

## **Wigan Council**

### **Report to Planning Committee**

**8th October 2019**

**Application No:** A/19/86658/MAJOR

Speaking arrangements:

**One speaker against for 4 minutes one speaker in favour for 4 minutes**

**Applicant:** Prospect (GB) Ltd

**Agent:** Mr Andrew Bradshaw

**Development Proposed:** Residential development of 57 terraced, semi-detached and detached dwellings together with associated works including access, infrastructure, landscaping and parking

**Location:** Land at Bettison Avenue Leigh

**Ward:** Leigh South

#### **Site Description:**

The application site covers an area of approximately 1.74 hectares and is defined by existing residential development to the west, Bedford Brook to the east, and additional safeguarded housing land to both the north and south. The site is irregular in shape and is broadly flat albeit sloping towards Bedford Brook at the eastern boundary. The high point of the site is 22.12 metres in the top north west corner sloping to 19.93 metres in the eastern-most part of the site. The site is generally open in nature with open views to the east in particular. The topography is uneven and varying.

The main watercourse of the site is Bedford Brook to the east of the site as mentioned above. The brook runs south to Pennington Brook, linking it with the main watercourse which links Pennington Flash, Glaze Brook, The Manchester Ship Canal and the River Mersey. The field is irregularly shaped due to existing development and Bedford Brook. The field is bound intermittently by hedgerow, but predominantly by fences.

The site is currently vacant and undeveloped and has some Japanese Knotweed, shrub and tree growth as a result of its disuse. There is currently no existing vehicular or pedestrian access to the proposed site. The site is located within Flood Zone 1; therefore, land and property have a low probability of flooding in this area.

The site is located on the south-eastern edge of Leigh within an area of largely undeveloped wedge of land to the north of East Lancashire Road and south of the Bridgewater Canal's Leigh branch. Approximately 900 metres to the east of the site is the small hamlet of Marsland Green. To the west of the site lies existing development at Bettison Avenue and Highfield Avenue, both of which can be accessed from Warrington Road by utilising a residential street network which includes Hooten Lane, Central Avenue and Butts Avenue. Beyond the brook to the east of the site are open fields. The site is

designated as safeguarded land by the saved Wigan Replacement Unitary Development Plan proposals map.

### **Development Proposal:**

The application proposes the construction of 57 no. dwellings along with associated access roads and landscaping, the dwellings would be a mix of detached and terraced houses with the following composition:

- 9 no. four bedroom dwellings;
- 40 no. three bedroom dwellings; and
- 8 no. two bedroom dwellings.

There would be 7 no. affordable houses incorporated in the development of which 3 no. would be two bedroom and 4 no. would be three bedroom. The tenure mix of these units will be agreed by Wigan Council New Build and Regeneration team and secured via a legal agreement between the applicants and the Council. The remaining properties would be market sale housing. All dwellings would be two storey design constructed in traditional brick and tile materials.

All dwellings would have their own private amenity garden space. Each property would have two off-road parking spaces.

The site incorporates an 8 metre exclusion zone along the east side of the site to off-set the development from the brook. The proposed development is accessed off the end of Bettison Avenue which is currently a cul-de-sac, and would include some alterations to the highway layout at the end of the Bettison Avenue cul-de-sac. The development layout is of a cul-de-sac form up to the brook along the south section of the site, with the highway travelling north and then forking into two cul-de-sacs on the east and west sides of the site.

The proposal would involve the clearance of trees and vegetation across the site with compensatory tree and hedgerow planting in the development and wildflower wetland planting in a buffer zone (development exclusion zone) along the east boundary of the site, between the residential development and Bedford Brook.

### **Policy Context:**

Wigan Replacement Unitary Development Plan Allocation:

Safeguarded Land.

### **Relevant Policies/Guidance:**

Revised National Planning Policy Framework (NPPF) (2019)

Wigan Local Plan Core Strategy (Core Strategy):

SD1 - Presumption in favour of Sustainable Development

SP1 - Spatial Strategy for Wigan Borough

SP4 - Broad locations for new development  
CP6 - Housing  
CP7 - Accessibility  
CP8 - Green Belt and safeguarded land  
CP9 - Strategic Landscape and Green Infrastructure  
CP10 - Design  
CP12 - Wildlife Habitats and Species  
CP16 - Flooding  
CP17 - Environmental Protection  
CP18 - Developer contributions

Wigan Replacement Unitary Development Plan (UDP):

GB2 - Safeguarded Land  
A1S - Parking in New Development  
R1E - Open Space in New Housing Developments  
EV1B - Pollution

Supplementary Planning Documents (SPD):

Affordable housing in new residential developments  
Design Guide for Residential Development  
Open Space in New Housing  
Landscape Design  
Wildlife habitats and protected species  
Development and air quality  
Trees, woodlands and hedges

**Previous Relevant Decisions:**

A/77/08605 - Outline 2 storey houses. - Approved with Conditions

A/74/00083 - Houses and bungalows (1200 - outline). - Refused

**Consultation Responses:**

**Planning Strategy:**

The proposal is in accordance with the following policies of the Local Plan Core Strategy:

- CP6 Clause 2 - Focusing at least 80% of development within the east-west core of the borough
- CP6 Clause 6 - Ensuring that provision is made for an appropriate mix of housing

The proposal is on a larger area of safeguarded land which is also identified in the council's 2019 SHLAA as suitable for housing (SHLAA 0021 - Land at Hooten Gardens) with an estimated capacity for around 249 no. homes. Development of this part of the site must not inhibit the development of the wider site.

Although the Council can currently demonstrate a 6.12 year supply of housing land (as set out in the Wigan SHLAA), without relying upon delivery on this site to 2024, the site will make an important contribution to maintaining a 5 year supply (YS) of deliverable housing land in the future. As such it will contribute to addressing clause 5 of Core Strategy Policy CP6, which commits the Council to maintaining a 5YS of deliverable housing land. Ensuring that sites such as this come forward for development ensure the Council can meet its housing needs for the plan period up to 2037, minimising the need for Green Belt release.

As the site is for more than ten dwellings a contribution towards affordable housing is required in accordance with Core Strategy Policy CP6 and the associated SPD.

#### **Lead Local Flood Authority (LLFA):**

No objection, proposed drainage strategy is acceptable in principle subject to agreement of existing and proposed flow rates.

#### **Engineering Services (Highways and Traffic):**

The section of Bettison Avenue, between its junction with Calow Drive and the boundary between properties numbered 17 and 19 is adopted. The applicant has carried out measurements on this section of adopted carriageway and found the width to be 5 metres. It should be noted that Manual for Streets 1 (MfS1) states that a carriageway width over 4.8 metres wide will allow a wide car to pass a large vehicle, such as a refuse vehicle.

The applicant has highlighted that:

- Bettison Avenue is adopted, and the carriageway and footway widths comply with MfS1.
- Barnside Way Planning Appeal (Ref: App/A0665/A/13/219893), which considered similar carriageway width concerns and found that since the road complied with MfS1, it was acceptable and therefore, allowed.

