



Appeal Decision

Inquiry held on 10 February 2015

Site visit made on 9 February 2015

by R Schofield BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 July 2015

Appeal Ref: APP/V4250/A/14/2226998

Land South West of Bee Fold Lane, Atherton, Wigan, Greater Manchester

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Tarleton Estates Ltd/Seddon Homes Ltd against the decision of Wigan Council.
 - The application Ref A/14/79203 MAJOR, dated 27 March 2014, was refused by notice dated 24 September 2014.
 - The development proposed is development of land for the erection of up to 100 dwellings and open space with all matters reserved except for access.
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Decision

1. The appeal is allowed and planning permission is granted for development of land for the erection of up to 100 dwellings and open space with all matters reserved except for access at Land South West of Bee Fold Lane, Atherton, Wigan, Greater Manchester in accordance with the terms of the application Ref A/14/79203 MAJOR, dated 27 March 2014, subject to the conditions set out in the schedule to this decision.

Preliminary Matters

2. The application was made in outline with all matters other than access reserved for later consideration. I have determined the appeal on this basis.
3. In advance of the Inquiry, the Council withdrew its evidence and determined not to pursue its reasons for refusal. At the Inquiry the Council confirmed that, subject to an appropriate S106 agreement and suitable conditions, which I address below, it was of the view that planning permission should be granted.
4. The Inquiry was adjourned on 10 February 2015 in order to allow for consultation with the relevant authorities in relation to the potential effect of the proposed development upon the nearby high pressure gas main. Following the conclusion of this consultation a Further Statement of Common Ground (FSCG), which was made available for comment on the Council's website, was submitted by the parties. No further comments were received.
5. In addition, a Site Walkover Survey 2015 was submitted by the appellant during the adjournment. This confirmed the findings of the Ecological Chapter of the Environment Statement (2013), submitted with the application. The Survey was made available on the Council's website and, although comment was received from Friends of Atherton Wildlife and Nature (FAWN) in relation to estate management work that had taken place, no additional evidence was provided in response.

6. The FSCG agreed that, as discussed before the adjournment, there was no need to resume the Inquiry, which was closed in writing.

Main Issue

7. The main issue is whether, given its status as a parcel of a larger area of safeguarded land, the appeal site should be kept free of permanent development at the present time in order to maintain its availability for development in the longer term, having particular regard to the requirements of local and national planning policy on this matter.

Reasons

8. In addressing the main issue, two matters arose at the Inquiry and I consider them separately below, in no particular order of significance, for reasons of clarity.

Housing Land Supply

9. Wigan Local Plan Core Strategy - September 2013 (the Core Strategy) policy CP6 is clear that sufficient housing will be provided in the Borough to meet people's needs and support a good quality of life by maintaining a five-year supply of deliverable housing land.
10. It is common ground between the parties that the Council is unable to demonstrate a five-year supply of deliverable housing sites, when assessed against the Borough's housing requirement. This requirement is as set out in the adopted Core Strategy and I have no reason to doubt that it is appropriate. Although the precise level of supply was disputed, it was agreed at the Inquiry that it is no better than 4.02 years and that the shortfall in supply has been growing. On the basis of the evidence presented to me I have no reason to disagree with this assessment of the District's housing land supply situation.

Core Strategy – spatial strategy and approach to safeguarded land

11. The Core Strategy, at policy SP1, sets out a spatial strategy for the Borough, with development focussed on the east-west core. This core area includes, among other settlements, Atherton. Policy CP6 sets out that at least 80% of new housing development over the plan period will be in the east-west core.
12. The appeal site is part of a wider area of safeguarded land, of which there are several areas in the Borough. As the Core Strategy sets out at paragraph 9.52, the safeguarded land performs the function of protecting the Green Belt by providing a reserve of land to meet development needs in the longer term without having to encroach on Green Belt. The Core Strategy identifies, at policies SP3 and SP4, a number of broad locations for new development on safeguarded land, and a key strategic site at Northleigh Park, the development of which will contribute to the achievement of the Borough's housing requirement over the plan period to 2026.
13. It was suggested at the Inquiry that these sites should be brought forward before development on other areas of safeguarded land, including the appeal site, was considered. I am not unreceptive to this. However, by the Council's own admission, development at Northleigh Park, South of Hindley and East of Atherton has stalled. Housing on the sites may come forward in the future. However, no evidence was presented to counter the Council's view that

development on these sites was not imminent, or could be advanced, such that it would make any substantive contribution to the Borough's inadequate five-year supply of deliverable housing sites, which the National Planning Policy Framework (the Framework), a significant material consideration, and Core Strategy policy CP6 require the Council to identify.

