



REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

TO: POLICY AND RESOURCES COMMITTEE

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO POLICY & RESOURCES COMMITTEE 25 NOVEMBER 2021

Application Ref: 21/0571/REM

Proposal: Reserved Matters: Major: Erection of 10 dwellings (Appearance, Landscaping, Layout and Scale) of Outline Planning Permission 17/0691/OUT.

At: Land Off Cob Lane And Old Stone Trough Lane, Kelbrook

On behalf of: YLBD

Date Registered: 21/07/2021

Expiry Date: 20/10/2021

Case Officer: Alex Cameron

This application has been referred to Policy & Resources Committee because West Craven Area Committee's resolution to refuse the application on the grounds of insufficient amenity and bin storage space would represent a significant risk of costs being awarded against the Council at appeal.

Site Description and Proposal

The application site is an agricultural field to the south of Cob Lane. The site is located to the south east of the main village and is outside of, but adjacent to the defined settlement boundary. To the west is Yellow Hall, a row of listed dwellings, to the south and east is open land. The land slopes upwards from Old Stone Trough Lane, as Cob Lane rises away to the east. It is designated as Open Countryside in the Local Plan.

The site has outline planning permission (access only) allowed on appeal in 2017, this application is for the remaining reserved matters of appearance, landscaping, layout and scale for that permission.

The proposal is for 6 four bedroom detached houses and 4 three bedroom semi-detached houses. The houses would be two storeys and finished in natural stone with concrete tile roofing and uPVC fenestration.

Relevant Planning History

13/86/0832P – erection of 2 dwellings on land adjacent to Yellow Hall – Refused

16/0488/OUT - Outline: Major: Application for up to 17 dwellings (Access only) – Refused and Appeal Dismissed. The appeal was against the development of 17 houses. The Inspector did not raise any objections to the scheme on highway grounds, amenity, loss of wildlife, highway safety, drainage, housing land supply or infrastructure provision.

17/0691/OUT Outline: Major: Erection of up to 10 Dwellinghouses (Access only) (Re-Submission). Appeal allowed.

21/0399/PIP - Permission in Principle: Erection of up to 9 No. Dwellings – Undetermined.

Consultee Response

PBC Environment Officer – No objection to the amended plans.

LCC Highways – The construction traffic management plan is acceptable
The swept path analysis is acceptable.

A dropped crossing point needs to be constructed on the north side of Cob Lane opposite the termination of the proposed footway at the site access so that pedestrians can access the development without needing to walk in the carriageway of Cob Lane.

I note that the estate road will not be offered for adoption, this goes against our policy as there are more than 5 houses, however despite whether the road is to be adopted or not I would consider that a scheme of street lighting is necessary.

I note that surface water is included as a separate condition. The details should include the drainage of the road water.

The estate road and associated infrastructure will require the establishment of a management company to ensure that the future inspection and maintenance is clearly set out to protect the future residents.

Lead Local Flood Authority – No objection. Notes relating to the provision of SUDS and the requirement for land drainage consent.

Yorkshire Water – no objection to:

i) The proposed separate systems of drainage on site and off site

ii) The proposed amount of domestic foul water to be discharged to the public combined water sewer as shown on submitted drawing Proposed Foul & Surface Water Drainage A3502-D-01 (revision P1) dated 30/06/21 prepared by PSA Design.

The submitted drawing shows surface water proposed to be drained to watercourse.

Lancashire Fire and Rescue Service – Comments relating to building regulations.

Kelbrook and Sough Parish Council – Object

1. Access for building vehicles and deliveries – the plan is inadequate.

Whilst we wish for the development to be completed as soon as possible, we are acutely aware of the safety risk in the plan submitted by the developer, to pedestrians, other road users and to property. We believe that the movement of vehicles making deliveries to site and returning from site, should be limited to between 09:15 to 15:00, Monday to Friday.

This would avoid school drop off and pick up times on the only viable route which is along Waterloo Road. We have had a reported and logged accident to a child leaving school which required an ambulance to attend. Deliveries within the suggested time slot will also permit overnight parked vehicles to have moved out before their return after working hours. It will be inevitable that for the duration of the development phase there will be considerable inconvenience to the users of Waterloo Road, but the suggested time slot may help to reduce that inconvenience.

