

**Application Number** 17/00911/FUL

<b>Proposal</b>	Full planning application for the redevelopment of land surrounding Cavendish Mill to create 50 no. dwellings, with associated landscaping, public space and access roads, following the demolition of the existing building at 85 Cavendish Street.
<b>Site</b>	Land adjacent to Cavendish Mill, Cavendish Street, Ashton under Lyne.
<b>Applicant</b>	New Charter (now Jigsaw Homes), 249 Cavendish Street, Ashton under Lyne
<b>Recommendation</b>	Grant planning permission, subject to the prior completion of a Section 106 agreement
<b>Reason for report</b>	A Speakers Panel decision is required because the application is a major development.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a 3 storey block of 26 apartments and 3 dwellings on the parcel of land bound by Bank Street, Bentinck Street and Higher Wharf Street (to the rear of no. 85 Cavendish Street. A further 24 dwellings would be located on the parcel of land to the south west, accessed via Bank Street and extending to the Ashton canal, which runs parallel with the southern boundary of the site.
- 1.2 The applicant has provided the following documents in support of the planning application:
- Planning Statement
  - Heritage Statement
  - Noise Assessment
  - Ground Investigation and Coal Mining Risk Assessment
  - Air Quality Assessment
  - Design and Access Statement
  - Transport Statement

### 2. SITE & SURROUNDINGS

- 2.1 The application site is split over 2 parcels of land, part to the north and part to the south west of Bank Street in Ashton under Lyne. The whole of the site is located within the Portland Basin Conservation Area. The land to the north of Bank Street includes no. 85 Cavendish Street, a vacant 3 storey building of brick elevations with stone detailing and a slate pitched roof, at the eastern end of the parcel. The principal elevation of that building fronts onto Cavendish Street on the eastern boundary of the site, with the remainder of that parcel of land currently used for car parking.
- 2.2 The parcel of land to the south west of Bank Street comprises a row of industrial buildings along the western boundary, with most of the land covered by hardstanding. Access to that parcel of land is gained from the northern boundary, where metal railings and gates demarcate the boundary. The southern boundary of the site is tree lined and abuts the banks of the Ashton Canal. Cavendish Mill, a grade II\* listed 6 storey building, which contains residential apartments, is located to the east of that parcel of land.

### **3. PLANNING HISTORY**

- 3.1 There is no planning history on the site that is relevant to the determination of this application.

### **4. RELEVANT PLANNING POLICIES**

#### **4.1 Tameside Unitary Development Plan (UDP) Allocation**

Allocated as a Development Opportunity Area under Policy E2 (part 2)

#### **4.2 Part 1 Policies**

Policy 1.4: Providing More Choice and Quality Homes.  
Policy 1.5: Following the Principles of Sustainable Development  
Policy 1.6: Securing Urban Regeneration  
Policy 1.7: Supporting the Role of Town Centres  
Policy 1.10: Protecting and Enhancing the Natural Environment.  
Policy 1.11: Conserving Built Heritage and Retaining Local Identity.  
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

#### **4.3 Part 2 Policies**

C1: Townscape and Urban Form  
C2: Conservation Areas  
C3: Demolition of Unlisted Buildings in Conservation Areas  
C4: Control of Development in or adjoining Conservation Areas  
C6: Setting of Listed Buildings  
E2: Development Opportunity Areas  
E3: Established Employment Areas  
H1: Housing Land Provision.  
H2: Unallocated Sites (for housing)  
H4: Type, size and affordability of dwellings  
H5: Open Space Provision  
H6: Education and Community Facilities  
H7: Mixed Use and Density.  
H10: Detailed Design of Housing Developments  
MW11: Contaminated Land  
MW12: Control of Pollution  
MW14 Air Quality  
N2: Locally Designated Nature Conservation Sites  
N3: Nature Conservation Factors  
N4: Trees and Woodland  
N5: Trees Within Development Sites  
N6: Protection and Enhancement of Waterside Areas  
N7: Protected Species  
OL10: Landscape Quality and Character  
S1: Town Centre Improvements  
T1: Highway Improvement and Traffic Management.  
T10: Parking  
T11: Travel Plans.  
U3: Water Services for Developments  
U4: Flood Prevention.  
U5: Energy Efficiency