The Highways Service concurs with these points and considers Bettison Avenue to be an acceptable access route for the development proposed by this application

There is a section of turning area on the unadopted section of Bettison Avenue The proposal will remove this area and replace it with a footway, which will allow the new road to connect into the adopted highway. This proposal is acceptable, because new turning heads would be provided in the estate.

To bring the new carriageways up to an adoptable standard, they will include a 2 metre footway all around, including the turning heads.

The proposed site layout is at the maximum size of development allowed from one access point.

The new estate should be made subject to a 20mph speed limit to bring it in line with other residential estates in Wigan.

The swept path analysis shows the layout is acceptable for the manoeuvring of service vehicles.

The adopted footways in Bettison Avenue is over 1.8 metres and can accommodate a wheelchair or a double buggy.

Butts Avenue's carriageway is under 5 metres and this road should not be used for construction traffic.

The developer must introduce an informal one-way system through the residential estate for construction traffic, this can be controlled via a condition for a construction environmental management plan (CEMP). Matters including hours of deliveries and HGV movements to and from site and waiting areas for HGV's can also be controlled by the CEMP.

The following conditions are required:

- No development shall take place until a scheme for the design and construction of carriageway / footway improvements on Bettison Avenue the site access has been submitted to and approved in writing by the Council as LPA. The works to be undertaken, shall be designed in accordance with the principles set out in the approved drawings.
- No works shall take place on the site at all until a construction management method (CEMP) comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Council as LPA.

### **Environmental Protection:**

No objection subject to conditions concerning:

- Construction Environmental Management Plan (CEMP)
- Provision of electric vehicle charging points to be made available to all proposed dwellings.
- Submission of intrusive site investigations report and remediation strategy.

### **Greater Manchester Ecology Unit (GMEU):**

No significant ecological issues were identified on the site. Issues relating to proximity to Bedford Brook, water voles, nesting birds and invasive species can be resolved via condition. The site is however of moderate ecological value, in order to comply with section 170 of the NPPF we recommend more ecological mitigation is provided. A robust Landscape Environmental Management Plan can secure this, therefore GMEU do not sustain an objection to this application.

The following conditions are recommended by GMEU:

- External lighting strategy;
- Method statement for reasonable avoidance measures to protect amphibians;

- The development shall be carried out in accordance with submitted Japanese Knotweed report; and
- No development shall take place until a Landscape and Environmental Management Plan has been submitted to and approved in writing by the LPA.

### **Landscape and Urban Design Officers:**

No objection, following submission of updated landscaping scheme which incorporates additional planting at front and side of dwellings along highway frontages.

### **Trees and Woodlands Officer:**

The tree survey has been carried out in accordance with BS5837. I agree with its findings that there are 3 no. category B Oak a group of category B Larch and Spruce an overgrown hawthorn hedgerow category B and a single early mature Wild Cherry.

It is apparent that trees on site will require removal to facilitate the development. However whilst they are providing limited amenity to the area and will be used as habitat for birds and other wildlife I do not consider that they are worthy of preservation order.

The submitted landscape will provide significant numbers of replacement trees to mitigate those lost to development.

No tree preservation order's (TPO) are recommended.

### **United Utilities:**

No objection, subject to conditions concerning drainage.

### **Environment Agency (EA):**

We have no objection in principle to the proposed development but we would like to make the following comments.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the Bedford Brook designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted.

### **Housing Delivery:**

The applicant has submitted viability information to justify the development cannot meet the target for 25% on-site affordable housing required by the Affordable Housing SPD. The SPD advises viability is a consideration when deciding on levels of affordable housing to be delivered by a development. Therefore, the provision of 7 no. affordable properties on the site is considered acceptable in this case given the viability implications for the development.

**Public Rights of Way (PROW) Officer:**

No comments received.

**Canals and Rivers Trust:**

No objection.

**Coal Authority:**

No objection, recommended an informative with the Coal Authority Standing Advice.

**Greater Manchester Fire and Rescue Service:**

The Fire Service requires vehicular access for a fire appliance to within 45 metres of all points within the dwellings.

The access road should be a minimum width of 4.5 metres and capable of carrying 12.5 tonnes. Additionally if the access road is more than 20 metres long a turning circle, hammerhead, or other turning point for fire appliances will be required. The maximum length of any cul-de-sac network should be 250 metres.

There should be a suitable fire hydrant within 165 metres of the furthest dwelling.

The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons.

**Representations:**

Councillors K. Anderson, J. O'Brien and C. Rigby objected to the application on the following grounds:

- Access roads to the site are too narrow.
- Negative impact on existing residents from construction and future residents traffic along Bettison Avenue, Highfield and Butts Street.
- Lack of consultation from the developer with local residents.

The application was publicised via letters to neighbouring properties, site notices and a notice in the local press. 74 no. written objections were received, with the written objections raising the following points:

- Inadequate access via Bettison Avenue for this number of properties.
- Inadequate access for construction vehicles.
- Increase in traffic on surrounding roads which are already congested.
- Loss of greenfield land and open countryside.
- There are available brownfield sites.
- Lack of demand for new housing in the area.
- Lack of local services for existing and new residents.
- Loss of amenity space.
- Impact on property values.

- Difficulty submitting objections to the application via Wigan Council website.
- Air pollution from additional traffic.
- Additional traffic will cause negative impacts for residents from noise and pollution and will create a safety hazard.
- Impact on local utilities.
- Impact on stability and ground conditions.
- Impact on animal habitats.
- Impact on visual appearance and landscape of the area.
- Overshadowing, loss of outlook, overlooking and loss of privacy for neighbouring properties.
- Lack of publicity on the planning application.
- Loss of trees.
- Impact existing residents parking.
- Lack of provision for pathways for properties on Highfield Avenue.
- Drainage problems and flooding on the application site.
- Noise and light pollution.
- Japanese Knotweed on site.
- Overdevelopment of Leigh.
- End of Bettison Avenue is not adopted and so not a viable access to the site.
- Loss of views.
- Lack of affordable housing in the development.
- Lack of noise assessment submitted with the application.
- Inaccuracies in the submitted Design and Access Statement.
- Lack of parking in the development.

## **Assessment**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises of the Core Strategy, together with saved policies within the UDP. The NPPF, revised in 2019, is also a material consideration in planning decisions, together with, in this instance, the Council's relevant adopted SPD's, the comments made by consultees, the representations received.

