

Application Number:	2013/0103	Application Type:	Outline
Proposal:	Erection of Seven Detached Dwellings and Formation of Access from Bury Road	Location:	Land off Dearden Clough, Edenfield
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	28 May 2013
Applicant:	P. Casey Developments	Determination Expiry Date:	19 April 2013
Agent:	Mosaic Town Planning		

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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	<input checked="" type="checkbox"/>
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Outline Permission be granted subject to the Conditions set out in Section 10 of the Report.

2. SITE

The application relates to an irregular shaped parcel of land measuring approximately 0.5 ha that is located immediately to the south of the Dearden Fold housing estate.

Formerly occupied by a mill, it can be accessed from Bury Road (A676) to the west and Rochdale Road (A680) to the east, the applicant owning also land to the south side that bounds to Dearden Brook. The former access narrows having run between a high retaining wall and the gable of 103 Bury Rd (a residential property with door in its side), and has a bus stop nearby and terraced

houses opposite. The latter access slopes more steeply down from the main road and has more restricted visibility, but is better surfaced and serves 28 Dearden Clough (a residential property), and has commercial premises opposite. Connecting these vehicular accesses is Public Footpath No 269. The path is heavily bounded by trees and shrubs over the western half of its length, but over its eastern half is open on its south side.

From the properties on Dearden Fold the land falls away steeply down to the footpath, with a buffer of planting and retaining walls to its north side. To the south of the path, towards the west the land continues to fall quite steeply down to the brook and is wooded, whilst towards the east the land is more level, formerly occupied by Dearden Clough Mill. Remnants of the building, including hardstanding and foundations and brick rubble still remain to be seen from the footpath. A concrete slab visible from the footpath extends up to the river, at a significantly higher level than it, supported by a structure with tall recessed openings.

The ribbon of development fronting Bury Road through which the western vehicular access runs, together with the Dearden Fold housing estate and eastern half of the applicants land ownership (where remnants of the Dearden Clough Mill buildings are still to be seen) lie within the Urban Boundary of Edenfield. However, that part of the applicants land ownership occupied by the footpath where beyond the ribbon of development fronting Bury Road and extending south of it down to the brook is designated as Countryside. The brook forms the Borough boundary with Rochdale MBC.

3. RELEVANT PLANNING HISTORY

1989/471 Erection of 17 dwellings (Outline)
Approved

1992/568 Erection of 25 dwellings (Outline)
Approved

1993/145 Proposed junction Improvements
Approved

1993/615 Reserved Matters Pursuant to 1992/568
Approved

1994/138 Further Reserved Matters Pursuant to 1992/568
Approved

1998/173 Residential Development (Outline)
Approved

2012/0226 Erection of Seven Detached Dwellings and Formation of Access from Bury Road (Outline)

Refused under delegated powers for the following reasons:

- i. Part of the old mill remaining on site is occupied by a maternity roost of Daubenton's bats, a European Protected Species and taking into account the submitted contaminated land assessment it is clear that significant amounts of remediation of the land will be required to ensure that there would be no unacceptable risk to human health and Dearden Brook. Given the above it is considered highly likely that the roost areas would be affected by the scheme

and the applicant has not demonstrated that the proposed development could be undertaken without causing harm to the roost areas and therefore the Protected Species.

- ii. The site has potential for below-ground remains from a Fulling Mill dating from the late 1760's and a Wollen Mill, both of which have the potential to include heritage assets with archaeological interest. The applicant has not provided an appropriate desk based assessment and if necessary a field evaluation to identify the potential assets and harm that would be caused to them from the development.
- iii. Widening of the access near to Bury Road as proposed by the applicant on the north side will entail significant works (including construction of a new retaining wall) outside the red-edged site. Furthermore, the Highway Authority has indicated that there will be a need to repair / rebuild retaining structures to a highway loading standard further along the access road. It has not been demonstrated that those works will not extend beyond the red-edged site, nor their consequent impact upon existing tree/shrub cover and harm to visual and neighbour amenity, ecological value and 'rural' character assessed, with a view to avoidance, mitigation or compensation.

