

Application No: 14/1907C

Location: THE ORCHARD, HOLMES CHAPEL ROAD, SOMERFORD,
CONGLETON, CW12 4SP

Proposal: Demolition of 2 existing bungalows and glasshouses associated with a horticultural nursery and the construction of 2, two-storey detached dwellings, a two-storey building comprising 2 flats and 6 detached bungalows with a new shared access

Applicant: Plant Developments Ltd

Expiry Date: 14-Jul-2014

SUMMARY:

The proposal is considered to be acceptable in principle, as it lies predominantly within the infill boundary line as designated in the local plan. It will assist the Council's 5 year housing land supply position and will promote economic growth. It is the view of officers that these considerations outweigh the site's lack of sustainability in locational terms, and the minor conflict with adopted local plan in terms of the small part of the site which lies outside the infill boundary line. Furthermore, it is considered that any harm arising from these issues would not be substantial or demonstrable, and therefore the presumption in favour of development, under paragraph 14 of the NPPF applies.

The proposal is acceptable in terms of its impact on Jodrell Bank and residential amenity. The Contaminated Land issue can be adequately addressed through conditions and the affordable housing requirement is being met on site. The design and layout is also considered to be acceptable and will respect the character and appearance of the surrounding area. The proposal will be acceptable in terms of its impact on ecology, trees and landscape, highway safety and open space. It will also assist in meeting local affordable housing needs.

The access to the site is considered to be acceptable and considerations relating to design, affordable housing, open space and residential amenity would be acceptable subject to conditions and a S106 agreement to mitigate the relevant impacts.

RECOMMENDATION:

APPROVE subject to conditions and S106 Agreement

PROPOSAL:

The application seeks outline planning permission (with details of access) for the demolition of 2 existing bungalows and glasshouses associated with a horticultural nursery and the construction of 2, two-storey detached dwellings, a two-storey building comprising 2 flats and 6 detached bungalows with a new shared access directly off Holmes Chapel Road.

SITE DESCRIPTION:

This application relates to the site referred to as 'The Orchard' situated on the south western side of the main A54 Holmes Chapel Road.

The site accommodates two bungalows fronting the road and towards the rear there are three glasshouses and outbuildings used for a small horticultural enterprise.

The site is abutted to the east by residential development forming the settlement of Brereton Heath and to the south and west by dense woodland which is designated as a Site of Biological Importance (SBI).

The site falls partly within the Infill Boundary Line of Brereton Heath with the remaining part of the site at the rear falling within Open Countryside as designated in the adopted Congleton Borough Local Plan.

RELEVANT HISTORY:

13/3628C - Demolition of residential dwellings and plant production buildings and construction of new dwellings – Withdrawn

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 7, 14, 17, 34, 47, 49 and 55.

Development Plan:

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005), which allocates part of the site within the Infill Boundary Line of Brereton Heath (Policy PS6) with the remaining part of the site at the rear falling within Open Countryside under Policy PS8.

The relevant Saved Policies are: -

PS6 Settlements in the Open Countryside

PS8 Open Countryside

NR4 Non-statutory sites

GR1 New Development

GR2 Design

GR3 Residential Development

GR5 Landscaping

GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
NR1 Trees and Woodland
NR3 Habitats
NR5 Habitats
H2 Provision of New Housing Development
H6 Residential Development in the Open countryside
H13 Affordable Housing and low cost housing
E10 Re-use and redevelopment of existing employment sites

The relevant saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

Policy SD 1 Sustainable Development in Cheshire East
Policy SD 2 Sustainable Development Principles
Policy SE 1 Design
Policy SE 3 Biodiversity and Geodiversity
Policy SE 5 Trees, Hedgerows and Woodland
Policy SE 9 Energy Efficient Development
Policy IN 1 Infrastructure
Policy IN 2 Developer Contributions
Policy PG 1 Overall Development Strategy
Policy PG 2 Settlement Hierarchy
Policy PG 5 Open Countryside
Policy SC 4 Residential Mix

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)
North West Sustainability Checklist

CONSULTATIONS:

Highways:

No objection

Environmental Protection:

No objection subject to conditions relating to hours of construction / piling, dust control and submission of an environmental management plan.

