



Moulton Parish Council

<https://moultonpc.org.uk>

Notes of Community Meeting held on 7th August 2024

Present:

Cllr Nick Jennings - Chair Moulton Parish Council

Angela Capstick - Clerk, Moulton Parish Council

Richard Johnson - Development Manager, Jigsaw Homes Group

Stephen Beale - Director, John Stephens & Co

Richard Fletcher - Architect, Equilibrium Architects

Adrian Rooney - Managing Director, J Greenwood (Builders)

Following the approval of planning from CWAC, Jigsaw will take ownership of the land at the end of August. The site including the parking bays will be fenced off. The road will remain open for use for the time being as this remains adopted, a temporary stopping-up order will be applied for in order to reinstate the road to adoptable standards (*Note: after the meeting discussions were held between the parties and it was agreed to extend the use of parking bays until the discharges agreement was in place with CWAC, estimated to be mid/late September – residents will be given notice when exact date is known*).

WHEN WILL THE DEVELOPMENT BEGIN?

Jigsaw are waiting for the planning conditions to be set by CWAC. Statutory response period is 8 weeks for CWAC to respond, but experience is that CWAC are currently taking up to 12 weeks+. This will mean commencement of the project will be approx. end October.

WILL THERE ONLY BE BUNGALOWS?

Yes the site will consist of 4 2-bed bungalows and 15 1-bed bungalows.

ARE THE BUNGALOWS ONLY FOR ELDERLY?

No. The bungalows will be available for Social Rent.

CAN THE BUNGALOWS BE PURCHASED/SHARED OWNERSHIP?

No. The bungalows will be available for Social Rent.

WILL THE CURRENT FENCE BE REMOVED?

No, the fencing will remain; when required the parking bays will be fenced off separately. There will be NO PARKING allowed during the development of the site.

WHY ARE THERE ONLY 40 COMMUNITY PARKING BAYS ON THE PLAN?

The initial plans offered many more spaces (70+) but CWAC required numerous changes to the plans regarding size of plots, increase green space, etc which reduced the amount of land remaining for

car parking. Each 1 bed bungalow will have 1 parking space, each 2-bed bungalow will have 2 spaces, the remainder will be for the community. Once completed the current road will remain and will not include any parking restrictions and so can therefore be legally used for parking (estimated additional 15+ spaces).

WILL THE PAVEMENT BUTTING UPTO THE GATES OF THE PROPERTIES ON REGENT STREET BE LEVEL?

This will be reviewed and plans will be in place to avoid any residences to have a drop down or step up from their rear access onto the pavement. The footpath will be adopted by Highways and so any design and works will need to be signed off and approved by Highways before being re-adopted following the temporary closure.

WHAT ARE THE PLANS FOR THE BIN COLLECTION WHEN THE ROAD IS CLOSED OFF?

Bins will need to be stored in the back yards of the properties on Regent Street whilst the road is closed off. They will need to be taken to collection points at the Whitlow Lane end or Main Road end of the development. Residents unable to take their bin to the collection point can request an assistance collection from CWAC (<https://www.cheshirewestandchester.gov.uk/residents/waste-and-recycling/get-help-to-take-your-bins-out>). Once the development is completed bins can be located on the pavement behind the houses for collection only, before being stored within individual's rear gardens. There will be NO CHANGE to the bin collection dates.

WHAT TYPE OF BOUNDARY FENCING WILL BE USED?

1.8mtr timber fencing will be erected along the boundary with Meadow Lane (see attached plan). This will butt up to but NOT replace the residents existing fencing. Residents on Meadow Lane may want to remove their current fencing option. There will be no rear access to the bungalows backing onto Meadow Lane.

HOW LONG WILL THE BUILD WORK TAKE?

It is expected the work will last 16 months from start to finish but this may change depending on what might be found once work commences, this timeframe is subject to programme delays. Schedule of work will be priority for road & drainage (approx. 20 weeks). Then property foundations, structure erection, install EV points, planting, line painting and clear up.