4. THE PROPOSAL

Following refusal of Outline Application 2012/226 the applicant has now submitted an application again in outline for the same number of dwellings served from Bury Road in order to address the previous reasons for refusal. Permission is sought at this stage for Access, but the matters of Layout, Scale, Appearance and Landscaping are reserved for later consideration.

It is now proposed that the existing access be widened to 4.8m with a 0.3m-0.5m margin to the retaining wall and a 1m margin to 103 Bury Road. The access road would narrow to a 3m passing place 2 car lengths from Bury Road. Within the site the 4.8m shared surface access road narrows to 3m where necessary to protect trees and to provide traffic calming. A minimum margin to the retaining wall of 0.3m is maintained to the north with a gabion wall to the south beyond the verge.

There would be 2.4m x 43m visibility splays at the junction of the intended access with Bury Road, achieved using a pavement built-out into the highway with reflecting bollards, accompanied by the relaying of the centre line to Bury Road.

Although Scale is a 'reserved matter' the Design & Access Statement provides the following parameters :

- 2/3 storey dwellings
- Materials appropriate to the area
- All habitable accommodation set a minimum of 600mm above the 1 in 100 year flood levels
- Split level dwellings where appropriate

The application has been submitted with a:

- Flood Risk Assessment
- Bat Survey (Updated)
- Habitat Survey (Updated)
- Archaeological Report
- Contaminated Land Report

Additional Information has been received in respect of details of proposed retaining walls.

5. POLICY CONTEXT

National Planning Policy Framework (2012)

- Section 1 Building a strong competitive economy
- Section 4 Promoting Sustainable Transport
- Section 6 Delivering a Wide Choice of High Quality Homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 10 Climate Change, etc
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

Development Plan

Rossendale Core Strategy DPD (2011)

- AVP 5 South West Rossendale
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 16 Preserving and Enhancing the Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 19 Climate Change
- Policy 23 Promoting High Quality Designed Spaces
- Policy 24 Planning Application Requirements

Other Material Planning Considerations

Conservation of Habitats and Species Regulations (2010)

6. CONSULTATION RESPONSES

RBC (Environmental Health)

Request a Phase 2 Contaminated Land Assessment as a condition.

Environment Agency

The development could be granted subject to conditions regarding :

1. A remediation strategy and associated completion of works in accordance with it;
2. A scheme to dispose of foul and surface water;
3. Details of the proposed floor and external levels;
4. A scheme to regulate surface water run-off;
5. A scheme according with the Flood Risk Assessment by Peter Mason Associates (April 2012);
6. Provision of an 8m wide buffer zone from bank top alongside Dearden Brook;
7. A landscape management plan.

United Utilities

No objection subject to conditions

LCC (Highways)

Footpath 269 will require temporarily closing whilst the retaining wall and road works are completed and the applicant should contact Lancashire County Council Public Rights of Way on 01772 533723 to arrange this.

The off-site highway works on Bury Road should be completed by Lancashire County Council under a Section 278 Highways Agreement.

The necessary documentation for the technical approval of the existing and new retaining and parapet walls should be submitted to the Planning Authority and approved by Lancashire County Council prior to the occupation of the first house.

The future maintenance of the retaining and parapet walls within the development should be secured with a formal agreement that should be submitted to the Planning Authority and approved by Lancashire County Council prior to the occupation of the first house.

LCC (Archaeology)

No objection subject to a condition requiring the applicant to undertake a programme of archaeological work prior to any works taking place.

LCC (Ecology)

LCC Ecology advises Bats are a protected species and makes it clear that if the open-fronted structure bounding the river would be affected by the proposals then the application could be in breach of the Conservation of Habitats and Species Regulations 2010, unless a Natural England License is issued as the submitted Ecology Report identifies this structure as supporting a maternity roost of Daubenton's bats. Likewise, the report of the applicant's Ecologist has identified a badger sett within his clients land ownership and badgers are afforded special protection

LCC Ecology notes that the submitted Phase 1 Ground Investigation & Contamination Assessment states that a number of contaminants are present on site which pose a risk to both human health, specifically future occupants, neighbours, users of the public footpath and would also be a significant risk to water quality in Dearden Brook. The main area of concern is around the areas of already demolished buildings and a reservoir now in-filled.