#### **4.4 Other Policies**

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

Employment Land SPD

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

Section 2: Achieving sustainable development  
Section 5: Delivering a sufficient supply of homes  
Section 7: Ensuring the vitality of town centres  
Section 8 Promoting healthy and safe communities  
Section 11: Making efficient use of land  
Section 12: Achieving well designed places  
Section 15: Conserving and enhancing the Natural Environment  
Section 16: Conserving and enhancing the Historic Environment

#### 4.6 **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 and a notice displayed on site, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

### 6. **RESPONSES FROM CONSULTEES**

- 6.1 Greater Manchester Archaeological Advisory Service (GMAAS) – The Grade II\* listed Cavendish Mill is significant in its own right but also forms an important component of the Conservation Area. Following revisions to the scheme and the retention of no. 85 Cavendish Street, GMAAS have withdrawn their initial objection, subject to the attachment of a condition requiring an intrusive investigation to be undertaken and any mitigation implemented to ensure that the development would not result in harm to the archaeological significance of the site.
- 6.2 Borough Environmental Health Officer (EHO) – no objection to the proposals subject to the imposition of conditions limiting the hours of work during the construction phase of the development, the implementation of the mitigation measures detailed in the Noise Impact Assessment to ensure adequate protection of the residential amenity of the properties located adjacent to Cavendish Street and the submission of the bin storage arrangements to serve the development. Further information regarding the mitigation of the impact on air quality should be secured by condition.
- 6.3 Greater Manchester Ecology Unit (GMEU) – no objections subject to conditions, including a method statement for the protection of Ashton Canal during the construction process and the submission and approval of details of external lighting to be installed as part of the development to ensure that the biodiversity value of the Canal is retained.
- 6.4 Local Highway Authority – no objections to the proposals subject to the imposition of conditions requiring parking to be laid out as shown on the proposed plans prior to the first occupation of any part of the development and details of the measures to be put in place to secure satisfactory access to the development.

- 6.5 United Utilities - no objections, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms.
- 6.6 Coal Authority – no objections raised, confirm that the site is in an area considered to be of low risk in regard to coal mining legacy.
- 6.7 Borough Tree Officer – no objections to the proposals, subject to a suitable soft landscaping scheme being secured by condition.
- 6.8 Borough Contaminated Land Officer – no objection subject to the imposition of a condition requiring an intrusive investigation into sources of potential ground contamination on the site to be undertaken and any necessary remediation measures to be submitted and approved in writing prior to the commencement of development.
- 6.9 Borough Special Projects Officer (conservation) – objected to the original proposals on the basis of the harm to the character and special interest of the Conservation Area through the demolition of 85 Cavendish Street and the layout and form of the development in the parcel of land adjacent to the Canal. This objection has been removed following the retention of no. 85 and improvements to the design and layout of the scheme.
- 6.10 Historic England – confirm that they do not wish to provide detailed comments on the proposals and that the advice of the conservation and archaeological specialists at the LPA should be sought.
- 6.11 Environment Agency – no objections subject to the imposition of conditions requiring the undertaking of an investigation into sources of contamination on the land and the submission and approval of any necessary remediation prior to the commencement of development.
- 6.12 Canal and Rivers Trust – no objections to the proposals but a number of detailed matters need to be satisfactorily resolved. Further information relating to the ecological impact of the proposals is required prior to the determination of the application. Details of the retaining wall, boundary treatment and construction materials of the development on the southern edge of the site should be secured by condition, along with a Construction Environment Management Plan, to ensure that the development protects the condition of the Canal and enhances the character of the surrounding area.
- 6.13 Natural England – no comments to make on the proposals.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 6 letters of objection have been received to the application, raising the following concerns:
- There are only two old buildings in the Portland Basin Conservation Area. This application is seeking to demolish one of them.
  - 85 Cavendish Street, known as Cavendish House, first appears on the 1874 map. It was built around 10 years before the neighbouring Grade II\* Listed Cavendish Mill and helps to give some context to the mill. The mill was constructed from a similar colour brick and the stone banding below the upper windows of Cavendish House are echoed on the mill. The two buildings, viewed from the road, make an attractive group of buildings of a similar age.
  - 85 Cavendish Street was originally used for the manufacture of reeds and healds, which are components for the cotton weaving looms. While such buildings were fairly

