

Application No: 14/3747C

Location: Land at Radnor Park Trading Estate, BACK LANE, CONGLETON, CW12 4QA

Proposal: Outline planning application for a residential scheme for up to 24 dwellings, open space and new access off Back Lane

Applicant: Nigel Moorhouse

Expiry Date: 05-Nov-2014

SUMMARY:

The proposed development seeks to utilise a previously developed site within the settlement zone line for Congleton and therefore benefits from a presumption in favour of development under local plan policy PS4. This is further supported by para 14 of the NPPF which aims to deliver sustainable development. Whilst the proposals would result in the loss of an employment site, it has been demonstrated that the site is no longer suitable for economic use in its present form.

In terms of sustainability, this proposal would satisfy the economic and social roles by providing for much needed housing adjoining to an existing settlement where there is existing infrastructure and amenities. With respect to fulfilling the environmental role, this proposal will safeguard the natural, built and historic environment and issues identified regarding noise impacts from adjoining industrial uses can be satisfactorily mitigated. Recent appeals have also supported this interpretation.

The boost to housing supply is considered to be an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release. An indicative layout has been tabled which demonstrates how the provision of up to 24 units could be delivered on the site whilst respecting distances with boundary hedges, trees and adjoining properties.

The proposal will not have a detrimental impact on the landscape character of the area and will continue an arm of existing residential development.

Subject to the required Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards highway and pedestrian improvements.

Notwithstanding highways considerations (which will be reported by way of an update), the proposal is considered to be acceptable in terms of its impact upon all other material planning considerations. It therefore complies with the relevant local plan policy requirements and

accordingly is recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 contributions.

RECOMMENDATION:

APPROVE subject to conditions and S106 Agreement

PROPOSAL:

Outline planning permission is sought for the erection of up to 24 dwellings with open space with access taken from Back Lane. Details of access have been provided with this application, with all other matters reserved for approval at a later stage.

SITE DESCRIPTION:

The application site forms part of the Radnor Park Trading Estate positioned on the eastern side of Back Lane in Congleton. The site measures approximately 0.73 hectares in size, is irregular in shape and comprises of an area of concrete hard standing surrounded by a steel palisade fence. There are a number of trees around the periphery including a prominent line of Leylandii to the west /south planted on a bund, and several mature deciduous trees to the east. There is residential development to the south and west, separated by Back Lane and industrial land the north and east. The site is within the Congleton Settlement Zone Line as designated in the Congleton Borough Local Plan First Review (2005) and is not allocated for any other purpose within the Local Plan.

RELEVANT HISTORY:

None

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, 32, 34, 47, 49, 55, 132 and 173.

Development Plan:

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005), which allocates the site within the settlement boundary of Congleton under Policy PS4.

The relevant Saved Polices are: -

PS4	Towns
GR1	New Development
GR2	Design
GR3	Residential Developments of More than 10 Dwellings
GR4	Landscaping

GR6&7	Amenity & Health
GR9	Accessibility, servicing and parking provision
GR10	Managing Travel Needs
GR14	Cycling Measures
GR17	Car Parking
GR18	Traffic Generation
GR19	Infrastructure
GR20	Public Utilities
GR21	Flood Prevention
GR22	Open Space Provision
H2	Provision of New Housing Development
H4	Residential Development in Towns
H13	H13 Affordable and Low Cost Housing
NR1	Trees & Woodland
NR2	Wildlife & Nature Conservation
NR3	Habitats
NR4	Non-Statutory Sites
SPG1	Provision of Public Open Space in New Residential Developments
SPG2	Provision of Private Open Space in New Residential Developments

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 SC 4 Residential Mix

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)

CONSULTATIONS:

Environmental Health: Object on the grounds of noise impact on future residents from existing adjoining industrial operations. If approved conditions relating to noise mitigation, contamination, air quality and construction hours are recommended.

Highways: Comments awaited

Green Spaces (Ansa: Environmental Operations): Following an assessment of the existing provision of Amenity Greenspace accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.

Based on the Council's Guidance Note on its Draft Interim Policy Note on Public Open Space Requirements for New Residential Development there is a requirement for 576m² of new Amenity Greenspace.

With respect to Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons Provision.

Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development. This should take the form of on-site play provision in the form of a LEAP would be required. This should include at least 5 items incorporating DDA inclusive equipment

Education: No comments received.

United Utilities: No objection provided that the proposed development is drained on a separate system with only foul drainage connected to the main sewer. Conditions are recommended relating to foul sewerage and surface water drainage.