Paragraph 10.5 of the submitted Assessment states that in the absence of a development layout plan it is likely that some or all of the following remediation options will be necessary:

- “ (i) Removal of contaminated made ground.*
- (ii) Capping layers in garden areas and areas of soft landscaping.*
- (iii) Gas and organic vapour barriers and under-slab venting.”*

This being the case it is necessary to ensure that the remediation strategy is designed to avoid works to or complete removal of areas identified as being of particular wildlife value.

7. REPRESENTATIONS

To accord with the General Development Procedure Order three site notices were posted on 29/03/13, a press notice was published on 12/04/13 and 54 neighbours were consulted by letter on the 26/03/13

84 objections have been received, including one from the Ward Councillor, Daryll Smith. The following points have been raised :

- Land stability problems/inadequate and insufficient retaining walls. A number of properties on Dearden Fold have been affected by subsidence;
- Would create a further hazard on an already narrow and busy road both in terms of construction traffic and when traffic when complete. There is already on street parking both sides of the road;
- The applicant's do not own the full portion of land adjacent to 103 Bury Road;
- Any restrictions on parking to Bury Road would have an adverse impact on existing resident parking who have nowhere else to park;
- Impact on existing utilities and drainage which run through the site and could be damaged by construction;
- The site has a high environmental value that should be preserved not destroyed;
- Such housing in this location would be contrary to the Council's Strategic Housing Market Assessment and do not constitute affordable housing;
- Contrary to what has been submitted, the area is prone to substantial and frequent flooding and cannot be deemed suitable land to be built on;
- Restrictions or loss of the right of way running through the site would be unavoidable;
- Any removal of access to the rear of Dearden Fold properties would prevent access for necessary maintenance to their boundary fence and (where one exists) any retaining wall and would therefore be totally unacceptable.
- The loss of the bus stop or transfer to some other place a distance away would be a considerable hardship to those elderly and less mobile residents and also inconvenient to all other users;
- Pipistrelle and Daubenton bat colonies are located within the site. The submitted reports are inadequate to assess their impact Their environment should be protected;
- Badgers are present on site, with a known sett within the site.
- The area to be developed accommodates a wide range of birds and wildlife including deer, foxes, owls etc.
- The development could lead to further development which could in turn result in the unintended expansion of the village.
- If the application is approved would request conditions attached in respect of the following:
 - Method of demolition and construction
 - Land stability
 - Further bat surveys
 - That the applicant obtains the relevant licenses in respect of wildlife habitats
 - Assurance with regards to compensation/reimbursement fro the Council should residents' properties or land be damaged

- Part of the land to be developed adjacent the property is owned by 103 Bury Road.
- The residents of 28 Dearden Clough makes no objection but comments on matters relating to gates/bollards in relation to access to their property and turning facilities within the site.

8. ASSESSMENT

The main considerations of the application are :

- 1) Principle; 2) Housing Policy; 3) Ground Conditions; 4) Visual Amenity; 5) Neighbour Amenity;
- 6) Access/Parking; 7) Ecology; & 8) Archaeology.

Principle

The site to be occupied by the dwellings is within the Urban Boundary and is considered to constitute previously developed land. Permissions have previously been granted for its residential re-development and was allocated for such development in the Rossendale District Local Plan. However, for much of its length the access road to serve the dwellings is within Countryside and not necessarily previously developed land.

Having regard to the planning history of the site it is not considered that there is an objection in principle to its development for residential purposes. The application proposes a density of development well below 30 units per hectare. However, site constraints (including the access) militate against high density development.

Bus services run along both Bury Road and Rochdale Road.

Housing Policy

The National Planning Policy Framework (March 2012) states that local planning authorities should apply the presumption in favour of sustainable development. However, it also states that *“This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. 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 Council’s Core Strategy states that housing development within the Urban Boundary of Edenfield is not inappropriate. Furthermore, it states that priority should be given to development on previously developed land.

The scale of development does not trigger the need for any of them to be provided as affordable housing.

