

Application Number 20/01055/FUL

Proposal Full planning application for the erection of five dwellings.

Site Land adjacent to 7 Wakefield Road, Stalybridge

Applicant Mr Joe Campbell

Recommendation Approval, subject to conditions.

Reason for Report One of the objectors to the application has requested to address the Speakers Panel meeting.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of five dwellings on the land. The scheme proposes a terrace of five dwellings that would front on to Kinder Street, which runs parallel with the northern boundary of the site. The gardens of the properties would be located in the southern portion of the site, with land levels dropping in a southerly direction through this area, down to the level of the existing wall on the southern boundary of the site, which runs parallel with Wakefield Road.
- 1.2 The proposed dwellings would each be four bedrooms in size, with accommodation split over four levels (the upper floor being within the roofspace). Due to the steep variation in levels on the site, the dwellings would present a two storey high elevation to Kinder Street on the northern boundary, rising to three storeys to the rear (facing towards Wakefield Road).

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to a parcel of undeveloped land at the western end of Wakefield Road, located to the north of Stalybridge town centre. The site is immediately east of the junction between Stamford Street and Wakefield Road. Land levels on the site fall steeply from the northern boundary (which fronts Kinder Street) to the southern boundary of the site (fronting Wakefield Road). The southern boundary of the site is demarcated by a low rise stone wall, with established landscaping above.
- 2.2 The western gable end of the neighbouring property at no. 7 Wakefield Road faces the eastern boundary of the site, separated from the land via an external flight of stairs within the curtilage of that neighbouring property. A publically accessible set of stone steps providing access between Wakefield Road and Kinder Street runs parallel with the western boundary of the site.

3.0 RELEVANT PLANNING POLICIES

3.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated, within the settlement of Stalybridge

3.2 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
- 1.6: Securing Urban Regeneration

- 1.10: Protecting and Enhancing the Natural Environment
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

3.3 **Part 2 Policies**

C1: Townscape and Urban Form
 H2: Unallocated Sites (for housing)
 H4: Type, Size and Affordability of Dwellings
 H5: Open Space Provision
 H6: Education and Community Facilities
 H7: Mixed Use and Density.
 H10: Detailed Design of Housing Developments
 MW11: Contaminated Land
 MW12: Control of Pollution
 MW14 Air Quality
 N3: Nature Conservation Factors
 N4 Trees and Woodland
 N5: Trees Within Development Sites
 N7: Protected Species
 OL4: Protected Open Space
 OL7: Potential of Water Areas
 OL10: Landscape Quality and Character
 T1: Highway Improvement and Traffic Management.
 T10: Parking
 T11: Travel Plans.
 U3: Water Services for Developments
 U4 Flood Prevention
 U5 Energy Efficiency

3.4 **National Planning Policy Framework (NPPF)**

Section 2: Achieving Sustainable Development
 Section 5: Delivering a Sufficient Supply of Homes
 Section 8: Promoting Healthy and Safe communities
 Section 11: Making Efficient Use of Land
 Section 12: Achieving Well Designed Places
 Section 15: Conserving and Enhancing the Natural Environment

3.5 **Planning Practice Guidance (PPG)**

- 3.6 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.

3.7 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections.

Residential Design Supplementary Planning Document; and,
 Trees and Landscaping on Development Sites SPD adopted in March 2007