WHAT ARE THE HOURS OF WORK?

Normal hours of work are 07:30 – 16:30 Monday – Friday. No restrictions to working hours were prescribed within the planning approval, however, the above hours will be adhered to.

HOW WILL RESIDENTS GET NOTIFICATIONS?

The Parish Council will provide information via leaflet drop on pertinent issues and posting on the Parish Council notice board at the park and via social media. If you would like information sent directly to you please email the clerk (clerk@moultonpc.org.uk). In addition, there will be liaison committee consisting of 2 – 3 members of the community, 1 member of the parish council and a representative (site manager) from the builders (Greenwoods). They will meet on a regular basis and be the main portal for communication to the builders on any issues/concern's residents have and will update community on the progress of the development.

Notice of Planning Permission with Section 106 Agreement

Jigsaw Homes North
c/o Mr Mannan Iqbal
Nicol Thomas
Heyside House
Blackshaw Lane
Royton
OL2 6NS

Application Number:
21/03337/FUL

19 July 2024

Town and Country Planning Act 1990

Proposal: Erection of 19 dwellings including new car parking spaces for existing residents

Location: Garages Rear of, Regent Street, Moulton, Winsford, Cheshire, CW9 8NX



In pursuance of their powers under the above Acts, the Council hereby grants **PERMISSION** for the above development to be carried out, subject to compliance with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan

Site layout plan (Drawing No PL12 Revision D)

Landscape plan (Drawing No PL15 Rev D)

Proposed floor plans and elevations (Drawing No PL02 Rev D, PL03 Rev C, PL05 Rev E, PL14 Rev D)

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

3. Notwithstanding the approved plans, prior to the first use of each material listed below, the following samples/details/colour of the materials to be used in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.
- o Samples panel/details of brick/render
 - o Details of the roof material
 - o Details of the windows, doors and garage doors (including colour scheme and recess)
 - o Details of the porches/canopies
 - o Boundary Treatments
 - o Driveways

The work shall be completed in strict accordance with the agreed details. All other materials shall be in accordance with the approved elevation drawings.

Reason: To ensure a high quality development and in the interests of visual amenity

4. Landscaping shall be carried out in accordance with the details shown on the landscape plan (Drawing No PL15 Rev D). The approved details shall be carried out prior to the occupation of any of the dwellings hereby approved.

Reason - In the interest of visual amenity.

5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens shall be submitted to and approved in writing by the local planning authority before occupation of the development. The landscape management plan shall be carried out as approved.

Reason: In the interest of visual amenity.

6. If within a period of 5 years from the date of initial planting, any trees or shrubs planted in accordance with the approved landscaping works are removed, die, become diseased or seriously damaged then replacement trees or shrubs shall be planted in the next planting season with others of similar size and species, unless the local planning authority gives its written approval to any variation.

Reason - In the interest of visual amenity.

7. No boundary treatments shall be installed or erected until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment, including the management/division of the parking areas. The boundary treatments shall be completed in accordance with the approved details prior to the dwelling in which they serve being occupied.

Reason - In the interest of visual amenity.

8. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority. The development shall then only be carried out in accordance with the agreed scheme.

Reason - In the interest of visual amenity.

9. The dwellings shall not be occupied until the areas shown on the approved layout drawing reference (PL) 15 Rev D have been laid out as open space in accordance with the approved details. Thereafter the open spaces shall remain and shall not be used for any purpose other than public open space.

Reason - To ensure adequate provision of open space.

10. The removal of any trees or hedges shall take place outside the bird nesting season (1st March to 31st August inclusive), unless the site is surveyed for nesting birds by a qualified ecologist prior to their removal. If nesting birds are found, a scheme to protect nesting birds shall be submitted to and approved in writing by the local planning authority. The development shall thereafter only be carried out in accordance with the approved scheme.

Reason: To avoid harm to nesting birds during the bird breeding season.

