

Application Number 16/01126/OUT

Proposal	Outline planning application for the demolition of buildings and erection of up to 41 dwellings and 6 Live/Work units with associated car parking and access arrangements (to include re building of bridge over the River Tame)
Site Location	Scout Green Depot, 27 Manchester Road, Mossley, Tameside
Applicant	Scout Green Ltd
Recommendation	Grant planning permission subject to conditions and prior signing of S106 legal agreement

REPORT

1. APPLICATION DESCRIPTION

- 1.1 This planning application seeks outline permission for residential development with only access included for approval at this stage.
- 1.2 As the application is in outline all details of appearance, layout, scale and landscaping are reserved for later applications, however, an indicative layout drawing has been submitted with the application which shows 41 dwellings on the site together with 6 live / work units and access from the Manchester Road over the existing bridge.
- 1.3 The application site consists of a former Council Depot situated in a valley adjacent to the river Tame. Vehicular access is shown to use the existing access via the Manchester Road and over the existing bridge over the River Tame. Whilst submitted in outline the proposed scheme would necessitate to the re building of the bridge over the River Tame, details of the design of which would need to be submitted at reserved matters stage.
- 1.4 The following documents have been submitted in support of the application;

Arboricultural Survey Report
Contaminated Land Desk Study Risk Assessments
Ecological Site Audit & follow up surveys for bats, otters & voles
Flood Risk Assessment
Planning Statement
Noise Impact Assessment
Transport Statement

2. SITE & SURROUNDINGS

- a. The application site is 0.9 hectares in area and is located to the east of Manchester Road in Mossley. The River Tame traverses the site as does a public right of way.
- b. The site is comprised of the former Scout Green Council depot on which a number of buildings and significant areas of hardstanding remain. The site also includes land to the side and rear of existing houses fronting onto the Manchester Road and the access itself as well as a bridge over the River Tame.
- c. The site is within 800m of the Post Office, Mossley Convenience Store, Raja Bros convenience store and Mossley Medical Practice.
- d. Within 2km are a number of schools and colleges, such as Micklehurst All Saints

Primary School, Mossley Hollins High School, Livingstone Primary and Nursery School, St Georges C of E Primary School and Milton St Johns C of E Primary and Nursery School.

3. PLANNING HISTORY

3.1 None relevant

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation
Protected green space

4.2 Tameside UDP

4.2.1 Part 1 Policies

1.3: Creating a Cleaner and Greener Environment.
1.4: Providing More Choice and Quality Homes.
1.5: Following the Principles of Sustainable Development
1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 Part 2 Policies

H2: Unallocated Sites.
H7: Mixed Use and Density.
OL4: Protected Green Space.
OL10: Landscape Quality and Character
T1: Highway Improvement and Traffic Management.
T11: Travel Plans.
C1: Townscape and Urban Form
N4: Trees and Woodland.
N5: Trees Within Development Sites.
N7: Protected Species
MW11: Contaminated Land.
U3: Water Services for Developments

4.3 Other Policies

4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
The Greater Manchester Joint Waste Development Plan Document April 2012
The Greater Manchester Joint Minerals Development Plan Document April 2013
Residential Design Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.
Tameside Playing Pitch Strategy

4.4 National Planning Policy Framework (NPPF)

4.4.1 Section 1 Delivering sustainable development
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 11 Conserving and Enhancing the Natural Environment

4.5 Planning Practice Guidance (PPG)

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all

previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

5. PUBLICITY CARRIED OUT

- 5.1 As part of the planning application process 5 notification letters were sent out to neighbouring properties on 31st January 2017 a notice was also posted at the site and displayed in a local newspaper on 9th February 2017.