4.0 PUBLICITY CARRIED OUT

- 4.1 Neighbour notification letters were issued and a notice displayed adjacent to the site for 21 days, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Local Highway Authority – no objections to the proposals subject to the imposition of conditions covering the following matters on any planning permission granted:
- Details of secured cycle storage provision;
 - The laying out of the car parking spaces prior to the occupation of the dwellings;
 - Approval of a Construction Environment Management Plan for the construction phase of the development;
 - Details of the phasing of the highways works;
 - Requiring the submission and approval of a highway condition survey, an electric vehicle charging strategy; and
 - Approval in principle for retaining structures within the site.
- 5.2 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals subject to an investigation relating to the presence of invasive species on the site, the inclusion of biodiversity enhancements within the scheme and a limit on the timing of tree/vegetation removal being secured by condition on any planning permission granted. Informatives relating to the developer's duties with regard to protected species should also be attached to any planning permission granted.
- 5.3 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions limiting the hours of work during the construction phase of the development and soundproofing measures being installed within the elevations of the dwellings to preserve the residential amenity of the future occupiers of the development.
- 5.4 Borough Tree Officer – no objections to the proposals. The site has been cleared of trees and vegetation although aerial view records indicate that these were of low amenity value. Details of a replacement landscaping scheme should be secured by condition on any planning permission granted.
- 5.5 Borough Contaminated Land Officer – no objections to the proposals, subject to the imposition of a condition on any planning permission granted requiring an intrusive investigation into sources of potential contamination on the site.
- 5.6 Lead Local Flood Authority (LLFA) – consider that further information in relation to the means of draining surface water from the site should be submitted prior to the determination of the application.
- 5.7 United Utilities - no objections to the proposals subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development and stipulating that surface and foul water should be drained from the site via separate mechanisms.
- 5.8 Coal Authority – confirm that the site is located in an area considered to be at high risk of the land stability issues associated with coal mining legacy. Following review of the Coal Mining Risk Assessment submitted with the planning application, raised no objections, subject to the imposition of a condition on any planning permission granted requiring the undertaking of a further investigation into the circumstances of the site and any necessary remediation.

- 5.9 Transport for Greater Manchester (TfGM) – no objections raised to the proposals.
- 5.10 Greater Manchester Archaeological Advice Service (GMAAS) - no objections raised to the proposals.

6.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 6.1 Representations in objection to the application have been received from 17 neighbouring properties, raising the following concerns (summarised):
- Given the current issues with congestion on Kinder Street and other neighbouring streets, the proposal is considered to make inadequate provision for car parking on the site. Either the number of car parking spaces should be increased, or the number of dwellings within the development reduced to improve this situation;
 - The noise and disturbance caused by the construction phase of the development will have a detrimental impact on the residential amenity of neighbouring properties;
 - Additional traffic in the locality as a result of the proposed development is likely to result in an adverse impact on highway safety, particularly given the narrow nature of Kinder Street and the other adjacent roads;
 - The access points to the proposed houses would be located close to the junction between Kinder Street, Church Walk and Regina Avenue, with a bend in Kinder Street immediately north west of the site. The potential conflict between cars moving with close proximity of the access points to each dwelling would be harmful to highway safety; and
 - Development of this site could set a precedent for further residential development along Kinder Street in the future, which would lead to a cumulatively worse impact on highway safety.
- 6.2 Representations in support of the application have been received from two neighbouring properties, raising the following concerns (summarised):
- The site is visually unattractive currently and would benefit from suitable development, which the proposal is considered to be.
- 6.3 Councillor Jackson has objected to the application as Ward Councillor, raising the following concerns:
- The access arrangements serving the proposed development via Kinder Street are considered to be detrimental to the amenity of existing residents.

7.0 RELEVANT PLANNING HISTORY

- 7.1 08/00804/FUL - Erection of five dwellings (Re-submission of application 07/01477/FUL which was withdrawn) – approved.
- 7.2 06/00147/OUT - Proposed development of four, three storey split level town houses – approved.
- 7.3 88/01583/FUL – Change of use from amenity area to private garden – approved.

8.0 ANALYSIS

- 8.1 The key issues to be assessed in the determination of this planning application are:

- The principle of development;
- The residential amenity of neighbouring properties;
- The character of the surrounding area;
- The impact on highway safety;
- The impact on ecology and trees; and
- The impact on flood risk and drainage.

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 This section of the report is split between an assessment of the principle of development on open, undeveloped land and the suitability of the location for residential development.

