

Application Number 18/00130/FUL

Proposal Erection of 4 dwellings

Site land adjacent to 301 Market Street, Droylsden

Applicant Mr Mark Lucas

Recommendation Approve, subject to conditions

Reason for report A Speakers Panel decision is required due to the call in request made by a neighbouring resident.

REPORT

1. APPLICATION DESCRIPTION

1.1 The applicant seeks planning permission for the erection of 4 dwellings on the land. A pair of semi-detached properties would front onto Marina Road, one unit would front onto and be accessed via Market Street and the fourth dwelling would face onto Oldham Street, from where that plot would be accessed. That property would also present an active able frontage to Market Street.

2. SITE AND SURROUNDINGS

2.1 The application site is an area of grassed open space located at the western end of Marina Road in Droylsden. Market Street runs parallel with the western boundary of the site. The properties at 301-307 face the western boundary of the application site, the properties at 2-8 Bell Street back on to Market Street. The western gable of the property at no. 1 Marina Road is adjacent to the eastern boundary of the southern portion of the site, with the properties at 2-14 Moss Street backing on to the same boundary in the northern portion of the site. Oldham Street runs parallel with the northern boundary of the site.

3. PLANNING HISTORY

3.1 There is no relevant planning history on the site.

4. RELEVANT PLANNING POLICY

4.1 Tameside Unitary Development Plan (UDP) Allocation

The site is not allocated and is located within the settlement of Droylsden.

Part 1 Policies

1.3: Creating a Cleaner and Greener Environment.

1.4: Providing More Choice and Quality Homes.

1.5: Following the Principles of Sustainable Development

1.12: Ensuring an Accessible, Safe and Healthy Environment

Part 2 Policies

H2: Unallocated sites

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H7: Mixed Use and Density.

H10: Detailed Design of Housing Developments

OL4: Protected Green Space
OL10: Landscape Quality and Character
T1: Highway Improvement and Traffic Management.
T10: Parking
C1: Townscape and Urban Form
N4: Trees and Woodland.
N5: Trees Within Development Sites.
N7: Protected Species
MW11: Contaminated Land.
U3: Water Services for Developments
U4 Flood Prevention
U5 Energy Efficiency

4.2 **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.

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

Section 2: Achieving sustainable development
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting safe and healthy communities
Section 12: Achieving well designed places

4.4 **Planning Practice Guidance (PPG)**

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

5. **PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

6. **RESPONSES FROM CONSULTEES**

- 6.1 Local Highway Authority – no objections to the proposals, subject to a number of conditions.
- 6.2 Borough Environmental Health Officer – no objection subject to the imposition of a condition limiting the hours of work during the construction phase of the development.
- 6.3 Borough Tree Officer – no objections following amendments to the proposals to include additional tree planting in areas outside of the curtilage of any of the proposed dwellings. Details of the landscaping scheme and on-going maintenance will need to be secured by condition.
- 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 Sustainable Travel Officer – there are no designated Public Rights of Way running through the application site and no application has been made to add a route in this location to the definitive map.
- 6.6 Coal Authority – no objection to the proposals. The site lies in an area of low risk with regard to coal mining legacy. An informative outlining the responsibilities of the applicant in relation to this matter should be attached to any planning permission granted.
- 6.7 United Utilities - no objection to the proposals, subject to the imposition of conditions requiring surface and foul water to be drained from the site via separate mechanisms and the submission of a surface water drainage strategy. There is a sewer under the land which is owned by United Utilities. This sewer must not be built over and an easement will be required either side of the route of the infrastructure at ground level to allow space for maintenance.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 9 letters of objection have been received to the proposals which raise the following concerns (summarised):
- There is a pathway running through the land which is believed to be a public right of way. One of the neighbours has documentary evidence to substantiate this.
 - The properties are more likely to be let than owner occupied which could result in deterioration in the character of the area over time.
 - What compensation will be made available to existing residents in neighbouring properties who will be detrimentally affected by the noise and disturbance caused during the construction phase of the development. This will be particularly bad during peak traffic periods.
 - There are existing problems with drainage infrastructure on Market Street, which is likely to be made worse as a result of the additional demand resulting from the proposed development.
 - The proposals will add to congestion on Market Street, Oldham Street and Moss Street and will add to the problems of parking capacity currently experienced by local residents on these streets.
 - The level of car parking proposed does not appear to be adequate given that 2 of the dwellings would only have 1 car parking space.
 - The application site has been open green space for over 30 years. The development of the land will result in a detrimental impact on the character of the area and the loss of valuable open space.
 - The trees on the site have been left to grow to a point where they now result in a detrimental impact on the amenity of neighbouring properties through overshadowing. The same detrimental impact will occur to the occupants of the proposed dwellings.
 - The proposed dwellings will result in overlooking into the neighbouring properties which will be harmful to the residential amenity of the existing residents.
 - The parking for the property fronting onto Oldham Street is directly on the land behind Moss Street, which is currently used by residents of Moss Street to park vehicles, along with residents of Market Street who use Oldham Street to park vehicles / work vehicles. This parking area would be lost as a result of the development. A solution would be to make Oldham Street permit parking only. However, Oldham Street is also used by the public who use Lees Park.
 - The entrance to Marina Road is already compromised with the amount of school traffic and this situation will be made worse by the activity around the site during the construction phase of the development. When the buildings are erected, the view from the bottom of Marina Road will be obstructed, causing even more accidents at the Medlock Street roundabout.

