

Application Number 17/00949/OUT

Proposal Outline planning application for the demolition of the existing industrial buildings on the site and the erection of 14 dwellings (8 townhouses and a block of 6 apartments)

Site Unit 14 Glover Centre Egmont Street Mossley

Applicant McKay Homes Ltd

Recommendation Grant planning permission, subject to the prior completion of a Section 106 agreement, subject to conditions

Reason for report A Speakers Panel decision is required because the application constitutes major development and includes the requirement of a Section 106 legal agreement.

1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks outline planning permission for the erection of 14 dwellings on the site, in the form of 8 dwellings and 6 apartments in one block in the north western corner of the site. The applicant seeks approval for the means of access and layout. The matters of appearance, landscaping and the scale of development are reserved.
- 1.2 The applicant has provided the following documents in support of the planning application:
- Flood Risk and Drainage Assessment;
 - Planning Statement;
 - Topographical survey;
 - Crime Impact Survey

2. SITE & SURROUNDINGS

- 2.1 The application site is occupied by buildings and hardstanding associated with the previous industrial use of the land. A brick building with a profile sheet roof fronts onto Egmont Street on the northern boundary, with smaller structures in the central and southern parts of the site. The Huddersfield Narrow Canal runs adjacent to the western boundary of the site, with a dense belt of trees running the length of the eastern boundary.

3. RELEVANT PLANNING HISTORY

- 3.1 16/01163/OUT - Outline Application (access only) attached to 0.63Ha of land for proposed residential development including access from Cheshire Street (the application site included the land that is the subject of 17/00949/OUT and additional land to the south) – resolution to approve at June 2017 meeting of Speakers Panel – decision not issued as Section 106 was not signed by the applicant. As such, this is not an extant planning permission.

- 3.2 13/00169/OUT – Proposed Residential Development - approved
- 3.3 07/00050/OUT - Proposed Residential Development – approved

4. RELEVANT PLANNING POLICIES

4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

4.3 Tameside Unitary Development Plan (UDP) Allocation

Unallocated, within the settlement of Mossley.

4.4 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

4.5 Part 2 Policies

- H2: Unallocated Sites.
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H7: Mixed Use and Density (Density being relevant to this proposal)
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space
- OL7: Potential of Water Areas
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- C1: Townscape and Urban Form
- N5: Trees Within Development Sites.
- N6: Protection and Enhancement of Waterside Areas
- N7: Protected Species
- MW11: Contaminated Land
- MW14 Air Quality
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.6 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2016;
Residential Design Supplementary Planning Document; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.7 National Planning Policy Framework (NPPF)

Section 1 Delivering sustainable development
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities
Section 11: Conserving and enhancing the natural environment

4.8 Planning Practice Guidance (PPG)

4.9 This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

5. PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued 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. This is in addition to a site notice and press notice.

6. RESPONSES FROM CONSULTEES

6.1 Borough Tree Officer: Raises no objections to the proposals. Details of the proposed landscaping scheme should be secured by condition.

6.2 United Utilities: No objection to the proposed development subject to conditions relating to the details of foul and surface water drainage (including management of maintenance of sustainable drainage systems to be installed) being attached to any approval.

6.3 Greater Manchester Ecological Unit (GMEU): No objections to the proposals subject to the imposition of a condition requiring the submission and approval of an Environmental Construction Method Statement, including details of how pollution of the Canal waters is to be avoided during the construction phase of the development.

6.4 Borough Contaminated Land Officer: Recommends 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.

6.5 Borough Environment Health Officer: Raises no objections to the proposed development subject to the imposition of conditions limiting the hours of works and deliveries during the construction process, requiring the submission and approval of bin storage arrangements serving the development and the approval of a soundproofing scheme to mitigate the impact of noise associated with adjacent uses on the residential amenity of the future occupants of the development.