Jodrell Bank:

No objection subject to installation of electromagnetic screening measures

United Utilities:

No objection provided that the site is drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

VIEWS OF THE PARISH COUNCIL

Brereton Parish Council:

Object as the site is outside of the Infill Boundary Line

Somerford Parish Council:

No objection subject to conditions but comment that the site is too dense and there needs to be consideration for 6 bungalows and it is concerning whether 2 flats are in keeping with the area.

REPRESENTATIONS:

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

A representation has been made by a neighbouring property objecting to this proposal on the following grounds:

- Proposal is better than previously withdrawn application and will give a bit more variety to the area
- Application is only outline and the proposal could all change
- A later application could turn all the dwellings into two-storey homes
- Layout is a little cramped
- Part of site extends beyond the settlement line
- Potential impact on adjacent TPO trees
- Concern about how the boundaries will be treated
- Open countryside to horticulture is one thing but horticulture to residential is another

APPRAISAL:

The key issues are:

Principle of Development

Design Considerations

Affordable Housing

Trees & Landscape

Highways

Residential Amenity

Ecology

Jodrell Bank

CIL – S106 Obligations

Planning Balance

Principle of Development

The front part of the site lies within the Infill Boundary Line for the settlement of Brereton Heath, where, according to Policies PS6 and H6, limited development will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with the other policies of the local plan.

The sub-text to Policy H6 states that "*limited development is defined as the building of a single or small group of dwellings*". Whilst no definition is provided for the term "*small group*", the provision of 10 dwellings (8 additional dwellings taking into account that the proposal would replace two existing properties), the proposal could be considered as comprising "limited development" in relation to the existing settlement and having regard to other proposals within the locality which have also been accepted as constituting 'limited development'.

The rear part of the site lies outside the infill boundary line as shown on the local plan map. Consequently this represents a departure from adopted local plan policy.

Sec.38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". The most important consideration in this case is the National Planning Policy Framework (NPPF).

(i) Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing Need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the council's calculation of objectively assessed housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, we no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, our advice is that the Council is unable to robustly demonstrate a five year supply of housing land. Accordingly recommendations on planning applications will now reflect this position.

(ii) Open Countryside Policy

Countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence. However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, they may be out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be “flexed” in order to accommodate additional housing growth.

Consequently, the main issues in the consideration of this application are the sustainability of the site and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of housing land supply.

(iii) Sustainability

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. In order to access services, it is unlikely that future residents and travel movement will be minimised and due to its location, the use of sustainable transport modes maximised.

Paragraph 55 of the NPPF refers to the promotion of sustainable development in rural areas. Housing should be located where it will enhance or maintain the vitality of rural communities and Local Planning Authorities should avoid new isolated homes in the Countryside.

In addressing sustainability, members should be mindful of the key principles of the National Planning Policy Framework. This highlights that the principal objective of the planning system is to contribute to sustainable development. As the Planning Minister states in his preamble:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world.”

Accessibility is a key factor of sustainability that can be measured. A methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The site is located on the edge of Brereton Heath. It is a small settlement, comprising approximately 100 dwellings. The only amenities in the settlement are a post box and bus stop. There are very limited job opportunities locally so residents would have to travel to other locations. The only employer in the settlement is Somerford Park Farm equestrian centre which is on the opposite side of the road to the site. The nearest public house, church and school are located within Brereton Green, which is 2.6 miles away. The nearest significant centres, which have a full range of shops and services are Congleton and Holmes Chapel. These are located 3.4 miles and 3.5 miles from the site respectively.

Locational factors and the carbon footprint associated with car borne travel are an important aspect of sustainability. However, as was confirmed in an appeal decision for a scheme of 25 no. dwellings at Land opposite Rose Cottages near to the site, this is not the only aspect (Appeal Ref: APP/R0660/A/13/2192192). The Framework advises that there are three interdependent dimensions to sustainable development, these being economic, social and environmental.