common at the time, there are not many left today. This is one of the few remaining buildings in Ashton that were associated with the cotton industry, which was an important part of the town's prosperity.

- The building, whilst not being remarkable, is nevertheless of elegant symmetrical design. It is of brick construction with ashlar dressings around windows and with a slate roof. Although the building has in recent times been used for offices and flats, it still retains its wooden loading doors at the top of each side elevation. These, along with mock sash timber windows have helped to retain some semblance of the building's original character.
- Cavendish House has been used as flats at some point in its recent history and I believe serious consideration should be given to retaining the building, giving it a thorough refurbishment and creating good quality flats within. The rear of the building is unattractive, due to earlier demolition of outriggers, so it would be acceptable to join a modern apartment building onto the rear of Cavendish House, possibly allowing for a common entrance, stairs and lift to be shared by the old and new buildings.
- To avoid losing another part of our local heritage, I would urge the Council to refuse the proposal as it currently stands and to indicate to the applicant that consideration would be given to a revised plan that would retain Cavendish House and incorporate it into the design of the development. As it would be perfectly possible to do this, no justification has been provided for permitting the demolition of this historic building in a Conservation Area.
- 85 Cavendish Street is older than Cavendish Mill next to it and reflects the few remaining links to the textile industry. Surely the new developments should be built to reflect the history of the area and the building. The building could still be used for multiple occupancy without changing its character.
- Whilst New Charter wish to develop housing in this area, no evidence has been submitted as part of the planning application that the proposed new buildings will be of a high quality, or in keeping with the heritage of the area. I feel it would be beneficial instead to consider redeveloping the existing building into good quality flats - respecting the heritage of the Portland basin conservation area and paving the way for regeneration of the area that celebrates and respects Ashton's heritage. I feel there is a shortage of high-quality accommodation in Ashton town centre, and, with improved transport links, the Ashton canal nearby linking the area with other areas of historical interest, and the growth of the property market across Greater Manchester, a sensitive refurbishment of the existing building would be far more appropriate and of benefit to the town.
- Some concern in relation to the potential impact of the noise generated by one of the commercial uses adjacent to the west of the site on the residential amenity of the future occupants of the development (particularly units 12 and 13).
- The site is not suitable for high density housing.
- This is the only land now available to enhance Portland Basin's potential value as a heritage centre.
- The land adjacent canal wharf have potential for commerce and tourism.
- The proposed access arrangements from Higher Wharf Street to allow a right turn into Cavendish Street would be detrimental to highway safety and would be hazard for pedestrians and cyclists in 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 character of the Conservation Area
- 3) The design credentials of the proposals
- 4) The impact upon the residential amenity of neighbouring properties
- 5) The impact on highway safety
- 6) The impact on ecology
- 7) The impact on flood risk and environmental health
- 8) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 The application site is not allocated as an established Employment Area in the UDP. However, the last use of the buildings and land adjacent to the canal was for employment purposes. Therefore, the redevelopment of the site for residential use would result in the loss of an employment site. The proposals must therefore be considered against the criteria of policy E3.

