

Development Management Report

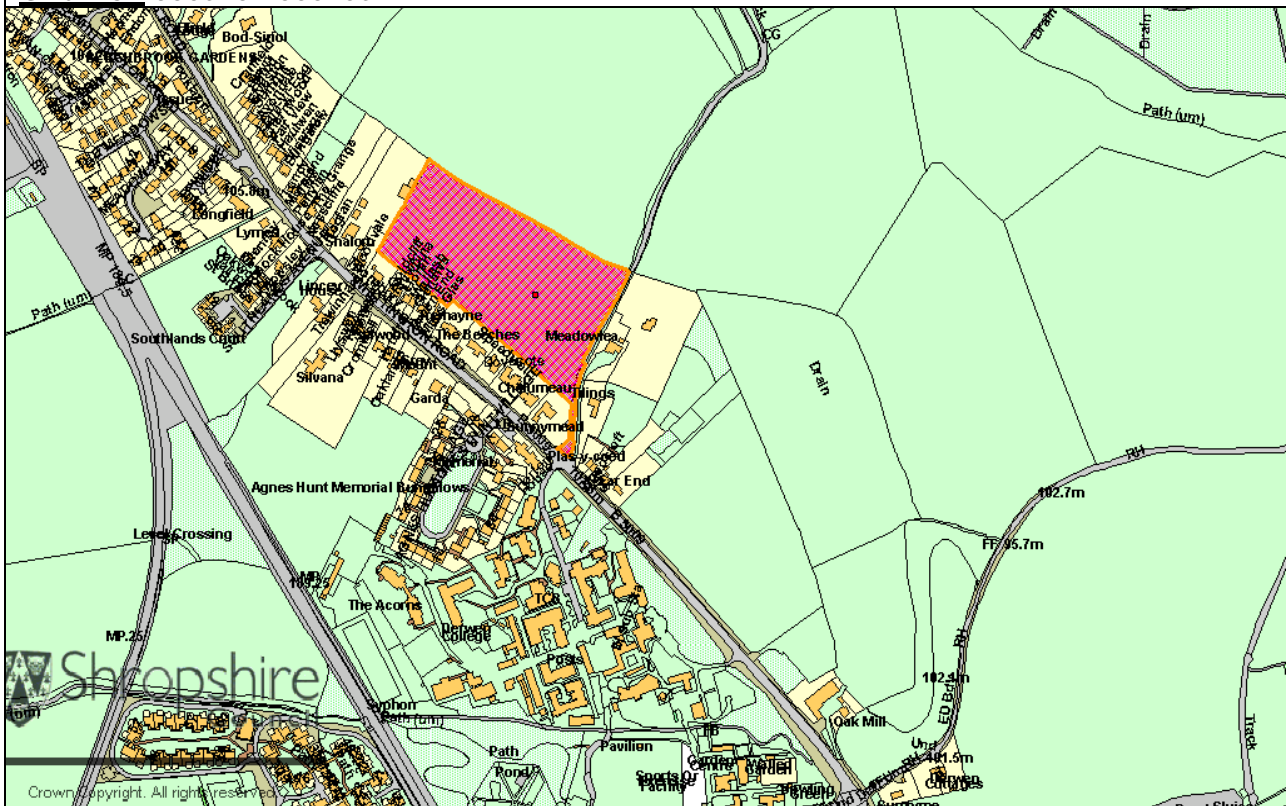
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Summary of Application

Application Number: 13/02217/OUT	Parish:	Selattyn And Gobowen
Proposal: Outline application for mixed residential development; formation of open space; alterations to existing vehicular access		
Site Address: Land On North Side Of Whittington Road Gobowen Oswestry Shropshire		
Applicant: Mr M Evans		
Case Officer: Mark Perry	email: planningdmnw@shropshire.gov.uk	

Grid Ref: 330913 - 333159



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and a S106 to secure the provision of affordable housing.

REPORT

1.0 THE PROPOSAL

- 1.1 The submitted application is for outline planning permission for a residential development with all matters reserved for later approval. The applicant indicates in their submission that the site which covers an area of 2.96 hectares would be developed for housing and would include areas of public open space.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located in an area of countryside and is currently a field used for agricultural purposes. The site is on the northern side of the village and is on a parcel of land that gently slopes downwards in a north easterly direction. The site is currently accessed by a private driveway which leads to a former farm which has an established business use for the manufacturing of timber products. The south western boundary of the site follows the rear boundary fences of the dwellings that front onto Whittington Road. This boundary also forms the edge of the development boundary as defined in the Oswestry Borough Local Plan.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposed development has raised issues which in the opinion of the Local Member and the Chair of the Planning Committee need to be considered by the Planning Committee.