The material considerations in the assessment of this application are considered through the following sections of this report;

- Principle of development
  - Housing land supply position and status of the Development Plan
  - The Development Plan - Safeguarded Land designation and the east-west core of the Borough
- Sustainable Development
  - Highways, access and parking provision
  - Residential design, layout, amenity relationships
  - Trees, landscaping and Ecology
  - Air quality and site constraints
  - Flooding and drainage



- Planning contributions
- Other Matters
- Observations on the representations

### **Principle of development:**

### **Housing land supply position and status of the Development Plan:**

It has previously been reported to Planning Committee that the Council could not evidence a five-year housing supply position as required through the NPPF and the Core Strategy. However, new guidance issued by Central Government has changed the way that this must be addressed by Authorities whose Core Strategy is more than five years old. The five year requirement is now to be assessed against the 'Local Housing Need' (LHN) which is calculated in accordance with a nationally set methodology. Wigan's Core Strategy was adopted in September 2013, and so Wigan's five year supply of housing position is now calculated against LHN. Members are advised that on the basis of this requirement, the Council can demonstrate a five year supply of deliverable housing land at the present time of 6.12 years' supply. The development plan as a whole is therefore considered up-to-date and remains the prime material consideration in assessing the application.

Ensuring that sites such as this come forward for development ensure the Council can meet its housing needs for the plan period up to 2037, minimising the need for Green Belt release. This is particularly significant as the Borough has not met the housing delivery test between 2016/18 having built only 83% of housing requirement. Therefore, we have needed to publish an Action Plan and identify an additional 20% of housing land.

### **The Development Plan - Safeguarded Land designation and the east-west core of the Borough:**

The site is designated as land safeguarded for future development in Core Strategy Policy CP8 and saved UDP Policy GB2. The site is also located in the east-west core of the Borough; Core Strategy Policy SP1 sets out the spatial strategy for the Borough and states that development will be direct primarily towards the east-west core.

Paragraph 68 of the NPPF recognises the important contribution small and medium sized sites can make to meeting the housing requirement of an area and emphasises that LPA's should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

The most relevant policies of the Core Strategy in respect of this proposal are therefore Policies SD1, SP1 and CP6 and saved UDP Policy GB2.

Core Strategy Policy SD1 echoes the NPPF in stating that when considering development proposals, a positive approach that reflects the presumption in favour of sustainable development will be taken. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Core Strategy Policy SP1 details the spatial strategy for the Borough directing development primarily towards the east-west core of the Borough, notably a number of

the towns, including Leigh, in order to achieve transformational regeneration and create attractive places for people to live and businesses to locate and thrive.

The Core Strategy's housing policy, CP6, aims to help ensure that there is sufficient housing in the Borough to meet people's needs and support a good quality of life. This is to be achieved by a number of factors such as focusing at least 80% of new housing in the east-west core of the Borough and maintaining a five-year supply of deliverable housing land.

The proposal is on a larger area of safeguarded land which is also identified in the council's 2019 SHLAA as suitable for housing (SHLAA 0021 - Land at Hooten Gardens) with an estimated capacity for around 249 homes. Development of this part of the site must not inhibit the development of the wider site.

Although the Council can currently demonstrate a five year supply of housing land (as set out in the Wigan SHLAA), without relying upon delivery on this site to 2024, the site will make an important contribution to maintaining a pipeline of deliverable housing land in the future. As such it will contribute to addressing clause 5 of Core Strategy Policy CP6, which commits the Council to maintaining a 5 year supply of deliverable housing land. Ensuring that sites such as this come forward for development means that Council can meet its housing needs for the plan period up to 2037, minimising the need for Green Belt release.

Wigan Council saved UDP Policy GB2 states:

"the safeguarded land, defined on the proposals map, may be required to serve development needs in the longer term, well beyond the plan period. It is identified for this purpose in order that the boundaries of the adopted green belt will not need to be altered at the end of the plan period in 2016. This land is not allocated for development at present. it will be kept free of permanent development so that it may fulfil its purpose of meeting possible longer term development needs. Although temporary development may be permitted if this would assist in ensuring that the land is properly looked after, no development which would prejudice later comprehensive development will be permitted. Planning permission for the permanent development of safeguarded land will be granted only following a review of the development plan which proposes this."

Core Strategy Policy CP8 states: "Where appropriate, sites will be allocated for development on safeguarded land within the east-west core. Following this review, remaining safeguarded land both within and outside of the east-west core will be kept free of permanent development in order to maintain its availability for development in the longer term."

However, members should note that the Core Strategy is now over five years old with no review. The first draft allocations plan produced in 2015 includes the site at Bettison Avenue as a housing allocation which would have been removed from safeguarded land for the purpose of residential development. However, this plan did not go through the full process to adoption and so does not carry any material weight in determining the current application. The Planning strategy team have been consulted on the application and raised no objections to the principle of residential development of this site at this time. The proposal would not prejudice comprehensive development of the remaining safeguarded land to the north and south of the site as access options are retained through

the development layout proposed by this application so these sites will not become land locked and can be brought forward as complimentary or independent development sites.

Core Strategy Policy CP8 identifies the need for safeguarded sites to bolster the authority's housing supply, especially in times where allocated sites are not delivering as expected (as is the case now). In considering the above, it is relevant to consider the Bettison Avenue site for development at this time even though the site has not yet been specifically allocated for housing development. Therefore, this site will ensure the Council is able to meet its minimum requirement of a 5-year deliverable housing land supply. The proposal complies with saved UDP Policy GB2, Core Strategy Policies CP6 and CP8 and the revised NPPF (2019).

### **Sustainable Development:**

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development, which, for decision-taking, means approving development proposals that accord with an up-to-date development plan without delay.

The most relevant policies of the Core Strategy in respect of this proposal are therefore Policies SD1, SP1 and CP6.

Core Strategy Policy SD1 echoes the NPPF in stating that when considering development proposals, a positive approach that reflects the presumption in favour of sustainable development will be taken. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise.

In respect of the above the site is located on the periphery of, a residential area and whilst not a previously developed site, it is within a sustainable location close to existing strategic highways infrastructure, public transport links on Warrington Road and local employment, including Leigh Business and Commerce Park to the west of the application site. It is also the case that there are no known insuperable physical or environmental constraints on the development of the land. In addition, the site is situated in some relatively close proximity to Leigh Town Centre, found some 2km to the north west, which provides local shop and services and wider public transport connections. There is no evidence that there is insufficient capacity within the local infrastructure to accommodate the scale of development proposed in this application, nor have any objections been received from relevant statutory consultees. The proposal is therefore considered to constitute sustainable development.

### **Highways, access and parking provision:**

The general objective of Core Strategy Policy CP7 is to improve accessibility to key destinations for people and goods and connect people to opportunities both within and outside the Borough. This is to be done in part by maximising the capacity, efficiency and safety of the road network, reducing, as far as is practicable, the adverse impact of transport on our communities.

The revised NPPF paragraph 109 states; "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The proposed development would be accessed solely by Bettison Avenue which in turn is accessible from various residential streets off Warrington Road, an A-road which provides access to the A580 East Lancashire Road to the south. Bettison Avenue has a carriageway width of approximately 5 metres with adequate footways on both sides. Although this is currently a residential cul-de-sac, Wigan Council highway Service have reviewed the proposed access route and consider that the proposed 57 no. dwellings would maintain a safe access along Bettison Avenue and would not cause a hazard for motorists or pedestrians or significant congestion on these residential streets. The existing carriageway and footway widths meet the standards for this level of residential development required by Manual for Streets. Although potential access points have been left available within the development for the safeguarded areas of land to the north and south of the site, Wigan Council Highway Service have commented that they consider the current proposal to be the maximum number which can be served off Bettison Avenue and any future development would require a separate access point.