VIEWS OF THE CONGLETON TOWN COUNCIL

Object - due to land which is allocated for industrial/business use and should not be used for housing and concerns that noise from the existing factories would be unacceptable – reference to the recent Cheshire East decision on application at Forge Lane – application 14/0659C.

REPRESENTATIONS:

Representations have been received from 3 addresses, 2 objecting to the proposal and 1 in support. The grounds for objection area as follows:

- Loss of employment land
- Residents will be subjected to industrial noise which will result in complaints
- The future expansion of the adjoining businesses will be jeopardised

The letter of support can be summarised as follows:

- Site has been unused for many years, its seems that industry doesn't want to move in to this unsuitable area
- Road is unsuitable for heavy HGVs
- Housing would be most appropriate use

Additionally Local Warm Councillor, Cllr Domleo has commented as follows:

"We are very short of employment land in Congleton such that £77.5 million is to be spent on the Congleton Link Road, which among other benefits will open up new access to allow big expansion of the Radnor Park Industrial Estate and the Congleton Business Park. So giving existing employment land over to housing would be a nonsense.

This site is not an old mill building in a cramped location that cannot be converted into a modern employment site. It is a post war industrial site and I cannot believe that it is "unviable" as is stated in the opening remarks. I have read about the attempts to get the land back into employment use but I do not know if the right price terms and conditions have been offered. What I do know is that the site for housing generates a huge capital receipt compared to a site for employment.

We cannot deem existing employment sites to be brownfield sites and build houses on them, and then to build new employment sites on green fields thereby creating the next generation of brownfield sites for more housing. This application is a threat to the whole of Radnor Park and if approved we may well find that every site that becomes vacant is " unviable" and should have houses built on it."

APPRAISAL:

The key issues are:

- Principle of Development
- Employment Land
- Affordable Housing
- Design & Layout
- Highways
- Trees and Landscaping
- Public Open Space Provision
- Residential Amenity
- Environmental Health Considerations

Principle of Development

This application is an outline application and seeks approval for the residential development only. As a site within the settlement zone line for Congleton, the principle of residential development on the site is acceptable under local plan policy PS4 subject to other material considerations. The applicants must address a host of other issues including demonstrating that the development is appropriate in design terms, that loss of employment land would avoid detrimental impact to the local economy and that the site can be adequately protected against flood risk.

The proposals seek to utilise previously developed land, inside the settlement zone line and in good proximity to Congleton Town Centre which offers a good range of shops and services and transport links.

On that basis, the application performs well in terms of locational sustainability and adheres with para 14 of the National Planning Policy Framework (NPPF), which states that at the heart of the framework there is 'a presumption in favour of sustainable development'. It goes on to state that proposals that accord with relevant policy should be approved without delay 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

Further, the NPPF reiterates the requirement to maintain a 5 year rolling supply of housing in order to significantly boost the supply of housing. This proposal would help to deliver an additional 24 no. dwellings in a sustainable location within the settlement boundary of one of the Key Service Centres for the Borough. Further, the proposal would utilise 'previously developed land' which is supported by one of the core principles of the NPPF, which states that Local Planning Authorities 'encourage the effective use of land by reusing land that has been previously developed.

This advice is largely supported by the relevant Local Plan Policies contained within the Congleton Borough Local Plan as well as the emerging Cheshire East Local Plan Strategy Submission Version. Thus, subject to compliance with other material planning considerations, the principle of the development is considered to be acceptable.

Employment Land

The general thrust of Local Plan Policy E10 and Policy EG 3 of the merging Local Plan is to protect the boroughs employment sites and land supply. However, the policy allows for two exceptions where the site is either no longer suitable for employment uses or that its redevelopment would offer substantial planning benefit.

In considering whether the site is no longer suitable for employment uses, account will be taken of:

- 1 The location of the site or premises and the physical nature of any building
- 2 The adequacy of supply of suitable employment sites and premises in the area
- 3 Whether reasonable attempts have been made to let or sell the premises for employment uses

The site is located within an established industrial estate on the north-westerly edge of Congleton. The site is well connected being positioned close to services and facilities and is accessible by various modes of transport. The general demand and uptake of existing employment units within the area appears to be good with most units occupied. However, it is important to note that this site does not accommodate any buildings and therefore the likely employment uses generated would be derived from storage / distribution.