4.0 Community Representations

- 4.1 - Consultee Comments

4.1.1 Parish Council-

Having given consideration to the economic, social and environmental benefits of the revised plans, Selattyn and Gobowen Parish Council at its meeting held of 12.4.14 RESOLVED to continue to object to the application for the following reasons;

The application is outside of the development boundary and does not fit in with the SAMDev aspirations outlined by the Parish Council .

The amenity land offered as part of the application is not currently in a preferred location for the Parish Council as it is on flood plain and close to the Parish Council existing 8 acre playing field.

In the opinion of the Parish Council sustainable development can be defined as seeking positive improvements in the quality of the built, natural and historic environment of Gobowen. The Council consider that this application will not improve the quality of the built environment of the village as the proposals are for a

high density development on backland. In addition to this the drainage and flooding concerns associated with this proposed development will not deliver improvements to existing residents. Neighbouring areas including the Gobowen Playing field could all be detrimentally affected by the run off from the site

The entrance the development off the Whittington Road is close to the Derwen College and the traffic generated from the new development will have a negative impact on students and local residents crossing Whittington Road to access the bus stop.

4.1.2 **Highways-** the site has a suitable and safe access.

4.1.3 **Drainage-** Drainage details, plans and calculations could be conditions and submitted for approval at the reserved matters stage. Is of the opinion that, if flood water from the watercourse could get to this site, it would be only 10mm or so deep and so would not hinder safe access/egress. On this basis, see no reason, on flood risk grounds, for the development not to proceed.

4.1.4 **Environment Agency-** The revised FRA indicates that the residential element of the development will be wholly within Flood Zone 1 according to our Flood Map. This would comprise 'land assessed as having a less than 1 in 1000 annual probability of flooding (<0.1%)'.

The access to the site would still be within Flood Zone 3 and, as confirmed in the revised FRA, this would be the only vehicular and pedestrian access and egress for the development. This access route from Whittington Road would be within Flood Zone 3 which in this location would be the flow route for flood water to the natural low point to the north east of the development of the site. This flow route topography is backed up by our own LIDAR extents.

Through investigation of the data available to us it has been established that the maximum flow rate in a 1 in 100 year flood event would be 4.29 m³/s. This, combined with the LIDAR data, would suggest that although the flow route could well follow that indicated on our Flood Map the depth and velocity of water at the development site access point is likely to be negligible.

4.1.5 **Trees** - No objection in principal to the application. There appears to be only one significant tree on the site which is shown as being retained. The reserved matters application must be supported by an Arboricultural Implication Assessment demonstrating that the existing tree can be adequately protected and integrated into the proposed development. Loss of hedgerows must also be avoided and the AIA must include an assessment of the extent and impact of any unavoidable loss and make provision for compensatory planting.

4.1.6 **Ecology-** No objection subject to conditions and informatives

4.2 - **Public Comments**

30 letters of support and 22 letters of objection received, commenting on the following issues:

- 4.2.1 Support:
- There is shortage of new homes for young people
 - The site is well located
 - Development will provide employment during construction
 - Good visibility at access
 - Not visually intrusive
 - More affordable dwellings
 - Close to public transport
 - Close to Derwen College and hospital
 - Will help support local businesses
- 4.2.2 Objection:
- Proposal not in line with SAMDev
 - Outside of the development boundary
 - Whittington Road is a busy road
 - Loss of prime agricultural land
 - 75% of site at risk of ground water flooding
 - Sewerage system inadequate
 - No evidence for needing further dwellings in the village
 - Impact on highway safety
 - Proposal would set a precedent for other sites to be developed
 - Increase in traffic
 - Impact on ecology
 - The aspirations of 150-200 new dwelling by 2026 can be achieved without the proposed development
 - Loss of privacy
 - No demand for a second skate park
 - Not in keeping with local context of street pattern
 - Site is too far from school- 25 min walk
 - Inadequate capacity in school

5.0 THE MAIN ISSUES

Principle of development
 Siting, scale and design of structure
 Visual impact and landscaping

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The site is located outside of the Gobowen development boundary as defined by the Proposals Map of the Oswestry Borough Local Plan. Regard must be had to the NPPF provisions relating to policies for the supply of housing being not up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites.