6.6 Local Highway Authority: Raises no objections to the proposals subject to the imposition of conditions requiring the laying out (and retention free from obstruction thereafter) of the car parking spaces prior to the first occupation of the development, the retention of pedestrian visibility splays on either side of the proposed access arrangements, the submission of a survey of the condition of the highway and the

submission of a Construction Environment Management Plan prior to the commencement of development.

- 6.7 Greater Manchester Police (Design Out Crime Officer): (comments on the Impact Statement submitted with the application) – no objection in principle subject to further details being provided at the reserved matters stage.
- 6.8 Environment Agency: No objections to the proposals subject to a condition securing compliance with the mitigation measures detailed in the Flood Risk Assessment submitted with the planning application.
- 6.9 Mossley Town Council: considered the application at the meeting held on 13 December 2017. No observations to make.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 No third party representations have been received.

8. ANALYSIS

- 8.1 The issue to be assessed in the determination of this planning application are:
 - 1) The principle of development;
 - 2) The impact of the design and scale of the development on the character of the site and the surrounding area;
 - 3) The impact upon the residential amenity of neighbouring properties;
 - 4) The impact on highway safety;
 - 5) The impact on flood risk;
 - 6) The impact on ecology; and,
 - 7) Other matters

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The site is located adjacent to two Established Employment Areas (one to the west and one to the south) but the site itself is not subject to this (or any other) designation. It is clear however that the last use of the site was for employment purposes. Therefore, it does constitute an employment site and therefore the provisions of policy E3 of the UDP apply.
- 9.2 The policy states that the conversion of such sites to residential or mixed use development will not be permitted unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:
 - (a) The quality and type of employment sites and premises available in the area
 - (b) Evidence of demand for employment sites and premises in the area
 - (c) The suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses

(d) The opportunity which may be presented for new forms of employment as part of a mixed use scheme

- 9.3 In relation to criterion (a) and (b), the presence of two Established Employment Areas within close proximity of the site indicates that significant areas of land in this part of Mossley are protected as sites for employment use. The Employment Land Review of 2013 indicated that the supply of industrial use properties was greater than demand for such premises in the Borough. The surplus of employment land has been reduced through the inclusion of some allocated employment land within the Strategic Housing Land Availability Assessment (SHLAA) (i.e. there is an assumption that some of these sites would be redeveloped for residential use).
- 9.4 In relation to alternative employment uses, offices are classified as a town centre use and sites for such development should be considered within designated town centres first. This site does not fall within the town centre. In relation to less intensive industrial uses, there is a Designated Opportunity Area to the north of the site, where a number of former mill buildings once stood. That land is considered suitable under policy E2 as a site for residential and some business uses, which could include mixed use development covered by criteria (d) of policy E3. This allocation represents an alternative site for employment uses within close proximity of the site. It is therefore considered that the benefit of boosting the supply of housing in the Borough would outweigh the retention of part of the site for employment purposes in a mixed use development, addressing the requirements of criteria (d) of policy E3. These factors are considered to reduce the weight to be attributed to the harm arising from the loss of this unallocated employment site.
- 9.5 The site is considered to be suitable for employment uses (albeit that the proximity of no. 60 Egmont street to the north east would render a number of B2 and potentially B8 uses unsuitable), given the commercial nature of a number of adjacent uses and the separation distance to other neighbouring residential properties. However, in the broader context, there is a need to boost the supply of housing in the Borough and a number of the allocated employment sites included within the SHLAA have not yet been granted planning permission for housing. There is support in the NPPF for the redevelopment of brownfield sites for housing in sustainable locations. This site is considered to meet this definition, with regular public transport connections via buses on Egmont Street to and from Oldham and Mossley train station is within reasonable walking distance of the site.
- 9.6 On balance, following the above assessment, it is considered that the harm arising from the loss of the employment site is outweighed by the benefits of boosting the supply of housing in the Borough on a brownfield site in a sustainable location. The principle of development is therefore considered to be acceptable, subject to all other material considerations being satisfied.