The explanatory text to the emerging policy, Policy EG 3 goes on to state that *"To demonstrate that no other occupiers can be found, the site should be marketed at a realistic price reflecting its employment status for a period of not less than 2 years. The Council will require evidence that a proper marketing exercise has been carried out including a record of all offers and expressions of interest received"*.

In this case the applicant has actively marketed the site over a period of 3 years in an attempt to secure re-use of the site. This has included the option for a 'design and build' scheme and to take the land on as it is i.e. for 'open storage'. However, there has been no serious interest owing to the lack of appetite for a 10 year lease, and cost of build and general lack of demand for open storage. Despite these attempts, which have been reasonable, efforts to secure an occupier of the site have not been fruitful.

In considering whether there would be a substantial planning benefit from permitting an alternative use account will be taken of:

- 1 Any benefits in terms of traffic generation, noise or disturbance to amenity
- 2 The impact the proposal would have on the environment & economy of the local area
- 3 The need for the proposal and its potential contribution to the local area
- 4 The requirements of other relevant policies of the local plan.

The development of the application site for residential purposes would not intrude or eat into the valuable employment area attributed to Radnor Park Trading Estate. The fact that the application site has stood vacant for a number of years and there is limited appetite to design and build purpose built units on the site is indicative that this site is not viable for employment uses. The impact therefore on the employment floorspace in the area would not be negative in this case.

There would be benefits arising from the delivery of housing within a sustainable location during a period when the Council is trying to boost its housing land supply. Consequently, it is considered that a reason for refusal on grounds of employment land supply is likely to be difficult to sustain at appeal particularly when balanced against the delivery of new housing on an accessible, previously developed site. The requirements of local plan policy E10 and EG3 have thus been satisfied.

Affordable Housing

The Interim Planning Statement: Affordable Housing (IPS) states that in areas with a population of more than 3,000 the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or than 0.4 hectare in size.

The IPS also states the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. The preferred tenure split for affordable housing identified in the SHMA 2010 was 65% social rented and 35% intermediate tenure.

The application includes an undertaking for the provision of up to 24 homes within the site of which 30% (7 units) would be affordable. The tenure split being offered is 65% social rent / affordable rent and 35% intermediate tenure housing. The Council's Strategic Housing Officer has confirmed that such provision is acceptable and in line with policy.

Public Open Space Provision

The Greenspaces section has confirmed that the site would generate the need to provide both amenity greenspace and children's and young person's provision on site. This would equate to 576 m² of new Amenity Greenspace together with 5 pieces of play equipment and could either be managed by a management company or (subject to detail) taken on by the Council's maintenance team. However, given that this application is in outline form, the precise details of the open space are not available and would be a matter to be considered and secured at the reserved matters stage. Subject to s106 legal agreement to secure the terms of the provision, the scheme is deemed to be acceptable in this regard at this stage.

Design Considerations

Policy GR2 of the development plan states that planning permission will only be granted where the proposal is sympathetic to the character and form of the site and the surrounding area in terms of the height, scale, form and grouping of buildings, and the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

Site layout is reserved for subsequent approval. However, an indicative layout has been submitted which shows a main spinal road utilising the proposed access directly off Back Lane. The internal road would pass through the site and would have 2 private drives spanning off to account for the irregular shape of the site.

The proposed units (which are only indicative) would comprise of detached, semi-detached and mews properties thus providing a mix of house types. The proposed units at the front of the site would achieve frontage onto Back Lane and would achieve opportunities for active frontage. The indicative layout shows that views within the site would terminate on active frontages with suitable separation.

On this basis, it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area and will sustain the provision of up to 24 units.

Trees and Landscape

There are a number of trees around the periphery of the site including a prominent line of Leylandii to the west /south planted on a bund, and several mature deciduous trees to the east. The site has no landscape designations.

The submission includes a tree survey and report. The report is limited to three groups of trees to the west/south west of the site in the area of the proposed access. The groups in question are not afforded any protection and are reported to be low value grade C trees, comprising Hazel, Cherry and Leyland Cypress. Several specimens would have to be removed in order to accommodate the proposed access.

The application detail indicates that the trees to the west will be retained, thinned out and managed. As such, subject to protection measures and a detailed landscaping scheme, which can be secured by condition, there are no landscape or tree issues.

Highways

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include the adequate and safe provision for access and egress by vehicles, pedestrians and other road users to a public highway.