Principle of the development of the open space:

- 9.2 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 48-50 of the NPPF set out how its policies should be implemented and the weight that should be attributed to the UDP policies.
- 9.3 Paragraph 48 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.
- 9.4 Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces (this site is not designated in this regard) but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.
- 9.5 Criterion (d) of the policy states that an exception to the policy requirement to retain green space can be made where 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. Tameside has produced a Playing Pitch Strategy and Action Plan report that does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next six years+).
- 9.6 The application site is within a 10 minute walk of Stamford Park (located to the west of the site). That park offers a substantial area of public open space and a range of associated facilities and is allocated as an area of Protected Green Space within the UDP. In that regard, Stamford Park provides a more valuable recreation resource than the application site and is within relatively close proximity of the land.
- 9.7 The mature planting on the southern edge of the site does connect to the soft landscaped edge that runs parallel with the northern side of Stamford Road. However, the plans submitted indicate that the dwellings would be sited in the northern portion of the site, allowing space for a soft landscaped edge to be retained in the southern portion of the site.
- 9.8 Paragraph 100 of the NPPF states that Local Green Space designation will not be appropriate for most green areas or open space and that the designation should only be used where the following criteria apply:
- Where the green space is in reasonably close proximity to the community it serves;
 - Where the green space is demonstrably special to a local community and hold particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

- Where the green area is local in character and does not apply to an extensive tract of land.

- 9.9 Whilst the land would comply with criterion 1 and 3, it is considered that the land does not hold the value required by criterion 2. The land is not publically accessible or considered to be of a scale or level that gives it significant recreational value. The amenity value of the land as an undeveloped gap on the Stamford Street frontage would be weakened but at a point immediately next to existing development. The long swathe of tree lined frontage to the west would be unaffected by the proposed development.
- 9.10 Overall, whilst the proposal would result in the loss of part of the open space, the land is not designated to be protected for this purpose, does not meet the requirements of the NPPF in terms of designation and is not subject to any natural or historic environment designations.

Principal of the proposed residential development:

- 9.11 The land is considered to be situated in a sustainable location, within close proximity of regular bus services accessible from Stamford Street and within a less than 10 minute walk of Stalybridge railway station and the services and facilities within Stalybridge town centre. It is also the case that the Council cannot currently demonstrate a five year supply of housing land. Within this context, it is considered that the principle of residential development on the site is acceptable.
- 9.12 On the basis of the above assessment, the principle of development is considered to be acceptable, subject to all other material considerations being satisfied.

10.0 RESIDENTIAL AMENITY

- 10.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with a habitable room and a corresponding blank elevation directly face each other. An additional three metres should be added to these distances for each additional storey where buildings are taller than two storeys in height.
- 10.2 The neighbouring property to the east (no. 7 Wakefield Road) is the existing dwelling most directly affected by the built form of the proposals. The proposed dwellings would be sited to the north west of the main bulk of that neighbouring property, with the rear building line of the terrace running parallel with the rear elevation of no. 7.
- 10.3 There is an outrigger to the rear of no.7 which projects northwards, close to the common boundary with the application site. That outrigger does not contain any habitable room windows that overlook the application site or could be affected by the proposed development. The outlook towards the application site from the closest ground floor window in the rear elevation of that neighbouring property is largely obscured by the existing outrigger.
- 10.4 There is a window at first floor level in the rear elevation of no.7 and the eastern gable of the proposed dwellings would intersect the 45 degree line drawn from that neighbouring window towards the application site. However, given the separation distance to be retained to the point of intersection and the fact that the proposed dwellings would be northwest of that neighbouring property, it is considered that the proposals would not result in harmful overshadowing of or loss of outlook to that neighbouring property.
- 10.5 The plans indicate that the eastern gable end of the proposed development would be blank and as such, direct overlooking into the rear garden area associated with no.7 could not

occur. Due to the siting of the proposed dwellings relative to that neighbouring property, no harmful overlooking could occur into any of the habitable room windows of that dwelling.