Accordingly, the scheme is considered acceptable in terms of housing policy.

Ground Conditions

The submitted Ground Investigation & Contamination Assessment relates to the full extent of the applicants ownership (1.26ha), not just the 0.5ha to be occupied by the proposed residential development, and states that

“Based on the results of the desk study, the site investigation and contamination assessment at the Dearden Clough site, numerous contaminants of concern have been identified within the made ground that extends across the whole site....[with] potential linkages with respect to human health, specifically future site occupants, neighbours occupying the adjacent residential properties and users of the public footpath that extends

through the site...[and] represent a potentially significant risk to water quality in Dearden Brook.

Landfill gas and organic vapours also represent a potential hazard..."

It goes on to conclude that "on the basis of the available data the risks are not so severe that the site could not be redeveloped for residential use as long as specific precautions are adopted", which in the absence of a development layout plan is likely to involve some or all of the following :

- Removal of contaminated made ground
- Capping layers in garden areas and areas of soft landscaping
- Gas and organic vapour barriers and under-slab venting

The Council's Environmental Health Unit do not doubt that a remediation strategy can be devised that would enable the red-edged site to be developed for residential purposes. The affect that such remediation would have on existing tree/shrub cover, ecological value and the 'rural' character of the area will be assessed in proceeding sections of the report.

Problems relating to stability have been raised by a number of residents. I do not have reason to doubt that there are technical solutions to any such stability issues and detailed plans have been provided which now do appear to show such works being undertaken on land within the red edge, with reports provided that show unacceptable harm to ecology can be avoided, with care.

Visual Amenity

Layout, Scale, Appearance and Landscaping are reserved matters and the site is large for just 7 dwelling units. However, Paragraphs 114 and 115 of DCLG 'Guidance on Information Requirements & Validation' (2010) states that :

"Design and Access Statements explain proposals already set out in the planning application, but they also set out the principles and concepts that will be used when that proposal is developed in the future.

Fixing the principles contained within the statement to future decisions is particularly relevant in the case of outline planning applications. Here, the local planning authority should ensure that the development approved by an outline planning permission is constrained to the parameters described in the design and access statement submitted with the application, and that any future decisions relating to that outline permission are consistent with the statement."

In this instance, the parameters set out in the DAS are sufficient to ensure a high quality development that would respect and enhance the character and appearance of the area - having regard to the constraints upon the development of the site and the need for it to maintain something of the 'rural' character of the adjacent Countryside, most particularly for those using the public footpath running through the site. Additionally, there is a need for the detailed scheme to realize the opportunities for preserving and enhancing the biodiversity of the site, with particular care for protected species.

Neighbour Amenity

Indicative plans provided demonstrate that the number of dwellings proposed could be sited so as to not to unduly detract from the amenities of occupiers of properties neighbouring the site. The greatest concern in this regard is the loss of tree/shrub cover bounding the residential properties fronting Dearden Fold due to the repair / rebuild of retaining structures to the north side of the access road.

Access/Parking

LCC Highways has not raised objection in principle to the proposal. I too am of the view that the proposal would not add materially to the traffic on the existing highway network. Adequate parking would be provided for the proposed houses.

I note residents concerns regarding poor access and visibility splays at the junction with Bury Road. However, there has been no objection from the Highway Authority in respect of these matters, for which detailed plans have been provided. It does appear from a representation received that part of the footway adjacent to 103 Bury Road may encroach onto neighbour's land. Clarification has been requested on this. Ultimately, however, this is a private matter that would have to be resolved by the applicant prior to works commencing should it be the case that any of the land is not within their ownership.

The Highway Authority recommendations with regard to the level of parking provision required with each dwelling unit can be addressed by way of a condition. Likewise, I am satisfied that between the junction improvement and the proposed dwellings an access road of a design to satisfy LCC Highways could be formed within the applicants land ownership.