6.1.2 The SAMDev Pre-submission Draft (Final Plan) has identified Gobowen as a 'Community Hub' as set out under Policy CS4 of the Core Strategy. Gobowen would have future housing growth of about 200 dwellings over the plan period. This includes 110 dwellings being provided on two allocated sites with the remainder provided as infill, groups of houses and conversions. However, the

emerging policies are yet to go through the process of examination and as such limited weight can be awarded to these.

- 6.1.3 In September 2013 the Council published an up-dated 5 year housing land supply statement. The statement confirmed that there was only a 4.95 years worth of housing supply land available in Shropshire, this falls below the 5 year requirement set out in paragraph 47 of the NPPF. However, it is also acknowledged that this figure included counting some of the SAMDev preferred option sites and that this figure has not got any better since September 2013, and is likely to have reduced. As such the policies contained in the current adopted Local Plan, which shows the site outside of the development boundary, cannot be considered to be up-to-date. The effect of this is that any adopted planning policy that restricts the location of development is no longer considered relevant and up-to-date. Instead, a significant amount of weight must now be awarded to the NPPF and its presumption in favour of sustainable development as set out in paragraphs, 7, 8 and 49. Paragraphs 7 and 8 set out the roles of sustainability as being economic, social and environmental issues. The test that should be applied should not be whether there is “no harm” caused by the proposal but whether any harm caused significantly and demonstrably outweighs the benefits. The effect of this is that 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.
- 6.1.4 Despite the objections from the Parish Council and neighbours on the grounds that the site is outside of the existing development boundary, there must still be a presumption in favour of sustainable development as required by the NPPF. As a consequence little weight can be awarded to current housing supply policy that is now considered as not being up to date. Government guidance contained in policy 6 'Delivering a Wide Choice of High Quality Homes' of the NPPF indicates that applications for housing should be considered in the context of the presumption in favour of sustainable development. It is accepted that the application would be a departure from the current saved Oswestry Borough Local Plan policies but there is now greater weight given to the NPPF than the saved policies.
- 6.1.5 The proposed development would be located adjacent to the existing development boundary which runs along the rear boundary of the road frontage properties. The site was initially considered as part of SAMDev although it did not become one of the preferred options for further housing development in the village.
- 6.1.6 As part of SAMDev the site was subject to a Stage 2a assessment (sustainability appraisal). The site scored negatively for access to Primary Schools and some types of open space and for potential loss of high quality agricultural land. The site scored positively for access to a bus route, access to some types of open space and low flood risk and the site is well related to village centre services and facilities. Overall the sustainability of the site was judged to be fair. More detailed assessment in Stage 2b highlighted groundwater flood risk. The assessment goes on to say that whilst development in this location could form a natural extension to the built area in a location reasonably well related to main settlement and services, the scale of development and the availability of more favourably located sites means that it was not required during the current Plan period.

6.2 **Is the site sustainable?**

6.2.1 The strands of sustainability referred to in paragraph 7 of the NPPF are economic, social and environmental, further consideration of how the proposed development impacts upon these elements is set out below.

6.3 **Economic Consideration**

6.3.1 In economic terms the proposed development will provide employment during the constructions process and support suppliers, Community Infrastructure Levy contributions, New Homes Bonus and additional community charge receipts; although these benefits would be achieved by any new housing development in any location. The most important economic benefit would be the spending power of new residents who would help to support local services that are already on offer locally.

6.3.2 Gobowen has a sizeable range of facilities and services within its centre including, shops, service and community facilities which includes which includes a railway station, bus service and employment opportunities at the hospital, college and a large care home. Most facilities and employment opportunities are within a 10-15 minute walk of the site. Gobowen also benefits from a regular hourly bus service to Oswestry passes the site which passes along Whittington Road.

6.4 **Social Considerations**

6.4.1 Socially the scheme will provide affordable and open market housing of which there is a proven need across Shropshire as set out in policy CS11 of the Core Strategy. More people living in the village would also provide support local services such as the school and sports/ social clubs. It would also provide infrastructure improvements through the payment of the Community Infrastructure Levy under policy CS9. The contribution is dealt with outside of the planning process and after development commences and is used to pay for infrastructure identified as local priorities. However, it is a material consideration in the determination of the application and the acknowledgement of the requirement to pay the CIL ensures that this matter will be dealt with after the consent.

