



Committee and Date
North Planning Committee
20 January 2015

Item
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Public

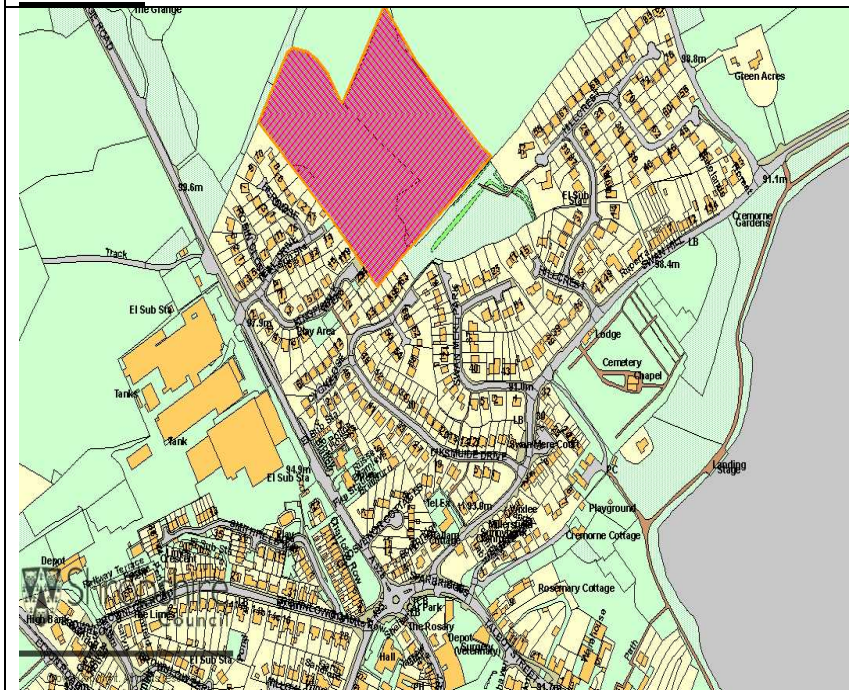
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 14/03370/FUL	Parish: Ellesmere Urban
Proposal: Erection of 68 dwellings to include on-site open space provision	
Site Address: Proposed Residential Development Land East Of Teal Drive Ellesmere Shropshire	
Applicant: David Wilson Homes (Mercia)	
Case Officer: Mark Perry	email: planningdmnw@shropshire.gov.uk

Grid Ref: 339950 - 335375



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Recommendation:- That delegated powers be granted to the Planning Manager to grant planning permission subject to resolution of the ecology issues ; subject to the

conditions listed at appendix 1 and subject to the applicants entering into a S106 agreement to secure the provision of affordable housing**REPORT****1.0 THE PROPOSAL**

1.1 This report is an addendum to the report presented to members in December 2014 which detailed the proposal for full planning permission for residential development of 68 dwellings on a 3.37 hectare site on the northern side of Ellesmere. The application site would form an extension to the existing modern housing estate which consists of Teal Drive and a series of three other cul-de-sacs. The application also includes the provision of an area of public open space.

1.2 The following report seeks to advise members on their resolution that Committee were minded to refuse the application. The minutes of the meeting record that members raised the following concerns:

- The cumulative impact the development would have on the Town and gave greater weight to the emerging SAMDev Policies and saved local plan policies which classified the site as being within open countryside.
- Impact the development would have on the highway network.

2.0 Matters for Consideration

- Cumulative impact
- Impact on highways network

2.1 Cumulative Impact

2.1.1 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.

2.1.2 The NPPF sets out the presumption in favour of sustainable development as a golden thread running through plan-making and decision-taking (para. 14), so it applies, as a material planning consideration, in any event. The NPPF specifically aims to 'boost significantly the supply of housing' therefore, the fact (and degree) that a proposed development helps to boost housing supply is a significant material

consideration to which considerable weight must be attached. These considerations have to be weighed alongside the provisions of the Development Plan, including those relating to housing supply.