The fire service has been consulted on the application and advised that dwellings should not be sited on a residential cul-de-sac longer than 250 metres, this is because the single access point could be blocked to emergency vehicles. In the case of this application the distance from the junction of Bettison Avenue and Calow Drive an accessible point to the furthest dwellings in the development for an emergency vehicle is within the 250 metre distance.

Accident records for Bettison Avenue, Calow Drive, Highfield Avenue and Hooten Lane show no police notifiable accidents over the last 5 years, this indicates that there is not an existing hazard on the access road to the site and surrounding area. Based on national trip rates information, the proposed 57 no. dwellings would give rise to 24 two-way trips during both the AM peak and PM peak hours. Volumetrically, this equates to roughly one additional vehicle movement every 2-3 minutes during the peak hours at the site access, which will decrease further once distributed on the wider highway network. Given the above vehicle movements it is considered the proposed development would not cause a negative impact to the amenity of residents through vehicle movements and would not harm the safety or capacity of the surrounding highway network.

The application site is well located for public transport and local shops, services and employment which reduces the need for travel by private vehicle and promotes sustainable forms of travel in walking and cycling. The eastern section of Leigh Town Centre falls within an acceptable 2km walking distance of the site, with the remaining areas of Leigh Town Centre only slightly over the 2km walk distance. Leigh Town Centre provides a wide range of facilities and offers numerous opportunities for non-motorised access to employment, education, retail, health, leisure and other facilities.

There is a signalised crossing point on Warrington Road to the north of the crossing point with Central Avenue, this assists pedestrians in accessing bus stops on Warrington Road and walking from the application site to the wider area and Leigh Town Centre. The nearest bus stops to the site are located approximately 550 metres to the west of the site along the A574 Warrington Road. Further bus stops are provided along Chapel Street

approximately 800 metres to the north-west of the site which provides bus connections to locations including Royal Bolton Hospital, the Trafford Centre, Manchester Piccadilly Gardens and Manchester City Centre. Therefore, the site is well located for sustainable forms of transport including public transport and is therefore sustainably located reducing the need for travel by private car.

The proposed development would have adequate levels of off-street parking to accord with the Council's parking standards in the saved UDP and would have acceptable highway widths and turning areas for the internal estate roads to allow for safe access and manoeuvring for all residential and service vehicles. Therefore, the proposal would achieve adequate levels of parking and access for future residents and would not give rise to unacceptable levels on-street parking on existing or proposed residential streets.

Concerns have been raised by objectors regarding construction traffic accessing the site. Whilst it is acknowledged that the development would result in construction vehicles on residential streets where they would not normally be present, this would be for a relatively short period during the construction phase and the Council is working with the applicants to agree one-way access and egress routes for construction traffic to ensure there is not conflict between construction vehicles meeting on a residential street. Therefore, inconvenience to residents will be minimised where possible.

There is an informal non-designated footpath which crosses the site, the development would obstruct the current route of this path, but it is considered that an alternative improved route for the path would be accommodated alongside the brook in the development exclusion zone.

In conclusion of the above assessment, there are no objections from technical consultees on accessibility grounds to the use of the site for residential development or a sole access being taken off Bettison Avenue, and as such, it is assessed that the development accords with Core Strategy Policy CP7.

### **Residential design, layout and amenity relationships:**

In terms of appearance and overall design, Core Strategy Policy CP10 requires new development to achieve a high standard of design. The NPPF comments that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The Council's 'Design Guide for Residential Development' SPD is also a relevant assessment tool in this instance.

The proposed development is of a siting, scale and design which will achieve a satisfactory relationship with existing neighbouring dwellings and those in the surrounding area. All proposed dwellings include interest in their designs, with variation in depth of their front elevations, window cill and lintel detailing and dual aspect designs on corner plots to avoid any dead frontages within the development. There is a good mix of house type and design to ensure there is not a bland monotonous street scene, however there is a consistency of materials and design ethos to ensure the proposed development has a distinct unifying character. The traditional materials and scale of the development would be consistent with surrounding residential development. These common design features

and external construction materials, although unique to this development, would allow the development to form its own character and sit within its own context. In this respect the design and form of the development is considered to be acceptable on this particular site and for a development on this scale.

The development has a spacious appearance which allows for landscaped front gardens to the dwellings to provide visual breaks and soften the development. Landscaping is also incorporated on highway corners again to soften the appearance of the development and provide visual buffers between the highway edge and residential plots. An area of open space is included along the east site boundary, this again softens the development and keeps an open appearance to the site when viewed from surrounding open land across Bedford Brook. The detail of the landscaping will be discussed in more detail in the ecology section of this report.

Overall the proposal achieves a good level of appearance, the development is not overly dense incorporates a good level of landscaping and a good quality finish to the proposed dwellings and boundaries. Therefore, the proposed is considered to comply with Core Strategy Policy CP10 the residential design guide SPD and the design requirements of the revised NPPF (2019).

To assess the amenity relationships of the development, the proposal is assessed against Core Strategy Policy CP17. This policy aims to help maintain, enhance and protect the Borough's environment for the benefit of people and wildlife, and make the Borough a better place for people to live. This is to be achieved, amongst other factors, by ensuring that new development is planned and designed so that it does not have an unacceptable adverse impact on amenity and quality of life and/or that it will not itself be impacted upon in such a way by existing uses or activities in the area.

In regard to the amenity future occupants of the proposed dwellings can reasonably expect to enjoy, they would be provided with adequate light and outlook from their habitable rooms and they would also be provided with an area of useable amenity space in the form of either front, rear or side gardens. The proposal achieves the required separation distances to existing neighbouring dwellings to the site.

Whilst separation distances are met one aspect which requires further consideration is the relationship between plot 20 and the existing dwelling at number 17 Bettison Avenue. A separation distance of 17 metres would be achieved from the side gable elevation of the proposed dwelling to the rear of 17 Bettison Avenue, which is well in excess of the 12.2 metres required by the SPD. However, it is also important to consider the massing impact of the proposed dwelling, close to the boundary of number 17. In this case the relationship is considered acceptable as the proposed dwelling is not built directly up to the boundary with the rear of properties on Bettison Avenue, there is an off-set of a minimum of 0.8 metres increasing to 1.6 metres along the boundary. Also, the proposed dwelling would not run across the entire length of the rear boundary, so some relief is provided at the front of the proposed dwelling. Finally, the properties on Bettison Avenue have relatively long rear gardens so the impact is lessened within the external amenity area as one moves away from the rear boundary within the garden.

Another area of the site where the relationships between existing and proposed dwellings are not regular and warrant detailed explanation is adjacent to 35 Highfield Avenue. Here

there would be proposed dwellings with their rear elevations facing the side gable and side garden boundary of number 35. Again, the proposal meets the required separation distances detailed in the SPD and therefore this relationship is considered acceptable and would not result in significant loss of privacy or amenity for existing residents.