6. RESPONSES FROM CONSULTEES

- 6.1 Arboricultural Officer: All the significant trees are located around the boundary and should not be affected by the outline proposals. The root protection zones of trees on the boundary should be protected to BS5837 during any development.
- 6.2 United Utilities: No objection to the proposed development subject to conditions requiring details of foul and surface water drainage are attached to any approval.
- 6.3 Greater Manchester Ecological Unit: Comments as follows;
No objections subject to conditions regarding discharge of surface water to the Huddersfield Narrow Canal, precautionary measures regarding mammals, tree protection, artificial lighting, invasive species and informatives regarding bats and biodiversity enhancement.
- 6.4 Highways: No objections subject to conditions, note that a s106 contribution will be required towards the future maintenance of the bridge.
- 6.5 Greater Manchester Police: Recommend a full crime impact statement is submitted.
- 6.6 Environmental Health: No objections subject to conditions to control hours of site works and to secure appropriate storage for bins.
- 6.7 Transport for Greater Manchester: Express concerns that the site is not particularly well served by public transport, suggest a condition requiring a Full Residential Travel Plan be attached to any planning consent.
- 6.8 Environment Agency: No objections subject to conditions in respect of drainage, flood risk and Environmental Management.
- 6.9 Transco: No response received.
- 6.10 Mossley Town / Parish Council:
The proposed development will adversely impact on an attractive natural area in the town which is highly valued by residents.
The number of units proposed and densities are excessive and will result in detriment to amenity.
In the event of any residential development being permitted on the site, it should be sustainable and sensitive to the site.
- 6.11 Natural England: No objections subject to conditions to secure a Construction Environmental Management Plan (CEMP) and water drainage plan.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 In response to the original notifications 2 representations have been received from 3 households 1 in objection and 1 in support.

The grounds given for objecting are:

- Site classed as Protected Green Space

The grounds given for supporting the application are:

To change the use of the land from commercial to residential gives me peace of mind as the land will not be used as a Builders yard or commercial vehicle parking area or some other commercial use which would disturb the peace and quite

8. ASSESSMENT

8.1 The principal issues in determining this application are:

- Principle of Development and effect on protected Green Space
- Layout, Design and Landscaping
- Amenity
- Highway Safety and Accessibility
- Ground Conditions
- Ecology
- Trees
- Drainage, Flood Risk
- Minerals
- Planning Obligations

9. PRINCIPLE OF DEVELOPMENT AND EFFECT ON PROTECTED GREEN SPACE

9.1 In policy terms the land is comprised of Protected Green Space. Whilst designated as protected green space the land is comprised of both previously developed land upon which the depot buildings stood. UDP policy H2 confirms that the Council will generally permit the redevelopment of previously developed land for residential use. In this case, the site is no longer in active use as a Council depot and currently lies vacant, and can therefore be deemed as previously developed and available.

9.2 Being allocated as protected green space, the site lies within a broader area of open space which broadly follows the River Tame and includes the King George fields beyond the site to the north.

9.3 Policy (OL4) seeks to retain areas of protected green space but does, however, allow for sites to be released for built development in light of certain considerations. One such consideration (d) is if it can be demonstrated, by means of a suitable supply and demand study taking account of possible future as well as current requirements, that the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation. This wording is broadly equivalent to the provision within paragraph 74 of the NPPF.

9.4 In the case of this site it has never been used as a playing field and the reasons for including it as protected green space are unclear. The Council has recently undertaken a Playing Pitch Strategy and Action Plan report which does not identify

the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+).

- 9.5 The Council's playing pitch strategy also confirms that the site is no longer required and as the site does not appear to have ever accommodated a formal pitch and in any event has been disused for over 5 years no consultation with Sport England is required or indeed appropriate.
- 9.6 As such the proposal is considered acceptable in terms of Policy OL4 and with the NPPF (Section 8).

10. LAYOUT, DESIGN AND LANDSCAPING

- 10.1 Whilst the layout of the site is a reserved matter the application is accompanied by an indicative drawing showing how the site could be laid out. The layout shows a mixture of semi – detached and terraced dwellings fronting a central 'circular' access road with a small row of 3 dwellings fronting the Manchester Road.
- 10.2 The overall density of development is approximately 52 units per hectare, whilst this is a dense form of development it is noted that the development sits within the valley and that thick tree belts already exist outside of the site which would screen views from the all sides.
- 10.3 Further benefits are likely to arise from the redevelopment of the site including the regeneration of the site and removal of existing dilapidated buildings, redevelopment of the site could also provide an opportunity to secure a high quality frontage to the canal.
- 10.4 Ultimately to be considered as a reserved matter, officers are satisfied the indicative layout successfully demonstrates that up to houses could be accommodated on this site and that policies H7 and OL10 can be satisfied.