In allowing the appeal at Rose Cottages the Inspector found that 'it is inevitable that many trips would be undertaken by car as happens in most rural areas. However in this case many such trips for leisure, employment, shopping, medical services and education have the potential to be relatively short. A survey of the existing population undertaken by the Parish Council confirmed that the majority use the car for most journeys. Its results should though be treated with some caution in view of the response rate of only 44%. The survey does not seem to have asked questions about car sharing or linked trips, both of which can reduce the overall mileage travelled. It is interesting to note that use of the school bus was a relatively popular choice for respondents. A few also used the bus and train for work journeys. It also should not be forgotten that more people are now working from home at least for part of the week, which reduces the number of employment related journeys. Shopping trips are also curtailed by the popularity of internet purchasing and most major supermarkets offer a delivery service. The evidence also suggests that the locality is well served by home deliveries from smaller enterprises of various kinds'

Thus, in terms of its location, and accessibility, the development is unsustainable. However, there are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development, which this proposal will help to do. As such, having regard to the current housing land supply, the fact that this site is located predominately within the infill boundary line, the economic growth and social benefits are considered, on balance, to outweigh the limited conflicted with local plan policy in terms of the scale of development, and the lack of sustainability in locational terms. Consequently, the

adverse impacts of which are not considered to be significant or demonstrable and as such the principle of the development is found to be acceptable.

Design Considerations

Whilst this proposal is in outline form, the indicative layout shows 10 detached properties. Three of the proposed dwellings would be positioned either side of the proposed access into the site and would be two-storey and single storey fronting the existing Holmes Chapel Road frontage. The remaining 7 units would be situated towards the rear arranged around the proposed internal road into the site. It is indicated that the units to the rear would comprise of single storey bungalows and would partially replace some of the existing nursery buildings on the site.

In terms of size, scale and design, the scale parameters indicate that the proposed dwellings would be of a similar size and scale to the adjacent developments and as such would not deviate from the character or appearance of the adjacent units. The provision of bungalows to the rear would have minimal visual impact given that they would be single storey bungalows replacing existing single storey structures. On this basis, it is considered that the proposals as indicated would not appear incongruous and the proposal is therefore found to be acceptable in design terms.

Affordable Housing

Having regard to the adopted Interim Planning Statement on Affordable Housing, the Council will require the *"provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified windfall sites of 0.2 ha or 3 dwellings or more in all settlements in the rural areas with a population of less than 3,000 population"*. It goes on to state that *"the general minimum proportion for any site will normally be 30%"*.

The Council's Housing department has confirmed that there is an established need for affordable housing in this rural parish of Somerford and the neighbouring parish of Brereton. In the SHMA the parish of Somerford is covered under the area known as Congleton Rural. The SHMA shows Congleton Rural has a need for 11 new affordable units per year between 2013/14 to 2017/18 (broken down this is a requirement for 1x 1bed, 1x 2bed, 4x 3bed and 2x 4+bed general needs units and 2x 2bed older persons accommodation). As such, there would be a requirement for the development to provide 2.4 affordable units on the site.

The applicant is proposing 2 units on site, which would equate to 25% affordable housing provision and 0.4 to be provided as a financial contribution in lieu. This is accepted on this site. Whilst the SHMA requirement is for 65% rented and 35% intermediate tenure it is accepted by the Council's Housing Section that 2 on-site units should be provided as one intermediate and one rented tenure unit.

Having communicated this to the agent, they have confirmed that they are willing to provide a financial contribution in lieu of the required affordable housing. However, the precise amount has yet to be finalised. Subject to this being agreed, the Council's Housing Section has offered no objection to the proposal.

Trees and Landscape

The Senior Landscape Officer has examined the proposals and commented that there are lengths of hedge along sections of the northern, western and eastern boundaries, two mature Lombardy Poplars on the A54 frontage and trees on the south eastern boundary. An area of TPO woodland adjoins the south west corner and a group of associated unprotected trees extends into the site.

