

**Application Number** 21/00092/FUL

<b>Proposal</b>	Demolition of existing ancillary building and erection of new industrial unit with associated car parking and engineering works.
<b>Site</b>	Unit 8, Tameside Park, Fifth Avenue, Dukinfield, SK16 4PP
<b>Applicant</b>	Mr Stuart Quinn
<b>Recommendation</b>	Members resolve to grant planning permission.
<b>Reason for Report</b>	A Speakers Panel decision is required because the application constitutes a major development.

## **1.0 APPLICATION DESCRIPTION**

- 1.1 The application seeks full planning permission for the demolition of an existing employment building associated with Unit 8 of Tameside Park and the erection of a replacement single industrial unit for B2/B8 Use. The occupier for the unit is presently unknown.
- 1.2 The building would be constructed from a steel portal frame with insulated steel cladding. The south eastern corner of the building's elevation would be constructed from brickwork. The building would be rectangular in shape measuring 53.7m (l) x 39.5m (w) with an eaves height of 8m and overall ridge height of 9.8m. There would be 3 loading bays accessed via roller shutters on the Southern (Fifth Avenue) facing elevation, and these would each measure 4.5m x 3.5m.
- 1.3 Access to the building would be taken from Fifth Avenue to the south which is the service road to the wider employment estate. It is proposed to provide a dedicated loading bay and manoeuvring yard for HGV's and there would parking provision for 27 vehicles.
- 1.4 The application has been supported with the following documents:
  - Design & Access Statement
  - Planning Statement
  - Drainage Strategy
  - Preliminary Ecology Survey
  - Tree Survey
  - Transport Assessment
  - Crime Impact Statement
  - Arboricultural Impact Statement
  - Phase 1 Site Investigations
  - Coal Mining Risk Assessment
- 1.5 The applicant states that it is anticipated that the site would support in the region of 20-30 full time jobs.

## **2.0 SITE & SURROUNDINGS**

- 2.1 The site relates to adjoining service yards associated with Unit 8 of Fifth Avenue within Tameside Park to the north of Globe industrial estate. Tameside Park is accessed from the west off Astley Street. Fifth Avenue is the spine road which runs centrally through the estate serving a variety of employment uses.

- 2.2 Unit 8 is an established warehouse unit and it is located to the rear of the employment park. It is occupied by Quinton Tyres which is located to the north of Fifth Avenue. The application site is located immediately to the east of unit 8 and it comprises of a levelled service yard which also supports a modest detached warehouse building which measures approximately 13m x 10m and is constructed from materials consistent with unit 8.
- 2.3 The site is bounded to the north and east by an embankment which supports trees and natural vegetation, which provides a buffer between the rear gardens of properties on Kingsbridge Drive and Woodbury Crescent. Beyond the southern boundary (Fifth Avenue) is defined by a cluster of trees with the Manchester Piccadilly – Glossop railway line lying beyond.
- 2.4 The application Site is in an accessible area on the strategic road network that provides connectivity to the M60 and M67. The wider Globe Lane employment area is served with regular bus services providing links to surrounding townships.

### **3.0 PLANNING HISTORY**

- 3.1 00/00399/ADV - Non-illuminated advertisement – Approved 03.05.2020

### **4.0 RELEVANT PLANNING POLICIES**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Split Employment and Protected Green Space
- 4.4 **Part 1 Policies**
- 1.1: Capturing Quality Jobs for Tameside People
  - 1.3: Creating a Cleaner and Greener Environment
  - 1.5: Following the Principles of Sustainable Development
  - 1.6: Securing Urban Regeneration
  - 1.9: Maintaining Local Access to Employment and Services
  - 1.12: Ensuring an Accessible, Safe and Healthy Environment
- 4.5 **Part 2 Policies**
- OL4: Protected Green space
  - E3: Established Employment Areas
  - E6: Detailed Design of Employment Developments
  - T1: Highway Improvement and Traffic Management
  - T7: Cycling
  - T10: Parking
  - T11: Travel Plans.
  - C1: Townscape and Urban Form
  - N4: Trees and Woodland.
  - N5: Trees within Development Sites.
  - N7: Protected Species
  - MW11: Contaminated Land
  - MW12: Control of Pollution
  - U3: Water Services for Developments
  - U4: Flood Prevention
  - U5: Energy Efficiency

#### 4.6 **Other Policies**

Places for Everyone – Consultation Document August 2021

Trees and Landscaping on Development Sites SPD adopted March 2007

Employment Land Supplementary Planning Document adopted January 2009

#### 4.7 **National Planning Policy Framework (NPPF)**

Section 2: Achieving sustainable development

Section 6: Building a strong, competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

#### 4.8 **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.

### 5.0 **PUBLICITY CARRIED OUT**

5.1 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 the application has been advertised as a Major Development:

- Neighbour notification letters to 32 premises;
- Display of site notices; and
- Advertisement in the local press.