- 2.1.3 In September 2013 the housing land supply in Shropshire fell below the 5 year requirement. This has now been updated following the submission of the SAMDev Final Plan to the Planning Inspectorate. The Council is now in a position that it has identified sufficient land that addresses the NPPF 5 year housing land supply requirements. However, in calculating the 5 years' supply the Council recognises that full weight cannot yet be attributed to the SAMDev Final Plan housing policies as there are significant unresolved objections which will not be resolved until the public examination and adoption of the SAMDev. Currently there are significant unresolved objections to the allocation of future development within the market town of Ellesmere.
- 2.1.4 In the intervening period between submission and adoption, sustainable sites for housing where the adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF. As such it remains officer's advice that it would be difficult to defend a refusal for a site which constitutes sustainable development and that the presumption in favour of sustainable development at paragraph 47 of the NPPF is given greater weight than either the adopted or forthcoming policies. The NPPF does not permit a housing development free-for-all, the principle issue for consideration is whether the development is sustainable or not when considered against the NPPF as a whole. As such a development which is not sustainable can be refused against the NPPF but officers advise that caution should always be taken when considering refusal against the NPPF. Paragraph 14 advises that the adverse impacts of granting consent would need to significantly and demonstrably outweigh the benefits.
- 2.1.5 It was brought to member's attention during the meeting that Ellesmere is not against new housing development and in fact has embraced housing and late representations recognise the vibrancy and economic value of such development. It was reported that Ellesmere has a number of applications for in the town. It was further reported in the late representations that that all new development must be sited in the right place for the future of the town, must not be in the town centre as the roads are not suitable for any more traffic pressure.
- 2.1.6 Whilst members attention was drawn to other proposal the Core Strategy envisages Ellesmere taking 500-1000 dwellings and the growth guideline for Ellesmere in SAMDev is 800 gross (2006-2026), with 488 completions and commitments, this leaves a net target of 312, of which the Plan allocates 250 as part of the large mixed use of the Wharf currently being determined under planning reference 14/04047/OUT.
- 2.1.7 In addition to the allocated site there have been a number of recent applications which, if delivered in practice, would amount to approximately a further 200 dwellings:
- Elson Road (14/00822/OUT) for up to 130 dwellings (committee resolution to grant);
 - The Old Station Yard (14/01744/OUT) for up to 57 units (delegated

approval);

- Cremorne Gardens (14/03934/FUL) for 10 dwellings (pending decision);

2.1.8 During the Examination of the SAMdev the council has clarified that the housing guideline for each settlement should not be viewed as a ceiling and MD3 (as amended in draft during the Examination) recognises that planning permission will also be granted for other 'sustainable' housing development having regard to the policies of the Local Plan, particularly Policies CS2, CS3, CS4, CS5, MD1 and MD7a, but indicates that, where development would result in the number of completions plus outstanding permissions providing more dwellings than the guideline, decisions will have regard to:

- i. The increase in number of dwellings relative to the guideline; and
- ii. The likelihood of delivery of the outstanding permissions; and
- iii. The benefits arising from the development; and
- iv. The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and
- v. The presumption in favour of sustainable development.

The amended policy has yet to be agreed by the Inspector and MD policies can only be give limited weight in any decision, alongside the presumption in favour and any relevant policies in the current Development Plan, however the key principles of the SAMdev and MD Policies could be of help to members in reaching a recommendation.

2.1.9 With regard to points (i) to (v) above the following advice is presented to members

i)The increase in number of dwellings relative to the guideline;

It is acknowledged that the proposed development is a significant number of dwellings however Ellesmere is a significant settlement and one that is expected to accommodate a significant number of dwellings over the plan period, as noted above, along with the other Shropshire Market Towns. It is considered by Officers that whilst the proposed development is large and will more than double the number of dwellings on the existing estate, the proposal is one that is not considered to be so excessively large to overwhelm the market town of Ellesmere or significantly impact upon the existing local community. The guideline for Ellesmere in SAMdev is 800 dwellings over the plan period with a guide in the core strategy for 500-1000. As already noted the guide is not to be treated as a ceiling maximum. The current proposal for 68 dwellings taking into account the recent applications, if all approved additional approved could increase housing deliver by up to 203 dwellings above the SAMdev guideline however the core strategy target would be exceeded by three dwellings. It is considered that the increase in dwellings, under the current proposal, relative to the guidelines would not amount to a significant and disproportionate increase.