- Residents of the new houses will possibly park on Bell Street (a street that already has limited parking) as it clear from the plans that little thought has been given in regards to the provision of adequate parking to serve the development.
- The proposals will result in a detrimental impact on property values in the surrounding area.
- The supporting documentation submitted with the planning application is considered to down play the impacts of the development on the amenity of neighbouring residents and states that trees will be retained, when it would appear from the plans that most are to be removed.
- The erection of four dwellings on the site will result in a development of a density that would be detrimental to the character of the area.

8. ANALYSIS

- 8.1 The key issues to be assessed in the determination of this planning application are:
- 1) The principle of development
 - 2) The impact on the residential amenity of neighbouring properties
 - 3) The impact on the character of the site and the surrounding area
 - 4) The impact on highway safety
 - 5) The impact on trees and ecology.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 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 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.
- 9.2 Paragraph 213 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 and Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.
- 9.3 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'.
- 9.4 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 recently produced a Playing Pitch Strategy and Action Plan report which does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+).
- 9.5 The applicant also makes the point that despite being open, the land is privately owned with no right for public access. Be that as it may, the land can still perform a function in terms of contributing positively to the character of the area, providing a break in the relatively high density of development in the surrounding area.

- 9.6 There are a number of protected areas of open space within 10 minutes walking distance of the proposed development sites, which is the recommended walking distance threshold for Tameside. The site is within close proximity of Lees Park, an extensive area of open space which extends to the north east of the site and is accessed from Oldham Street.
- 9.7 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 holds 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.
- 9.8 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 itself is not designated as a site of ecological or historic significance (either nationally or locally). GMEU have not objected to the application in relation to the impact on ecology and additional tree planting is now proposed in an area outside of the curtilage of the dwellings to compensate for the loss of the existing specimens of amenity value on the land.
- 9.9 The land is situated in a sustainable location, close to regular bus services between Ashton and Manchester city centre, which run along Market Street and is within 0.5 miles of a foodstore and the shops and services in Droylsden town centre. On that basis, it is considered that the value of the land in amenity terms would not outweigh the benefit of boosting the supply of housing in the Borough.

10. RESIDENTIAL AMENITY

- 10.1 The eastern gable of the proposed dwellings fronting onto Marina Road contains 2 windows, 1 at ground floor and 1 at first floor level. These windows would be secondary openings to a lounge at ground floor and a bedroom at first floor. On that basis, these windows could be required to be obscurely glazed and non-opening without harming the amenity of the future occupants of the development.
- 10.2 Subject to this requirement being secured by condition, no direct overlooking could occur from the eastern most property proposed on that frontage into the neighbouring property at 1 Marina Road. There is a first floor window in the corresponding gable of that neighbouring property. The occupier has confirmed that this serves a landing, which is not a habitable room and as such, any overshadowing of that window would not result in a harmful impact on the residential amenity of that property.
- 10.3 The rear elevation of the dwelling labelled as house type 2 on the proposed site plan is approximately 18 metres from the rear ground floor elevation of the property at 8 Moss Street to the east of the site. Given the oblique nature of the relationship between that neighbouring property and the proposed dwelling and the fact that the first floor of 8 Moss Street is set a further 2 metres back, it is considered that harmful overlooking and overshadowing would be avoided. The rear elevation of the property at 12 Moss Street would be approximately 20.2 metres from the southern end of the rear elevation of that proposed dwelling.
- 10.4 Whilst the relationship is less oblique than which no. 8 Moss Street, the direct line of sight from the first floor window at the southern end of house type 2 would pass to the south of

that neighbouring property. The potential for overlooking from the other first floor windows could be mitigated by obscure glazing the openings, which would serve non-habitable rooms. A condition to this effect is attached to the recommendation. The details of boundary treatments can be secured by condition to ensure that direct overlooking at ground floor level can be avoided. On that basis, there would not be a detrimental impact on the amenity of that neighbouring property through overlooking or overshadowing.