10. CHARACTER OF THE SURROUNDING AREA

- 10.1 The scheme has been amended to significantly improve the layout, which is one of the matters to be determined at this outline stage. The original submission proposed a number of dwellings backing on to the western boundary of the site, adjacent to the

canal. Officers were concerned that this approach compromised one of the opportunities of the site and weakened how the development would relate to the surrounding area. There was also no activity at the end of the access road into the development, weakening the sense of place created by the scheme.

- 10.2 The amended layout now proposes a block of apartments fronting onto the canal, with a row of terraced units backing on to the eastern boundary of the site and 3 units located at the southern end of the site, facing the access road and providing a terminating vista on entry into the development. This amendment has resulted in a more positive development, presenting outward facing units along the western boundary with the canal, which is visible from the bridge immediately north west of the site, ensuring that the scheme will result in an environmental improvement, given the lack of quality in the existing built environment from that vantage point.
- 10.3 The revised proposals would respect the linear form of buildings in the surrounding area. There would be potentially some flexibility in terms of scale, given the opportunity presented by the canal frontage. This, along with the appearance of the buildings and details of landscaping to be incorporated within the development, is a matter to be determined at the reserved matters stage.
- 10.4 Following the above assessment, it is considered that the proposals would preserve the character of the site and the surrounding area.

11. RESIDENTIAL AMENITY

- 11.1 The property at 60 Egmont Street to the north east of the site would be separated from the apartment block in the north western corner and the north eastern gable of plot 8 by the internal access road and parking provision within the proposed development. Given the separation distances to be retained and the fact that there are no windows in the western elevation of that neighbouring property, it is considered that the proposals would not result in a detrimental impact on the residential amenity of the occupiers of that dwelling, subject to a condition requiring any first floor windows in the gable of plot 8 to be obscurely glazed.
- 11.2 The next closest residential properties are located on the opposite side of Egmont Street to the north east of the site. The proposed apartment block in the north western corner of the development would retain an oblique relationship with the corresponding elevations of those neighbouring properties.
- 11.3 Given this situation and the fact that the highway intervenes the separation distance, it is considered that the proposals would not have an adverse impact on the residential amenity of those neighbouring properties, subject to an appropriate scale and appearance to the development, to be determined at the reserved matters stage.
- 11.4 Given the extent of the separation distance to the properties on Cheshire Street to the east of the site and the density of the intervening tree belt, it is considered that the proposals would not result in any adverse impact on the residential amenity of those properties through unreasonable overlooking or overshadowing.

- 11.5 Adequate separation distances would be retained between plots to ensure that unreasonable overlooking and overshadowing would be avoided between dwellings within the proposed development. Where the units at plots 6-8 face the rear elevation of the apartment block in the north western corner, the separation distance would be 21 metres, meeting the requirements of the Residential Design Guide where habitable room windows face each other. Subject to the obscure glazing of any windows in the southern gable of the apartment building, the oblique relationship between that unit and plot 1 would be sufficient to preserve the amenity of those properties. This requirement can be secured by condition.
- 11.6 Part of the development would extend right up to the northern boundary of the site and a number of the neighbouring sites include commercial uses. It is therefore considered necessary to condition the details of a scheme to soundproof the elevations of a number of the dwellings proposed. This would ensure that the noise associated with traffic on Egmont Street and the adjacent uses would not result in an adverse impact on the living conditions of the future occupants of the development.
- 11.7 On the basis of the above assessment, it is considered that the proposals would not result in a detrimental impact on the residential amenity of any of the neighbouring properties or the future occupiers of the proposed development.