There is no mention in the plan of any route through the village, to be used by delivery vehicles. We know from past experience of delivery vehicles becoming stuck between walls, or between walls and vehicles, that there is only one viable route through Kelbrook for large delivery vehicles. We know that Old Stone Trough Lane and Cob Lane can not be used and that turning the corners a) Main Street (from A56) to Waterloo Road and b) Vicarage Road to Main Street are impossible for any large delivery

vehicle. We believe that the only sensible route through the village must be A56 – Chuch Lane – Main Street

– Waterloo Road – Site. Given the number of parked vehicles in the village, we believe that the 09:15 to 15:00 (Monday to Friday) time slot (as above) would permit delivery to site with minimum disruption to both villagers and the building team. We object to any deliveries at any time on a Saturday or Sunday, as the route would prove very difficult or probably impossible to navigate, because of the number of parked vehicles along both sides of Main Street and both sides of Waterloo Road.

Further to using the route suggested in this document, the Parish Council is concerned that the Victorian bridge over the Kelbrook Beck might suffer as a consequence of the tonnage of the delivery vehicles which will use the route. We ask that some reassurance is given by Lancashire County Council regarding acceptable weight over the period of the development. Our concern is that should the bridge be damaged in any way, then not only will deliveries to site be stopped, but that the already poor traffic flow in the village will become chaotic.

2. Climate Change – the development does not attempt to address any of these issues
Both the Government and Pendle Borough Council have declared a climate emergency. The NPPF dedicates section 14 to how "the planning system should support the transition to a low carbon future...". Given the climate emergency, we believe that every dwelling within this development should be equipped with solar panels on the rear aspect of their south facing roofs and use ground source heat pump systems to provide heating. This would comply with NPPF page 45 Para 154 "avoid increased vulnerability to the range of impacts arising from climate change" and "...help to reduce greenhouse gas emissions, such as through its location, orientation and design". In addition, although the installation of gas boilers is unlikely to be banned until 2025, we believe that should there be any intention to install gas, mains or propane provision, it should not be permitted on the basis of sustainability – NPPF Page 5, Section 2 Achieving sustainable development, Paragraph 8c "...mitigating and adapting to climate change, including moving to a low carbon economy" and under the clear NPPF definition of sustainability "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Also, as the delivery of new cars powered by petrol and diesel ends by 2030, we believe that charging points should be provided for each house.

3. Recycling – inadequate provision in the plans

As recycling is increasing and each dwelling is likely to have 4 large wheelie bins, we believe that there should be adequate room for storage to the rear of each property. It appears that this may be difficult with some of the dwellings.

4. Infrastructure – there has been no consideration of service deterioration for existing users caused by the development

Electricity supply: At the time of writing this objection, **once again** the consultee approached for electricity supply is Electricity North West, the wrong provider for this area and hence this development. The provider for this area is Northern Powergrid who have not been consulted. In 2017, when Northern Powergrid were asked by the Parish Council if there would be an updated supply for the part of Kelbrook where the development is situated, the comments from Northern Powergrid were that the supply would be improved by a new maintenance regime. On the yearly statistics available (2017-2019), in the area of Kelbrook which includes Cob Lane, there have been more outages and for a longer duration than both the target and average outages and duration within the Northern Powergrid network. Given that lockdown and hospitality closure will have dramatically and artificially skewed any

pertinent statistics for 2020, the Parish Council would at least appreciate a statement from Northern Powergrid on how they will ensure that this development will not adversely affect the current residents who are serviced by this supply.

Water supply: This development will be at the end of the Cob Lane mains spur. There are already complaints within the village, that the pressure supplied is insufficient. The Parish Council would like to understand how the water pressure will not reduce further when the load appropriate to another ten dwellings comes on stream, or if the likely adverse pressure will only affect the new development.