11. AMENITY

- 11.1 In terms of amenity the layout and scale of the development are reserved matters, however, the general impact of the development can be considered and some conclusions can be drawn from the indicative layout drawing provided.
- 11.2 The Council's Residential Design SPD sets out minimum distances between habitable rooms and blank walls of 21m and 14m respectively, these distance are moderated where steep slopes exist or where development is at an angle. The submitted indicative layout within the site complies with the requirements of the Residential Design SPD.
- 11.3 The submitted indicative layout does not show any breaches of the above standards in respect of neighbouring dwellings and whilst the distance between some of the dwellings on the indicative plans is below these standards this is confined within the site and can be optimised at reserved matters stage.
- 11.4 Officers are thus satisfied that the site is capable of accommodating residential development in a manner which would not be unduly detrimental to the amenities of occupants of neighbouring dwellings subject to conditions. This matter will, however, require further detailed consideration at reserved matters stage.

12. HIGHWAY SAFETY AND ACCESSIBILITY

- 12.1 The application is supported by a transport statement which sets out the sustainable transport options for the site and analyses the likely impact in terms of traffic generation.
- 12.2 As outlined above the application site is in a sustainable location with good access to local services.
- 12.3 Vehicular access to the site will continue to be taken off Manchester Road via the existing access arrangements which previously served much larger Council vehicles. It is proposed to replace the bridge as part of the proposals, however, the detailed design of the bridge is not included in this application and would need to form part of any reserved matters application. The footpath which runs through the site alongside the River Tame would be unaffected.
- 12.4 The use of the existing access allows for 2 groups of trees either side of the access to be retained as part of the proposals.
- 12.5 As a Council depot the previous use would have generated vehicle movements, a fact reflected in the submitted transport statement (TS). Whilst the proposed use would result in increased vehicle movements in the morning peak and evening peak from 4 movements in the AM peak and 3 in the PM peak to 27 and 25 respectively there is no evidence to suggest that this increase in vehicle movements is likely to put any of the nearby affected junctions over capacity and there is thus no evidence to suggest that the proposal would result in a 'severe' impact that would indicate that development should be refused.
- 12.6 Whilst TFGM refer to the site as not being in a sustainable transport location it is within easy walking and cycling distance of shops, doctors, schools, bus stops and a train station and officers do not agree that the site is not in a sustainable location. The suggestion from TFGM that a sustainable travel plan is needed is not considered reasonable for a relatively small scale scheme of 41 dwellings.
- 12.7 The Council's Highways Engineer does not object to the proposals and officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

13. GROUND CONDITIONS

- 13.1 The application is supported by a contaminated land risk assessment which identifies that there is made up ground in the vicinity from former landfill activities and may be at risk from ground (landfill) gas but that there is no requirement for protection from radon gas. There is also reference to the former industrial uses of the site and surrounding area including its last use a Council depot. The report concludes that there is a moderate risk arising from contamination of the site and that a phase 2 ground investigation is required to determine the extent of contamination and identify appropriate mitigation measures.
- 13.2 Comments from the Council's Contaminated Land officer are awaited, however, the EA have not objected to the proposals on the basis of contamination subject to conditions.
- 13.3 The site is not in an area at risk from former coal workings and subject to conditions any likely contamination of the ground does not appear to be a constraint on development. The proposal is therefore considered acceptable in accordance with policy MW11: Contaminated Land.

14. ECOLOGY

- 14.1 The application site is located in a heavily wooded area between the Huddersfield Canal SSSI to the immediate south east of the site and the River Tame to the west. Mossley SBI is located 20m to the west of the site.
- 14.2 The application is accompanied by a baseline ecology audit including phase 1 habitat survey and follow up surveys in respect of otters, bats and voles. The submitted ecological reports do not consider that the proposal is likely to have a significant effect on the Mossley SBI.
- 14.3 The site is assessed as having low potential for otters, bats and water vole and these species do not pose a constraint on development.
- 14.3 Further to comments from GMEU regarding the potential for bats within the bridge that accesses the site further bats surveys have been undertaken which confirm that bats are not present in the bridge. GMEU have no objections to the proposals subject to conditions and informatives. Natural England have also been consulted and have no objections subject to conditions which secure a construction environment management plan and details of surface water drainage.
- 14.4 Subject to conditions the proposal is considered to have acceptable ecological impacts and is compliant with UDP policy N7 and section 11 of the NPPF.