### 6.0 **RESPONSES FROM CONSULTEES**

6.1 Coal Authority – Have reviewed the content and conclusions of the submitted desk study. Raise no objection to proposed development subject to recommended conditions.

6.2 Contaminated Land – The reporting provided to date has identified that there is a potential contamination risk from the features identified in the Phase 1 Desk Top Study report. Consequently, site investigations are required to quantify this risk and to determine whether any remediation works are needed. EPU concur with this conclusion and recommend that contaminated land conditions are attached to this development.

6.3 Environment Health Officer – No objections, do not envisage any disturbance arising from the development. Recommend that controls on construction hours are applied in addition to approval and also recommend restriction on the operating hours.

6.4 Environment Agency – Raise no objections. Recommend that the site has been subject to past industrial activity and recommend that the Council consults with its own Environmental Protection Unit.

6.5 Greater Manchester Ecology Unit – Confirm that sufficient ecology survey has been undertaken of the site. Recognises that there are opportunities to raise the biodiversity value of the site which can be adequately secured by condition.

- 6.6 Greater Manchester Police Architectural Design Officer – No objections, recommend the security measures within the crime impact report are implemented.
- 6.7 Highway Authority – Have reviewed the Transport Assessment and are satisfied with its recommendations. The local highway network has sufficient capacity and the access and service arrangement would be acceptable. No objections subject to recommended conditions.
- 6.8 Lead Local Flood Authority – Comment that the drainage strategy does not address the use of SUDS and advise that a revised strategy be submitted for consideration. Recommend a condition to ensure 50% betterment of existing brownfield drainage including an allowance for climate change.
- 6.9 Network Rail – No objections to the proposals, reference the need for protection of the railway during the construction and recommend some informatives.
- 6.10 Tree Officer – Trees to be removed as a result of the development are of a low amenity value (Cat C) and would not be considered a constraint to the proposals. The Arboricultural Impact Assessment (AIA) proposes a high quality landscape scheme to mitigate the losses. Recommends that retained trees are protected to recommendations in BS5837 and the submitted AIA and that a landscape plan be submitted for approval indicating suitable planting in mitigation.
- 6.11 TfGM – No objections. They have reviewed the Transport Statement (TS) issued in support of the proposed development. The trip generation for this development is likely to be low, however TfGM would suggest that consideration is given to the impact during construction and suggest that the local authority ensure this is mitigated properly. Also request that suitable cycle parking facilities should be provided at the development.
- 6.12 United Utilities – No objections but recommend a condition is applied requiring that the site is drained in accordance with the drainage hierarchy.

## **7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 There have been five letters of objection received in relation to the development. Concerns raised in the correspondence are summarised as follows:
- Development is too close to existing residential properties;
  - Additional noise from more HGV vehicles in close proximity to the rear of dwellings creating excessive noise and disturbance;
  - HGV access need to be located away from residential houses;
  - Devaluation of properties;
  - Concerns about the visual impact from nearby residential properties;
  - Can't determine the impact from the activities when an operator for the unit has not been identified;
  - No certainty on the jobs which will be created;
  - Concerns about traffic and parking;
  - Overshadowing from the development;
  - Building is too large;
  - Concerns about fire risk and impact upon nearby properties;
  - Discrepancy between height of the building shown on the plans and that shown on drawings;
  - Building is over twice the height of that which it would replace and would dominate local views;
  - Loss of privacy and overlooking from windows in upper floors.

## **8.0 ANALYSIS**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - specific policies in the Framework indicate development should be restricted.