6.4.2 Overall it is considered that the proposed addition of around 50 dwellings (subject to reserved matters approval) would not result in a level of pressure on local infrastructure or be of such a scale where it detrimentally affects the social cohesion of the village or its character.

6.5 **Environmental Considerations**

6.5.1 The issue of sustainability and the impact on the environment and character have recently been considered following the appeal against the refusal of planning permission for a residential development on the neighbouring site called 'The Tilings' which was refused for a residential development (application no. 13/01005/OUT). The appeal was allowed as the Inspector was satisfied that the site was in a sustainable location and that, "the site would not be detached or sporadic development in an isolated position".

6.5.2 It is considered that the appeal decision is a significant material consideration and has set a precedent for new residential development on this outer edge of Gobowen and also for new development behind the existing road frontage

properties. The appeal site was slightly different as there were already two existing properties set back from the road, however the appeal will allow houses to be set even further back from the edge of Whittington Road than any existing properties currently are. The site being considered by Members would effectively infill the gap between the appeal site to the south east and the existing development to the north-west.

- 6.5.3 Included within the application site it is proposed that there would be a large area of public open space which would also double as part of flood zones 2 and 3. The Parish Council have already commented that the open space would not be their preferred location as it is close to the flood plain and close to the Parish Council's existing 8 acre playing field. The public open space would be a community benefit to both existing residents and future occupiers of the new dwellings. If the Parish Council are not willing to take on the management of the play space it would need to be maintained by the applicant or an appointed management company to ensure that it remains available for use in the long term. The Place Plan has identified that the provision of additional open spaces/ common land as a 'Key' priority in the Place Plan, the proposed scheme could help contribute towards this need. Although it is recognised that the Parish Council are not supportive of the proposed location for the open space
- 6.5.4 There is recognition that the proposed development is on a parcel of Grade 3 agricultural land that sits outside of the built environment of Gobowen. Building houses on undeveloped parts of the countryside would conflict with the core planning principles, set out in paragraph 17 of the NPPF which aim to conserve and enhance the natural environment and encouraging the effective use of land by reusing land that has been previously developed. To meet Shropshire's current and future housing need will necessitate the development of agricultural land. In this instance the land is agricultural land which is grade 3 so of good/ moderate quality and has a semi-rural appearance but it would not be considered to be of any significant merit or of ecological or environmental value in this respect. As such, the weight that can be awarded to the loss of agricultural land in this location is only very limited.
- 6.5.5 The balance of material consideration remains one of boosting housing supply in locations that are considered to be sustainable even if they fall outside of the defined development boundaries within existing saved and adopted development plan policies. The proposed site is considered to be in accordance with the sustainable objectives that are set out in the NPPF and identified by the Planning Inspector for the appeal on the neighbouring site. Accordingly, it is considered by officers that the principle of a residential development in this location is acceptable in terms of its sustainability.
- 6.6 **Siting, scale and design of structure**
- 6.6.1 During the course of the application the applicant provided a series of indicative layouts. The scheme was significantly amended to swap the position of the open space and the dwellings to move the dwellings away from flood zone 3 and into flood zone 1 where there was less risk of flooding- this is discussed later in this report. The revised plans showed all of the proposed dwellings to the western side of the site with the public open space being provided to the east. The indicative layout does show a typical modern housing estate layout of 50 dwellings at a

density of development that is significantly higher than existing linear development to the south. The applicant then amended the application removing the indicative layout from the proposed plans to only show the areas of residential development and the area of open space. This will then allow the number of dwellings, density and layout of the development to be considered as part of any subsequent reserved matters application. As such the indicative layout and numbers are not for consideration at this stage.