14. The Wigan Council Core Strategy Inspector's Report August 2013 states, at paragraph 94, that modifications to the Core Strategy are required so that safeguarded land could, *'if necessary [be] brought forward for development in advance of the Allocations Plan to ensure an adequate supply of housing land'*. This is further emphasised at paragraph 110 of the Report. These modifications are manifested at paragraph 9.54 of the adopted Core Strategy, which states that, *'it may be necessary to permit planning applications for housing on safeguarded sites in advance of their allocation, in order to ensure an adequate and continuous supply of housing land throughout the plan period'*. This supporting text therefore clarifies the intention of policy relating to safeguarded land, as guided by the Core Strategy Inspector.

Initial Conclusion

15. Where, as here, a local planning authority is unable to demonstrate a five-year supply of deliverable housing sites, paragraph 49 of the Framework indicates that relevant policies for the supply of housing should not be considered up-to-date. Housing applications should be considered in the context of the presumption in favour of sustainable development, bearing in mind the imperative in paragraph 47 of the Framework to boost significantly the supply of housing. Thus, in line with national planning policy, policies relevant to the supply of housing in the Core Strategy are to be regarded as out-of-date and, therefore, carrying less weight than normal.
16. Even if this were not the case, the appeal site is part of a wider area of safeguarded land in the Borough. The clear intent of the Core Strategy is to make allowance for the early release of such land, if required to maintain an adequate and continuous supply of housing land throughout the plan period. As the Council is unable to demonstrate a five-year supply of deliverable housing land, in accordance with national and local planning policy, such an adequate and continuous supply is not being maintained. Thus, although being mindful that the recently adopted Core Strategy does not specifically allocate the appeal site for development, it cannot reasonably be considered, given the situation in which the Borough now finds itself with regard to the delivery of housing, that the early release of safeguarded land is either premature or at odds with the Core Strategy's agreed approach.
17. It is clear, therefore, given the Borough's housing land supply situation, the reduced weight that can be given to Core Strategy policies relevant to the supply of housing, and the Core Strategy's own intent with regard to planning applications on safeguarded land, that there can be no in principle objection to the early release of the appeal site. As such, and in these specific circumstances, I conclude that given its status as a parcel of a larger area of safeguarded land, it is not necessary for the appeal site to be kept free of permanent development at the present time in order to maintain its availability for development in the longer term, having particular regard to the requirements of local and national planning policy as set out above.

18. This conclusion does not, however, lead to an automatic assumption that permission should be granted. Rather, paragraph 49 aims to ensure that in situations where (as here) the existing Local Plan policies have failed to secure a sufficient supply of deliverable housing sites, the 'presumption in favour of sustainable development' is duly applied. The mechanism for applying that presumption is set out in paragraph 14 of the Framework. This explains that where relevant policies are out of date then (unless material considerations indicate otherwise) permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted. This, clearly, does not equate to a blanket approval for residential development in locations that would otherwise have conflicted with Local Plan policies. If the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, then planning permission should still be refused. Thus, I now consider other matters raised in relation to the appeal proposal.

Other Matters

Biodiversity

19. The appeal site consists of an arable field, with a copse in the south east corner, and a smaller area of managed grassland. It carries no statutory nature conservation designation.
20. The appellant submitted with the application an Extended Phase 1 Habitat Survey, as well as surveys for badgers, bats, breeding birds and reptiles. An additional walkover survey was submitted during the adjournment. The overall conclusion from these surveys was that the site supports a limited range of habitats and species, the majority of which are of low/lower value. This conclusion was supported by the Greater Manchester Ecology Unit (GMEU), a consultee to the application. No objection to the proposal was raised by Natural England.
21. Notwithstanding this, it was suggested by FAWN that the survey in relation to breeding birds specifically was deficient and that the loss of the site would have impacts upon local ecology, as a result of the inter-relationship between ecosystems in the wider area. Some evidence of the range of birds that have been observed on the site and wider area was provided and I have no reason to consider, given the professional support and individual expertise that is clearly provided to FAWN, that this is incorrect. Nonetheless, one of the key professional supporting bodies to FAWN is GMEU, which agrees with the appellant's survey conclusions and does not raise an objection to the proposal. It was suggested by FAWN that GMEU's stance had changed, but there is no evidence before me to support that view.
22. There would, inevitably, as with many development schemes, be some loss of habitat, which would be likely to have some impact upon biodiversity. However, a range of mitigation measures are proposed, including the retention of the site's most significant habitat features and additional planting of native species, which could be secured by condition. This would not conflict with the Framework's aims of conserving and enhancing biodiversity. No direct impact is alleged upon protected species or habitats and FAWN's evidence does not establish what specific, significant harm to biodiversity would to arise from the appeal scheme.