The application is supported by a Transport Statement which considers the traffic impacts of the proposal as well as general sustainability. The report concludes that traffic generation from the site will be negligible and would have no material impact on the local highway network. The assessment demonstrates that the development is accords with both national and local policy and in particular confirms that the impact of the development is not 'severe'.

The proposed access would be taken centrally along the frontage onto Back Lane. With respect to the geometry of the proposed access, visibility is good in both directions. Sufficient parking could be provided for each unit according to the indicative layout but this will not be confirmed until the reserved matters are submitted. Comments are awaited from the Head of Strategic Infrastructure to confirm that these aspects are acceptable and will be reported to Members by way of an update.

Residential Amenity

In respect of the residential amenities afforded to neighbouring properties, the closest of which is to the south (no. 58 Glyn House), the proposals would achieve the minimum interface distances advised within SPG2. Subject to a detailed layout and elevations to show the precise positions of windows, the scheme would not give rise to any direct overlooking or significant loss of sunlight or daylight to neighbouring properties.

With regard to the amenities of the occupiers of the proposed units, the dwellings could be configured and arranged so as to ensure that there is no direct overlooking of principal windows, overshadowing, or visual intrusion. Each dwelling unit would benefit from its own rear garden and it is considered that the amenity space provided as part of the development would be acceptable for the size of units proposed as indicated on the master plan.

Noise

Owing to the close relationship of the proposed development to adjoining commercial / industrial uses, consideration also needs to be given to the potential impact on the future amenity of the occupants from noise. The application is supported by a noise survey which has been assessed by the Council's Environmental Protection Unit.

Paragraph 123 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*

The NPPF states that the planning system should "prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability".

Another requirement of Paragraph 123 of the NPPF is that "existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established". Therefore, the proposed new residential development must not impact on the current and future operation of the nearby commercial premises.

The acoustic environment at this location is dominated by industrial noise arising from Tandom Metallurgical, Copeland & Craddock and Airbags International Ltd. Peak noise results in wide variations from background noise to a maximum level and down again within a short duration. Therefore, the industrial noise is recognisable and source location distinguishable adding to the

intrusive nature of the industrial noise at this location. Single noise events are best described by the LA max noise descriptor.

The outdoor noise climate that would be experienced by future occupiers will be dominated by industrial noise from various noise source premises/ installations. This will be intrusive, annoying and potentially generating justified noise complaints.

The outcome of the assessment is that a significant noise impact could be created in the gardens of the most affected properties from noise arising from CMJ Fabrications, Boalloy and Copeland and Craddock. In the absence of mitigation, noise levels from the nearby industrial premises are likely to cause complaints from future residents of the proposed development.

Mitigation measures therefore need to be incorporated into the proposed site design to ensure noise generated at the nearby industrial premises is reduced to acceptable levels at the proposed residential dwellings located closest to, and with a direct line of sight of, the industrial premises.

The acoustic report recommends that any outdoor living areas located closest to and with a direct line of sight of the Radnor Park Industrial Estate access road and nearby industrial premises be provided with: A close boarded fence/wall. A 2.5m high close boarded fence along the eastern site boundary with a direct line of sight to the Copeland and Craddock premises. A 3.5m high close boarded fence along the northern site boundary with a direct line of sight to the Boalloy and CMJ Fabrication premises

Alternatively to mitigate noise levels in these outdoor living areas, gardens could be located on the screened sides of dwellings, i.e. not located with a direct line of sight to the nearby noise sources.

Turning to the mitigation required to protect the internal environment of the proposed dwellings, the requirements indicate that standard thermal double glazing would ensure that internal noise levels are met with the windows closed. However, with windows open, the recommended internal noise limit will likely be exceeded in habitable rooms at the edges of the site, located nearest to, and with a direct line of sight of Back Lane, the Radnor Park Industrial Estate access road and the nearby industrial premises.

In order to mitigate against this, it is proposed that those dwellings affected, would be subject to the following measures:

- Acoustic ventilation required in some habitable rooms (living rooms and bedrooms)
- Alternatively, habitable rooms could be located on the screened side of the proposed buildings, away from the main sources of noise, Back Lane, the Radnor Park Industrial Estate access road and the nearby industrial premises
- Noise sensitive rooms with windows facing the existing industrial premises to the north and west be provided with higher specification glazing and mechanical ventilation to protect the amenity of future residents
- Alternatively a standoff from the industrial premises could be implemented along with a bund and fence combination along the northern and eastern site boundaries
- Glazing and acoustic ventilation requirements advised to be confirmed, on a plot by plot basis, at the detailed application/reserved matters stage

It is the Environmental Health Officer's (EHO) view that residential development at this location will potentially create conflict with adjacent land uses by introducing noise sensitive properties adjacent

to an industrial development, whereby the housing will suffer noise as a consequence. However, this would be mainly for outdoors areas (i.e. private garden spaces of some properties) as the internal environment could be adequately protected from noise through the provision of high spec glazing and mechanical ventilation.