2.1.10 ii) The likelihood of delivery of the outstanding permissions
 Planning permissions submitted to date mostly comprise outline planning permissions and will still require the further submission and approval of reserved matters. it is acknowledged that the majority of new housing will arise when the

'Wharf' mixed use scheme of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure materialises however at the current time the application has only been submitted in outline form seeking the approval of access. At the current time the only full planning permission submitted to date is that of Cremore Gardens for 10 dwellings which is still pending determination. The Wharf scheme, whilst considered the preferred option, will be a significant scheme to deliver and the delivery of the scheme is one that will reasonably be delivered over a long period of time. All other applications that are referred to above are still pending consideration or currently still subject to s106 completions and no decision notices have been issued.

2.1.11 Members attention is drawn to a significant fact that this application is a full application, as opposed to the outline consents listed above. Full planning applications usually have to be commenced within three years of the decision notice being released. The application submitted is a fully drawn up scheme and submitted not by a land owner but a developer, David Wilson homes. David Wilson homes have highlighted to the council that they will accept a twelve month period to commence work on site. Therefore the council can have greater confidence that it will be delivered in practice and delivery of dwellings remains an important consideration in the context of the councils 5 year housing land supply statement.

2.1.12 iii) The benefits arising from the development;

The benefits arising from the scheme have already been identified within the report presented to members on the 16th December 2014.

2.1.13 iv) The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and

As already noted within the report the preferred option to deliver housing within Ellesmere under SAMdev is by means of the wharf development. There remains outline and full applications for residential development still pending decision notices / determination. Any argument around the cumulative impact of proposed development would exert greater pressure in the context of a much larger proposal which would demonstrably place a significant additional burden on local facilities, services and infrastructure when considered alongside the planned level of development at a point where this had been substantially delivered (i.e. later in the Plan period). The number of dwellings proposed within the current application is not at a level that is considered to be significantly large to exert a greater pressure / additional burden on local facilities, service and infrastructure when considered alongside the planned level development.

2.1.13 v) The presumption in favour of sustainable development.

The NPPF sets out the presumption in favour of sustainable development as a golden thread running through plan-making and decision-taking (para. 14), so it applies, as a material planning consideration, in any event. The NPPF specifically aims to 'boost significantly the supply of housing' therefore, the fact (and degree) that a proposed development helps to boost housing supply is a significant material

consideration to which considerable weight must be attached. These considerations have to be weighed alongside the provisions of the Development Plan, including those relating to housing supply.

- 2.1.14 Matters relating to housing land supply is noted in 2.1.3 and 2.1.4 above. However currently there are significant unresolved objections to the allocation of future development within the market town of Ellesmere and therefore only limited weight can be afforded to such documents. (NB This largely repeats what is said above and you may want to amend/cross reference etc above 2.1.3 and 2.1.4)
- 2.1.15 In the intervening period between submission and adoption, sustainable sites for housing where the adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF.
- 2.1.16

In the stage assessment of the emerging Samdev document it is acknowledged that the site was previously identified as a preferred option for development and therefore officers could not reasonably consider that the scheme as submitted now represents unsustainable development. The stage 2b assessment of the application site by Shropshire Council s Planning Policy team noted that the site is well contained on the northern edge of town adjacent to recent residential development. The Stage 2a assessment (sustainability appraisal) scores the site positively for access to public transport, access to a local park, or garden, amenity green space, a children’s play area and for flood risk. It scores negatively for access to a primary school, a young people’s recreation facility, for being within the buffer zone of Ellesmere Conservation Area. The agricultural land quality is grade 3 - All sites in Ellesmere are grade 3. There are no known air quality issues. The site scored well in terms of relationship to services and facilities and the primary school is still reasonably accessible. Development in this location would be well contained and easily assimilated into the existing built form in this part of the town. The promoted site at the site time contained phase one and phase two – the councils policy team preferred allocation was to be limited to ‘phase 1’ of the site which is the site comprising the application before members. The previous report presented to members on the 16th December fully detailed how the proposal impacted on the strands of sustainability referred to in paragraph 7 of the NPPF, namely economic, social and environmental factors.

2.1.17

There is a distinction between what SC Planning Policy would choose to allocate in SAMDev as planned development in the context of the availability of reasonable alternatives and how the Council respond to an application for planning consent where the proposed development must be considered on its own merits in

- 2.1.18 circumstances where local policies have negligible weight.