12. HIGHWAY SAFETY

- 12.1 Access to the proposed development would be taken from Egmont Street on the northern boundary of the site, the boundary on which the existing access is located. It is considered that sufficient visibility splays would be achievable in a north easterly and south westerly direction from the proposed access, given the relatively straight nature of this part of Egmont Street.
- 12.2 Given that the width of the access is considered to be sufficient to allow cars to pass each other at the entrance to the development, it is considered that the additional car movements would not result in an increase in congestion that could be considered to be severely detrimental to highway safety. On the basis of the guidance in paragraph 32 of the NPPF, planning permission should not be refused on this basis.
- 12.3 The scheme makes provision for 1 car parking spaces per dwelling, with 3 additional communal spaces shown on the proposed layout. The scale of development (including bedroom sizes of the proposed properties) is not being determined at this outline stage but the Residential Design Guide requires 2 parking spaces per dwelling for properties over 1 bedroom in size in this location.
- 12.4 The level of parking provision would fall short of the maximum standards set out in Policy T10 in the Unitary Development Plan and Policy RD7 in the Residential Design Guide. However, these are maximum standards and the NPPF states that any local standards should only be imposed where there is clear evidence that measures are required to manage the impact of traffic on the highway network. In this case, the Local Highway Authority has not raised any objections to the amended proposals, subject to conditions. Given the close proximity of the site to regular bus and train services to larger settlements and the level of services and facilities within

Mossley, it is considered that the site is in a sustainable location. On the basis of a combination of these factors, it is considered that the level of parking proposed would not result in a severely harmful impact upon highway safety.

- 12.5 Conditions requiring the laying out of the car parking spaces prior to the occupation of the development, the retention of pedestrian visibility splays and the approval of a Construction Environment Management Plan are considered reasonable and can be attached to the decision notice. The requirement for a highway condition survey to be submitted is considered not to be reasonable or necessary as this can be required by the Local Highway Authority via its powers under the Highways Act.

13. FLOOD RISK/DRAINAGE

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The applicant has submitted a Flood Risk Assessment with the planning application, which details that existing site levels are not to be lowered below 135.2m AOD. This measure will ensure that any raised water levels in the adjacent canal (caused by overflow from excess flows in the neighbouring River Tame during times of flood) will not in turn flood on to the application site. On the basis that a condition is attached to any permission granted requiring compliance with this measure, the Environment Agency has no objections to the proposals.
- 13.2 United Utilities have raised no objections to the proposals subject to the imposition of conditions requiring the foul and surface water drainage mechanisms to be separated and details of a sustainable surface water drainage strategy being approved and implemented. The applicant has confirmed on the application form that foul water would be drained from the development via a connection to the existing main sewer. It is considered that the proposed development would not result in a harmful impact in relation to flood risk, subject to the details of the means of surface water drainage being secured by condition.

14. ECOLOGY

- 14.1 GMEU have raised no objections to the proposals. Having assessed the ecological potential of the site, the ecology officer considers that the proposals would not result in a detrimental impact on any features of biodiversity value, subject to a condition requiring the submission and approval of an Environmental Construction Method Statement detailing how pollution of the Canal waters is to be avoided during the construction phase of the development. This condition is considered reasonable given the biodiversity value of the canal and can be attached to the decision notice. The inclusion of additional tree planting would also represent a biodiversity enhancement.

15. OTHER MATTERS

- 15.1 In relation to the impact on trees, the Borough Tree Officer has no objection to the application as the proposals would not result in the loss of any significant trees on the site. Details of a scheme of landscape planting as part of the development shall be secured at the reserved matters stage. A condition requiring protection of the trees adjacent to the eastern boundary of the site during the construction process is attached to the recommendation.