- 10.6 A separation distance in excess of 17 metres would be retained between the front elevation of the proposed terrace and the corresponding southern gable elevation of no. 2 Church Walk. Kinder Street highway would also be located in the intervening distance. Given that situation, the separation distance to be retained is considered to be sufficient to preserve the residential amenity of that neighbouring property.
- 10.7 A separation distance of approximately 14 metres would be retained between the front elevation of no. 1 Church Walk, the closest neighbouring property to the west of the site. Given that the western gable elevation of the proposed development would be blank and that the relationship between the dwellings would be oblique, the separation distance to be retained is considered to be sufficient to preserve the residential amenity of that neighbouring property. The same conclusion is reached in relation to no. 3 Church Walk, with the relationship between that property and the application site being more oblique.
- 10.8 A separation distance of approximately 17 metres would be retained between the front elevation of the terrace of dwellings and the corresponding elevation of 76 Kinder Street to the north east of the site. Given the separation distance to be retained, the fact that the highway is located in the intervening distance and the oblique relationship between the dwellings, it is considered that the proposals would not result in an adverse impact on the residential amenity of that neighbouring property or any of the other properties to the north east of the site.
- 10.9 In terms of the amenity of future occupiers of the development, the scheme does include some bedrooms that are slightly below the 7.5 square metres required by the Technical Housing Standards for a single room. However, the deficit against those standards in those cases is marginal and the proposed bedrooms at third floor level significantly exceed the minimum space requirements for double bedrooms. It is therefore considered that any harm arising to the amenity of the future occupiers in this regard would not be sufficient to warrant refusal of the application.
- 10.10 Following the above assessment, it is considered that the amended proposed development would not result in an adverse impact on the residential amenity of any of the neighbouring properties, within the context of the existing situation on site, or the residential amenity of the future occupiers of the development.

11.0 CHARACTER

- 11.1 The proposal would provide an active frontage to Kinder Street on the northern edge of the site. The topography and depth of the site provide a constraint in terms of how residential development can be organised on the land. A consequence of the proposal is that the rear gardens of the properties would extend down to the Wakefield Road frontage, resulting in a lack of activity on that edge of the site.
- 11.2 Whilst not ideal from an urban design perspective, in this case, the lack of active frontage to Wakefield Road is considered not to be detrimental to the character of the area. Subject to appropriate forms of boundary treatment being installed on that edge of the development and the retention of a soft landscaped edge (both of which can be controlled by condition), it is considered that the scheme could retain the 'gap' within the built frontage along Wakefield Road, a character of the locality to which the site currently contributes.
- 11.3 In addition, it is considered that the alternative of positioning dwellings in the southern portion of the site, with gardens backing on to Kinder Street would result in a more detrimental impact on the character of the area than the proposed scheme. An active frontage on the northern

boundary would contribute positively to the character of Kinder Street at the junction with Church Walk and Regina Avenue.

- 11.4 The proposal also allows dwellings commensurate with the scale of the two storey properties on Kinder Street front that boundary, with the taller southern elevations set back in views from Wakefield Road, ensuring that the split level nature of the buildings would not result in an overbearing impact on the character of the surrounding area.
- 11.5 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on the character of the surrounding area.

12.0 HIGHWAY SAFETY

- 12.1 The concerns expressed by objectors to the application in relation to the impact of congestion on the local highway network and additional pressure for on street car parking provision are noted. It is acknowledged that Kinder Street and the adjacent roads are relatively narrow and therefore, whilst parking restrictions within the highway are limited, it is the case that parking on both sides of the highway would result in a safety hazard.
- 12.2 The scheme proposes seven car parking spaces to the front of the five dwellings, to be accessed directly from Kinder Street, with a new footway being provided on the northern edge of the development. The plans indicate that one of the spaces would be of additional width to accommodate disabled access. Whilst that is a positive element of the scheme, policy RD8 of the RDG does not set a specific standard for this provision, stating instead that this should be negotiated on a site by site basis.
- 12.3 Given that policy position, it is considered that specific harm could not be identified should the scheme replace this wider space with 2 x 'standard' car parking spaces, increasing the total number of car parking spaces to eight. The RDG indicates that three car parking spaces should be provided per four bedroom property in locations such as this, but also sets this level as a maximum. The scheme clearly falls short of this standard.
- 12.4 However, the application of maximum parking standards is no longer consistent with national planning policy. This is considered to reduce the weight to be given to policy RD8 in the decision making process.
- 12.5 It is also the case that the site is within close proximity of regular public transport services (buses on Stamford Street and Wakefield Road and Stalybridge railway station). Given this situation and the fact that cycle storage can be required to be provided for each dwelling by condition, the level of harm attributed to the deficit in car parking provision against the requirements of RD8 is considered not to be sufficient to warrant refusal of the application.
- 12.6 Conditions requiring the submission and approval of a Construction Environment Management Plan, details of secured cycle storage and the provision of adequate pedestrian visibility splays are considered to be reasonable and are attached to the recommendation. Given the extent of the change in levels across the site, it is considered necessary to require details of the retaining structures required to facilitate the development and a condition to this effect is included in the recommendation.
- 12.7 Given the limited nature of works that would affect the condition of the existing highway, it is considered that phasing works in this regard and a condition survey of the highway are not necessary to make the scheme acceptable in planning terms. An electric vehicle charging strategy is considered to be a reasonable requirement and a condition to that effect is attached to the recommendation.