9.2 The policy states that the change of use 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 The employment land quality review carried out as part of the evidence base behind the Employment Land SPD identifies the site as being of medium quality. The 2013 Employment Land Review acknowledges that a number of sites (including the site that is the subject of this application) are allocated as Development Opportunity Areas under policy E2. This site is covered by part (2) of that policy and is not one of the sites listed as opportunities for 'significant' employment in the Employment Land Review.

9.4 In addition to this factor, in the more recent Housing and Employment Land Availability report published in 2016, of the 59 sites included in the employment land review, 50 were considered to be of either high or medium quality (a total floorspace in excess of 160,000 square metres.) Whilst the availability of employment land may have reduced since that time, large areas of allocated employment land, including Ashton Moss, 2 miles to the north west of the site, remain to be developed. As of April 2018, there was a supply of approximately 41 hectares of land in the Borough considered to be suitable for development for employment purposes.

9.5 It is also acknowledged that there would be regeneration benefits from the development of the site for residential use and it is considered that more intensive industrial uses would potentially result in a detrimental impact on the residential amenity of the apartments in Cavendish Mill to the east and the apartment units to the west of the southern parcel of land. The proposal does not incorporate any employment uses as part of a mixed use scheme. However, there is a need to boost the supply of housing within the Borough and residential is included in the list of appropriate uses for the site under policy E2. These

factors, when combined, are considered to outweigh the limited harm arising from the fact that the proposal would not include employment uses in the redevelopment of the site.

- 9.6 The site is considered to be in a sustainable location, within reasonable walking distance of the services and facilities within Ashton town centre, including regular public transport services to and from Manchester and a range of employment opportunities.
- 9.7 The site is located within the defined town centre boundary in Ashton. The redevelopment of the site for residential purposes would not result in the loss of established retail floorspace and would comply with provisions of policy E2 as an appropriate use in broad principle terms. As such, it is considered that the proposals would not result in harm to the vitality of the town centre.
- 9.8 Overall, it is considered that the benefits of boosting the supply of housing would outweigh the harm arising from the loss of employment land in this case. This conclusion is made on the basis that this harm is limited by the supply of alternative employment sites of higher quality, the designation of the site as a Development Opportunity Area where residential would be appropriate and the close proximity of sensitive neighbouring uses. The principle of residential development on the site is considered to be acceptable, subject to the proposals satisfying all of the other relevant material considerations.

## **10. CHARACTER OF THE CONSERVATION AREA**

- 10.1 The site is located within the Portland Basin Conservation Area, which is a designated heritage asset. Paragraph 193 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' Paragraph 196 states that 'where a development proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposals....'
- 10.2 Policy C1 of the adopted UDP requires development to preserve or enhance the character of the Conservation Area and policy C3 states that the demolition of unlisted buildings within Conservation Areas that make a positive contribution to the character or appearance of the area will not be permitted (the exception not being relevant to this case).
- 10.3 The adopted Conservation Area Appraisal states that the character of the area is focused around the watercourses that run through the Portland Basin. A number of key vistas are identified which allow observation of the special character of the area. These include views eastwards along Ashton Canal towards Cavendish Mill, where the southern boundary of the site is visible and views of the facades of Cavendish Mill and 85 Cavendish Street. The development would be viewed within the context of Cavendish Mill from public views to the north as well as the tow path on the southern side of the Canal.
- 10.4 The Appraisal does acknowledge that the modern industrial units such as those on the western edge of the larger parcel of land incorporated into the application site and those to the north of the site on Hill Street do not contribute positively to the character of the Conservation Area. However, the industrial heritage of Portland Basin is a defining characteristic of the Conservation Area and the appraisal is clear that further wholesale clearance of buildings that contribute to this character should be avoided.
- 10.5 No. 85 Cavendish Mill is listed within the Appraisal as a key unlisted building and is identified as a building of industrial character and heritage, which forms an attractive grouping of 19<sup>th</sup> Century buildings when viewed alongside Cavendish Mill. In relation to proposals for new developments, the Appraisal indicates that one of the key principles

should be the retention of such buildings within the Conservation Area. The Appraisal also indicates that new development should respect the scale, height, massing and traditional materials used in the Conservation Area.