11. Prior to the occupation of the dwellings hereby approved, details of bat and bird boxes, including the type and location shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to occupation and retained in perpetuity.

Reason: In the interests of biodiversity

12. The development hereby approved, shall not be occupied until the parking spaces, shown on plan reference PL12 Rev D have been laid out and available for use. The parking spaces shall be retained at all times thereafter.

Reason - To ensure that an adequate level of car parking is provided.

13. Prior to the commencement of any development on site, the developer must submit to and have approved in writing by the local Planning Authority detailed plans in respect of the works required within the existing highway, to form the accesses and, close existing access, including street lighting and all associated works. The works shall only be carried out in strict conformity with the agreed details and completed prior to first occupation of the development.

Reason: In the interests of highway safety and to ensure the development has suitable access provision. This information is required prior to commencement to ensure that the impact of the development on the highway can be managed before any potential disruption occurs.

14. Prior to the construction of the internal roads and footways hereby approved, details shall be submitted to and have approved in writing by the Local Planning Authority. The details shall include associated road markings and dropped kerbs. No dwelling shall be occupied until that part of the highway/footway network which provides access to it has been constructed in accordance with the approved details up to binder-course level. The surface course shall then be completed within a timescale which has to be approved in writing by the Local Planning Authority prior to first occupation of the development. If no timeframe is agreed, the surface course shall also be completed prior to first occupation.

Reason: In the interests of highway safety and to maintain the safe and effective flow of traffic.

15. Electric Vehicle Charging Point provision must be in accordance with the plan: Proposed Site Plan Drawing reference PL12 Rev D. Before each dwelling hereby approved is first occupied, or parking spaces first brought into use electric car charging infrastructure will be provided comprising a 32 amp radial circuit which is directly wired to an appropriate RCD at the consumer unit. The circuit shall terminate at a three-pin socket or BS EN 62196 Type 2 electric vehicle charging point located where it is accessible from a dedicated off-street car parking bay.

Reason. To promote the use of sustainable transport and to protect air quality.

16. No development shall commence until full details of a scheme for a sustainable drainage system to serve the site, including a timetable for and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented in accordance with the approved details and timetable. Thereafter the sustainable drainage system must be managed and maintained in accordance with the approved scheme. Details of a scheme for a sustainable drainage system must be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development.

Reason - This pre-commencement condition is required to prevent the increased risk of flooding both on and off site and ensure satisfactory drainage facilities are provided to serve the site.

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

18. Prior to the commencement of development, a construction management plan which shall include full details of the phasing of the demolition and construction traffic for the development (including, provision for off-highway parking for all construction related vehicles), site compound and storage area locations, dust suppression measures, wheel washing facilities and hours of construction shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of the development. The development shall then only be constructed wholly in accordance with the approved construction management plan.

Reason: In the interests of highway safety and residential amenity.

19. No operations requiring piling or subsurface vibration ground improvement techniques shall be carried out on the site unless, details of the work, monitoring and environmental controls proposed have been submitted to and agreed in writing by the local planning authority. All such works to be undertaken in complete accordance with the agreed scheme unless otherwise submitted to and agreed in writing with the Local Planning Authority.

Reason - To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected.

20. No electricity generators shall be used on-site without the prior written approval of the Local Planning Authority. Any request for approval must include the following details for the generator:
- i. proposed location,
 - ii. the hours and anticipated duration of use,
 - iii. the sound power level,
 - iv. any proposed noise mitigation measures.

Reason - To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected.

21. No development shall take place until the following components (a to c) of a structured scheme to deal with the risks associated with actual or potential contamination of the site have each been submitted to and approved in writing by the Local Planning Authority:
- a. A detailed scheme of site investigation based on the Applied Geology Desk Study Report from which a detailed assessment of risk to all current and future receptors that may be affected, including those off site, will be derived.
 - b. A remediation options appraisal and implementation strategy, based on the detailed results of (a), giving full details of the remediation measures required and how they are to be undertaken.
 - c. A verification plan providing details of the data that will be collected in order to demonstrate that the remediation works set out in (b) are complete and effective and identifying any requirements for longer-term:- monitoring of pollutant linkages; maintenance, contingency actions and reporting.