- 6.6.2 The large area of public open space falls within the area that is identified as being flood zone 3 and is approximately half of the application site. Amenity land, open space and sports pitches are considered by the National Planning Practice Guidance to be a “Water Compatible Development”. The site only has one point where there could be a vehicular access at the south eastern corner which is adjacent to the open space. The applicant has shown that there would be a footpath link to an existing public right of way to the north of the application site which goes from Whittington Road along a narrow gap in the frontage properties and out across agricultural fields. The right of way is not managed or surfaced in anyway and as such would be limited value as a pedestrian connection to the rest of the village without significant improvement being made.
- 6.6.3 The applicant has adequately demonstrated that the site is capable of being developed for around 50 dwellings, although a lower number may be more appropriate given its edge of village semi-rural location. Although the development would significantly alter the appearance of the site by introducing built development onto an open field, the new dwellings would be seen against the back drop of the existing Whittington Road dwellings when viewed from the public footpath which crosses the fields to the north.
- 6.6.4 The application site could be described as being semi-rural in its character given the proximity to other existing built development. It is considered that although the proposed development is large, it is not considered to be so excessively large to overwhelm the rest of the settlement and would significantly contribute towards Gobowen’s windfall requirement of 90 dwellings. Behind the Whittington Road frontage properties the land continues to fall away meaning that the proposed dwellings would be no higher than the existing dwellings. From Whittington Road and on the approach into the village from the south east the appearance of the area would remain primarily unchanged as a large proportion of the proposed development would be hidden by the existing dwellings which line Whittington Road which sit higher than the application site, although there would be glimpses of the new dwellings through the gaps in the Whittington Road frontage. As such the proposed development would be barely visible from Whittington Road and this part of Gobowen would continue to be characterised by its semi-rural character .
- 6.6.5 The appearance, layout and scale of the development are all reserved for later approval as such full consideration would be given to these aspects of the scheme which includes the number of dwellings once an application is made for reserved matters approval.
- 6.6.6 Officers consider that the use of the land for housing would represent a logical extension to the village. The development of the land for residential purposes would not result in the site being in an isolated or detached location as it would be

bound on three of its sides by existing residential curtilages; only the northern boundary of the site would be against open fields although it is recognised that the view from the open field could be changed by the loss of an existing area of open land. However, in the planning balance this is not considered to be of sufficient harm to outweigh the presumption in favour of sustainable development.

6.7 Ecology

6.7.1 The existing site is an agricultural field and has been used for arable farming and subject to regular ploughing etc. There are no water courses or ponds within the site or on the neighbouring land. As such the land itself would be unlikely to be of any significant ecological value. The application site itself is lined with mature native hedgerows and there is a large mature tree at the centre of the site which is the only feature within the site. The applicant has indicated in their submission that the hedges and the tree would be retained and therefore the few existing natural features that may have some ecological value would be preserved. The applicant also intends to provide additional planting and the appropriate management of the public open space to enhance the ecological value of the site.

6.8 Highway safety

6.8.1 The access to the site is one of the reserved matters and therefore it only needs to be demonstrated that it is possible to achieve a safe access to the site. The indicative layout shows that the existing access would be used. This is an access that has a junction onto a straight section of road and is within the 30 mph speed limit. The exact details of the access would be fully considered at any subsequent reserved matters application. At this outline stage it is considered that the residential development could be served by an acceptable access arrangement.

6.9 Drainage and Flood risk

6.9.1 Approximately half of the site falls within flood zone 3 with the other half within flood zone 1. Since the original submission the applicant has revised the scheme so that the area proposed for open space falls within the area liable to flooding and the dwellings moved to outside of this area. As the site only has one possible point of access the estate road would need to pass through flood zone 3.

6.9.2 Paragraph 100 of the NPPF requires local planning authorities to direct development away from areas of land that are at highest risk. Some of the site is located in flood zone 3 and therefore at risk from flooding, although the applicant has contested the accuracy of the current flood maps. However the part of the site that would be developed with dwellings is in flood zone 1 which has a less than 1 in 1000 annual probability of flooding.

6.9.3 The NPPF aims to protect people and property from flooding and in paragraph 100 it states that “Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change”. This is typically done by applying the sequential test. This approach is designed to ensure that areas at little or no risk of flooding are developed in preference to areas that have a higher risk.

6.9.4 The Environment Agency have commented on the application and they have confirmed that, based on the scale and nature of the proposals which are affected

by flood zone 3 they would not make any bespoke comments on the Sequential Test in this instance. Instead it is a matter for the Local Planning Authority to decide whether the scheme triggers the need to apply the sequential test.