- 10.6 The scheme originally proposed the demolition of no. 85 Cavendish Street. The building is of substantial architectural merit, prominent in scale, utilitarian in form but which ashlar dressings around the windows and main entrance. The building is prominent in public views of this part of the Conservation Area and retains a number of features which demonstrate its industrial heritage (such as the wooden loading doors which remain in situ). Given these factors, the loss of this building was considered to be a significant weakness of the original proposals and would have been contrary to the provisions of policy C3 of the UDP.
- 10.7 The scheme has been amended to exclude no.85 from the application site, with a view to converting the building through a future planning application, as inclusion of this development within the current scheme would exceed the number of units applied for in this application (50). The design and layout of development to the rear of no. 85 has been revised to improve the relationship with the western boundary of the parcel and allow for an appropriate relationship with the heritage asset to now be retained. The proposed 3 storey apartment building has been increased in height so as to better reflect the tall proportions of no. 85 Cavendish Street and would be separated from the rear elevation of the existing building by an enclosed area of landscaped open space. This would provide amenity space for the future occupants of the development and would ensure that the western elevation of the building would be tight to the boundary between the site and Bentinck Street.
- 10.8 This revised layout provides a much stronger connection between the two parcels of land to be developed by providing a strong frontage to Bentinck Street, from where access is gained into the southern parcel of the site, adjacent to the Canal. The increase in the height and relocation of the apartment building would also improve the architectural flow of the development, with this element of the scheme now corresponding with the dwellings in the north eastern corner of the southern parcel as well as the proportions of the heritage asset at no. 85 Cavendish Street.
- 10.9 The simplification of the two storey dwellings in the southern parcel, through the removal of the gable features originally proposed and the introduction of openings with far greater vertical emphasis results in a synergy between the design of the apartments in the northern parcel and the houses in the southern parcel of the site. These improvements to the design quality of the scheme would be sympathetic to the robust scale and appearance of the industrial buildings that characterise the significance of the Portland Basin Conservation Area.
- 10.10 The treatment of the southern boundary of the application site, adjacent to the Canal has also been significantly improved in the revised scheme. The height of the gabion retaining wall ensures that existing land levels would be reduced significantly, resulting in a more active frontage to the Canal. Ideally from a design point of view, the principal elevations of buildings would front the southern boundary, allowing the front building line to be positioned closer to the Canal.
- 10.11 However, the height of the existing embankment between the watercourse and the site provides a significant constraint on the ability to get access along the southern edge of the development, whilst at the same time dropping the levels so that the buildings would appropriately address the waterfront. Simply turning the dwellings around would result in less activity on the northern side of these units, weakening the strength of frontage to the internal access road. Given these constraints and the revisions to simplify the design of the units on the southern edge of the development, officers consider that the revised design approach is acceptable.



- 10.12 The treatment of the elevations would be simplified through the deletion of the balconies, the removal of the gable features from the roofplane and the use of window openings to provide vertical emphasis. These amendments have resulted in a development that would enhance the appearance of this part of the Conservation Area, which would be visible in close public views from the existing towpath on the southern edge of the canal.
- 10.13 The layout of the north eastern corner of the southern parcel has also been significantly improved through amendments to the scheme. In the original submission, none of the units directly faced the junction between Bank Street and Bentinck Street, from where this part of the site would be accessed. The gable of plot 4, the boundary treatment to the side of that plot and access to parking spaces would have resulted in a relatively weak frontage to this prominent view of the site.
- 10.14 The scheme has been amended to propose a terrace of 3 units directly fronting onto Bank Street, with a pair of semi-detached units and a detached unit providing active frontages to the internal access roads. The amendment results in an outward facing treatment of this sensitive corner of the site and strengthens the sense of place through the connection between the directly corresponding elevations of the apartments and the terrace of 3 dwellings on opposite sides of Bank Street. This amendment also avoids a scenario where a boundary wall would form the terminating vista on the northern boundary of the southern parcel when viewed from Bentinck Street, which would have failed to enhance the quality of the built environment or the character of the Conservation area to the degree required by the relevant policies.
- 10.15 Following the above assessment, it is considered that the revised proposals would enhance the character of this part of the Conservation Area, complying with Section 16 of the NPPF and policy C1 of the UDP.