The pre development structured scheme shall be implemented as approved unless revision is agreed with the Local Planning Authority in writing.

Reason: This pre-commencement condition is required to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks.

22. If during site preparation, demolition or development works contamination is encountered or is suspected in areas where it had not been anticipated:
- being from an existing risk assessed source and
 - containing comparable risk assessed substances and
 - affecting an already risk assessed pathway or receptor that could be addressed by simple extension of the approved measures to a larger area, then the Local Planning Authority shall be

notified promptly in writing confirming:- the areas affected, the approved investigation, remediation and validation measures to be applied and the anticipated completion timescale
However if the contamination is

- from a different source or
- contains a new contaminative substance or
- affects a new pathway or receptor,

then revised proposals for detailed investigation, risk assessment, remediation and verification shall be submitted for the written approval of the LPA prior to all but urgent remediation works necessary to secure the area and control pollution risks.

Reason: To ensure any contamination is adequately dealt with.

23. No part of the development site approved by this permission shall be occupied until:
- a) all components of the pre-approved or revised remediation measures to deal with the risks associated with actual or potential contamination of the site, relevant to that part, have been completed and
 - b) written evidence of satisfactory remediation completion and of the suitability of that part of the site for occupation has been submitted to and accepted by the LPA.

Reason: To ensure that the development can be carried out safely without unacceptable risks and to protect human health.

24. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units;
 - ii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - iii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: This pre-commencement condition is required to secure the provision of affordable units and to ensure a satisfactory standard of control over the occupation of the affordable units

25. Each dwelling hereby approved shall be designed and constructed to ensure that the potential consumption of wholesome water by persons occupying a new dwelling will not exceed 110 litres per person per day.

Reason: To ensure that satisfactory levels of water efficiency are achieved and to ensure that Paragraph (2)(b) of The Requirement G2 of the Building Regulations applies.

Notes

1. The following should be provided as part of the drainage submission to discharge the condition:
 - a) Information about the lifetime of the development and design of the sustainable drainage system design, including storm periods and intensity (1 in 30 & 1 in 100 year +40% allowance for climate change), discharge rates and volumes (both pre and post development), methods employed to delay and control surface water discharged from the site, and appropriate measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses;
 - b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate for an existing greenfield site or demonstration that surface water run-off would be reduced by an absolute minimum of 30% on previously developed sites;
 - c) Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity. The flood water should be routed away from the buildings and towards the less vulnerable areas. A layout with overland flow routes needs to be presented.
 - d) Details of proposed outfall and confirmation that consent to discharge has been obtained;
 - e) Secure arrangements for adoption/connection by an appropriate public body or statutory undertaker or, management and maintenance by a Residents' Management Company through an appropriate legal agreement of SuDS, watercourses and water bodies;
 - f) Secure arrangements, through an appropriate legal agreement for funding on-going maintenance, of all elements of the sustainable drainage system including:
 1. mechanical components;
 2. on-going inspections relating to performance and asset condition assessments and;
 3. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - g) Ensure ground levels are not raised.
 - h) Ensure finished floor levels are set to a level stipulated by the NPPF to ensure no flooding in the stipulated storm events.
 - i) Confirm owner and maintainer of assets.
 - j) Provide O&M manual for SuDS following best practice guidance
2. The applicant/developer will need to contact the Highway Authority, (email John.Evans@cheshirewestandchester.gov.uk) regarding the Section 278 agreement of the Highways Act 1980 for the proposed works that are within the existing highway boundaries. This will put the layout, materials and specification through a thorough design check process to ensure that they conform with the required standards which may involve some alterations to the initial design.
3. No works must be carried out within the public highway prior to signing the Section 278 Agreement. Having a Pre-Start Meeting with the Council to agree a start date and a scheme of traffic management, as well as having separately booked the necessary road space with the Council's Area Highways Office/Streetworks Team will be required.

