

## Development Management Report

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### Summary of Application

<b>Application Number:</b> 14/01147/FUL	<b>Parish:</b> Shrewsbury Town Council
<b>Proposal:</b> Residential Development (25 Dwellings) and Open Space, with associated Highways and Drainage Infrastructure and other Accommodation Works	
<b>Site Address:</b> Land East Of Holgate Drive Shrewsbury Shropshire	
<b>Applicant:</b> Galliers Homes	
<b>Case Officer:</b> Jane Raymond	<b>email:</b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>

**Grid Ref:** 352158 - 314946



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**Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and a s106 agreement to secure the on site AH and an AHC.**

## **REPORT**

### **1.0 THE PROPOSAL**

1.1 This application relates to full planning permission for the erection of 25 dwellings (including 2.affordable) and associated landscaping, new estate roads and open space. Vehicular access to the site will be via Holgate drive which is accessed via Alberbury Drive off Featherbed Lane.

### **2.0 SITE LOCATION/DESCRIPTION**

2.1 The application site is within the urban development boundary for Shrewsbury on both the proposals map of the Shrewsbury and Atcham Borough Local Plan and the SAMDev draft pre-submission plan. It is a parcel of land that was not developed at the time that the existing housing estate was built as the route for the Battlefield link road had not been finalised and was land reserved for this purpose.

### **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as the Town Council have submitted a view contrary to officers and the application has been requested to be referred by the Local Member, and the Area Planning Manager in consultation with the Committee Chairman agrees that the application should be determined by committee.

### **4.0 Community Representations**

#### **4.1 - Consultee Comments**

4.1.1 SC Trees: The important trees of merit on site are sited on the field curtilages and are all shown as retained as part of the 5m buffer zone and therefore has no objection to the proposal on the grounds of trees subject to a condition regarding tree protection measures.

4.1.2 SC Highways: The local highway authorities consider this site sustainable for development due to its proximity to employment in the north-west of Shrewsbury, local schools, shops and the transport network; bus service 24 connecting Tesco to Shrewsbury bus station operates off Alberbury Drive at 15 minute intervals six days a week and the site is located a short drive away from the A49 by-pass road. We are of the opinion that the local road network and junctions are of a sufficient standard to safely accommodate the additional vehicle movements generated by the proposed development. We understand that the proposed estate roads will be offered for adoption and therefore a s38 agreement with the local highway authority will be required. The highway authority raises no objection to the granting of consent.

4.1.3 SC Conservation (Historic Environment): The subject lands lie well outside of the boundary of any designated Conservation Area. Our current mapping indicates that there are no designated heritage assets in the immediate vicinity of these lands, the closest being the designated heritage assets associated with Sundorne Castle some distance to the east. A desk based overview of the relevant circa 1900 archival Ordnance Survey mapping suggests that there may be no heritage assets remaining within the subject area ' a former school shown located at the southwest corner of these lands has since been demolished. In terms of the historic environment, the proposal needs to be in accordance with policies CS6 Sustainable Design and Development and CS17 Environmental Networks, and with national policies and guidance, including the Historic Environment Planning Practice Guide published by English Heritage and the National Planning Policy Framework (NPPF). We would also note that the design should reflect local vernacular detail in terms of layout, building siting, scale, details and materials.

4.1.4 SC Ecologist: Supporting documents including the Ecological Survey by Black Tree Ecology dated October 2013 have been submitted. Blacktree Ecology carried out a daytime visit on the 13th October 2013. The site is adjacent to busy roads and has a high level of human and dog activity. The existing landscape buffer to the A49 is shown for retention. A small stream on the northern side of the site had no signs of otter, water vole or other protected species and is shown for retention. No signs of badgers were found.

Bats - None of the trees on the application site were considered by Blacktree Ecology (2013) to have scope for bat roosts. The trees and hedgerows on site are likely to be used for bat foraging and commuting. A condition on lighting is recommended to avoid affecting bat behaviour.

Nesting birds - The trees and hedgerows on the site are likely to be used by nesting birds and recommends a condition for ten artificial nests to be provided.

4.1.5 SC Drainage: Suggests that the drainage details, plan and calculations could be conditioned if planning permission is granted.

4.1.6 SC Affordable Houses: The affordable housing contribution proforma accompanying the application indicates the correct level of contribution and/or on site affordable housing provision and therefore satisfies the provisions of the SPD Type and Affordability of Housing. The split of the affordable homes has been stated as 1 for affordable rent and 1 for low cost home ownership, both 2 bed roomed houses, this is acceptable in this area. The houses would need to be transferred to a housing association for allocation from the housing waiting list in accordance with the Council's prevailing Allocation Policy and Scheme.