Broadband: The NPPF states in Paragraph 114 that "Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being". The existing properties near to the development are at the furthest extent of the copper wires from the Cabinet, where only FTTC technology is employed. Gfast upgrades have not been applied by Openreach which limits the download speed to a maximum of 44Mbps and upload to a maximum of 8Mbps Openreach have stated that they will not provide FTTP technology into Kelbrook. At present, the service to users around the Cob Lane area is inconsistent in terms of bandwidth and the service also has a large number of outages. Using any queuing theory to predict the outcome of an increase in users of at least a further 10, what can be legitimately stated is that the service will deteriorate. As 5G is not yet available in this area, the Parish Council would like to understand how deterioration of service will be prevented to the existing broadband users.

5. Environmental: Insufficient consideration of the environmental impact

The environmental reports state that a 5m buffer zone should be imposed around the watercourse to ensure that there is no impact on wildlife during construction. The current plans show that the required fence will be erected. However, this protection disappears when construction is finished. Is there any way in which this watercourse, its wooded area and the wildlife within it can be preserved better than with a garden fence only 2m from the watercourse, as this wooded area has existed for at least 400 years?

Whilst we would like to see the watercourse and wooded area preserved, it also requires maintenance. This has been undertaken by successive farmers of the land. The removal of rubbish keeps the watercourse unpolluted for the wildlife which uses it and permitting natural failure of trees and shrubs along its banks provides a natural water attenuation so necessary for everything downstream. Will the house owners also own their adjacent section of watercourse or will the entire watercourse be managed as part of a management scheme?

We note on the plans that a wildflower meadow is to be created at the side of the watercourse and at the front of the development. Whilst rewilding is laudable, we have looked carefully at wildflower "meadows" and would suggest a great deal of caution before embarking on this undertaking as: a) the space is really not sufficient for rewilding; b) the altitude does not lend itself to the success of the commonly available wildflower mixes; c) the tree cover will undoubtedly impact upon many of the flowers in the mix; d) some wildflowers require grazing to thrive just as others need to die off and decompose, whilst others require to be part of a hay making process and e) the failure to successfully manage the areas will lead to only the dominant species surviving giving rise to something other than was intended. We would suggest that the area to the front of the development is planted with more manageable species and that the area adjacent to the watercourse is left as is, and maintained as if sheep cropped (say mowed/strimmed monthly).

6. Maintenance; Concern over the lifetime of the development (100 years)

It is made clear throughout the development proposals and with the conditions imposed by the Inspector that a maintenance arrangement with suitably qualified companies would be required for the SuDS. We also believe that maintenance of the common areas and some riparian responsibilities will also require a maintenance agreement. Our concern is not over the quality of the maintenance, for we hope that a service level agreement will be put into place between householders and any maintenance company. Our concern is with the longevity of a maintenance company and should such a company fail, who will then pick up the maintenance?

We do not believe that vital and specialist maintenance of this nature, e.g. SuDS, common areas, etc., should ever revert to the house owner, as this would only be a recipe for failure that would never manifest itself as a problem for the development, rather, in the case of SuDS, downstream or with neighbours. We also understand that there is a reluctance by Councils to adopt SuDS schemes and other maintenance activities. We would therefore ask that either a robust escrow or insurance arrangement be put in place to cover the life of the development or that Pendle Borough Council accept responsibility for the maintenance regime and make necessary mandatory arrangements with the developer or preferably with individual households by way of a covenant within the deeds.

We bring this to the attention of the Borough Council, because we do not believe it to be appropriate that others, outside of this development, should be burdened with potential expenditure at some future date. We would, of course, be happy with any arrangement that had a) safeguards for the public purse, b) safeguards for consequential problems through poor maintenance and c) gave confidence in the longevity of the arrangement.

Public Response

Site and press notices posted and nearest neighbours notified. Over 80 responses received objecting on the following grounds:

- Impact on Listed Buildings
- Increase traffic congestion
- Highway safety risk, including risk to school children
- Impact of construction traffic
- Increase in on-street parking
- Poor access visibility
- Lack of footways on roads leading to the site
- Loss of greenfield / countryside land
- Brownfield land should be developed first
- Unacceptable visual impact
- Impact of the character of the village
- Privacy impacts
- Increase risk of surface water flooding
- Concerns about management of the drainage
- Impact on local infrastructure and infrastructure provision
- Provisions should be made for renewable energy
- Inadequate bin storage