The submission includes a tree survey and arboricultural implications assessment and method statement with proposed tree protection measures. On the basis of the information provided and a site inspection, it appears the access to the proposed development would result in the removal of the two road frontage Lombardy Poplar trees. Based on the indicative layout, hedges to the west and east boundaries and other trees could be retained and protected. The tree report affords the Poplar trees Grade C and they are described as being at the end of their safe life expectancy. As such, subject to tree protection measures and a detailed landscaping scheme, which can be secured by condition / at the reserved matters stage, there are no landscape or tree issues.

Highways

The Strategic Highways and Transportation Manager (SHM) has examined the application and initially commented that the proposed internal road was not designed in accordance with Manual for Streets and the application failed to demonstrate how refuse vehicles serviced the site. In response, an amended indicative layout has been submitted showing 2 metre service strips along the internal road and a plan showing how a refuse vehicle would service the site. In light of this, the SHM is now satisfied with the scheme having regard to matters of highways safety. He considers that site can be satisfactorily served by the proposed access and the level of parking provision would be acceptable. As such, the scheme is deemed compliant with Local Plan Policy GR9.

Residential Amenity

Details of layout and appearance are reserved for subsequent approval and as such full consideration cannot be given to neighbouring amenities at this stage. Nonetheless, the proposed layout would allow sufficient separation between the properties on the opposite side of Holmes Chapel Road. With respect to the properties either side, these side elevations are flanking and the proposed dwellings fronting Holmes Chapel Road are shown to respect the general building line and would thus not give rise to material planning harm to the occupant's residential amenity.

With regard to the proposed units to the rear of the site, these would be single storey bungalow properties and as such, the impact on the nearest neighbours could be controlled by the appropriate treatment of the boundaries, which would be secured at the reserved matters stage. Any loss of light or visual intrusion would not be sufficient to warrant a refusal owing to the existing buildings on the site. As such, the scheme is deemed to accord with policies GR6 and SPG2.

Ecology

The application is supported by an Extended Phase 1 Habitat assessment and a Method Statement for Great Crested Newts. In terms of the nearby ponds, a small population of great crested newts has been recorded at a pond located within 100m of the proposed development.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. Art. 16 of the Directive provides that if there is no satisfactory alternative and the derogation is not detrimental to the maintenance of the populations of the species at a favourable conservation status in their natural range, then Member States may derogate *"in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment"* among other reasons.

The Directive is then implemented in England and Wales The Conservation of Habitats and Species Regulations 2010. ("the Regulations"). The Regulations set up a licensing regime dealing with the requirements for derogation under Art. 16 and this function is carried out by Natural England.

The Regulations provide that the Local Planning Authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of their functions.

It should be noted that, since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must have regard to the requirements for derogation referred to in Article 16 and the fact that Natural England will have a role in ensuring that the requirements for derogation set out in the Directive are met.

If it appears to the planning authority that circumstances exist which make it very likely that the requirements for derogation will not be met, then the planning authority will need to consider whether, taking the development plan and all other material considerations into account, planning permission should be refused. Conversely, if it seems from the information that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements will be met or not, a balanced view taking into account the particular circumstances of the application should be taken and the guidance in the NPPF. In line with guidance in the NPPF, appropriate mitigation and enhancement should be secured if planning permission is granted.

The Council's Nature Conservation Officer (NCO) has confirmed that the application site is of limited nature conservation value with the exception of the ponds and trees in the southern extent of the development. These features appear to be retained as part of the proposed development.

In order to mitigate the risk of newts being killed/injured during the works the NCO has recommended the exclusion of newts from the site by fencing off the existing pond. As such, subject to conditions securing this detail, the proposal would be unlikely to have significant effect on the local great crested newt population. Other species would not be materially

harmful by the proposals. In light of the conclusions therefore, it is considered that the proposed development would not harm species protected under the Wildlife and Countryside Act 1981.