To restrict potential amenity impacts and disturbance to neighbouring properties during construction works, a condition is proposed relating to the approval of a CEMP. The CEMP, amongst a number of factors, will control methods to be employed to monitor and control impacts arising during the construction phase from construction traffic (including arrangements for deliveries and suitable timings and hours of all construction works) and will be required to be approved prior to the commencement of development on the site. A condition relating to the approval of the details of the construction compound and provision and parking of construction workers and delivery vehicles is also proposed.

To conclude, the development is considered to be acceptable from overall design and amenity considerations, allowing compliance with Core Strategy Policies CP10 and CP17 and the objectives of national planning policy in this regard.

The proposed development meets all the required separation distances detailed in Wigan Council residential design guide SPD, within the development and between the proposed dwellings and existing neighbouring dwellings.

### **Trees, Landscaping and Ecology:**

A survey of all individual trees and tree groups on the site found 22 arboricultural items to consider, of these 22 items 1 wild cherry tree was assessed as category A (high value); 5 category B (moderate value); 15 category C (low value); and 1 category U (not viable for retention). The application proposes all trees on site to be removed to facilitate the development. As the majority of the trees on site are category C or lower, the Council's Trees and Woodland Officer has assessed the proposal and considers the loss of the trees and tree groupings to be acceptable and adequately mitigated by the proposed landscaping scheme. A condition is recommended to ensure protection during the works of the trees outside the application site but adjacent to the boundaries of the site.

The applicant has submitted an ecology report which has surveyed the site for protected species, habitats, nesting birds and invasive species. Greater Manchester Ecology Unit (GMEU) have reviewed this report and consider the site was adequately assessed for all likely protected species such as water voles, nesting birds and invasive species. No evidence of any such species was identified and the site assessed as low risk. The main ecological impact of the development is the loss of fauna which impacts nesting birds and bats on site, however it is considered there is adequate opportunity to off-set this with fauna planting in the buffer zone alongside the brook.

A condition requiring submission of a Landscape Environmental Management Plan (LEMP) has been recommended. This condition amongst other things, requires details of planting species to create habitats, particularly in the brook exclusion zone, bird and bat boxes incorporated in the design of the dwellings, native tree planting and a management plan for a 10-year period to allow the bio-diversity measures to become established. The proposed condition will ensure the development achieves bio-diversity net gain in

accordance with Core Strategy Policy CP12 and paragraph 170 of the revised NPPF (2019).

Japanese knotweed was found on the site and a condition has been recommended for a method statement for its control. Species such as Japanese knotweed are included within this schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

Paragraph 170 of the revised NPPF (2019) states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of around 1.7 hectares of moderate ecological value habitat consisting of widespread early to mid successional habitats primarily coarse grassland and barrable scrub and associated habitat this provides for species such as nesting birds.

The proposal also includes an area of open space and an ecological corridor running along a brook, this will allow movements of animals through the development and access to the watercourse and ensure there is not a barrier created alongside the brook. There will be wildflower wetland planting in the buffer zone along with tree and hedgerow planting within the residential areas of the development. A condition is recommended requiring the submission of a landscape environmental management plan to ensure adequate ecological value is achieved to ensure the scheme achieves a bio-diversity net gain. Providing this condition is adhered to the proposed development would be acceptable to GMEU and the Council's Landscape Officer, and allows the development to be compliant with Core Strategy Policies CP9 and CP12, together with the relevant objectives within the revised NPPF (2019).

### **Air Quality and Site Constraints:**

The application site is not in a designated air quality management area, or an area with known air quality issues. An Air Quality Assessment (AQA) accompanies the application and appraises that during the construction phase of the development the air quality impacts would not be significant. Any effects on air quality will be temporary i.e. during the construction period only and can be suitably controlled by the employment of mitigation measures via a construction environmental management plan, and are therefore unlikely to materially impact on local air quality.

The potential for air quality impacts in the operation phase of the development are assessed and a screening assessment indicate that additional vehicle movements associated with the proposed development are not in excess of the Environmental Protection United Kingdom (EPUK) and institute of Air Quality Management IAQM thresholds for further assessment. Therefore, the potential air quality impact of additional vehicle movements can be considered neutral / not significant in accordance with the stated guidance.

Wigan Council Environmental Protection Service have assessed the proposal and submitted AQA, they consider that based on the increase in vehicle movements, any air quality impacts can be adequately mitigated by the planting and landscaping scheme on site and adequate electric vehicle charging points for the proposed dwellings. A condition has been recommended requiring that all of the dwellings would have access to electric



vehicle charging points at off-street parking spaces. Therefore, there is no objection from the Environmental Protection service on air quality grounds.

Any contamination risks on the site including those posed by Japanese Knotweed on site would be controlled via a condition requiring submission of intrusive site investigation reports and remediation strategy for approval by the council. On these grounds the scheme is compliant with Policies CP10 and CP17 of the Core Strategy and saved UDP Policy EV1B and the revised NPPF (2019).

### **Flooding and Drainage:**

The application site is located in Flood Zone 1 with the lowest probability for flooding and is not located in a critical drainage area. The applicant has submitted a drainage strategy and FRA for the proposal, which has been reviewed by the Council's Drainage Engineer/Lead Local Flood Authority and found to be acceptable. The Environment Agency have been consulted on the application and have not raised any objections. Therefore, the proposal would not be at risk from flooding or drainage issues or would give rise to such issues on site or in the surrounding area. Consequently, the proposal complies with Core Strategy Policies CP16 and CP17 and the revised NPPF (2019).

### **Planning Contributions:**

The applicant has agreed to complete a Section 106 Agreement in line with Core Strategy Policy CP18 and saved UDP Policy R1E, agreeing to a financial contribution to the capital and commuted maintenance costs of off-site play provision. In accordance with the requirements of Wigan Council Open Space in New Housing SPD the applicant is proposing to provide on-site open space which is significantly above the 25sqm per dwelling requirement. The applicant has agreed to the contribution of £97,185.00 towards open space improvements and play provision in the area. The contributions would be allocated as follows:

- £33,915 towards open space improvements at Lilford Park.
- £63,270 towards replacement of play equipment and surfacing of play areas at Lilford Park.

The above park is located 1.7 miles to the north of the application site, and so is within accessible distance of the site for future residents of the development.

The proposal also includes 7 no. affordable houses, although this fails to meet the 25% target of the SPD, the SPD details that viability of a development is a material consideration when determining acceptable levels of affordable housing to be provided by a development. The applicant has submitted a viability appraisal, a summary of which has been published in the application file on the Council's website. This appraisal has been independently reviewed by Wigan Council's viability consultant. Initially the appraisal detailed how the scheme would not be viable with any on site or contributions towards affordable housing, with the scheme generating a loss of -£742,846 with the full 25% affordable housing policy requirement and that only a full market housing development would make the scheme viable based on the land value of £100,000 per acre. However, following negotiations with the planning service it has been concluded and verified by the independent consultant and agreed with the applicants that the scheme can provide for 7

no. affordable units on site and still be viable. Therefore the 7 no. affordable units on site would have the following composition.