- A 5m buffer zone should be maintained to the stream to protect wildlife in accordance with the environmental report
- Permitted development rights should be removed
- The Planning Inspectorate's decision to allow the previous appeal was incorrect
- The gardens in the amended plans are too small. Bin storage takes an area 2.5m x 0.9m so the remaining garden would be too small to even have a table and chair outside. This is not acceptable and the plans should be redeveloped to ensure that the houses have gardens that are at least the size of a parking space.
- Insufficient information about management and maintenance of drainage and SUDS. Would the local authority take over responsibility or would the residents have to pay very high fees?
- At the last Area Committee meeting it was proposed that the developers should look to produce plans with a visible solution to SUDS. This would be instead of the underground SUDS tank that has been proposed. The updated plans have not taken this into account.
- No further information has been provided by Lancashire County Council regarding the impact of weight on the Victorian bridge at the end of Main Street. Lancashire County Council should ensure that it is tested so that any impact of the weight of the vehicles over an extended time does not cause any deterioration of this bridge. This is a key route for many vehicles within the village.

Officer Comments

The principle of the development of this land for ten houses has been established by the outline planning permission, including matters of access. All that can be considered in this application are the remaining reserved matters of layout, appearance, scale and landscaping.

Policy

Local Plan Part 1: Core Strategy

The following Local Plan policies are relevant to this application:

Policy ENV1 requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings. The proposal's compliance with this policy is addressed in the design and amenity sections.

Policy LIV5 requires all new housing to be designed and built in a sustainable way. New development should make the most efficient use of land and built at a density appropriate to their location taking account of townscape and landscape character. Provision for open space and/or green infrastructure should be made in all new housing developments.

Design and Heritage Impact

In allowing the outline permission the Inspector stated that:

“There are clear views of the rear elevation of Yellow Hall from Cob Lane, indeed for some distance along Cob Lane. These views would be significantly affected by the proposal although this impact could be reduced by setting the houses towards the back of the site, maintaining an open buffer area immediately to the rear of the boundary with Yellow Hall and retaining low boundary features along Cob Lane.”

Although the Inspector concluded that there would be less than substantial harm to the significance of Yellow Hall that would be outweighed by the public benefits of the development including contribution towards the provision of the Council’s five year housing supply and off-site affordable housing contribution.

To ensure that an open area is retained behind Yellow Hall, the Inspector imposed an additional condition such that the reserved matters have to be prepared to accord with the indicative layout shown on the plans submitted with the outline.

The proposed layout would maintain the same / greater distance back from yellow Hall and Cob Lane.

The design, scale and layout of the proposed dwellings would be in keeping with the character of the area similar to other new development in the area, the gabled projections to the front of the houses reflecting those to the rear of Yellow Hall. The walls would be natural stone the proposed dwellings would be physically separated enough from Yellow Hall that the proposed use of upvc windows would not have a harmful impact, however, in the proposed concrete roof tiles would result in some additional harm to the setting of Yellow Hall. With a condition to ensure that natural slate is used the less than substantial harm from the development would be outweighed by the public benefits as detailed in the outline appeal decision.

It has been suggested that there should be additional provision for renewable energy in the design, including solar panels. There is currently no planning policy basis to require renewable energy provision in new developments and such a requirement would be a matter of principle to be considered and conditioned at the outline stage.

The proposed layout of the development provides adequate amenity space and space for bin storage for every plot. Although the rear gardens have been reduced in size but the amendment to provide a 5m buffer to the stream the smallest of the rear gardens is approximately 7m wide and 5m long. There are no specific requirements for the level of provision of outdoor amenity space and there are be no, this is more outdoor amenity space than many properties in the Borough have and a perfectly adequate level of space to store bins and hang out washing etc.

Residential Amenity

The proposed development would provide an acceptable level of privacy both the neighbouring properties and the residents of the proposed dwellings and would not result in any overbearing impacts or unacceptable loss of light. The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

Landscaping

The amended landscaping scheme fully addresses the concerns in relation to the original scheme and is acceptable.

Ecology

The ecology survey submitted with the outline application recommended that a buffer of 5m be maintained to the stream running to the rear of the site and that vegetation is maintained in that area unless a bat survey assessing the impact on bat foraging of the loss of that vegetation is submitted. Amended plans have been submitted providing an undisturbed buffer of 5m to the stream, the amended layout is acceptable in terms of its ecological impact.