Ecology

LCC Ecology advises Bats are a protected species and make it clear that if the open-fronted structure bounding the river would be affected by the proposals then the application could be in breach of the Conservation of Habitats and Species Regulations 2010, unless a Natural England License is issued as the submitted Ecology Report identifies this structure as supporting a maternity roost of Daubenton's bats. Likewise, the report of the applicant's Ecologist has identified a badger sett within his clients land ownership. Though not to be directly affected by the development illustrated care would similarly need to be taken in working up the detailed scheme in order to avoid incidental or unintended consequences for this protected species arising particularly from land remediation and works to widen/provide additional support to the access road.

In addition, the consent of the Environment Agency is required in respect of any works within 8m of bank-top of the adjacent river (which would include the open-fronted structure being used by bats) and their own Ecologist has recommended Conditions in relation to : a) provision of an 8m wide buffer zone from bank top alongside Dearden Brook; & b) submission and approval of a landscape management plan.

LCC Ecology notes that the submitted Phase 1 Ground Investigation & Contamination Assessment states that a number of contaminants are present on site which pose a risk to both human health, specifically future occupants, neighbours, users of the public footpath and would also be a significant risk to water quality in Dearden Brook. The main area of concern is around the areas of already demolished buildings and a reservoir now in-filled.

Paragraph 10.5 of the submitted Assessment states that in the absence of a development layout plan it is likely that some or all of the following remediation options will be necessary:

- “ (i) *Removal of contaminated made ground.*
- (ii) *Capping layers in garden areas and areas of soft landscaping.*
- (iii) *Gas and organic vapour barriers and under-slab venting.*”

This being the case it is necessary to ensure that the remediation strategy is designed to avoid works to or complete removal of areas identified as being of particular wildlife value.

Archaeology

The submitted application has been accompanied by an Archaeological assessment to address the previous reason for refusal. This has been examined by LCC Archaeology who are now

satisfied that the necessary archaeological information could be secured by means of a suitably worded condition.

9. Summary Reason for Approval

The proposed development is appropriate in principle and, subject to conditions, the applicant has adequately demonstrated that development of the site could proceed in a manner that would not cause unnecessary and unacceptable harm to the character and appearance of the area, biodiversity, neighbour amenity, highway safety, archaeology, flood risk, pollution and land stability. It is considered that the development is in accordance with the NPPF and Policies 1/2/3/4/8/9/16/17/18/19/23/24 of the adopted Core Strategy DPD.

10. RECOMMENDATION

That Outline Permission be Granted.

Conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: Required by Section 92 of the Town and Country Planning Act 1990.
2. Approval of the details of the Appearance, Landscaping, Layout and Scale of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: The application is in outline only and not accompanied by detailed plans.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.
Reason: Required by Section 92 of the Town and Country Planning Act 1990.
4. Prior to commencement of construction of any of the dwellings hereby permitted all access and junction works comprised in the development hereby approved shall be carried out and completed in accordance with amended drawings numbered 120809/01/D and 120809/03/B up until ‘Chainage 10.5’ as shown on those drawings and shall accord with the standards and specifications for adoption of LCC Highways, unless otherwise first agreed in writing by the Local Planning Authority.
Reason : In the interests of highway safety in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.
5. The development hereby permitted shall not be commenced until such time as details of the proposed floor and external levels has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
Reason :To reduce the risk of flooding to the proposed development and future users from potential overland flood flows particularly from Rochdale Road, in accordance with Policies 1 and 24 of the Council’s Core Strategy DPD.

6. The development hereby permitted shall not be commenced until such time as a scheme to regulate surface water run-off has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented with reference to the FRA by Peter Mason Associates (April 2012) and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason : To reduce the risk of flooding to the proposed development and prevent increased risk elsewhere, in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

7. No development shall take place until a scheme for the provision and management of an minimum 8 metre wide buffer zone from bank top alongside Dearden Brook shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and associated boundary fencing and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed new soft landscaping scheme including planting schedule largely based on native species.
- details of tree retention on site, with particular reference to maintaining mature trees along stream and wildlife corridor.
- details demonstrating how the buffer zone will be protected during development and take opportunities to enhance impacted stream corridor i.e., remove demolition waste from stream corridor.
- details of any bank re-profiling within and adjoining Dearden Brook corridor and buffer zone.