- 4 no. X 3 bedroom dwellings; and
- 3 no. X 2 bedroom dwellings.

Based on the above affordable housing provision the proposal accords with the requirements of Wigan Council Affordable Housing SPD, the tenure mix of these properties would be agreed with the Council's Housing Strategy Team.

The applicant has also agreed to the required contributions for the implementation of a Traffic Regulation Order (TRO) for a 20mph speed limit within the proposed development.

On this basis of above the proposed development will provide:

- £97,185.00 - based on 57 no. dwellings for off-site open space and play space (includes capital sum and future maintenance);
- 7 no. affordable houses secured on site; and
- £4000 - for TRO on new estate roads, includes legal work, advertising, signing and lining.

Therefore, the proposal would comply with Core Strategy Policy CP18 and the open space and affordable housing SPD's

#### **Other Matters:**

Members should be aware that the access to the site via Bettison Avenue is not currently owned by the Council or the applicants and is in a third party ownership. The applicants allege that rights were retained for access into the land subject to this planning application. Clause 1 of the Conveyance between the land owner and conveyancer in 1961, provides provision for access into the above mentioned land and rights to lay and connect to sewers and drains. At present the applicants have also sent letters to the living relatives of the previous shareholders of Ashton and McCaul Ltd (last recorded company with an interest in the land). With both the above taken into account it should be accepted that access to develop the site is available and further discussions regarding adoption of this piece of land which has a longstanding use as highway will continue between the applicants and Wigan Council.

#### **Observations on the representations:**

The majority of objections raised by neighbouring residents and Councillors have been addressed in the analysis section of this report, those not previously addressed are done so below:

- There are available brownfield sites:

The matter of the Council's 5-year housing supply is discussed in the Principle of Development section of this report. The housing land supply comprises a combination of brownfield and greenfield sites. However, the revised NPPF (2019) is clear that proposals for sustainable development should be approved where possible.

- Lack of demand for new housing in the area:

Population and Growth projections show Wigan Council needs to provide a supply of 919 net additional dwellings per year, based on the Local Housing Need (LHN) calculation. This development will contribute to meeting this supply.

- Loss of amenity space:

The application site is a privately owned site, with little access for members of the public.

- Impact on property values:

Legal decisions have established that property values are not a material consideration when considering a planning application.

- Difficulty in submitting objections to the application via Wigan Council website:

Residents have been able to comment on the application up to the date of Planning Committee and so substantially longer than the minimum 21 day period. Therefore, adequate opportunity to comment on the application has been available.

- Impact on local utilities:

United Utilities have been consulted for their views on this application and raised no objections, capacity of existing utility services are not a material planning consideration and will be dealt with privately by the developer and utility providers.

- Impact on stability and ground conditions:

These matters can be suitably addressed via planning condition.

- Lack of publicity on the planning application:

The application was publicised via 103 letters to neighbouring properties, these properties were re-consulted when amended plans were received. The application was also publicised via a notice in the local press and site notices in 3 locations around the application site. This is in accordance with Wigan Council Code of Practice for the publicity of planning applications.

- Lack of provision for pathways for properties on Highfield Avenue:

There are no records of any designated or un-designated paths from Highfield Avenue across or alongside the application site, which would be affected by the proposed development.

- Noise and light pollution:

The proposal is for a residential development on the periphery of an established residential area, therefore noise and light levels would not be any greater than is already experienced in the area.

- Overdevelopment of Leigh.

The application site is designated as safeguarded land, this safeguarding designation is to protect land for development at a point in the future. The 57 no. dwellings proposed would not be a significant addition to Leigh.

- Loss of views:

Legal decisions have established that there is no legal right to a view which can be protected.

- Lack of noise assessment submitted with the application:

As the application is for residential development on the periphery of an established residential area, a noise assessment was not required to be submitted with this application.

- Inaccuracies in the submitted Design and Access Statement:

There are some minor inaccuracies in the Design and Access Statement submitted by the applicants, particularly relating to local shops and services and public transport services, these are not significant considerations which impact the planning considerations of this application and have not affected the officers assessment of the application or recommendation made.

### **Conclusion:**

The proposed development has been assessed with regard to local and national planning policy, together with other material planning considerations and the representations received on the application.

A thorough assessment of the proposal has confirmed that, the proposal is acceptable in terms of its impact on highways and transport, amenity, the environment, ecology and trees, the landscape and flood risk.

The proposal would also deliver 7 no. on-site affordable homes, equivalent to 12.3% of the units, provide a high-quality residential development within a sustainable location and make a contribution to short term housing need in the Borough, without affecting the existing amenity currently enjoyed by neighbouring properties.

On this basis, the scheme is considered to clearly comply with the Development Plan when considered as a whole. Members are therefore recommended to approve the application subject to satisfactory completion of a Section 106 Agreement relating to affordable housing, off-site commuted sums to play facilities provision and contribution to secondary education facilities in the area.

## **Human Rights Act 1998:**

Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## **Section 17 of the Crime and Disorder Act 1998:**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

## **Recommendation:**

It is recommended that:

- (1) Committee resolve that it is minded to approve the application subject to the following:
  - The conditions specified below; and
  - Satisfactory completion of a Section 106 agreement in respect of the matters specified in the report.
- (2) Authority be delegated to the Director Economy and Skills to issue the decision notice subject to the satisfactory completion of the above matters; or, if the Section 106 agreement is not completed within six months of the date of this Committee, to refuse the application at their discretion.

## **Conditions:**

1. The development hereby approved shall be carried out in accordance with the details indicated on plan references:
  - Site Location Plan - Scale 1:1250;
  - Foul Pumping Station Compound and Storage Details - Drawing Number C2102 Rev P03;
  - Topographical Survey - Drawing Number PH113/TOO - Scale 1:500;
  - Proposed Boundary Treatments - Drawing Number 18-31-P02 rev C – Scale 1:500 - received 28 August 2019;
  - Proposed Site Layout - Drawing Number 18-31-P01 rev H - Scale 1:500 – Received 28 August 2019;
  - Proposed Materials - Drawing Number 18-31-P03 rev D - Scale 1:500 – received 28 August 2019;
  - Proposed Refuse Management - Drawing Number 18-31-P04 rev D – Scale 1:500 - received 28 August 2019;

- Arran Plans and Elevations - Drawing Number 2A-680 rev A - Scale 1:100 - received 16 August 2019;
- Cavendish Plans and Elevations - Drawing Number 4D-1226 - Scale 1:100 - received 16 August 2019;
- Malvern Plans and Elevations - Drawing Number 3D-933 rev A - Scale 1:100 - received 16 August 2019;
- Denby Plans and Elevations - Drawing Number 3A-973 rev A - Scale 1:100 - received 16 August 2019;
- Rutland Plans and Elevations - Drawing Number 3A-868R rev A - Scale 1:100 - received 16 August 2019;
- Heather Plans and Elevations - Drawing Number 3D-995 rev A - Scale 1:100 - received 16 August 2019;
- Herriot (Corner) Plans and Elevations - Drawing Number 3D-1009C rev A - Scale 1:100 - received 16 August 2019; and
- Bembridge Plans and Elevations - Drawing Number 4D-1111 rev A - Scale 1:100 - received 16 August 2019.