23. Thus, when considered in the round, this factor does not weigh heavily against the appeal scheme.

Ground Stability

24. The site is part of a wider area that has, historically, been mined for coal by a variety of methods. Evidence has been provided to demonstrate that land settlement has occurred, and does occur, in this area including on the appeal site. The Coal Authority (CA), which is the statutory consultee within areas of current and former mining activity, initially objected to the appeal scheme.

25. However, it is evident from the CA's subsequent correspondence that it lifted its objection following the submission of additional information by the appellant. It concludes that it is satisfied that the appeal site is, or can be made, safe and stable for the proposed development.

Impacts upon Gas Pipeline

26. Significant concerns were raised about the potential impact of development on the appeal site upon the high pressure gas main, which lies to the south. However, following consultation with the relevant bodies, for which the Inquiry was adjourned, it is clear that National Grid does not object to the proposal and that the Health and Safety Executive does not advise, on safety grounds, against the granting of planning permission. Regard will need to be had to National Grid's requirement that development works do not encroach within its easement of 12.2 metres either side of the pipeline. This is, however, a matter that can be addressed at reserved matters stage in relation to layout.

Open space / Community Health and Wellbeing

27. It was evident from the representations of interested parties, and from my site visit, that the public rights of way (PROWs) running across the wider area of safeguarded land, of which the appeal scheme is a part, are well used. There are PROWs running along the eastern and southern boundaries of the appeal site, which would remain following any development. There is also one running across the site, although it did not appear from my visit to be particularly well trodden beyond that section of it entering the copse.

28. I do not doubt that use of these PROWs, providing opportunities for walking and access to the countryside, including through organised activities led by FAWN, contributes to community health and wellbeing. The vast majority of the appeal site is, however, private with no rights of access onto it beyond the PROW. Consequently, development of the site would not result in the loss of public open space.

29. It is also clear that Atherton is surrounded by an extensive network of PROWs, including those across the wider area of safeguarded land. Although this in no way devalues the benefit that some local residents may derive from the path crossing the appeal site, and their experience of the site as a part of the open countryside, numerous opportunities for countryside recreation in the wider area will nonetheless remain available to them. I am not persuaded, therefore, that the loss of, in relative terms, a small, largely private area of mostly arable land will have a significant adverse impact upon the availability of open space or upon community health and wellbeing.

Impact on Local Infrastructure

30. The scheme may result in additional pressure upon the local cemeteries and medical centres. However, notwithstanding the lack of objection from organisations representing these bodies, or substantive evidence to suggest that their capacity is limited, any new housing development within Atherton, whether at the appeal site or not, would have a similar effect.
31. It is acknowledged, on the basis of evidence from the Council, that the development would generate additional school places. A planning obligation has been provided to address any pupil need arising from the proposed development in this regard.
32. It was also suggested that the proposed development was being applied for as it would be liable to a lower rate of Community Infrastructure Levy (CIL). However, no evidence of the Council's CIL rates was presented nor was it suggested that the Borough has a CIL charging schedule in place.

Flood Risk and Land Drainage

33. A Flood Risk Assessment was supplied with the planning application and neither the Environment Agency nor United Utilities have raised any concerns about the scheme, in relation to flood risk or drainage, subject to appropriate conditions.

Air Pollution

34. The appeal site is in close proximity to Leigh Road, which is an Air Quality Management Area, and the appeal scheme has the potential to increase the air quality deficit here. However, a planning obligation has been provided to enable mitigation measures to be implemented.

Highway safety

35. A number of objectors raised concerns in relation to highway safety, notably with regard to the potential impact of increased traffic on Bee Fold Lane and Hope Fold Avenue. At the time of my afternoon site visit, both Bee Fold Lane and Hope Fold Avenue were quiet and unobstructed by parked vehicles. I observed some cars parked outside the primary school around pick-up time but they did not appear to have any significant impact upon traffic flow and the accident data for this location shows no recorded personal injury accidents, such that it is a noted area of concern. Given the very close proximity of the site to the school, it is reasonable to consider that children would be walked to it and, thus, that there would not be a significant increase in vehicles parking here.
36. Notwithstanding the above, levels of parking and traffic flow are likely to change throughout the day and week. I note specifically the matter of cars parked by those using the nearby playing fields at weekends. However, no substantive evidence has been presented to suggest that this is, or would be, a danger to pedestrians or highway users. The Council's Highways section has not raised an objection to the appeal proposal, subject to the developer reaching an agreement with the Council over contributions towards the implementation of a 20mph speed limit on the development's roads. Its professional view is that access from the site onto the wider highway network is acceptable and not a concern, and that the capacity and safety of the

relevant junctions around the site are acceptable. Nor has it raised any concerns with regard to road widths or the possible use of Hamilton Street by construction traffic.