- 12.8 On the basis of the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety.

13.0 ECOLOGY AND TREES

- 13.1 In relation to ecology, the Greater Manchester Ecology Unit has not raised any objections to the proposals. Conditions requiring an investigation into the presence of invasive species on the site, the inclusion of biodiversity enhancements within the scheme and a limit on the timing of tree/vegetation removal are considered to be reasonable and are attached to the recommendation.
- 13.2 In relation to the impact on trees, the Borough Tree Officer has not raised any objections to the proposals. The site has been cleared of trees and vegetation although aerial view records indicate that these were of low amenity value. A condition requiring details of a replacement landscaping scheme is attached to the recommendation.

14.0 FLOOD RISK/DRAINAGE

- 14.1 The LLFA considers that further information in relation to the means of draining surface water from the site should be submitted prior to the determination of the application. It is important to note however that the site is located in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities has not raised any objections to the proposals. Given these factors and the relatively small scale of the scheme within an established residential area, it is considered that further details with regard to how the site is to be drained can be secured by condition. Such a condition is attached to the recommendation.

15.0 OTHER MATTERS

- 15.1 In relation to comments from neighbours not addressed previously in this report, whilst the concern regarding the impact of the construction phase on residential amenity are noted, this would be a temporary impact and cannot therefore be afforded weight sufficient to outweigh the benefits of increasing the supply of housing in a sustainable location. The condition requiring the submission and approval of a Construction Environment Management Plan will help to mitigate the impacts of this temporary phase.
- 15.2 The other issue raised is the setting of a precedent for further development on Kinder Street. Planning applications must be assessed on their own merits. Granting planning permission for residential development on this site has no bearing on the outcome of any future application that may be submitted on land on Kinder Street or anywhere else within the locality. The cumulative impact of development on matters such as highway safety is a material consideration. Given the assessment in previous sections of this report, it is considered that there is insufficient evidence to demonstrate any adverse cumulative impacts would arise from this proposal, to a degree that would outweigh the benefit of boosting the supply of housing in a sustainable location. Again, the impacts arising from any future proposal would need to be assessed at that point in time.
- 15.3 The Borough EHO has not raised any objection to the proposals. The requirement to provide details of how the residential amenity of future occupiers of the dwellings would be safeguarded is considered reasonable given the close proximity of noise sources, particularly the arterial route that runs parallel with the southern boundary of the site. Such a condition is attached to the recommendation. A condition limiting the hours of work during the construction phase of the development is also considered to be reasonable given the close proximity of neighbouring residential properties.

- 15.4 The Borough Contaminated Land Officer has not raised any objections to the proposals. A condition requiring an intrusive investigation is undertaken in relation to any sources of ground contamination on the site, prior to the commencement of development, is considered to be reasonable given the undeveloped nature of the site.
- 15.5 The site is located in an area at high risk with regard to the land stability implications of coal mining legacy. The Coal Authority has reviewed the Coal Mining Risk Assessment submitted with the planning application and has raised no objections to the proposals, subject to the imposition of a condition requiring an intrusive investigation into coal mining legacy issues on this site and the implementation of any necessary remediation. Such a condition is attached to the recommendation.
- 15.6 GMAAS were consulted on the application and raised no objections, with no conditions relating to potential impact on archaeology being considered necessary.