- 10.5 The separation distance between the southern end of the proposed house type 2 and the neighbouring property at 14 Moss Street would be approximately 20.6 metres. This separation distance is considered sufficient to mitigate any unreasonable overlooking into or overshadowing of that neighbouring property, given the oblique relationship between 14 Moss Street and the majority of the proposed dwelling on that plot. This assessment is made within the context of the mitigation that can be secured by the conditions that can be imposed relating to boundary treatments and obscured glazing, as discussed previously.
- 10.6 The separation distance between the rear elevation of the property at 10 Moss Street and the southern portion of house type 2 would be 21 metres, meeting the requirements of the adopted Residential Design Guide SPD (RDG). The properties on Moss Street north of no. 8 are set at a sufficiently oblique angle to prevent unreasonable overlooking or overshadowing from the development given the respective separation distances to be retained.
- 10.7 The eastern gable of house type 3 would be approximately 13.5 metres from the rear elevation of the properties at the northern end of Moss Street. That elevation of the proposed dwelling would contain French windows at ground floor level and a bathroom window at first floor level.
- 10.8 The relationship between the proposed dwelling on that plot and the rear elevations of the properties on Moss Street would be oblique, due to the tapered nature of the building line of house type 3 with the common boundary, with the property orientated to follow Market Street. Given this orientation, the fact that overlooking could be avoided by obscuring glazing the bathroom window and that the design boundary treatment can be controlled by condition, it is considered that the separation distance to be retained would be sufficient to preserve the residential amenity of those neighbouring properties.
- 10.9 A separation distance in excess of 23 metres would be retained between the elevations of the properties fronting onto Market Street and the rear elevations of the properties on Bell Street to the west of the site. This separation distance and the presence of the highway in the intervening distance is considered to be sufficient to ensure that the proposals would not result in any adverse impact on the residential amenity of those properties in terms of overlooking or overshadowing.
- 10.10 The front elevation of the property at 2 Marina Road to the south of the site would be in excess of 14 metres from the front elevation of the pair of semi-detached dwellings in the southern portion of the development. An oblique relationship would also be retained between the buildings, preventing any unreasonable overlooking into or overshadowing of that neighbouring property. There would be no adverse impact on the properties further south west of the site (separated from the site by a grassed area) due to the substantial separation distance (in excess of 30 metres) to be retained.
- 10.11 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the residential amenity of any of the neighbouring properties.

11. CHARACTER OF THE SITE AND SURROUNDING AREA

- 11.1 The proposal would involve the erection of 4 dwellings on a site area of 0.08 hectares, which equates to 50 dwellings per hectare. Given the relatively dense pattern of development along Marina Road and the terraced nature of the properties on Moss Street and Oldham Street, it is considered that this relatively high density is not uncharacteristic of the surrounding area.
- 11.2 The proposed layout would result in active frontage to Marina Road, Market Street and Oldham Street. This is a positive element of the scheme which enables the development to be outward facing and to respond to the character of the surrounding area. The pair of semi-detached dwellings would continue the established pattern of development on Marina Road. The design of the dwelling in the northern portion of the site would provide active frontage to both sides of the Oldham Street/Market Street junction, which is considered to be an effective solution to the constrained shape of the site. Presenting an active frontage to Market Street would also help to counterbalance the negative design of the properties that back on to the road to the west.
- 11.3 In terms of scale, all of the dwellings would be two storeys in height, reflecting the predominant scale of buildings in the surrounding area and the height of residential development on Marina Road and Oldham Street. In relation to proportions, house type 3 would include a hipped roof. Whilst this is not a common characteristic in the area, the design is considered to be appropriate given the corner nature of the plot and the resulting benefit of having active elevations facing both boundaries.
- 11.4 Following the above assessment, it is considered that the proposals would not result in an adverse impact upon the character of the area.