37. Even so, construction traffic could have an adverse impact upon the vicinity of the site, while development took place, but this could be controlled by condition.

Outlook and overlooking

38. There would be moderate harm to the overall outlook from existing dwellings adjacent to the site, insofar as it would change from one of an open field to houses. However, there is no reason to consider that a scheme submitted under a reserved matters application would be unable to achieve suitable separation distances between proposed and existing dwellings, avoiding a loss of privacy for the occupiers of dwellings overlooking the site. Nor is there any reason to consider that significant adverse impacts upon outlook, which could otherwise arise in relation to the juxtaposition of new dwellings to existing properties, could not be avoided.

Loss of property value

39. There was some concern that the appeal scheme would affect the value of properties in the vicinity of the appeal site. However, no evidence has been presented to suggest that this would be the case and I attach very little weight to this matter.

Heritage Assets

40. Although it is bordered by open countryside and relatively modern development on Hope Fold Avenue, the appeal site is in relatively close proximity to the Howe Bridge Conservation Area, which I walked around during my site visit.
41. This is a remarkably distinctive, self-contained and close knit conservation area, set among more modern development, and typically characterised by grids of terraced red-brick houses with slate roofs and small back yards. In this context the Conservation Area's setting, and that of its listed buildings, including St Michael's and All Angels Church and a number of the terraced houses, is relatively constrained.
42. Thus, based upon all that I have seen and read, and having regard to S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have no reason to consider that a suitably designed development upon the appeal site would fail to preserve the character or appearance of the Conservation Area and the special architectural or historic interest of the listed buildings or their settings.

Precedent

43. Concerns have been expressed that allowing the appeal would set a precedent for further residential development on the safeguarded land to the south of Atherton. However, my decision is based upon the specific circumstances set out before me, notably in relation to the Borough's lack of a five-year supply of deliverable housing sites and the intent of the Core Strategy in this regard. Any future proposals would need to be assessed on their own site-specific merits, in the context of any Development Plan and national policy

requirements then in place and taking any other material considerations into account.

Prematurity

44. I have touched upon this matter in my Initial Conclusion. However, the Government's Planning Practice Guidance (the Guidance) is clear that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account¹.
45. It goes on to note that such circumstances are likely, but not exclusively, to be limited to situations where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
46. I am not persuaded that a development of up to 100 houses is so substantial, in the context of the Core Strategy's requirement for the delivery of 1000 dwellings a year, that it could reasonably be regarded as, either alone or cumulatively with other permissions, undermining the site allocations plan making process. Furthermore, the Council's Site Allocations document is at a very early stage of preparation and will not be consulted upon until June at the earliest. Thus, it is not at an advanced stage.
47. I am sympathetic to what are clearly strong local concerns about the need for public consultation on how to plan the development, if required, of the whole of the safeguarded land to the south of Atherton. However, the Borough has a shortfall in its housing land supply that is in need of addressing. I do not consider that development on the appeal site can reasonably be considered as prejudicing consultation on the wider strategic planning, as necessary, of the entirety of the safeguarded land. The appeal site is, in relative terms, small, self-contained and capable of being developed alone. A suggested condition would ensure that its interconnectivity, as necessary, with any wider development could be secured.

Planning Obligations

48. Regulation 122 of the Community Infrastructure Levy Regulations 2010 (the Regulations) requires that if planning obligations contained in S106 Agreements are to be taken into account in the grant of planning permission, those obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question.
49. With regards to impact on local schools, the Council has confirmed that there is insufficient capacity at local secondary schools to accommodate the extra pupil

¹ Planning Practice Guidance Reference ID: 21b-014-20140306

numbers that would arise from the proposed development. It has also provided calculations to demonstrate the costs of providing the necessary additional capacity. A planning obligation is provided to secure the provision of 25% of the proposed dwellings as affordable homes. This accords with the requirements of Core Strategy policy and the Council's Supplementary Planning Document (SPD) *Affordable Housing*, and would assist in meeting an identified need. Turning to open space, an obligation is provided towards the provision, delivery and maintenance of open space and play equipment, in line with adopted policy. As noted above, the appeal site is in close proximity to Leigh Road, which is an Air Quality Management Area and the appeal scheme has the potential to increase the air quality deficit here. A Travel Plan is secured by condition. It is necessary to monitor its operation to ensure that it is properly and effectively implemented.