It is accepted that new housing will add pressure onto existing facilities and services such as the schools, however as advised within the December report the provision of improvements to, for example, schools would need be funded through the CIL income. Pressure on other infrastructure can be considered as a detrimental impact. Though it is officers advice that in the case of the application site cumulative impact the development would have on the town would not be significant and that greater weight cannot be placed on the emerging SAMDev Policies owing to substantial unresolved objections and only limited weight can be

2.2 given to saved local plan policies as these policies are at risk of being considered “time expired” due to their age and the time which has lapsed since the end date of the plan. It is advised that a refusal on these grounds would be weak and one which would put the Council at risk at appeal.

2.2.1 Highways

2.2.1

2.2.2 Members were also minded to refuse the application based on the impact the development would have on the highway network.

2.2.3 Following the meeting the applicant appointed a Transport Consultant and the submitted report follows the concerns raised by the Members in relation to the cumulative impact of development taking place in Ellesmere, which has either been granted consent or subject to current applications.

2.2.4 In order to fully assess address the Members concerns with regard to the cumulative impact of traffic in Ellesmere as a result of permitted or pending housing applications, it would be necessary to carry out a Traffic Model exercise for Ellesmere. Such a project however would be costly to produce and nor would it be reasonable for such a requirement be placed upon the applicant in this particular case.

2.2.5 In assessing the number of housing applications which have come forward in Ellesmere, whilst the highway authority recognise that there will be a resultant impact upon traffic volume increases on the local highway network into and out of the town, it is necessary to put this application, as with others, in context. This application seeks permission for 68 dwellings served off an existing housing estate, known as Teal Drive, which is considered acceptable in terms of layout and highway safety respects. The Technical Note produced by Mode Transport Planning puts the development into further context in the manner in which traffic would be likely to be distributed on the local highway network as a result of the 68 additional dwellings and junction capacity analysis.

2.2.5

2.2.6 In summary the note reported that 19% of proposed development traffic is forecast to arrive/depart from the north of the site with the remaining 81% forecast to arrive/depart from the south (i.e. via Ellesmere). The development traffic splits again at the A528 Grange Road/A495 Talbot Street/A495 Willow Street/Cross Street mini-roundabout equating to less than 20 trips per hour using the A495 Talbot Street and the A495 Willow Street through Ellesmere in either peak hour. This level of traffic equates to a vehicle every three minutes on average and is considered to represent a marginal increase to existing traffic volumes.

2.2.7 Junction capacity analysis of both the A528 Grange Road/Teal Drive/Fullwood Access crossroads junction and the A528 Grange Road/A495 Talbot Street/A495 Willow Street/Cross Street mini-roundabout was also carried out. The analysis considered future traffic conditions by growing surveyed traffic to 2019 levels. The analysis indicates that with no alterations to the existing junction arrangements the localised highway network will continue to operate at an acceptable level and development traffic will have a marginal impact on junction performance.

The Technical Note concludes that the impact upon the existing highway network would not amount to significant / severe harm and the impact of the development is considered to be acceptable and will not have a significant impact upon existing junction arrangements. The council's highway officer does not object to this conclusion

2.2.8

The Technical Note also draws attention to the NPPF where it states that "Development should only be prevented or refused on highway grounds where the residual cumulative impacts of development are severe.". The highway authority advise that such an argument could not be substantiated in respect of the current application under consideration and furthermore the Council would be at risk of costs being awarded against it should members be minded to refuse this application on the grounds of cumulative traffic impact.

3.0 CONCLUSION

3.1 Officers have sought to advise members within this report of the issues raised at the December meeting. Research has been undertaken to provide members with evidence on the issues raised however no evidence has been found which would substantiate a defensible reason for refusal of the application. As such, the officer's recommendation remains the same as that presented at the December meeting, which is that, subject to the applicants entering into a S106 legal agreement to secure affordable housing, and subject to conditions, delegated authority should be given to the Planning Services Manager to grant planning permission.

3.2 The proposal is a departure to the development plan in that the site is situated within open countryside and is contrary to CS5 and saved North Shropshire Local Plan Policy H5 . However there are other material considerations that should be given weight in setting aside the adopted policy.

3.3 The site is considered to be a sustainable location on the edge of the market town of Ellesmere and policy 47 of the National Planning Policy Framework sets a presumption in favour of sustainable development. The cumulative impact the development would have on the town would not be significant and that greater weight cannot be placed on the emerging SAMDev Policies owing to substantial unresolved objections and only limited weight can be given to saved local plan policies as these policies are at risk of being considered "time expired" due to their age and the time which has lapsed since the end date of the plan.