15. TREES

- 15.1 The application site has a number of trees of varying maturity predominantly located to the perimeter of the site, however, these are not proposed to be removed and are not considered to be a constraint upon development.
- 15.2 The tree survey revealed a total of 40 items (29 individual trees and 11 groups of trees). Of these, 2 trees were identified as retention category 'A', 20 trees and 7 groups were identified as retention category 'B', 6 trees and 3 groups as retention category 'C' and 1 trees and 1 group as category 'U'.
- 15.3 The Council's tree officer has been consulted and has no objections to the proposals stating that all the significant trees are located around the boundary and should not be affected by the outline proposals. It is thus considered that the development accords with the requirements of policies N4 and N5.

16. DRAINAGE, FLOOD RISK

- 16.1 With the exception of a small area to the north west corner which is flood zone 2 the application site is located in Environment Agency flood zone 1, the area with the lowest probability of fluvial (river) flooding. The application is accompanied by a flood risk assessment. The inclusion of an area of flood zone 2 within the site would ordinarily require the submission of a sequential test report to demonstrate that there are no other reasonably available areas at a lower risk of flood which could bring forward the proposed development. In the case of this application the applicant removed the part of the site within flood zone 2 from the developable area.
- 16.2 The submitted flood risk assessment identifies a high risk of surface water flooding with an overland flow path to the River Tame crossing the site. Due to levels on site flow is anticipated to dissipate into the River Tame and it is not anticipated that a significant depth of surface flooding could develop and any risk of accumulation could be mitigated for when the site is re – graded for development. Conditions are attached which require details of a surface water drainage strategy to be agreed.

16.3 United Utilities state they have no objection to the proposed development subject to conditions requiring details of foul and surface water drainage and there is no record of sewer flooding on the site.

16.4 In the absence of any technical objection the proposal is considered to accord with policy U3.

17. DEVELOPER OBLIGATIONS

17.1 The development exceeds the thresholds to trigger a requirement for S106 contributions towards Education of £38,157.24 to £56,933.21 depending upon the final format of the development & number of units.

17.2 Education have confirmed that the sum requested would be used towards an extension to St George's Church of England Primary School in Mossley to accommodate additional pupils.

17.3 Highways have also confirmed that a s106 agreement will be required in respect of the construction and maintenance of the access to the site, right turn facilities and the proposed replacement and on going maintenance of the bridge.

17.4 The development would also trigger a requirement for a contribution towards off site public open space of between £38,157.24 to £56,933.21. The Council's Greenspace Development Manager has confirmed the contributions would be required towards improvements to Egmont Street link path and infrastructure through Scout Green, replacement of teen play kit at Egmont Street Playing Fields and associated safety surfacing together with replacement of junior play kit at Egmont Street Playing Fields and associated safety surfacing.

18. PLANNING BALANCE AND CONCLUSION

18.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.

18.2 The application site does not have a particular designation for residential use and as such a decision as to whether or not it is suitable for development must be made balancing the social, economic and environmental benefits and dis-benefits of the proposal.

18.3 The redevelopment of the site would bring about a number of benefits including;

- Re – use of a redundant site
- Visual amenity improvements
- Contribution to housing need in the borough
- Short term employment
- Economic contributions by future occupants

18.4 In terms of dis-benefits the development would involve some short term noise and disruption during construction and a small increase to traffic using the junction with the Manchester Road and local roads generally.

- 18.5 On balance it is therefore considered that the benefits of the scheme clearly outweigh any dis-benefits and planning permission should therefore be granted.

RECOMMENDATION

That the application approved subject to completion of;

- A) Prior signing of a S106 Agreement to secure contributions to Education, Public Open Space and off Site highway works / contributions towards the ongoing maintenance of the bridge.