- 15.2 The Borough's Environmental Health Officer has raised no objections to the proposals, subject to the imposition of conditions. Conditions limiting the hours of operation and deliveries during the construction phase of the development and requiring the details of bin storage arrangements to be approved are all considered to be reasonable and necessary. These conditions are in addition to the soundproofing scheme referred to previously in this report.
- 15.3 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing further investigation work into potential sources of ground contamination on the site by condition. A condition requiring this additional work to be undertaken and that any necessary mitigation measures are agreed and implemented prior to the commencement of development is considered to be reasonable given the former industrial use of the site.
- 15.4 In relation to designing out crime, the applicant has submitted a Crime Impact Statement with the application. The feedback from the Police includes the weakness of an inactive frontage to the canal, which has been addressed in the revised proposals. The cul-de-sac arrangement of one way in and one way out of the development is supported. An alleyway would be provided to allow access to the rear of plot 6 but the entrance to would be well surveyed, given the close proximity of neighbouring properties within the development.
- 15.5 It is considered reasonable to condition details of a scheme of external lighting to public areas and arrangements for the management of the communal space associated with the flats can be included within the Section 106 Agreement. The Police do not raise any objections to the proposals, subject to the provision of additional information once the detailed design of the development is known. It is considered reasonable to condition the submission of the details to be included in an application for Secured by design Status and confirmation that this accreditation has been achieved prior to the occupation of the development.
- 15.6 In relation to financial contributions required to mitigate the impact of the development, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 and a contribution to the upgrading of highway infrastructure, in order to achieve the objectives of policy T1 of the adopted UDP. The scale of development is a reserved matter and so the size of each property in terms of number of bedrooms is unknown at this outline stage. The Section 106 will therefore include a formula giving an amount per property, with the range of potential contributions given below.
- 15.7 In relation to local green space, the contribution from this development would be approximately £8,845.79 regardless of the mix, based on the Council's Developer Contributions formula, which shall be secured via a Section 106 Agreement. A scheme for improvements to teen and junior play equipment at Egmont Street Playing Fields is the project that has been identified for this contribution.
- 15.8 In relation to a contribution to the upgrading of the highway network to offset the impact of the development, there would be no charge if 14 x 1 bed units were advanced. However, a contribution of £2,635.97 would be required to offset the

impact of a larger development (the same levy applies to 2, 3 or 4 bed units). This funding would be used to contribute towards improving pedestrian connectivity along Manchester Road in Mossley.

- 15.9 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the limited amenity space to be provided on site and the additional traffic to be generated), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.
- 15.10 The scheme proposes less than 25 dwellings and therefore no affordable housing or education contributions are required, in accordance with the adopted policies of the Unitary Development Plan.

16. CONCLUSION

- 16.1 Despite the established use being commercial, the site is not allocated for employment purposes and is located adjacent to substantial areas of land allocated as Established Employment Areas and a Development Opportunity Area, where new employment uses could locate. Given the proximity of 60 Egmont Street to the north east of the site, it is considered that the site would not be appropriate for intensive commercial uses. These factors are considered to limit the extent of the harm arising from the loss of the employment site. Weighing this limited harm against the benefits of redeveloping a brownfield site in a sustainable location to boost the supply of housing in the Borough, officers conclude that the principle of development is acceptable.
- 16.2 It is considered that the revised layout would have a positive impact on the character of the site and surrounding area and would not result in an unreasonable impact on the residential amenity of neighbouring properties, subject to the scale being considered acceptable at the reserved matters stage. The level of parking provision is considered to be sufficient given the close proximity to regular public transport, services and facilities.
- 16.3 There are no objections to the proposals from the statutory consultees in relation to highway safety, flood risk/drainage, the impact on trees or ecology. Financial contribution to the provision of green space and upgrading of the adopted highway within the surrounding area can be secured via a Section 106 agreement.
- 16.4 The application is therefore considered to accord with the relevant national and local planning policies listed earlier in this report.

RECOMMENDATION

Grant planning permission, subject to the completion of a Section 106 Agreement to secure the following:

Green Space contribution - £8,845.79 to be used for improvements to play equipment at Egmont Street Playing Fields.

Highway works: £2,635.97 contribution towards improving pedestrian connectivity along Manchester Rd in Mossley

A Management and Maintenance plan relating to the upkeep of communal green space and parking areas within the site.