Open Space

The development proposes a buffer of public open space to the front and side adjacent to Yellow Hall, this together with the green infrastructure of the tree lined stream to the rear of the site would meet the requirements of policy LIV5 for the provision of public open space and/or green infrastructure.

Highways

Only highway matters relation to the layout of the development can be considered in determining this application, the principle of the acceptability of the access to the development has been established by the outline permission.

The proposed layout would provide adequate parking and internal road layout. Other details including highway drainage, street lighting and management and maintenance are controlled by the conditions of the outline permission. The inspector did not find it necessary to impose any condition requiring off-site highway works, such works cannot be required at this stage.

Concerns have been raised regarding construction traffic and timing of deliveries to the site, a construction management condition was attached to the outline permission by the Inspector including hours of works and deliveries and routing of delivery vehicles. This is a matter of access and principle and so only relevant to the outline permission, no additional conditions in relation to those matters can be imposed at this stage. Although a construction management statement has been submitted with this application the discharge of conditions on the outline permission is not part of this application, that would need to be applied for in a separate discharge of conditions application.

The development is acceptable in highway terms in accordance with policies ENV4 and 31.

Drainage

The applicant has explored the option of swales, however, due to the topography and ecological constraints, there is not enough room at ground level to accommodate the surface area or falls required. Swales merely convey water from one location to another in lieu of a standard underground pipe and offer little attenuation / storage. A cut off swale has been included at the top end of the site and the system is compliant with SuDS solutions.

The detailed particulars of drainage, including management and maintenance, are subject to conditions on the outline permission. A separate discharge of conditions application would be required for the approval of those details.

Contributions

Section 106 contributions were set by the outline permission and a unilateral undertaking was entered into for a contribution for the provision two off-site affordable housing units and an education contribution for one secondary school place.

A request has been made from East Lancashire Hospitals NHS Trust for a contribution towards the cost of healthcare interventions it calculates will be generated by the residents of the 10 dwellings in the first three years of their occupation, for which there is a funding gap.

In terms of health service contributions there are a number of concerns about the request and justification for those requests. Planning legislation allows for conditions to be placed on developments to make them acceptable. It also provides for the possibility of payments being made through section 106 agreements for infrastructure affected by a development. The law surrounding this is as follows:

Section 106 of the 1990 Act provides as follows:

(1) Any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation (referred to in this section and sections 106A and 106C as “a planning obligation”), enforceable to the extent mentioned in subsection (3)—

- (a) restricting the development or use of the land in any specified way;
- (b) requiring specified operations or activities to be carried out in, on, under or over the land;
- (c) requiring the land to be used in any specified way; or
- (d) requiring a sum or sums to be paid to the authority (or, in a case where section 2E applies, to the Greater London Authority) on a specified date or dates or periodically.

(2) A planning obligation may—

- (a) be unconditional or subject to conditions;
- (b) impose any restriction or requirement mentioned in subsection (1) (a) to (c) either indefinitely or for such period or periods as may be specified; and
- (c) if it requires a sum or sums to be paid, require the payment of a specified amount or an amount determined in accordance with the instrument by which the obligation is entered into and, if it requires the payment of periodical sums, require them to be paid indefinitely or for a specified period....”

The relevant parts of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (“the CIL Regulations”) are as follows:

(1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (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.

Section 216(1) of the Planning Act 2008 together with Regulation 59 of the CIL Regulations requires charging authorities to apply CIL payments to “supporting development by funding the provision, improvement, replacement, operation or maintenance of infrastructure”.

Section 216(2) defines “infrastructure” as follows:

“infrastructure” includes—

- (a) roads and other transport facilities,

- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities, and
- (f) open spaces”

The request for contributions for health care services does in my view overall fit into a category of infrastructure that could, if necessary to make the development acceptable, fall within a category of infrastructure that can be funded through a section 106 agreement. However that does not mean to say that the contribution being requested meets the tests set out in the CIL Regulations detailed above.

Case law is clear that planning permissions cannot be bought or sold hence any sum to be paid to a planning authority must be for a planning purpose which should in some way be connected with the land in which the developer is interested.