- 6.9.5 In this particular instance, the access route from Whittington Road would be within Flood Zone 3 which would also be the flow route for flood water to the natural low point at the north east of the development of the site. The EA go on to state that the maximum flow rate in a 1 in 100 year flood event would be 4.29 m³/s with the depth and velocity of water at the development site access point is likely to be negligible. The Council Drainage Engineer commented that should flood water get to the site it would only be around 10mm deep and would not hinder safe access/ egress.
- 6.9.6 The submitted application is only seeking outline permission with all matters being reserved for later approval. As such any subsequent layout for the site can be designed in such a way so that dwellings and their gardens are positioned on the land that has a low risk of flooding i.e. flood zone 1, the area falling within flood zones 3 would be used as public open space .
- 6.9.7 Paragraph 039 of the Planning Practice Guidance states that, “Access routes should allow occupants to safely access and exit their dwellings in design flood conditions. Vehicular access to allow the emergency services to safely reach the development during design flood conditions will also normally be required”. During a flood event although there may be water on the access road access would still be possible and safe because of its very slow depth and low velocity.
- 6.9.8 Based on the above assessment although the open space and the access road fall within flood zone 3 it is possible for the design to avoid placing dwellings at risk from flooding. The small amount of water on the access road would ensure that access and egress is always possible. As such taking a risk based approach it is considered that the site would avoid any flood risk to people and property and as such there is no requirement to apply the sequential test.
- 6.10 **Impact on Neighbours**
- 6.10.1 The application site is located is located directly behind the dwellings that front onto Whittington Road. These existing properties do benefit from substantial rear gardens which combined with the likely size of gardens associated with the proposed dwellings would be sufficient to avoid any loss of privacy. This would only be fully considered once any subsequent reserved matters application has been submitted and the exact layout of the site and the scale and design of the dwellings are known.
- 6.10.2 The neighbouring dwellings to the south east side of the site have good sized rear gardens but these are most likely to be affected by the increase of traffic flows along the private driveway which currently has comparatively few vehicle movements along it. Officers consider that the access will mainly be used by cars at low speeds, when this is balanced against the noise already generated by the vehicles using Whittington Road, the access would be unlikely to cause disturbance to such an extent where it detrimentally impacts upon the amenities of neighbouring occupiers.

6.11 **Affordable Housing**

- 6.11.1 In accordance with the adopted Core Strategy all new open market development must make a contribution towards the provision of affordable housing, unless there are other material planning considerations. The number of dwellings is not yet known as this is an outline planning application but based on the 50 dwellings indicatively; shown this would equate to 5 on site affordable dwellings being provided although the exact number would be dependant on the target rate at the time the reserved matters application is submitted. A S106 will secure the provision of affordable housing in accordance with the Shropshire Viability Index as set out in the adopted SPD.

7.0 **CONCLUSION**

- 7.1 The site is located outside of the current Gobowen development boundary and is therefore classed as a departure from the development plan. However, because it has been demonstrated that the Council does not have the 5 years worth of housing land required by the NPPF significant weight must now be awarded to paragraphs 7 and 8 of the NPPF where there is a presumption in favour of sustainable development.
- 7.2 It is considered that the benefits of the scheme of providing affordable dwellings and being located in a sustainable settlement outweigh the harm of being outside of the existing development boundary. A similar stance was taken by the planning inspector for the appeal on the neighbouring site (The Tilings).
- 7.3 It is considered that the site can be developed for around 50 dwellings without there being any detrimental impact on amenities of neighbouring occupiers or the safety of highway users, therefore complying with relevant local policy and the requirements of the NPPF. Therefore subject to the applicant entering into a S106 to secure the provision of affordable dwellings the application is recommended for approval.

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

NPPG

Core Strategy and Saved Policies:

CS6- Sustainable Design and Development Principles

CS11- Type and Affordability of Housing

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 David Lloyd MBE
Cllr Robert Macey

Appendices
APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 2(1) of the Town and Country Planning (Development Management Procedure) Order 2010 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. An Arboricultural Implication Assessment shall be submitted as part of the first reserved matters application.

Reason: To demonstrate how existing trees(s) are protected and integrated into the proposed development

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

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 ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, 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: In the interests of visual amenity

7. There should be no land raised within Flood Zone 3, the high risk Zone.

Reason: To maintain the flow and storage capacity of the watercourse, in order to prevent increased likelihood of flooding to third parties

8. All of the proposed dwellings and their garden areas shall be located outside of flood zone 2 and 3 as defined on the Strategic Flood Risk maps.

Reason: To ensure that development is located away from areas at risk of flooding and that people and property are protected.