## **9.0 PRINCIPLE OF DEVELOPMENT**

- 9.1 Section 6 of the NPPF is entitled “Building a strong, competitive economy”. Paragraph 81 states that ‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.’
- 9.2 Despite the site’s established employment function the site UDP allocation is unusually split. This includes being part Employment and part Protected Green Space. The material planning policies are considered to be 1.1 (Capturing Quality jobs for Tameside People), E3 (Established Employment Areas) and OL4 (Protected Green Space). In terms of the Development Plan’s strategic objectives for employment growth and opportunity, the proposals are fully aligned with the principles of the plan. With reference to part of the site which is designated as Protected Green Space then this designation does not correspond to the reality of the site’s conditions. The site includes a private enclosed area which includes the building to be demolished and a large area of hardstanding and the buffer to the north of the site would not be impacted by the development proposals. Whist allocated as Green Space no part of the development site is actively functioning in this capacity. The applicant identifies this and states that it does not: provide any sense of openness in the street scene; does not maintain the environmental quality of the area; and does not maintain an open land corridor or enclave of open space within the urban area. This position is supported and it is not considered that there would be any demonstrable loss of Green Space function arising from the proposals.
- 9.3 The Council recognises that there is at present a shortage in the supply/allocation of employment land within the Borough. This will be partly addressed within the emerging spatial plan and following its adoption the formation of the Local Plan. The evidence submitted as part of the GMSF highlighted that Tameside has the lowest availability of industrial and warehousing space within GM. Industrial and warehousing development has an important role to play in addressing the economic disparities across Greater Manchester and, in particular, to boost the competitiveness of the borough within the northern areas.

- 9.4 Policy E3 states that in established employment areas, the Council will permit development for employment purposes. The erection of the proposed building would yield direct economic outputs and the creation of the employment floor space would provide direct employment opportunities. The investment within the site is welcomed and this would be complimentary to the wider employment offer within the Tameside Park / Globe Lane employment district. This investment is welcomed and it fully accords with the strategic objectives of the Council, current UDP policies and those of the emerging Places for Everyone strategic plan.
- 9.5 The principle of development is considered to be acceptable, the proposals would be compliant with the site allocation and meet the test of policies E3 'Established Employment Areas'. No objections are raised against policy OL4 given the site's established characteristics.

## **10.0 DESIGN & LAYOUT**

- 10.1 Policy E6 'Detailed Design of Employment Developments' sets out a number of design based criteria to be applied in the consideration of new employment development. Policy C1 promotes that new development responds positively to and with understanding of its local context. Tameside Park is an example of one of the borough's more modern employment estates and units are of a consistent design set around a structured layout. The building to be demolished is an example of one of the smallest structures within the estate. The building and the service area that surrounds it is capable of supporting a larger employment unit.
- 10.2 Representations have been received about the size and scale of the unit and its overall appearance. The site is not overly prominent, being located at the rear of the employment estate, and it is not openly visible from public vistas. The design of the building would follow that of established units within the estate, which would effectively be a rectangular building positioned to the east of unit 8. The setting and overall character of the locality is firmly established by the presence of the existing employment units and the replacement building would be seen in the context of this backdrop.
- 10.3 The development would comprise of a typical steel portal framed warehouse, the main body of which would be constructed from horizontally laid profiled metal cladding panels in grey with green piping to ridge lines. A feature is made of the main entrances through the addition of large elements of glazing and contrasting materials on the south-eastern corner. A brickwork plinth course would be constructed within this corner along the base of the units and all associated service and fire doors would be powder coated in grey to provide consistency with the overall appearance of the building. Internally the building would offer flexible space to address the aspirations/working practices of a range of employment users. Parking and service areas would be located adjacent to the buildings and these would be enclosed within a fenced compound, details of which would be secured through a condition.
- 10.4 The overall height and scale of the building is considered to be acceptable. Levels within the site are flat and the building would assume a subservient appearance in comparison to the larger units within the estate. The warehouse would appear as a natural addition to the established employment park and as such would assimilate successfully into the fabric. The design and scale would not result in an overbearing impact on the character of the surrounding area, from which there would be very limited views.
- 10.5 The site is presently laid almost entirely to hard landscaping being largely void of any vegetation. This situation would remain largely unchanged, although the replacement building would consume an area already developed with no loss of open space occurring. Boundary fences and gates to Fifth Avenue would be consistent with those of the estate.
- 10.6 The design is considered acceptable meeting the criteria of policy E6. The building is deemed to be complimentary to existing industrial units within the estate and would not

detract from the appearance of the locality. The building takes a simple appearance directly akin to that of adjacent buildings, the addition of brick work to the south eastern elevation will provide a degree of interest to the overall appearance and the building will frame Fifth Avenue in an acceptable manner. Landscaping to the rear of the site will continue to provide a degree of screening for more sensitive receptors and it is considered that the building will assimilate successfully into the site.