50. Thus, I am satisfied that these obligations meet the tests in the Regulations.

Conditions

51. A set of suggested planning conditions was submitted by the parties. I have made amendments to them in the light of discussion at the Inquiry. In some cases this is to improve precision, clarity and enforceability, as well as avoiding overlap, and elsewhere to reflect more closely the (still extant) model conditions in Circular 11/95: The Use of Conditions in Planning Permissions.
52. The standard conditions specifying the reserved matters, the timescale for commencement of development, and requiring compliance with the approved plans, are necessary in the interests of proper planning. However, as the parties agreed at the Inquiry, in order to ensure that the appeal site makes a meaningful contribution to the five-year supply of deliverable housing land, to which the appellant has stated that they are committed, it is reasonable to have a reduced timescale for the submission of reserved matters.
53. A Travel Plan condition is necessary to ensure that use of sustainable transport modes to and from the site is maximised. Those relating to surface water run-off and ground investigation are required to ensure that the site is properly drained and stable. The condition requiring provision of site levels is necessary to ensure that the effects of the development upon the wider area can be properly assessed. An archaeological condition is necessary in the light of the, albeit limited, potential for historic remains being encountered on the site. A Construction Method Statement condition is necessary to ensure that there is no adverse impact upon the living conditions of local residents, or the local highway network, during construction. I have imposed a single condition to this effect in place of the two proposed and expanded upon it to address relevant matters raised at the Inquiry. An ecological condition is necessary to ensure an appropriate mitigation scheme is put in place. A condition ensuring that potential future access from Leigh Road is not compromised is necessary in the interests of the longer term development, as necessary, of the wider area of safeguarded land. The condition relating to landscaping is not necessary as this is a matter reserved for later determination.
54. In addition, I am satisfied that, in order to enable a full and complete understanding of the nature and construction of any development that may come forward as a result of this permission, that all of those conditions requiring action before commencement of development are so structured.

Conclusion

55. The Framework indicates that there are three dimensions to sustainable development: social, economic and environmental. These roles should not be considered in isolation, because they are mutually dependant, and I address the relevant issues here.
56. In social terms, I acknowledge the strong local opposition to the appeal scheme and have, above, addressed the points raised. However, given the Borough's shortfall in its five-year supply of deliverable housing land the appeal scheme's provision of up to 100 dwellings, including 25% affordable housing, must be regarded as a significant social benefit.
57. Turning to the economic dimension of sustainability, the government has made clear its view that house building plays an important role in promoting economic growth. In economic terms, the appeal scheme would provide construction jobs during its build out. Albeit that these jobs would be transitory, this a matter to which I afford moderate weight. It would also generate New Homes Bonus (NHB) and Council Tax receipts for the Council. As these are incentives for local planning authorities to provide housing on suitable sites, and no direct beneficial link between the spend of the NHB and Council Tax funds and Atherton has been established, I do not consider that they attract weight as benefits in the planning balance.
58. In environmental terms, the appeal proposal would result in the loss of countryside and a change in appearance of the site itself. There would be moderate harm to outlook from existing dwellings and some impact upon biodiversity. However, as outlined above, I do not consider that, overall, the scheme would have a substantial adverse environmental impact.
59. Placing these matters and all of the relevant material considerations in the balance, as required by paragraph 14 of the Framework, I find that the adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits. In the circumstances I conclude that the proposal would represent a sustainable form of development. Thus, for the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

R Schofield

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Simon Ward

Instructed by Wigan Council

He called:

Mr Graham Dickman

Wigan Council - Mr Dickman did not give evidence, but participated in the discussion on possible conditions and S106 contributions.

Mr David Kersley

Wigan Council – Mr Kersley did not give evidence, but participated in the discussion on possible conditions and S106 contributions and provided information on the Council’s five-year housing land supply and allocated housing sites.

FOR THE APPELLANT:

Mr Paul Tucker

Of Queen’s Counsel, instructed by Robert Rawlinson MRICS, Acland Bracewell

He called:

Mr David Trimmingham BA(Hons) MRTPI

Turley Planning – Mr Trimmingham did not give evidence, but participated in the discussion on possible conditions and S106 contributions and answered questions from the Inspector.