Whilst the view of the EHO is noted, it should be borne in mind that the concern relates to garden space, not internal noise which EHO advise can be mitigated. The Applicant's own noise consultant has provided reports that in their opinion demonstrate that the proposal's noise impacts accords with World Health Organisation Guidelines. The outdoors areas can be mitigated with appropriate boundary treatments, which in context of the adjoining uses, would not appear unsightly and by carefully designing the layout (a reserved matter) so that they are screened by the built form. Similar conclusions were drawn by an Inspector when he considered a scheme for residential development nearby at Forge Lane. He stated that:

"I have concluded that living conditions at the proposed dwellings would be satisfactory, and this is relevant to the question of whether complaints are likely. Moreover, the nearest of the proposed dwellings would be located a similar distance from the key sources of industrial noise as existing dwellings and, while the Council has shown some record of complaints from existing dwellings, those attributable to noise are not excessive in number. Accordingly, I am not persuaded that the dwellings proposed would add significantly to local pressure to curtail or restrict the activities of the existing businesses, and I find no conflict with the Framework as a result of this consideration".

Consequently, it is not considered that refusal could be sustained on noise grounds (this conclusion is made in consideration of an application on an adjacent site 14/5111C). There are many benefits of this proposal, notwithstanding the fact that this is a vacant site that is unlikely to be utilised for any other purpose and the contribution to housing land supply and the contributions to the 3 strands of sustainability within the NPPF.

S106 contributions Levy (CIL) Regulations:

Policy GR19 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

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 provision of Public Open Space is also necessary to make the development acceptable in planning terms and as such also meets the above tests.

Planning Balance & Conclusions

The proposed development seeks to utilise a previously developed site within the settlement zone line for Congleton and therefore benefits from a presumption in favour of development under local plan policy PS4. This is further supported by para 14 of the NPPF which aims to deliver sustainable development. Whilst the proposals would result in the loss of an employment site, it has been demonstrated that the site is no longer suitable for economic use in its present form.

In terms of sustainability, this proposal would satisfy the economic and social roles by providing for much needed housing adjoining to an existing settlement where there is existing infrastructure and amenities. With respect to fulfilling the environmental role, this proposal will safeguard the natural, built and historic environment and issues identified regarding noise impacts from adjoining industrial uses can be satisfactorily mitigated. Recent appeals have also supported this interpretation.

The boost to housing supply is considered to be an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release. An indicative layout has been tabled which demonstrates how the provision of up to 24 units could be delivered on the site whilst respecting distances with boundary hedges, trees and adjoining properties.

The proposal will not have a detrimental impact on the landscape character of the area and will continue an arm of existing residential development.

Subject to the required Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards highway and pedestrian improvements.

Notwithstanding highways considerations (which will be reported by way of an update), the proposal is considered to be acceptable in terms of its impact upon all other material planning considerations. It therefore complies with the relevant local plan policy requirements and accordingly is recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 contributions.

RECOMMENDATION

APPROVE subject S106 Agreement making provision for:

Affordable Housing comprising:

- **7 units on site 4 for social rented and 3 for shared ownership**

Public Open Space comprising of:

- **576m² of new Amenity Greenspace including 5 pieces of Play Equipment or contribution in lieu (TBC)**
- **Management company for onsite Amenity Green Space**

And the following conditions

- 1. Standard Outline Time limit – 3 years**
- 2. Submission of Reserved Matters**
- 3. Accordance with Approved Plans**
- 4. Submission of an Environmental Management Plan**
- 5. Hours of construction to be limited**
- 6. Details of pile driving operations to be limited**
- 7. Details of drainage (SUDS) to be submitted**
- 8. Only foul drainage to be connected to sewer**
- 9. Retention of important trees**
- 10. Tree and hedgerow protection measures**
- 11. Arboricultural Specification/Method statement**
- 12. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.**
- 13. Implementation of noise mitigation measures**
- 14. Accordance with approved access and constructed prior to first occupation**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, 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 Planning and Enforcement 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.

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