## **11.0 RESIDENTIAL AMENITY**

- 11.1 The nearest residential properties are those located to the north (Kingsbridge Drive) and east (Woodbury Crescent). These properties occupy a marginally higher elevation to the site and their rear elevations are in excess of 30m from that of the proposed rear elevation of the employment unit. There is an established relationship between these properties and from Tameside Park, the outlook would not be altered significantly. The proposed unit whilst larger than that which it replaces is smaller in both height and footprint to unit 8 and so would not appear domineering. The existing landscaped buffer separating the employment park and residential properties is outside of the applicant's control and would not be impacted by the proposals. This would therefore continue to provide a degree of mitigation associated with vegetation screening that would be retained.
- 11.2 The building would be rectangular in shape with an eaves and ridge height lower than of unit 8 so would assume a subservient appearance. The building's eaves height would be 8m with a ridge height of 9.8m, which is not considered excessive given the established context of existing units within the wider employment park. Openings are relatively limited with the loading bays located on the southern elevation therefore facing away from the residential properties. Window openings are located on the corner of the front (south) and side (eastern) elevations only. These elevations face towards the rear of Woodbury Crescent some 50m away. Given the interspacing distances between the units and properties it is considered that the proposals would not result in unreasonable overlooking into or overshadowing of those neighbouring properties concerned.
- 11.3 Save for fire exits to the building on the rear and one of the side elevations of the proposed building, there would be no other openings on the outward facing elevations of the building. On that basis, no unreasonable overlooking could occur from that element of the scheme to any of the adjacent residential properties.
- 11.4 The service yard would be located on the southern elevation directly facing the entrance to Fifth Avenue. This would be the main area of activity which would accommodate HGV movements and associated noise. The current building occupying the site is surrounded by service yard. The focus of the loading areas away from the eastern boundary would be no more harmful than that of the current arrangement. The staff car park area would be located on the eastern boundary and the associated activity would not be deemed to be harmful again having consideration to the intervening separation distance.
- 11.5 Environmental Health have commented that there is potential for noise disturbance if restrictions are not applied. At present there are no restrictions on the units within Tameside Park so any restrictions need to be weighed against the economic benefit associated with the use. The current application is speculative and a named operator is currently not identified. It would be considered reasonable to request that operating hours are submitted for approval prior to occupation whereby a more informed decision can be made in respect of the working arrangements. Likewise controls relevant to the delivery times can be considered as part of a condition discharge process.
- 11.6 Following the above assessment, it is considered that the proposed development would not result in an adverse impact on the residential amenity of any of the neighbouring properties,

subject to the restrictions on delivery times being secured by condition and clauses in the Section 106 Agreement, should planning permission be granted.

## **12.0 HIGHWAY SAFETY & ACCESSIBILITY**

- 12.1 The proposed access into the site would be taken from Fifth Avenue and would be independent from that to the existing Unit 8 building. The access would be widened to facilitate Heavy Goods Vehicles into the site.
- 12.2 The applicant has submitted a Transport Assessment with the planning application. The Assessment uses TRICS data to calculate the anticipated trip generation from the proposed development. In relation to the proposed building, the assessment anticipates 15 two way trips in peak period which is below the threshold of a formal assessment. The LHA confirm that there is sufficient capacity on the local network to accommodate the associated trips without any detriment to safety.
- 12.3 The LHA are satisfied that the access/egress from the development is satisfactory and meets the LHA requirements for maximum gradients/minimum 10m from existing junctions and the visibility splays comply with Manual for Streets requirements for the existing private access road.
- 12.4 In terms of parking provision, the scheme proposes a total of 36 car parking spaces to serve the development, including two dedicated disabled and two visitor bays which would be consistent with policy T10. No cycle or motorcycle spaces are identified nor has there been a commitment to provide any Electric Charging points. These are important matters to promoting sustainable travel and can be addressed by way of a condition to include a minimum of five cycle and two motorcycle spaces.
- 12.5 Amendments have been sought to extend the footpath along Fifth Avenue to the site. This would be a 2m wide footpath with street lighting to an adoptable standard to run adjacent to the access road. This encompasses land within the applicants control and can be dealt with through a condition. This will improve access for the site and provide proportionate mitigation. The Local Highway Authority has raised no objections to the principle of the proposed access arrangements or to the impact of the additional traffic generated by the proposed development or the proposed parking arrangements, subject to a number of conditions.
- 12.6 It is considered reasonable to impose conditions requiring the laying out of the vehicle car parking spaces as indicated on the submitted plans prior to the operation of any part of the development plot and that details of an external lighting scheme are submitted and approved. It is also considered reasonable to condition the submission and approval of a management plan relating to the construction phase of the development.
- 12.7 In concluding highways matters, it is considered that the proposed development would not result in an adverse impact on highway safety in terms of trip generation, the safety of the access arrangements or car parking capacity, subject to securing by condition a package of pedestrian connectivity improvement measures that are within the applicant's control. It is considered that the proposals would not result in a detrimental impact on highway safety.