2. The materials to be used in the external construction of the dwellings hereby approved shall be in accordance with the details on drawing reference: '18-31-P03 rev D (titled: Proposed Materials, received 16 August 2019)'. Unless otherwise agreed in writing with the Local Planning Authority.
3. Prior to any above ground works, details of all boundary treatments shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be installed for each plot prior to occupation of that plot and retained thereafter.
4. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust (based on a risk assessment in accordance with the latest IAQM document "Guidance on the assessment of dust from demolition and construction - 2014") and vibration impacts, along with the following information:
  - Construction traffic routes, including provision for access to the site;
  - Entrance/exit from the site for visitors/contractors/deliveries;
  - Location of directional signage within the site;
  - Siting of temporary containers;
  - Parking for contractors;
  - Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction;
  - Temporary roads/areas of hard standing;
  - Schedule for large vehicles delivering/exporting materials to and from site;
  - Storage of materials and large/heavy vehicles/machinery on site;
  - Details of street sweeping/street cleansing;
  - Hours of working; and
  - Phasing of works.

The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, and shall be maintained for the duration of the construction works.

5. Notwithstanding the details hereby approved, prior to any above ground works, details of boundary fencing and surfacing materials of the pump station compound, and the siting, form, materials and colour of the kiosk, shall be submitted to the Local Planning Authority for written approval. The approved details shall be fully implemented prior to first occupation of any dwelling hereby approved and retained thereafter.
6. The drainage for the development hereby approved, shall be carried out in accordance with Drainage Strategy drawing number: 'DS-01' and the flow rates ref 190225-01\_DESIGN MODEL, received on the 21 August 2019.
7. Foul and surface water shall be drained on separate systems.
8. Prior to the first occupation of each dwelling hereby approved, the respective dwelling shall be provided with access to an external electric socket for electric vehicle charging within an accessible distance of an off-road parking space within each plot, as per drawing reference: '18-31-P01 Rev H'.
9. Prior to the commencement of any part of the development hereby approved, including site clearance, excavation or construction works or the entry of vehicles or plant into the site, all existing retained trees and hedges on and adjacent to the site, other than those indicated for removal on the approved plans, shall be physically protected from damage by plant, equipment, vehicles, excavation, deposit of excavated material and any other cause. This shall be achieved by the erection of 2.3 metres high fencing using vertical and horizontal scaffolding poles, or other stout fencing to Local Authority approval with the uprights driven well into the ground, erected in accordance with BS5837:2012, outside the canopy. The fencing shall be maintained for the duration of the development operations and no operations or storage whatsoever shall take place within the fenced protection areas.
10. Prior to the commencement of any part of the development hereby approved, the following information shall be submitted to, and approved in writing by, the Local Planning Authority:
  - Full details of the proposed finished floor levels of all buildings and proposed levels for external areas.The development shall be implemented only in full accordance with the approved details.
11. No works other than treatment of invasive species and landscaping shall occur within 8 metres of the Bedford Brook unless an updated Water Vole survey is provided and the findings and recommendations agreed in advance, and in writing, by the Local Planning Authority. The agreed details shall be implemented prior to and throughout any works within 8 metres of Bedford Brook.
12. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present, with such survey agreed in advance, and in writing, by the Local Planning Authority prior to the works commencing.

13. Prior to commencement of any development, a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Japanese Knotweed shall be supplied to, and agreed in writing by, the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.
14. No development, site clearance or earth moving shall take place, nor material or machinery brought on site, until a method statement to protect the Bedford Brook from accidental spillages, dust and debris has been supplied to, and agreed in writing by, the Local Planning Authority. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.
15. Prior to the commencement of any above ground works hereby approved, details of all hard surfacing materials for the development shall be submitted to, and approved by, the Local Planning Authority. The approved scheme shall be fully implemented to each plot prior to the first occupation of the respective dwellinghouse and retained thereafter.
16. Prior to occupation of each dwellinghouse, the parking areas serving that dwellinghouse shown on drawing reference '18-31-P01 rev G (Proposed Site Layout received 16 August 2019)', along with a vehicle access from the highway, shall be fully provided and retained thereafter.
17. All planting shall be implemented in accordance with approved drawing number '5832.02 rev B (Landscape Proposal)', received on the 22 August 2019, in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.
18. Prior to commencement of development or any site clearance or preparation works, a survey of footways and carriageways to be used as access routes for construction traffic from Warrington Road shall be submitted to, and agreed in writing by, the Local Planning Authority. Following completion of works on site, any damage to these footways or carriageways shall be made good to the satisfaction of the Local Highway Authority within 3 months of the completion of development on site.
19. Notwithstanding the details hereby approved, prior to the commencement of development, a scheme for the design and construction of carriageway / footway improvements at the Bettison Avenue site access shall be submitted to, and approved in writing by, the Local Planning Authority. The works detailed within the scheme shall be designed in accordance with the principles set out in the approved drawings and such a scheme shall include a programme of timings for the implementation of the works. The development shall be undertaken in complete accordance with approved scheme and the programme of timings for the implementation.



20. Notwithstanding the details hereby approved, no development shall commence until a Landscape and Environmental Management Plan (LEMP) and ecological landscaping layout plan has been submitted to, and approved in writing by, the Local Planning Authority. The content of plan shall include the full detail on:
- a. Full details of wildflower and wetland grassland including condition for each area, provenance of seed sources, species mix and management regime;
  - b. Full details of the management and enhancement of retained trees and shrubs with target condition;
  - c. Full details of proposed tree planting with native species only within the areas of Green Infrastructure;
  - d. Full details of coir rolls wetland mixes and habitat target for ditch and wetland habitats that fall within the Brook exclusion zone;
  - e. A table based on biodiversity off-set matrices showing values of habitats lost and values of habitats enhanced and created that clearly demonstrate no net loss;
  - f. Timing of works including target for each habitat to reach full condition;
  - g. Bird box strategy for house sparrow, starling, swift and house martins including number of boxes/tubes and timing of monitoring;
  - h. Bat box strategy including number and location of boxes on dwellings; and
  - i. Details of the people or organisation responsible for implementation and management of the biodiversity mitigation areas for a minimum of a 10 year period.

The works shall be carried out strictly in accordance with the approved details. The approved LEMP shall be fully implemented in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 10 (ten) years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.