And the following conditions:

1. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. Before any development is commenced approval shall first be obtained from the Local Planning Authority with respect to the reserved matters, namely the landscaping, scale and appearance of the development.
3. The development hereby approved shall be carried out in accordance with the following approved plans:
 - 1:1250 Site location plan (drawing no. 3134/15)
 - Proposed site plan (drawing no. 3134/17D) (insofar as it relates to the means of access and layout of the development only)
4. Notwithstanding any description of materials in the application, 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, 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.
5. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (drawing no. 3134/17D), prior to the occupation of any of the dwellings and shall be retained free from obstruction for their intended use at all times thereafter.
6. Notwithstanding the details shown on the approved plans, no development shall commence until scaled plans detailing the construction of the access, including vehicular swept paths and visibility splays to be maintained free from obstruction on both sides of the access to serve the development hereby approved 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.
7. No development shall commence until details of tree protection measures to meet the requirements of BS5837:2012 have been installed around the trees on the eastern boundary of the site. The protection measures shall be installed in accordance with the approved details prior to the commencement of development and shall be retained in situ for the duration of the construction works. The construction works shall be carried out in accordance with the approved details.

8. 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.
9. 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;
 - Details of on-site storage facilities;

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

10. 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.
11. 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.
12. None of the dwellings hereby approved shall be occupied until details indicating that the development shall achieve Secured By Design status have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and the development shall be retained as such thereafter.
13. 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.

14. 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.

15. Any windows above ground level in any of the following elevations of the development hereby approved (as identified on the approved proposed site plan) shall be fitted with obscured glazing (to meet the requirements of Pilkington Level 3 as a minimum) and shall be fixed shut below a height of 1.7 metres above the internal floor level of the rooms that they serve:

- first floor windows in the north eastern elevation of plot 8
- first floor windows in the southern elevation of the apartment building

The development shall be retained as such thereafter.

16. No development shall commence until an Environmental Construction Method Statement detailing how pollution of the Canal adjacent to the western boundary of the site is to be avoided during the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

17. No development shall commence until an acoustic assessment has been undertaken on the development site and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall take account of all local noise sources that may affect the development, including noise from deliveries to and from adjacent commercial uses (including the wood recycling plant), activity in the service yards and any plant and machinery associated with those uses. The assessment shall detail the measures considered necessary to mitigate the impact of the identified noise sources and shall include manufacturer's specifications and scaled plans of the measures to be installed. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
18. 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 2.4metres 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.
19. No development shall commence until scaled plans detailing the existing and proposed ground levels on the site and the finished floor and ridge levels of the dwellings (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.
20. 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.
21. The development shall be carried out in accordance with the mitigation measures detailed in the Flood Risk Assessment submitted with the planning application and shall be retained as such thereafter.

Reasons for conditions:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. This planning permission grants outline consent only.
3. For the avoidance of doubt.
4. To ensure that the appearance of the development reflects the character of the surrounding area.

5. To ensure that the development is served by adequate parking provision.
6. In the interests of highway safety.
7. To ensure adequate protection of the trees to be retained on the site as part of the development.
8. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF ..
9. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.
10. To provide adequate secure bin storage to serve the development and to safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.
11. To secure a satisfactory system of drainage to serve the development.
12. To ensure that the development is designed to minimise opportunities for crime.
13. In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.
14. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land as per paragraph 121 of the National Planning Policy Framework.
15. To ensure that the residential amenity of neighbouring properties and the future occupants of the development hereby approved is adequately preserved.
16. To ensure that the proposed development does not result in harm to the biodiversity value of the adjacent Canal.
17. To protect the amenities of future occupants from external noise in accordance with UDP policy H10.
18. In order to maintain highway safety.
19. To ensure that the development does not have an adverse impact on the character of the surrounding area or the residential amenity of neighbouring properties.
20. To ensure that adequate lighting is provided to public areas

21. To ensure that the development does not result in an increased risk of flooding.

Informatives:

- 1) Section 106 Agreement to secure contributions towards off site green space provision and highways improvements.
- 2) Detailing the applicant's obligations in relation to avoiding harm to Protected species during the construction process.