## 4.2 - Public Comments

4.1.2 Shrewsbury Town Council: Objects - Members are generally disappointed that there has been no pre-consultation with any of the local residents, the local member or the Town Council given its contentious layout and location. This applications relies on access and egress through the existing estate onto Featherbed Lane, which has recently been identified as a safety concern under the Shropshire Council Road Safety Policy. Local residents see this area as the last

green buffer between them and the very busy A49 and the loss of amenity space and value to local residents is immense.

4.1.3 23 letters of objection have been received from local residents summarised as follows:

- ❑ Increased traffic congestion and number of vehicles using the existing estate roads (Alberbury Drive, Whittington Close and Holgate Drive) causing road safety issues, noise, disturbance and disruption for existing residents and parking problems on minor side roads which were designed in the seventies for only light traffic.
- ❑ The increase in traffic would further impact on Featherbed Lane making it even more difficult for residents to get off the estate
- ❑ Decrease in property values
- ❑ The new proposed houses are not the same as the current style 'Fletcher' homes and the houses planned by the side of Sundorne Road in particular are very cramped terraced houses, and not in character with the rest of the estate
- ❑ Two storey houses are completely out of character with the surrounding properties and in particular the bungalows No's 8 & 11
- ❑ The development is not in an acceptable form and layout which would relate well to the adjoining properties and have not been sited and designed to respect the character and appearance of the adjoining properties
- ❑ The footprint of the proposed houses will not be similar in size and scale to the surrounding development and this will be particularly noticeable when viewing plots 15-25.
- ❑ Existing residents enjoy living in well proportioned homes on sizeable plots with a 'Rural' feel due to the spacious plots and the open green space. The proposal will result in the loss of this open and rural feel.
- ❑ Sustainable development is about change for the better and questions how this development qualifies.
- ❑ The street scene plan gives a very unrealistic and distorted perspective, and is not a true pictorial representation.
- ❑ Adverse visual impact due to the view from existing homes being greatly altered by the building of houses and views of open countryside including Haughmond Hill and Haughmond Abbey being lost.
- ❑ No consideration or consultation with the local community or residents who have lived in these houses for many years enjoying the open location.
- ❑ Proximity of houses to existing resulting in loss of light, overlooking, loss of

privacy and potential noise or anti-social behaviour of new residents

- ❑ The houses will be built on land that acts as a sound barrier to the Battlefield link Road
- ❑ Concerned for the quality of life for the potential occupiers close to this road
- ❑ Residents will have to endure the heavy construction vehicles and building work and the associated noise, disturbance, mud and dust and requests a condition regarding hours of work.
- ❑ Environmental impact including the removal of the greenfield corridor and the loss of green space which has become a wildlife haven.
- ❑ The site is not unused scrub land and has been used for 20+ years and residents consider it to be open green space,
- ❑ A section of the land adjoining the boundary of No 11 has been possessed, built on, cultivated and used as a vegetable plot and has evidence to prove access, possession and use and that consideration should be given to the legal position regarding this
- ❑ Concerns about future operation and maintenance of the proposed pumping station, problems with smell or noise, surface water drainage and subsidence affecting existing properties and damage to existing properties if the pumping station fails.
- ❑ Building work and ground disturbance close to existing houses could result in structural damage
- ❑ The lack of footpaths to plots 1, 2 and 3 presents a danger to pedestrians
- ❑ The narrow strip of land to the North is not included in the application so is concerned about its future maintenance.
- ❑ The garage proposed for plot 15 will be close to the back garden fence of 35 Whittington Close and the windows of plot 15 and 16 will overlook the garden and rear of the house.
- ❑ The side elevation of the house on plot 14 will be at the bottom of the garden of 23 Whittington Close and will reduce privacy and light and result in the view of a brick wall.
- ❑ 11 and 8 Northside Close are bungalows and will be overlooked by the proposed houses on plots 1 and 2 and the proposed garage will be close to the rear boundary.
- ❑ Requests that the developers consider providing a dropped kerb for No. 5 Holgate Drive when extending Holgate Drive to serve the new houses.