12. HIGHWAY SAFETY

- 12.1 Each of the properties would be served by independent access arrangements, with the two semi-detached properties accessed via Marina Road, one of the units via Market Street and the northern most dwelling would be accessed from Oldham Street. It is considered that adequate visibility splays could be achieved from each of these access points in order to maintain highway safety.
- 12.2 The Local Highway Authority has not raised any objections to the proposals, subject to a number of conditions. A condition requiring the retention of pedestrian visibility splays from each of the access points is considered to be reasonable. Requiring the submission of details of the road works and traffic management measures necessary to provide the access points is considered not to be necessary as these relate to matters that can be controlled by the Local Highway Authority under legislation separate from the planning system.
- 12.3 Conditions requiring the submission and approval of a construction environment management plan and that the driveways are constructed from a bound material and on a level to prevent displacement of surface water and materials into the highway are considered to be reasonable and can be attached to the decision notice.
- 12.4 The consultation response from the Local Highway Authority refers to the footpath running through the site and states that there may be a need to divert this if it can be proven that it has been used by members of the public for a continuous basis for at least 20 years. There are no designated Public Rights of Way (PRoW) running through the site. There is a process under the provisions of the Highways Act for people to make a claim to the Local Authority for a route to be designated. Such a claim has not been made at the time of

determining this planning application, as confirmed by the comments from the Borough Sustainable Travel Officer.

- 12.5 If such an application is accepted and development would obstruct that route then a diversion would need to be put in place. Such a diversion would be possible via the footpath around the perimeter of the site, which remains outside of the red line boundary. The impact of the development on a private right of way is not a material planning consideration and as such there is no reason to withhold planning permission on this site in connection with the status of access rights on the land.
- 12.6 The plans indicate that 2 on plot car parking spaces would be provided for 2 of dwellings, with 1 space to be provided in front of each of the semi-detached units. Overall provision therefore falls slightly below the 2 spaces per dwelling recommended as the maximum standard for 3 bedroom units in this location. However, the site is located within walking distance of the services and facilities in Droylsden town centre, Droylsden tram stop and is within close proximity of bus stops on Market Street, where regular services operate to Manchester and Ashton. The application of maximum parking standards is no longer compatible with national planning policy. There are double tallow lines which would prevent parking outside of the dwellings fronting onto Marina Road, which would prevent parking that would be detrimental to highway safety associated with the development.
- 12.7 Given the combination of these factors, it is considered that the proposed deficit in parking in relation to the RDG maximum standard would not result in severe harm to highway safety. As such, in accordance with the guidance contained within paragraph 109 of the NPPF, it is considered that planning permission should not be refused on these grounds.

13. TREES & ECOLOGY

- 13.1 In relation to the impact of the development on trees, the Borough Tree Officer raised some concerns in relation the loss of a number of semi-mature trees from the land, including a Birch tree which is considered to be of significant amenity value and the level of compensatory planting originally proposed.
- 13.2 The scheme has been amended to create an area of space between the rear of the 2 dwellings fronting onto Marina Road (with their curtilages slightly reduced from the original submission) and the dwelling that would front on to Market Street. The location of a railing on the northern side of this area is indicated on the plan, to provide physical separation from the driveway associated with the adjacent proposed dwelling (the details of which can be secured as part of a condition requiring the submission and approval of boundary treatments.) A total of 3 additional trees would be planted in this location. Given that this trees would be outside of the curtilage of any of the dwellings proposed, it is considered that this planting would provide suitable mitigation and would be at less risk of pressure to remove once the development is occupied.
- 13.3 Details of the species mix to be planted in a proposed landscaping scheme have been submitted and are considered to be acceptable. Compliance with these details can be secured by condition. A management plan for the maintenance of this area, including the requirement that any trees that are removed or die are replaced in the next planting season can be secured by condition. On the basis of the amended proposals, the Tree Officer has no objections to the proposals.
- 13.4 In relation to ecology, GMEU has not raised any objections to the proposals, subject to conditions being imposed on any permission granted. These conditions would limit the timing of tree/vegetation removal on the site to outside of the bird breeding season to ensure that there would be no adverse impact on protected species and a requirement that biodiversity enhancements are included as part of the development. These conditions are

considered to be necessary and the latter would secure mitigation of the loss of trees resulting from the proposed development.

- 13.5 Following the above assessment, it is considered that the proposals would not result in an adverse impact on ecology and that the loss of trees can be adequately compensated for, subject to the imposition of conditions.