## **13.0 DRAINAGE AND FLOOD RISK**

- 13.1 The applicant has submitted a Drainage Strategy with the planning application. The site is located in Flood Zone 1 and is therefore considered to be at the lowest risk of flooding. The site is presently laid entirely to hard surfacing and there would be no material increase to the size of this area.

- 13.2 The Drainage Strategy references a desk top study completed in December 2020. The summary of this report leads to the conclusion that infiltration would not be suitable at the site due to possible moderate risk of contamination migration and ground stability. This relates to comments from both the EPU and EA which identify a potential risk of below ground contamination.
- 13.3 The proposals are to drain the site into an existing private drainage system. No exact details of this have provided and the LLFA have flagged up concerns in this regard. Further consultation with the EA has not raised any objections and United Utilities are also satisfied subject to the imposition of a condition requiring details to be approved. Such a drainage condition can satisfy drainage requirements to ensure that an appropriate amount of attenuation is achieved which also accounts for climate change.
- 13.4 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on flood risk or drainage capacity.

#### **14.0 GROUND CONDITIONS**

- 14.1 The site falls partially within the Coal Authority's defined Development High Risk Area. As such, there are coal mining features and hazards which need to be considered. The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Mining Report which has been reviewed as acceptable by the Coal Authority who recommend a conditional approval.
- 14.2 The Environmental Protection Unit has recommended that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy. This is considered reasonable to ensure that occupiers of the unit will not be exposed to any potential risks.

#### **15.0 LANDSCAPING & ECOLOGY**

- 15.1 There are 3 individual trees and a single tree scheduled for removal. These trees are located towards the southern boundary and their removal is required to facilitate the access improvements onto Fifth Avenue. Consultation with the Tree Officer confirms that these trees are of a low amenity value and that their loss can be tolerated without any loss of amenity.
- 15.2 All trees to be retained on the site would be protected from the development to prevent damage to the root system and ensure their future retention. A condition requiring the installation of tree protection fencing prior to commencement of development is recommended to ensure this achieved.
- 15.3 Section 11 of the NPPF advocates biodiversity enhancement. There is little to no scope to introduce further soft landscaping. Consultation with GMEU confirms that biodiversity enhancements would therefore be limited to physical features such as bird and bat boxes on the building. This is a matter to be addressed by planning condition.

#### **16.0 CONCLUSION**

- 16.1 The application proposes the erection of development that will generate employment on a site which is primarily allocated for employment uses in the Unitary Development Plan. The element of the site which is allocated Protected Green Space does not function in any open space or amenity capacity and the proposals would not result in any local open space deficiencies. The economic benefits associated with investment and subsequent

employment opportunities carry significant weight and the principle of the development is considered to be fully acceptable.

- 16.2 It is considered that the proposals would preserve the residential amenity of neighbouring properties. The building would take an appearance that is typical of commercial development within the locality and the scale, massing and design of the unit would not result in a detrimental impact on the character of the surrounding area.
- 16.3 The proposal is considered not to be detrimental to highway safety, subject to the imposition of conditions and the securing of a pedestrian and cycleway improvement from Fifth Avenue.
- 16.4 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing site.
- 16.5 The proposal therefore complies with relevant development plan policies as well as those contained within the NPPF and is considered acceptable when taking into account other material planning considerations.

## **RECOMMENDATION**

Grant conditionally, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

Site Opportunities and Constraints Map (A3/PM3D/0708 Page No.1 Rev 0)

Existing and Proposed Site Elevations Ref A3/PM3D/0708 Page No.1 Rev 0.1

Proposed Front and Rear Elevations Ref A3/PM3D/0708 Page No.2 Rev 0.1

Proposed Side Elevations Ref A3/PM3D/0708 Page No.3 Rev 0.1

Proposed Ground Floor Plans Ref A3/PM3D/0708 Page No.4 Rev 0.1

Site Layout Ref A3/PM3D/0708 Page No.5 Rev 0.1

Images with Model in Google Earth Ref A3/PM3D/0708 Page No.6 Rev 0.1

Location Plan Ref A3/PM3D/0708 Page No.7 Rev 0.1

Distances to Properties Ref A3/PM3D/0708 Page No.8 Rev 0.1

Transport Impact Assessment (TIA) Figure 1

Transport Impact Assessment (TIA) Figure 2

Fifth Avenue Mitigation (Ref: J1238 access Fig 3)