## 5.0 THE MAIN ISSUES

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 The proposal is for development of a strip of land that was part of land reserved for the Battlefield link road, the final route of which had not been decided at the time that the existing houses were built. The route of the road is further to the East and so this piece of land is left over and available for development. The whole of the application site is within the urban development boundary for Shrewsbury on both the proposals map of the Shrewsbury and Atcham Borough Local Plan and the SAMDev draft pre-submission plan. The provision of housing within the urban area accords with policy CS1 and CS2 which identify Shrewsbury as the primary focus for housing development for Shropshire. The proposal will also help boost the housing supply numbers and accord with the NPPF presumption in favour of sustainable development. The development is therefore acceptable in principle and should be supported unless any impacts would significantly and demonstrably outweigh the benefits.

### 6.2 Layout, scale, design and appearance

6.2.1 Concern has been raised by local residents that the proposal will not be the same as the existing development in terms of the scale and size of the dwellings and the density of the development. The layout of the development is primarily dictated by the width of the site and the access to it via the existing estate off Holgate Drive, as there could be no access created from the Battlefield link road. The houses are a mix of detached houses facing the extended access road that will run parallel to the Battlefield link road and will lead to a row of semi detached and terraced houses at the bottom end of the site nearest to Sundorne Road. It is accepted that these houses will not be the same as existing houses on the estate but they will be separated from the estate by the proposed POS and are similar in density and size to those houses that are nearer on the opposite side of Featherbed land and facing Sundorne Road. These and the proposed detached houses that will face the new access will not be viewed in the context of the existing estate and there is therefore no requirement that the design should match. The layout and density of the detached houses that will face the new access road will in any case be similar to that in Kingfisher and Partridge Close with similar plot widths but shorter gardens. The proposal when viewed from the street would therefore not appear cramped. The proposal includes six different house types and it is considered that the designs proposed will provide a varied and interesting street scene when travelling along the new access road. The only point where the new development would be viewed in context with the existing development is at the head of the existing cul-de-sac 'Holgate Drive' but it is considered that the house designed for plot 4 (Whittington) which will face the highway adjacent to the existing 7 Holgate Drive will compliment this existing house. The layout, scale and design of the proposed development is considered appropriate and acceptable and the external materials will be considered at the reserved matters stage.

### 6.3 Landscaping/Trees/Open Space

6.3.1 The wooded green buffer zone and part of the site was designated as 'Green Space' under the SABC local plan but this policy is now no longer relevant and has been replaced by Core Strategy Policy CS17 (Environmental Networks). This policy seeks to protect and preserve the historic and natural environment but does not preclude development of all greenfield sites. The proposal does not include developing all of the land right up to the Battlefield Link Road as the wooded buffer strip will remain. Some trees are proposed to be removed within the site but the Councils tree officer has confirmed that the important trees of merit on site are situated on the site boundary and are all shown as retained as part of the 5m buffer zone and therefore has no objection subject to a condition regarding tree protection measures. The site layout including the Public Open Space (POS) ensures that those important trees within the site are retained. The proposed landscape open space buffer to the South of the site and the proposed POS in the centre will provide more than the required amount of POS (1914sqm in total) and a mix of landscaped and natural/semi-natural open space as outlined in the IPG. Although residents may have benefited from the use of this land in previous years it is not public land and there is no right of access. The use of some of the land by a resident as a vegetable garden and their claim to it is a civil matter and not a planning matter. Conditions regarding tree protection measures and full details of the proposed landscaping and future maintenance of the landscaped areas and POS can be imposed.

### 6.4 Highways

6.4.1 Access will be via Holgate Drive and Alberbury Drive off Featherbed Lane. Highways have no objection to the proposal and consider that the local road network and junctions are of a sufficient standard to safely accommodate the additional vehicle movements generated by the proposed development and that the proposed estate roads will be offered for adoption. The proposal includes adequate parking and turning space for each dwelling and it is considered that the proposal would not result in any adverse highway implications.

### 6.5 Ecology

6.5.1 An ecological survey has been conducted and an ecological report submitted which acknowledges that the site is adjacent to busy roads and has a high level of human and dog activity and that the existing landscape buffer to the A49 is shown for retention. No signs of protected species were found and the Councils Ecologist has no objection to the proposal subject to a condition on lighting to avoid affecting bat behaviour, as trees and hedgerows are likely to be used for bat foraging and commuting. The trees and hedgerows on the site are also likely to be used by nesting birds and a condition for ten artificial nests will provide ecological enhancement. The proposal will not result in the loss of the green wooded buffer zone so a green corridor will be maintained in accordance with CS17.