INTERESTED PERSONS:

Mr Andy Burnham Member of Parliament for Leigh

Mrs Barbara Constantine ASPECT

Ms Elizabeth Mole ASPECT

Mr John P.M. Mills ASPECT

Ms Jayne Seddon FAWN

Ms Angela Balmer FAWN

Mr David Wilson Local Resident

Mr Stephen Hellier Wigan Council Ward Member for Tyldesley

DOCUMENTS SUBMITTED AT THE INQUIRY

1. Opening Statement of the Local Planning Authority
2. Statement on Behalf of ASPECT by Mrs Barbara Constantine
3. Housing Trajectory, submitted by ASPECT
4. Statement on Behalf of ASPECT by Mr John P. M. Mills
5. Statement on Behalf of FAWN, submitted by Ms Jayne Seddon
6. Statement by Mr David Wilson
7. PADHI consultation response, dated 10 February 2015, submitted by the Council
8. Copy of hand annotated draft S106 Agreement, submitted by the appellant
9. Submissions on behalf of the appellant

DOCUMENTS RECEIVED FOLLOWING THE ADJOURNMENT OF THE INQUIRY

10. Letter from ASPECT dated 4 March 2015
11. Further Statement of Common Ground, signed by both parties, submitted by the Council
12. Land at Bee Fold Lane Site Walkover Survey 2015

Richborough Estates

SCHEDULE OF CONDITIONS

- 1) Details of the 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.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than one year from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans in respect of those matters not reserved for later approval: Location Plan TA02 and Proposed Site Access Plan VN20171-107.
- 5) No dwelling hereby permitted shall be occupied until a Travel Plan, to include measures to reduce the need to travel to and from the site by private vehicles, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented as approved and kept up to date in response to written requests from the Local Planning Authority for a period of five years from the occupation of the first dwelling hereby permitted.
- 6) No development shall begin until a surface water drainage scheme, including measures to manage the risk of flooding from overland flows of surface water generated by the proposed development and as appropriate details of its on-going management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the first occupation of the dwellings hereby permitted.
- 7) No development shall begin until detailed site investigation works to establish whether the site is affected by ground stability issues have been undertaken in accordance with a scope that shall have first been submitted to and agreed in writing by the Local Planning Authority. Should the investigations confirm the need for remedial works to treat land stability issues then a scheme of works shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.
- 8) Any application for the approval of reserved matters shall be accompanied by a full site survey showing the datum used to calibrate the site levels including levels along all site boundaries; across the site at regular intervals; of floors of adjoining buildings; and of finished floors of all buildings and hard surfaces, for that part of the site. No development shall begin until the survey has been approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved survey.
- 9) No development shall begin until a programme of archaeological works has been implemented in accordance with a written scheme of investigation, which has been first submitted to and approved in writing by the Local Planning Authority.
- 10) No development shall begin 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 development period and any land stabilisation works period. The Statement shall provide details of:

- i) hours of land stabilisation or construction works;
 - ii) methods of access and routing of vehicles during construction and land stabilisation;
 - iii) lighting for construction and security;
 - iv) the parking of vehicles of site operatives and visitors;
 - v) loading and unloading of plant and materials;
 - vi) storage of plant and materials used in constructing the development or stabilising the ground;
 - vii) placement of site cabins, site offices and storage containers;
 - viii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - ix) wheel washing facilities;
 - x) measures to control and monitor the emission of noise, dust, dirt and vibration during construction and land stabilisation;
 - xi) a scheme for recycling/disposing of waste resulting from demolition, construction and land stabilisation works.
- 11) Any application for the approval of reserved matters shall be accompanied by full details of a creation and management plan for ecology and habitat creation, to include areas of open space and landscaping, including a timescale for implementation. The plan shall be in accordance with the recommendations for mitigation, enhancement and habitat creation on pages 164 to 168 of the Environmental Statement (Turley, March 2014) and include full details of all swales, ditches, hedgerows, and habitat mitigation, restoration and off-site replacement.
- No development shall begin until the plan has been approved in writing by the Local Planning Authority and the plan shall thereafter be implemented as approved.
- 12) Any application for the approval of reserved matters in respect of layout or landscaping shall be accompanied by details to demonstrate that the development would not hinder or constrain potential future access from Leigh Road to the wider area of safeguarded land to the east of the site. No development shall begin until the details have been approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.