Jodrell Bank

In the absence of any objection from the University of Manchester, subject to appropriate conditions, it is not considered that a refusal on the grounds of the impact on Jodrell Bank could be sustained.

Other Matters

Whilst proposals exceeding 7 units would trigger the need to make provision for public open space, this requirement only relates to 'family dwellings', which are defined as comprising of 2 bedrooms or more. As this application is in outline form, the precise size and number of bedrooms in each proposed unit is unknown at this stage. However, it is important to note that the proposal will only result in the net addition of 8 units and it is indicated that 2 of the units will comprise of flats / maisonettes which would be considered as 'non-family' dwellings'. On this basis, only 6 of the net additional units would comprise of family accommodation and as such it is considered that public open space provision is not required in this instance.

S106 contributions Levy (CIL) Regulations:

Policy IN1 of the Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Council's Housing Officer, has advised that the proposed development will need to address a need for affordable housing, partly by providing 2 units on site with the remaining portion provided by way of financial contribution. Without such, the scheme would exacerbate the need for affordable housing. Thus, the affordable housing requirement is necessary to meet an identified need and accords with the Council's IPS, and is directly and reasonably related to the scale of development.

Subject to this, the scheme would be in compliance with the development plan and Policy IN1 of the Cheshire East Local Plan Strategy – Submission Version. The S106 recommendation is compliant with the CIL Regulations 2010.

Planning Balance

The proposal is contrary to development plan policies PS8 and H6 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The development plan is not “absent” or “silent”. The relevant policies are not out of date because they are not time expired and they are consistent with the “framework” and the emerging local plan. Policy PS8, whilst not principally a policy for the supply of housing, (its primary purpose is protection of intrinsic character and beauty of the countryside,) it is acknowledged has the effect of restricting the supply of housing. Consequently the application must be considered in the context of paragraph 14 of the Framework, which states:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.....For decision taking means:

- *approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - n *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*
 - n *specific policies in the Framework indicate development should be restricted.”*

It is therefore necessary to consider whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14. The cases of Davis and Dartford have established that that “*it would be contrary to the fundamental principles of the NPPF if the presumption in favour of development, in paragraph 14, applied equally to sustainable and non-sustainable development. To do so would make a nonsense of Government policy on sustainable development*”. In order to do this, the decision maker must reach an overall conclusion, having evaluated the three aspects of sustainable development described by the framework (economic, social and environmental) as to whether the positive attributes of the development outweighed the negative in order to reach an eventual judgment on the sustainability of the development proposal. However, the Dartford case makes clear that this should be done simultaneously with the consideration of whether “*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*” as required by paragraph 14 itself and not on a sequential basis or as a form of preliminary assessment.

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

Balanced against these benefits must be the negative effects of an incursion into Open Countryside. However, this incursion would be very small and it is not considered that this is sufficient to outweigh the benefits in terms of housing land supply in the overall planning balance.

On the basis of the above, it is considered that the proposal is acceptable subject to the imposition of appropriate conditions and the necessary Section 106 contributions.

RECOMMENDATION

APPROVE subject S106 Agreement and signing of a Section 106 agreement making provision for:

Affordable Housing comprising:

- **2 units on site 1 for social rented and 1 for intermediate tenure**
- **0.4 of unit as a commuted sum (to be determined)**

And the following conditions:

- 1. Standard outline – development to commence within 3 years or within 2 years of approval of reserved matters**
- 2. Application for approval of reserved matters to be made within 3 years**
- 3. Submission of reserved matters**
- 4. Development to be carried out in accordance with approved plans**
- 5. Submission / approval and implementation of scheme of electromagnetic screening**
- 6. Submission / approval and implementation of environmental management plan**
- 7. Submission / approval and implementation of scheme to minimise dust emissions**
- 8. Foul drainage should be connected to foul sewer**
- 9. Construction of approved access**
- 10. Ecological mitigation to be carried out in accordance with submitted statement**

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In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Brook Farm
Brookington

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