### 6.6 Impact on residential amenity

6.6.1 Some neighbours are concerned about the proximity of the proposed new houses that will result in a loss of light and a loss of privacy and also object to the loss of

the view of the countryside and the loss of the buffer zone that screens the Battlefield Link Road. However there is no right to a view and the proposal includes retention of the wooded buffer zone and it is considered that the proposed houses will provide additional screening from the noise from the road. With regards to the impact on individual neighbours the agent has considered their concerns and provided the following advice:

*The occupiers of the bungalow at 11 Northside and also nos. 23 and 35 Whittington Close have raised concerns about the relationship of the new development to their properties and the potential impact upon their residential amenity. Plot 1 is at an oblique angle to no. 11 Northside. Furthermore, there will only be a small obscure glazed bathroom window on its side gable so there would be no loss of privacy. The garage adjacent to the boundary is single storey so will not give rise to any amenity issues, but it will form a barrier between plot 2 and nos. 11 and 8 Northside. The rear elevation of plot 2 is also at an angle to the rear elevations of nos. 11 and 8 Northside and 20m away from the midpoint on the rear elevation of number 11 Northside, the closest property to plot 2. Plot 14 is the same design as plot 1 and its side gable would be positioned 18m away from the rear elevation of no 23 Whittington Close, well in excess of the normal 12m or so requirement and so this represents more than adequate distance separation. It has been suggested that perhaps plots 12-14 could be re-orientated to be in line with plots 5-11, but the applicant considers this to be unnecessary and particularly undesirable not least because it would increase the potential for overlooking between rear elevations and more importantly, it would diminish surveillance over the open space and represent poor urban design. It is suggested that the relationship between plot 15 and no. 35 Whittington Close is perfectly acceptable. The layout provides distance separations that comply with and indeed exceed recognised space about dwellings standards. Overall, therefore, it is maintained that the proposed layout represents the best design solution and one that will not cause unacceptable impact upon existing neighbouring properties. It is therefore, respectfully suggested that these concerns are ill-founded and do not represent material objections. The applicant is prepared to accept a condition requiring the submission and approval of a Construction Management Plan to minimise any potential impact upon the amenities of neighbouring residents during the relatively short construction phase of the proposed development.*

A condition can be imposed regarding a construction management plan and it is agreed with the agents comments above that the proposed buildings are orientated and positioned at a sufficient distance to not appear overbearing or result in a loss of light or unacceptable levels of overlooking. A condition can be imposed to ensure that no first floor windows can be added to the side elevations of plots 1, 4, 14 and 15 that would overlook 35 and 23 Whittington Close, 7 Holgate Drive and 11 Northside Close respectively. The proposal currently includes a blank wall or only bathroom windows at first floor level. It is therefore considered that the proposal would have no significant adverse impact on residential amenity.

"In locations where gardens are not screened from traffic noise by the proposed dwellings, the gardens should be fenced with high, close-boarded heavy fencing".



## 6.7 Drainage

6.7.1 The domestic and highway surface water is proposed to be disposed of by the use of an attenuation system with a discharge to the existing watercourse which abuts the northern boundary. Porosity tests have been undertaken on the site, but the soils were found to be clays and not suitable for the use of soakaways. Appropriate additional SuDs techniques will also be provided to the development as required and necessary. Foul water drainage will discharge to the existing foul water sewer in Holgate Drive but due to the level of the foul water sewer in the junction of Holgate Drive with Whittington Close it will be necessary to provide a pumping station to serve the development. The Councils drainage engineer has no objection to the proposal subject to the imposition of conditions requiring full drainage details to be submitted for approval including a contoured plan of the finished ground levels.

## 6.8 Developer contributions

6.8.1 The proposal includes 2 affordable houses in addition to an off site contribution for the balance of 0.5 of a house (£39,600). The proposed 23 open market dwellings will also be CIL liable for a total of approximately £81000 based on an approximate total floor area of 2025sqm. There is no requirement for a contribution for the maintenance of the public open space at this stage as it may either be adopted or managed by a maintenance company which will be secured by condition. There is also no requirement for on site provision of play facilities or an off site contribution for play facilities or recreational open space as this is covered by CIL as outlined in the IPG.

## 7.0 CONCLUSION

7.1 The development of this site is acceptable in principle making good use of land left over since the Battlefield link road was constructed and will provide 23 open market homes and 2 affordable homes situated within the urban development boundary for Shrewsbury. The NPPF is clear that where there is a lack of a 5 year land supply the priority is to boost housing supply and to approve sustainable development in appropriate locations provided there are no adverse impacts of doing so. It is considered that the proposal represents sustainable development due to its proximity to Shrewsbury, access to local services and facilities and excellent Public Transport links and opportunity for cycling and walking. The scale, design and layout of the proposed development is considered acceptable and would have no adverse impact on the character and appearance of the locality. A safe means of access will be provided in addition to adequate parking and turning space for each dwelling and the proposal would have no adverse highway implications. The proposal would also have no adverse impact on residential amenity and the open space provision is in accordance with the IPG and allows for the retention of important trees on the site and the proposal would also have no adverse ecological implications.