14. OTHER MATTERS

- 14.1 In relation to flood risk, the site is located within Flood Zone 1 and is therefore at a lower risk of flooding. In terms of drainage, United Utilities has raised no objections to the proposals, subject to a condition requiring foul and surface water to be drained from the development via separate mechanism and the submission and approval of a sustainable surface water drainage system.
- 14.2 These matters can be combined into one condition which is considered to be necessary to ensure adequate provision is made to serve the development. The applicant has indicated on the application form that foul water would be disposed of via the mains sewer network. No further detail is considered necessary in relation to foul water drainage for planning purposes as these will be required under the Building Regulations.
- 14.3 United Utilities has highlighted the presence of a sewer for which they are responsible running below the site. The applicant has been informed of this situation and the need to avoid development over the route of the sewer and to retain an easement. This is a matter for the applicant to resolve with United Utilities as a statutory undertaker and is not a matter to be determined under planning legislation.
- 14.4 The EHO has raised no objections to the proposals, subject to the imposition of a condition limiting the hours of works during the construction process. This is considered reasonable and can be attached to the decision notice. Details of the bin storage arrangements to serve the development can also be secured by condition to ensure that these facilities preserve the character of the surrounding area.
- 14.5 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing an intrusive ground investigation into potential sources of contamination on the site and approval of a remediation strategy (if required) by condition. Such a condition is considered to be reasonable given the undeveloped nature of the site. The Coal Authority has confirmed that the site is located in a low risk area with regard to coal mining legacy and as such they have no objections to the proposals. An informative can be added to the decision notice advising the applicant of their responsibilities on this regard.
- 14.6 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to affordable housing, open space or education provision, as the proposal would not exceed 10 dwellings. The WMS is a material planning consideration, forming part of the Planning Practice Guidance. Given the need to boost the supply of housing in sustainable locations (such as this site, which is within walking distance of regular bus and tram services, the services and facilities in Droylsden town centre and the public open space at Lees Park), as required by Section 5 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.
- 14.7 In relation to comments made by objectors not previously referred to in this report, the fact that the development would result in the loss of space for cars associated with neighbouring properties to park on the land is not a material consideration as these are not formally allocated parking spaces. Likewise, the impact of development on house prices is

not a material planning consideration, nor is the basis on which the properties are occupied in terms of tenancy.

15. CONCLUSION

- 15.1 The proposed development is considered to be acceptable in principle. Whilst the scheme would result in development on open green space, the space is not designated as protected green space within the UDP. The fact that Lees Park is within very close proximity of the application site and that there is a need to boost the supply of housing within the Borough are considerations which are considered to reduce the harm to be attributed to the loss of open space when conducting the planning balance. The site is considered to be in a sustainable location, within walking distance of tram and bus connection to Manchester and Ashton and the services and facilities in Droylsden town centre.
- 15.2 The proposals would not result in a detrimental impact upon residential amenity, highway safety, or the character of the surrounding area, subject to compliance with appropriate conditions. The revised scheme makes provision for replacement planting outside of the curtilage of the properties, which has overcome the concerns of the Borough tree Officer in relation to the original submission.
- 15.3 There are no objections from any of the statutory consultees and the proposals are considered to accord 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
Amended proposed site plan (Drg no. JK/986_01 Rev. A)
Amended proposed landscaping plan (ref. 5825.01 Rev. B)
Proposed elevations plan (Drg no. JK/986_010)
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, unless otherwise agreed by the Local Planning Authority.

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. Prior to the first occupation of any of the dwellings 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. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
6. 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.

7. The soft landscaping scheme to form part of the development hereby approved shall be implemented in accordance with the details indicated on the approved amended plan ref. 5825.01 Rev. B submitted with the planning application. The 3 trees to be planted to the south of the dwelling fronting onto Market Street (labelled house type 2 on the approved plans) shall meet the dimensions of 'extra heavy standards' as per BS8545:2014 on first planting.
8. The approved scheme of landscaping scheme 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 5 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.
9. Prior to the first occupation of any of the dwellings hereby approved, details of measures to be employed to ensure appropriate management and maintenance of the trees outside of the curtilage of any of the properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include provision

for the replacement of any tree that is damaged, diseased or dies within the next planting season. The development shall be maintained in accordance with the approved details.

10. 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.
11. 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.
12. Prior to the first occupation of any of the dwellings hereby approved, the following windows shall be fitted with obscuring glass (meeting Pilkington Level 3 in obscurity as a minimum) and shall be fixed shut below 1.7 metres above the internal floor level of the room that they serve (as identified on the approved proposed site plan Drg no. JK/986_01 Rev. A) :
 - Ground and first floor windows in the eastern gable elevation of house type 1
 - First floor windows serving a landing a bathroom on the eastern elevation of house type 2
 - First floor window in the eastern gable of house type 3

The development shall be retained as such thereafter.

13. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drg no. JK/986_01 Rev. A), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
14. 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.
15. 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.
16. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.

17. The driveways to serve each of the dwellings hereby approved shall be constructed from a bound material and on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

18. None of the dwellings hereby approved shall be occupied until details of the bin storage arrangements 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 the bin stores and elevations of the means of enclosure and shall provide details of the construction material and colour finish. The bin storage arrangements for each shall be erected in accordance with the approved details, prior to the first occupation of that dwelling and shall be retained as such thereafter.