- B) Subject to the conditions set out below:-

1. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, and landscaping of the development.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. The plans and particulars to be submitted with the reserved matters shall include full details of both hard and soft landscape works, inclusive of existing vegetation cover and ancillary built structures. These details shall include:-

a) hard - existing and proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures [eg: furniture, play equipment, refuse or other storage units, signs, lighting etc], proposed and existing functional services above and below ground [eg; drainage, power, communications cables, pipelines etc indicating lines, manholes, supports etc];

b) soft - planting plans, written specifications [including cultivation and other operations associated with plant and grass establishment], schedule of plants [noting species, plant sizes and proposed numbers/densities where appropriate], implementation programme).

Reason: To safeguard the appearance of the area

4. The plans and particulars to be submitted with the reserved matters shall include details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellings.

Reason: To safeguard the character and appearance of the area

5. The development hereby permitted shall be carried out in accordance with the following approved plans, drawing ref. 353-201-P-B 'Site Plan' in so far as it relates to the location of the site, the developable area and the access only.

Reason: To Define the Permission

6. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority;

i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.

iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard human health as parts of the site may be contaminated. This information is required prior to commencement to ensure any contamination is properly dealt with.

- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways

8. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site as shown on the 'tree constraints plan at Appendix 6 of the submitted arboricultural report have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard Trees in the interests of amenity and biodiversity.

9. The development hereby permitted shall not be commenced until such time as a detailed scheme to treat and dispose of foul water and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. Where infiltration techniques are to be used for surface water disposal, if land contamination is encountered there may be a requirement for appropriate levels of treatment to be applied. The site surface may need to be impermeable and there may need to be a suitable series of treatment such as an appropriate class of interceptor to prevent the pollution of groundwater.

Reason: To ensure there are no unacceptable discharges to ground or surface waters. There should be no infiltration of surface water on contaminated land.

10. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works.

Reason: In the interests of highway safety. Details are required prior to commencement to ensure the provision of adequate facilities to undertake the development and to prevent loose material from being deposited on the highway during the demolition / construction phase.

11. Prior to commencement of work on site, the proposed car parking provision shall be submitted to and approved in writing by the LPA. The car parking spaces shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and available for their intended purposes. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.

Reason: To ensure the provision of adequate car parking within the development. This information is required prior to commencement to ensure that parking is effectively incorporated into the development.

13. No part of the development be illuminated by any artificial means until details of a lighting scheme to provide street lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of the character and appearance of the area and to safeguard wildlife from excessive illumination.

14. During demolition and construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby residential dwellings.

15. The development hereby approved shall not be occupied until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.

Reason: In the interests of Highway safety

16. The parts of the site to be used by vehicles shall be constructed, drained and surfaced in a manner having been previously submitted to and agreed by the Local Planning Authority. These areas shall be used for the approved purpose only.

Reason: In the interests of highway safety to minimise the number of standing and turning vehicles on adjoining roads.

17. A clear view shall be provided at the junction of the new site access with Manchester Rd. Its area shall measure 2.4 metres along the centre of the access road and 59 metres in each direction along the edge of the carriageway in Manchester Rd. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of Highway Safety to allow users of site access road and Manchester Rd to see each other approaching.

18. The gradient of driveways shall not be steeper than 1 in 15.

Reason: In the interests of highway safety

19. A clear view shall be provided on both sides of any driveway or vehicular access it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the back of footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.

Reason: In the interests of Highway safety to allow users of driveways and highway to see each other approaching.

20. The development hereby approved shall not be occupied/brought in to use until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.

Reason: To secure the provision of satisfactory access to the site and in the interests of road safety.

21. The Part of the site within EA flood zone 2 shall not form part of the developable area and shall be left as an open green space / amenity area only.

Reason: To safeguard against flooding.

22. No development shall be commenced unless and until a Construction Environmental Management Plan (CEMP) setting out a variety of control measures for managing the potential environmental effects of construction works on the adjacent designated site, including control and management of dust, surface water runoff, waste and pollution control has been submitted to and approved in writing by the Local Planning Authority for approval. The development shall thereafter take place in accordance with the approved details.

Reason: To safeguard features of ecological interest including the adjacent Huddersfield Narrow Canal