7.2 Members are requested to approve this application in line with clear guidance within the NPPF to boost housing supply and it is considered that there would be no significant adverse impacts in allowing this proposal. Permission, if granted, should be subject to the completion of a S106 Agreement to secure on site

affordable housing in addition to the relevant AHC.

## 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, 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.

### 8.2 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.

### 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

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.

## 10. Background

### Relevant Planning Policies

Central Government Guidance: NPPF

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies: CS2, CS6, CS17

## 11. Additional Information

List of Background Papers: File 14/01147/FUL
Cabinet Member (Portfolio Holder) Cllr M. Price
Local Member Cllr Malcolm Price
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.

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

3. Unless altered by prior written agreement with the LPA, the development hereby approved shall be carried out strictly in accordance with the submitted Tree Survey document and Tree Protection Plan and in accordance with the BS 5837: 2012 'Trees in relation to Design, Demolition and Construction recommendations for tree protection'. The protective fences shall be erected to the satisfaction of the LPA prior to commencing any approved development related activities on site including ground levelling, site preparation or construction. The fences shall be maintained throughout the duration of the development and be moved or removed only with the prior approval of the LPA.

Reason: To safeguard the amenity of the site by protecting trees

4. Prior to the commencement of the development full engineering details of the site access works, new access road, existing highway/road works, structures, foot/cycleways, surface water drainage, street lighting and carriageway markings/signs, shall be submitted to and approved by the planning authority; the works shall be fully implemented in accordance with the approved details prior to the development hereby permitted being first brought into use.

Reason: To ensure the construction is to an adequate standard in the interests of road safety.

5. Prior to the commencement of development details of the proposed surface water drainage system (to include full details of how groundwater will be managed and details, calculations and location of the percolation tests to demonstrate that the ground is unsuitable for soakaways) shall be submitted to and approved in writing by the LPA. Works shall be fully implemented in accordance with the approved details prior to the development hereby permitted being first brought into use.

Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner and to minimise the risk of groundwater flooding.

6. Prior to the commencement of development a contoured plan of the finished ground levels shall be submitted to and approved in writing by the LPA to ensure that the design has fulfilled the requirements of Shropshire Council's Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12, where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site. Works shall be fully implemented in accordance with the approved details prior to the development hereby permitted being first brought into use.

Reason: To ensure that any such flows are managed on site. The discharge of any such flows across the adjacent land would not be permitted and would mean that the surface water drainage system is not being used.

7. If non permeable surfacing is used on the driveways and parking areas and/or the driveways slope towards the highway, the applicant should submit for approval a drainage system to intercept water prior to flowing on to the public highway. Works shall be fully implemented in accordance with the approved details prior to the development hereby permitted being first brought into use.

Reason: To ensure that no surface water runoff from the new driveways runs onto the highway.

8. No development approved by this permission shall commence until there has been submitted to and approved by the local planning authority a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

Means of enclosure

Hard surfacing materials

Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)

Planting plans

Written specifications (including cultivation and other operations associated with plant and grass establishment)

Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

Implementation timetables

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

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

9. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standard 4428:1989. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed

with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

10. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public open space and landscaped areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing 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 proposed landscaping and landscape management plan shall be carried out as approved and the landscaped public open space must be managed according to the agreed management plan for the lifetime of the development.

Reason to ensure the provision and maintenance of the proposed public open space

11. No built development shall commence until details of all external materials 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.

12. 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.

13. Prior to the first occupation of the dwellings details of ten woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be submitted to and approved in writing by the local planning authority. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained. The approved details shall be implemented in full prior to the occupation of the dwelling/ building.

Reason: To ensure the provision of roosting opportunities for bats, which are European Protected Species

14. Prior to the first occupation of the dwellings details of ten woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the occupation of the dwelling/ building.

Reason: To ensure the provision of nesting opportunities for wild birds

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

15. Any first floor windows in the West facing side elevation of the houses on plots 1, 4 and 14 and in the North facing side elevation of the house on plot 15) shall be permanently formed as a fixed light and glazed with obscure glass and shall thereafter be retained. No further windows or other openings shall be formed in those elevations.

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