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value e.g. demolished mill building rubble and brick waste inhibiting vegetation growth and natural flood plain connectivity along portions of Dearden Brook corridor, in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

8. Submission of the Reserved Matter in respect of landscaping shall include a Landscape Management Plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens). The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- detail extent and type of any new planting with an emphasis on native species.
- details of maintenance regimes of retained semi-natural habitats, and how these are to be maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

Reason : To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policies 1,18,23 and 24 of the adopted Core Strategy.

9. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be

carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policies 1, 16 and 24 of the adopted Core Strategy DPD.

10. Prior to the commencement of construction of any of the dwellings or access roads hereby permitted:

- a. Details of the Phase II investigation to be carried out shall be agreed with Local Planning Authority and the results submitted and approved in writing by the LPA.
- b. Should the Phase II investigations indicate that remediation is necessary then a Remediation Statement shall be submitted to and approved in writing by the LPA.
- c. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with approved details.
- d. Should remediation be required a Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to and approved in writing by the LPA prior to the first occupation of that part of the development hereby approved.

Reason : To ensure the site is properly remediated and any risk to human health and controlled waters is minimised, in accordance with the recommendations of the submitted Ground Condition Report and Policies 1 and 24 of the RBC Core Strategy DPD (2011).

11. Full details of all existing and proposed retaining walls and their positions, including their design and appearance shall be submitted with the first reserved matters application in respect of either Appearance, Landscaping or Layout. The approved scheme shall be completed prior to the occupation of the first dwelling and thereafter maintained in perpetuity.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value, in the interests of pedestrian and highway safety and to accord with Policies 1 and 24 of the Council's Core Strategy DPD.

12. No development shall take place until an investigation of the site and the surrounding properties to the north has been undertaken to ascertain whether the proposed development will be affected or will have an adverse effect on the structural stability of land and properties to the north. The investigation shall be undertaken in accordance with a brief which shall first be submitted to and approved in writing by the Local Planning Authority. The brief shall include the Local Planning Authority's stipulations as to the methodology of the investigation and the points at which and the depth of which any survey of the site is to be taken. The results of the investigation shall be provided to and approved in writing by the Local Planning Authority and shall include a scheme for any necessary remedial measures and drainage provision. The Local Planning Authority may require further investigatory works to be carried out and results submitted to them if the results are inconclusive. No development shall take place until the Local Planning Authority have approved a scheme for remedial measures. The approved remedial measures shall be implemented in full and written evidence to confirm the completion of the work provided to the Local Planning Authority before the development is first brought into use.

Reason : To ensure the land is fully stabilised and would not have an adverse effect on the to ensure the successful development of the site and to comply with Policies 1 and 24 of the Council's Core Strategy DPD.

13. Details of the surface/specification/drainage of the areas within the site to be provided for use by pedestrians and for the parking and maneuvering of vehicles shall be submitted with

the reserved matters application in respect of either Landscaping or Layout.. The approved scheme shall be completed prior to occupation of the first dwelling. The areas made available for use by pedestrians and for the parking and maneuvering of vehicles shall thereafter be kept freely available for use as such.

Reason: In the interests of pedestrian and highway safety and to accord with Policies 1 and 24 of the Council's Core Strategy DPD.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order amending or revoking and re-enacting that Order, no development contained within Classes A, B, C, D, E, F, G and H of Part One, Schedule Two of that Order shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain a degree of control over the development in the interests of safeguarding visual and neighbour amenity and biodiversity, in accordance with Policies 1, 18 and 24 of the Council's Core Strategy DPD.

15.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.

It shall provide for:

- 1) The parking of vehicles of site operatives and visitors.
- 2) The loading and unloading of plant and materials
- 3) The storage of plant and materials used in constructing the development
- 4) The erection and maintenance of security hoarding
- 5) Wheel washing facilities
- 6) Measures to control the emission of dust and dirt during construction
- 7) A scheme for recycling/disposing of waste resulting from demolition and construction works
- 8) Details of working hours.

Reason: In the interests of highway safety and neighbour amenity to accord with Policies 1 and 24 of the Council's Core Strategy DPD.

16. Any ground works/construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason : To safeguard the amenities of nearby residential properties, in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.