The issue for Committee is whether the funding has a direct connection to the development and whether this would be fairly and reasonably related in scale and kind to the development.

Robust evidence is required to support a request for a contribution. In London for example a model has been produced which attempts to provide robust and up to date evidence on the need for a contribution. The model is referred to as the HUDU model. This looks at the specific circumstances of each development in its own location reflecting the population characteristics of the area.

The evidence supplied with this request does not in my view go far enough to support the view that the impacts of the individual development is directly related to healthcare deficiencies. A flat rate is applied to all developments which will inevitably result in some developers over providing and some underproviding. The model does not factor in demographic modelling of the area and does not for example look at any percentage of the population that may move into the developments and that they are already resident in the area thus not increasing the demand on services.

We have also raised a concern about the timing of funding and that developments can take several years in order to come to fruition. From the information supplied to us it appears that once a development is known about then financing is included in the next budgetary year. The issue therefore is that if developments take several years to come forward and they are included in financial planning after year 1 then the developer would be paying for services already funded in the standard funding formulae.

Whilst more accurate evidence could be provided were the model to be finessed as it stands it is not sufficiently robust to prove the level of contribution fairly reflects the impact the development would have on services.

This is an important issue that will arise in other developments in the Borough. In order to get an independent view on this we have obtained Counsel's opinion on this. That advice is legally privileged but supports the view that the evidence is not sufficiently robust to be able to support a requirement for the contribution requested.

Committee are therefore recommended not to require a contribution to the NHS as the evidence is not robust enough to confirm that the funding is directly enough related to the development and is fairly and reasonably related in scale and kind to the development. The provision of affordable housing is a major need within Pendle and significant weight should be attached to providing that housing.

Other Matters

Numerous comments have been received regarding traffic and highway safety impacts, impacts on ecology and protected species, flooding and drainage issues. These are matters that were considered in the outline application and the principle of the development and access was found to be acceptable by the Planning Inspectorate.

Conclusion

The submitted reserved matters of appearance, landscaping, layout and scale are acceptable and therefore it is recommended that the application is approved.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The submitted reserved matters are acceptable in all relevant regards. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

1. This notice constitutes an approval of matters reserved under Condition 1 of Planning Permission No.17/0691/OUT and does not by itself constitute a planning permission.

Reason: The application relates to matters reserved by Planning Permission No. 17/0691/OUT.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: A3502-PL01, A3502-PL02, A3502-PL03, A3502-PL04, A3502-PL05, 243-REL-XX-XX-DR-L-3001 P1, 243-REL-XX-XX-DR-L-4001 P1, 243-REL-XX-XX-DR-L-4002 P1 – Received 30/09/2021, A3502-E-01 P1.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of above ground works involved in the erection of the external walls of the development samples of external materials / finishes of the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any induction on the approved plans, forms and documentation the materials of the roof shall be natural slate. The development shall thereafter be carried out in strict accordance with the approved materials.

Reason: To allow the Local Planning Authority to control the external appearance of the development to protect the significance of the adjacent Listed Building.

4. Prior to the occupation of the first dwelling details of the long term management and maintenance of the areas of public open space shall have been submitted to and approved in writing by the Local Planning Authority. The open space shall thereafter at all times be managed and maintained as such in accordance with the approved details.

Reason: To ensure the open space is adequately managed and maintained in the interest of the visual amenity of the area and to protect the significance of the adjacent Listed Building.

5. The landscaping scheme hereby approved shall be implemented in its entirety within the first planting season following the substantial completion of the development. Any tree or other planting that is lost, felled, removed, uprooted, dead, dying or diseased, or is substantially damaged within a period of five years thereafter shall be replaced with a specimen of similar species and size, during the first available planting season following the date of loss or damage.

Reason: To ensure that the development is adequately landscaped so as to integrate with its surroundings.

6. Prior to the occupation of each dwelling the car parking area for that dwelling shall be laid out and surfaced in accordance with the approved plans, the car parking area shall at all times thereafter remain free from obstruction and available for car parking purposes.

Reason: to ensure adequate off-street car parking provision is provided and maintained in the interest of highway safety.