Fifth Avenue Mitigation with Tracking (Ref: J1238 Fig 3)

Design, Access and Sustainability Statement (revision submitted 3rd April)

Planning Statement (revision submitted 2nd August)

Transport Impact Assessment Dec 2020 Rev A

Tree Survey

Preliminary Ecological Appraisal

Preliminary Ecological Appraisal Appendix 1 (Phase 1 Habitat Survey)

Phase 1 Contaminated Land and Coal Mining Risk Assessment

Drainage Strategy

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 3) With exception of site clearance and demolition no above ground development shall take place until full details of the proposed external materials 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.

Reason: In the interests of the visual amenities of the locality, in accordance with polices OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
  1. A site investigation strategy, based on the GEO Environmental Engineering Desk Top Study dated 5 January 2021 (Reference: 2020-4495). This will need to provide full details of all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
  2. The findings of the site investigation and detailed risk assessment referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
  3. Based on the site investigation and detailed risk assessment referred to in point (2) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
  4. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 5) Prior to use, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA). If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

- 6) Prior to bringing the development into use the car and cycle parking, servicing and turning facilities indicated on the approved plan shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and shall be retained as such thereafter. Vehicles must be able to enter and leave the site in forward gear at all times.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

- 7) With exception of site clearance and demolition, and notwithstanding the submitted plans / information, no further development shall commence until a detailed surface water drainage scheme and associated strategy has been submitted to and approved in writing by the local planning authority. The scheme to be submitted shall address the following:

- Incorporate SuDS and be based on the hierarchy of drainage options in the National Planning Practice Guidance with site based evidence of a comprehensive assessment of the site conditions;
- Provide for a 50% betterment of existing drainage regimes for brownfield sites.
- Include an assessment and calculation for 1in 1yr, 30yr and 100yr + 40% climate change figure critical storm events;
- Be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards;
- Incorporate an assessment of exceedance flows;
- Incorporate evidence of any discussions / agreements with United Utilities regarding impacts to public sewers;
- Shall include details of ongoing maintenance and management. The development shall be completed and maintained in full accordance with the approved details

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

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

- 8) 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.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP policy T1 Highway Improvement.

- 9) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve 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 details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.

Reason: In the interest of sustainability to encourage electric vehicle ownership in the interests of air quality.

10) As indicated on the approved plan, prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the Local Planning Authority and shall be retained as such thereafter. which complies to the requirements listed below:- The specification of the charging points installed shall:

- i. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
- ii. have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
- iii. be fitted with a universal socket (known as an untethered electric vehicle charge point);
- iv. be fitted with a charging equipment status indicator using lights, LEDs or display;
- v. a minimum of Mode 3 or equivalent

Reason: In the interest of sustainability to encourage electric vehicle ownership in the interests of air quality.

11) With exception of site clearance and demolition no above ground work shall take place until a scheme relevant to highway improvements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-

1. Phasing plan of highway works detailed within approved Transport Statement;
2. Provision of improved pedestrian facilities to Fifth Avenue;
3. Modification to access road/ Entrance to accommodate 2 way HGV traffic
4. Details of carriageway markings and signage;
5. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.

No part of the approved development shall be brought into commercial use until the approved highways works have been constructed in accordance with the approved details or phasing plan and the development shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

12) 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

13) Prior to the occupation of use hereby permitted a full details of the working times along with a detailed description of all work activities for the proposed occupier shall be submitted for approval in writing by the local planning authority. The development shall be occupied in accordance with approved details.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

14) All fixed plant and machinery shall be acoustically treated / designed in accordance with a scheme to be agreed in writing with the Local Planning Authority. The agreed measures shall be retained and maintained thereafter.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12.

- 15) Prior to commencement of development full details of the mitigation measures identified in section 3.1.4 Preliminary Ecological Appraisal (Pennine Ecological), including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 16) Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam, Japanese Knotweed and rhododendron should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: in the interests of biodiversity to secure nature improvement.

- 17) Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 18) Prior to the commencement of development a risk assessment and method statement relevant to construction processes and activities within 10m of the railway boundary shall be submitted for approval in writing with the local planning authority. The development shall be carried out in full accordance and risk assessment.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.