#### **Reasons:**

1. For the avoidance of doubt, having regard to the saved policies of Wigan Replacement Unitary Development Plan, the policies of Wigan Local Plan Core Strategy and the revised National Planning Policy Framework (2019).
2. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
3. To ensure that the appearance of the development is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
4. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to safeguard the amenities of the adjoining premises and the area generally, having regard to Policy CP17 of the Wigan Local Plan Core Strategy.

5. To ensure that the appearance of the development is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
6. To ensure that the site is satisfactorily drained, having regard to Policies CP16 and CP17 of the Wigan Local Plan Core Strategy.
7. To ensure that the site is satisfactorily drained, having regard to Policies CP16 and CP17 of the Wigan Local Plan Core Strategy.
8. To mitigate the air quality impacts in the area and support sustainable transport initiatives, in accordance with Wigan Local Plan Core Strategy Policy CP7 and the revised NPPF (2019).
9. To protect existing trees, having regard to Policies CP9, CP10 and CP12 of the Wigan Local Plan Core Strategy.
10. To ensure that the details of the development are satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy. Prior approval of the details are required as the finished levels will impact upon foundation design and ground levels and are therefore required prior to the commencement of any such works.
11. In order to ensure protection of species of ecological Interest, having regard to Policy CP12 of the Wigan Local Plan Core Strategy.
12. In order to ensure protection of species of ecological Interest, having regard to Policy CP12 of the Wigan Local Plan Core Strategy.
13. In order to ensure satisfactory treatment and prevent spread of invasive species, having regard to Policies CP12 and CP17 of the Wigan Local Plan Core Strategy.
14. In order to ensure protection of species of ecological Interest, having regard to Policy CP12 of the Wigan Local Plan Core Strategy.
15. To ensure that the appearance of the development is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
16. To allow for vehicles to be parked clear of the public highway, having regard to Policy CP7 of the Wigan Local Plan Core Strategy and Policy A1S of the Replacement Wigan Unitary Development Plan.
17. To help to assimilate the proposed development into its surroundings, having regard to Policies CP9 and CP10 of the Wigan Local Plan Core Strategy.
18. To ensure the adopted highway is not negatively impacted by the development in accordance with Wigan Local Plan Core Strategy policy CP7. This information is required prior to the commencement of development to understand existing conditions prior to any construction vehicles accessing the site.

19. To ensure an acceptable access and highway layout on Bettison Avenue in accordance with Wigan Local Plan Core Strategy Policy CP7. This information is required prior to commencement of development to ensure an acceptable access to the site is implemented, in accordance with Wigan Local Plan Core Strategy Policy CP7.
20. In order to ensure satisfactory enhancement of features and species of ecological Interest, having regard to Policy CP12 of the Wigan Local Plan Core Strategy and the revised NPPF (2019).

**Plans Attached to Report**

Location Plan

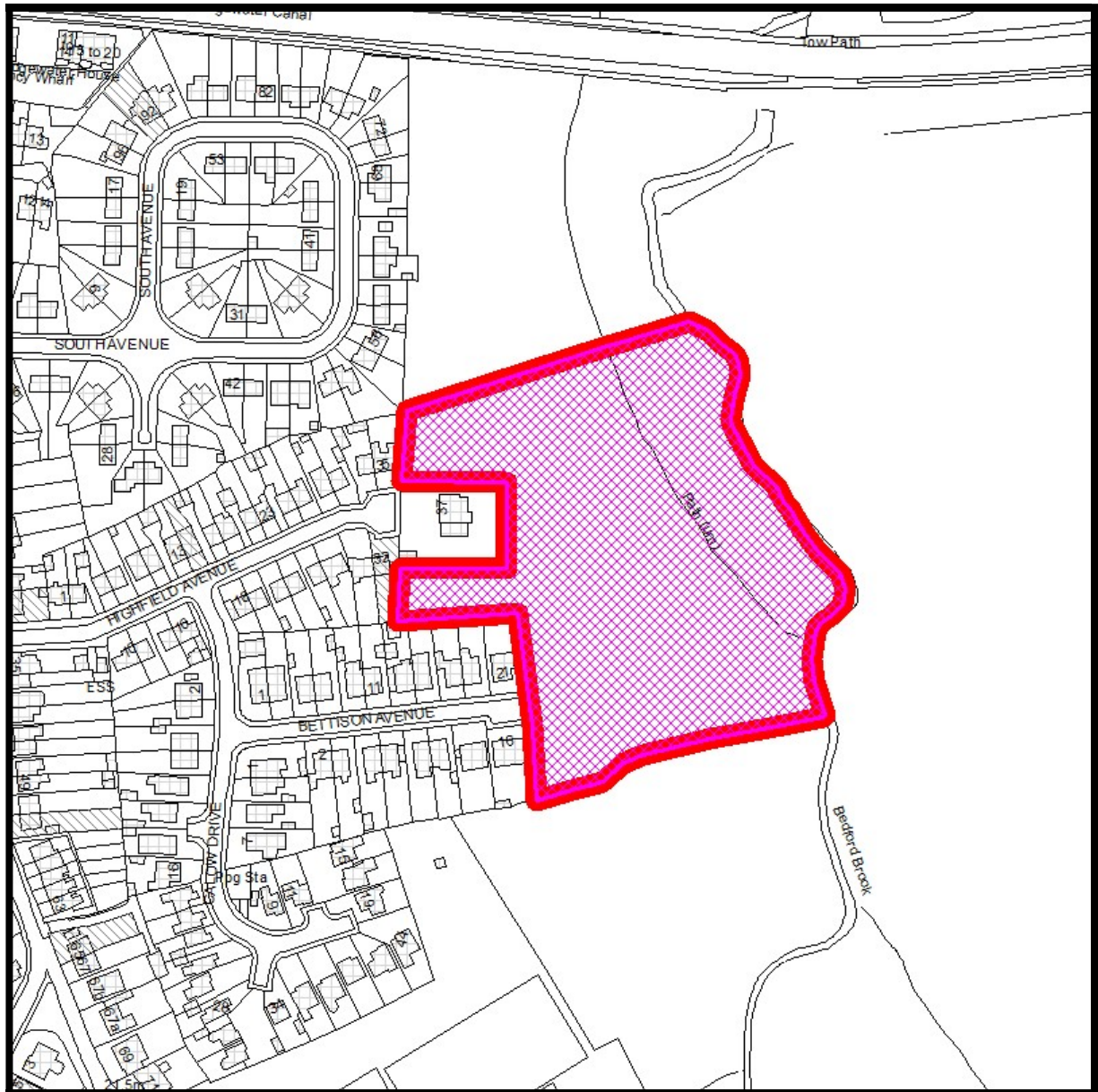
**P/JNAN/A/19/86658/MAJOR**

**Application No:** A/19/86658/MAJOR

**Development Proposed:** Residential development of 57 terraced, semi-detached and detached dwellings together with associated works including access, infrastructure, landscaping and parking

**Location:** Land at Bettison Avenue Leigh

**Ward:** Leigh South



Site Area



This plan is representative only, to indicate the site in relation to its surroundings.