3.4 Access off the existing housing estate, known as Teal Drive, is considered acceptable in terms of layout and highway safety respects. Further technical works carried out concludes that the impact upon the existing highway network would not amount to significant / severe harm and the impact of the development is considered to be acceptable.

3.5 It is advised that a refusal on the above grounds would be weak and one which would put the Council at risk at appeal.

- 3.6 The proposal will be of significant benefit in terms of boosting the local housing supply including the provision of affordable housing in what is a sustainable location where there is good access to services in a sizeable market town. Accordingly, it is considered on balance that the benefits of the scheme is not demonstrably outweighed by the harm caused and that the proposal complies with policies CS6 and CS11 of the Core Strategy and the requirements of the National Planning Policy Framework.

4.0 Risk Assessment and Opportunities Appraisal

4.1 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, i.e. written representations, hearing or inquiry.

The decision may be 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 made a) promptly and b) in any event not later than three months after the grounds to make the claim 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.

4.2 Human Rights

Article 8 gives 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.

4.3 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.

5.0 Financial Implications

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

6.0. Background

Relevant Planning Policies

Central Government Guidance:
NPPF

Core Strategy and Saved Policies:
CS3- Market Towns and other Key Centres
CS5- Countryside and Greenbelt
CS8- Facilities, Services and Infrastructure Provision
CS9- Infrastructure Contributions
CS11- Type and Affordability of Housing
CS17- Environmental Networks
CS18- Sustainable Water Management

7.0. Additional Information

[View details online:](#)

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 Ann Hartley

Appendices

APPENDIX 1 – Conditions

APPENDIX 2 – Report to members 16th December 2014

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of 12 months 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 deposited plans and drawings as amended by the revised plans received on the 10th October 2014 and 25th November 2014, 1st December 2014. .

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place until a scheme of foul drainage, and surface water drainage including relevant plans, calculations and maintenance strategy has been submitted to, and approved in writing 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.

4. Before the commencement of development a scheme of landscaping and these works shall be submitted to the Council and approved. The submitted scheme shall include:
 - a) Means of enclosure, including all security and other fencing
 - b) Hard surfacing materials
 - c) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
 - d) Planting plans, including wildlife habitat and features (e.g. hibernacula)
 - e) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
 - f) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate native species used to be of local provenance (Shropshire or surrounding counties)
 - g) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
 - h) Implementation timetables

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design

5. Prior to development commencing a method statement that sets out the Risk Avoidance Measures to ensure the protection of Great Crested Newts shall be submitted to and approved

in writing by the Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the approved details.

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

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- * the parking of vehicles of site operatives and visitors
- * loading and unloading of plant and materials
- * storage of plant and materials used in constructing the development
- * the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- * wheel washing facilities
- * measures to control the emission of dust and dirt during construction
- * a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

7. No development shall take place until details of the design and construction of any new roads, internal visibility splays, footways, accesses have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site

8. In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the building for its permitted use.

a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a Tree Protection Plan and Arboricultural Method Statement has been submitted and approved in writing by the Local Planning Authority. All tree protection measures detailed in the approved Tree Protection Plan and Arboricultural Method Statement must be fully implemented as approved before any equipment, machinery or materials are brought onto the site for the purposes of the development. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with

this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

d) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

Reason: To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

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

9. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and ponds other than small, privately owned, domestic gardens shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To ensure the long term management of the public open spaces

10. The external materials of the proposed development shall be carried out in accordance the materials schedule, drawing no. P04 received 1st December 2014.

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

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

11. No windows or other openings other than those shown on the approved plans shall be formed in the southwest elevations of plots 32, 13, 12 and 1 without the prior consent of the Local Planning Authority.

Reason: To preserve the amenity and privacy of adjoining properties.

12. Prior to the erection of any external lighting over 150W 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.

13. The gradient of the access(s) from the highway carriageway shall not exceed 1 in 24 for a distance of 1.8 metres and thereafter the gradient of the drive shall not exceed 1 in 10.

Reason: To provide a safe access to the development in the interests of highway safety.

14. Construction works shall not take place outside 0730 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

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