall be lowered to and thereafter maintained at carriageway level.

Reason: To provide a measure of visibility from the access in both directions along the highway in the interests of highway safety.

7. The new access, drive, parking and turning areas shall be satisfactorily laid out in accordance with the amended site plan rev E prior to the dwellings being occupied. The access apron shall be constructed in accordance with the Council's specification prior to the dwellings being occupied as follows; 20mm thickness of 6 mm aggregate surface course, 40 mm thickness of 20 mm aggregate binder course and 200 mm thickness of MOT type 1 sub-base.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

8. Prior to the erection of any external lighting on the site a lighting plan 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 and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK

Reason: To minimise disturbance to bats, a European Protected Species.

#### **CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

9. Except where shown as being removed on the approved plans all existing trees, shrubs and hedgerows within and bordering the site shall be protected, retained and maintained to the satisfaction of the local planning authority for the duration of any development works and for 5 years thereafter.

Reason: To safeguard the visual amenities of the area.