16.0 CONCLUSION

- 16.1 The site is considered to be in a sustainable location for residential development and for the reasons detailed in the main body of this report, the site is considered not to be of a recreation or amenity value that warrants designation as a protected area of open space.
- 16.2 Whilst the concerns of residents in relation to highway safety are noted, it is considered that the close proximity of regular public transport services (both bus and train) needs to be weighed against the harm arising from the deficiency against the car parking standards set out in the RDG.
- 16.3 This current application proposes the same number and size of dwellings and the same number of car parking spaces as the 2008 application and would therefore not have a materially greater impact on highway safety to that approved scheme. Given that the changes in national policy in the intervening period (namely the NPPF and PPG) require the Council to boost the supply of housing, it is considered that the material changes since 2008 weigh further in favour of approval.
- 16.4 The proposals are considered not to result in harm to the residential amenity of any of the neighbouring properties or the character of the surrounding area, for the reasons covered in the main body of this report. There are no objections to the proposals from any of the statutory consultees and it is considered that all material considerations can be satisfied through the imposition of appropriate conditions, where necessary.
- 16.5 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans / details:

1:1250 Site location plan (Dated October 2008);
1:200 Proposed site plan (Dated February 2008);
Proposed floor plans (Dated February 2008);

Proposed streetscene elevations, section and eastern gable elevation plan (Rev. B Dated October 2008);

Proposed streetscene elevations, section and western gable elevation plan (Dated June 2007);

3. No development, other than site clearance and site compound set up, shall commence until such time as 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 (including controlled waters) 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.

4. No development, other than site clearance and site compound set up, shall commence until such time as 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 and methodology for an investigation to determine the potential for the site to be affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority;
 - ii. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation;
 - iii. Any additional or unforeseen coal mining legacy issues 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; and
 - 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.

5. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or

full specification of materials to be used: externally on the buildings; in the construction of all boundary walls (including retaining walls), fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

6. No development above ground level shall commence until details of an electric vehicle charging strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.
7. Notwithstanding the details shown on the approved plans, no development other than site clearance and compound set-up shall commence until scaled plans detailing the existing and proposed ground levels on the site, the levels of the proposed access arrangements and the finished floor and ridge levels of the dwellings (including sections and with reference to a fixed datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
8. Notwithstanding the details shown on the approved plans, prior to the occupation of any of the dwellings hereby approved, details (including scaled plans) of a minimum of eight car parking spaces to be located within the site shall be submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained free from obstruction for their intended use thereafter.
9. Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied and shall indicate that the southern boundary of the site shall be treated with a natural stone wall. The boundary treatments shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings.
10. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - Wheel wash facilities for construction vehicles;
 - Arrangements for temporary construction access;
 - Contractor and construction worker car parking;
 - Turning facilities during the remediation and construction phases; and
 - Details of on-site storage facilities.

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

11. No development shall commence until a survey of the site for invasive species (including but not limited to Japanese Knotweed and Himalayan Balsam) has been undertaken by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. The survey shall be accompanied by a remediation strategy for any invasive species recorded on the site. The development shall be carried out in accordance with the approved remediation strategy.

12. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.
13. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
- A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height of planting; and
 - The location and construction material of all hard surfacing.

The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby approved.

14. The approved soft landscaping scheme to serve the development shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the Local Planning Authority. Any newly planted trees or plants forming part of the approved scheme, which within a period of five years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
15. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
16. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
17. Prior to the commencement of development above ground level, the following details shall be submitted to and approved in writing by the Local Planning Authority:
- Scaled plans showing the exact locations, dimensions and elevations of the retaining structures to be installed (as annotated on the approved plans) as part of the development; and
 - A structural survey (undertaken by a suitably qualified professional) detailing how the retaining structures will maintain land stability on the site.

The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

18. Notwithstanding the details submitted with the planning application, no development shall commence until the following details have been submitted to, and approved in writing, by the Local Planning Authority:

- Scaled plans showing the elevations of the development into which noise attenuation are to be installed; and
- Manufacturer's specifications of the glazing and trickle vent to be installed within the openings of the units in the above locations.

The noise mitigation measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

19. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.

20. No development above ground level shall commence until details of biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

21. During demolition / 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.

22. Notwithstanding the details illustrated on the approved plans, prior to the first occupation of any part of the development hereby approved, details of secured cycle storage to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.

23. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.

24. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions shall be erected on any of the dwellings without the prior granting of planning permission by the Local Planning Authority.

25. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-

enacting that Order with or without modification), no window openings shall be installed in the eastern and western gable elevations of the development hereby approved.