4. If any species protected under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species (Amendment) Regulations 2012, such as Bats, are found during works, works must stop immediately and Natural England be contacted.
5. It is an offence to intentionally injure or kill wild birds. It is also an offence to intentionally take, damage or destroy a wild bird's egg, or it's nest while it's being used or built. Ground clearance and vegetation removal/demolition should therefore take place outside the bird nesting season (1st March to 31st August inclusive) unless the site has been surveyed for nesting birds by a qualified ecologist immediately beforehand. Further information about protection of wild birds can be found here: <https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences>.
6. The local planning authority has sought to work with the applicant in a positive and proactive way to secure a development that will improve the economic, social and environmental conditions of the area, in line with the NPPF.

Signed:

Date: 19 July 2024



Rob Charnley

Head of Planning and Placemaking

Cheshire West and Chester Borough Council The Portal Wellington Road Ellesmere Port CH65 0BA

Section 106 Agreement

Please read the notes on the following page, they will explain your rights and other important matters about this decision.

Please see the bottom of this notice for important information about the Community Infrastructure Levy.

Notice to applicant where permission is refused or granted subject to conditions

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice. However, if this application relates to a Householder development and you want to appeal, then you must do so within 12 weeks of the date of this notice.

Forms can be obtained from:

The Planning Inspectorate, 3/13 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN - (Tel: 0303 444 5000)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Community Infrastructure Levy (CIL)

The development approved by this permission may be liable to a Community Infrastructure Levy, which is payable after development begins. If your scheme is liable, and you have not already done so, you must submit an Assumption of Liability Notice to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a Commencement Notice to the Council before the development commences. The onus is on the applicant to provide any relevant relief or exemption to the Council before commencement of development. Any exemption or relief that is applied for after development is deemed to have commenced will be refused.

The Council may impose penalties where the correct forms are not submitted, or are late, or where the information provided is inaccurate.

All forms are available at <http://www.cheshirewestandchester.gov.uk/cil> and once completed, should be emailed to cil@cheshirewestandchester.gov.uk.

OTHER IMPORTANT POINTS TO NOTE.

Under the provisions of Circular 04/2008 entitled Planning-Related Fees standard national fees of £34 for householder developments and £116 for all other development will be charged for requests for the discharge of planning conditions.

Your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act, 1970 and the Code of Practice for Access for the Disabled to Buildings. These provisions apply to (a) buildings or premises to which the public are admitted, whether on payment or otherwise or (b) premises in which persons are employed to work. Similar provisions also apply for the benefit of disabled in educational buildings.

Development for which listed building consent and/or permission is granted is subject to compliance with the general statutory provisions in force in the District, except as may be modified in this permission and the Building Regulations. Your attention is drawn to Section 50 of the Cheshire County Council Act, 1980 which provides that where plans are deposited under the Building Regulations for the erection/extension of a building with the district council, then that council will reject the plans unless, after consultation with the Fire Authority, they are satisfied

that the plans show there is an adequate means of access for the Fire Brigade to the building or extension and that the building or extension will not render inadequate any existing means of access, for the Fire Brigade, to the neighbouring buildings. This note is included to give effect to Section 50 of the 1980 Act by virtue of sub-section (2) of the said Section.

Developers should check with all statutory undertakers at an early stage to ensure where their equipment (pipes, cables, poles etc) is located in relation to the development site and agree measures to ensure that no damage is caused to that equipment during construction, or negotiate the repositioning of some or all of the equipment.

Any Environmental Statement submitted with the application, together with any related information, has been taken into account by the Council in arriving at this decision.

Street Naming and Numbering – It is a legal function of the Council to allocate property numbers and street names to new developments and conversions. This service is chargeable, please visit the Street Naming and Numbering page on our website and use the online form to submit an application. The charging scheme, guidance and contact details are also available on our Street Naming and Numbering web page.