## **11. DESIGN CREDENTIALS**

- 11.1 Section 12 of the NPPF is entitled Achieving well-designed places. Paragraph 127 states that planning decisions should ensure that development achieves the following criteria (those relevant to this proposal):
- developments that will function well and add to the quality of the area;
  - developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change (such as increased densities);
  - developments that establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places;
  - developments that optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space)
  - developments that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 11.2 Paragraph 130 of the NPPF states that ‘permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards....’
- 11.3 Policy E2 of the UDP states that the Council will permit proposals within designated Development Opportunity Areas that are likely to create higher levels or quality of

residential provision and bring about significant improvements in the character of the area. In relation to this site, part (2) of the policy refers to the striking landmark of Cavendish Mill and states that 'The canal/riverside setting...offer potential for further redevelopment on sites within the area.....This could become a key waterside location in Tameside and on the waterways of the North West and it is vital that the area creates a suitably high quality environment and identity, with high quality natural materials used wherever appropriate.'

- 11.4 For the reasons set out in detail in section 10 of this report, the revised proposals are considered to achieve the quality of design required by Section 12 of the NPPF and policy E2 of the UDP. The retention of 85 Cavendish Street, the relationship between that building and the proposed apartments and the synergy between the design and layout of the scheme across the two parcels are considered to respect the historical character of this part of the Conservation Area. The simplification of the elevational treatment of the buildings and the improvement in the proportions of the apartment building in relation to no. 85 would better reflect the industrial character of the area. The amendments to the layout have resulted in active frontages to key junctions and vistas which form a more cohesive development, improving the design quality as required by policy E2 and Section 12 of the NPPF.
- 11.5 The enclosure of streets through the orientation and position of buildings to provide active frontage to key public views and terminating vistas ensures that the revised proposals would create a strong sense of place and the inclusion of a landscaped area of open space between no. 85 Cavendish Street and the new apartment building would provide amenity space to enhance the environment for the future occupants of the development.
- 11.6 The 3 storey height of the buildings on the southern boundary would provide positive interaction with the Canal, a feature which would be strengthened through the significant reduction in the height of the existing embankment on the southern edge of the site. This element of scheme would create the high quality environment along the waterfront required by policy E2.
- 11.7 The quality of materials used in the construction of the development is a matter to ultimately be controlled by condition. It is considered important that the gabions to the canal side frontage are constructed from stone to ensure a high quality finish in this prominent location within the Conservation Area and in accordance with the aspirations of policy E2. This detail is specified in the recommended materials condition.

## **12. RESIDENTIAL AMENITY**

- 12.1 Following amendments to the scheme to retain no. 85 Cavendish Street and separate that building from the new apartment development by an area of landscaped open space, the relationship between the proposed development and Cavendish Mill has improved in terms of preserving residential amenity. The separation distance would be approximately 14 metres at the point where the corresponding elevations would face each other, at which point the building line of the Mill splays away from Bank Street, increasing the separation distance in a westerly direction. Given that the proposal would result in the loss of vehicular traffic from Bank Street, which would result in less noise and disturbance to the existing residents of Cavendish Mill, it is considered that the proposals would not result in an adverse impact on the residential amenity of the existing residents of Cavendish Mill or the future occupants of the proposed development, in terms of either overlooking or overshadowing.
- 12.2 From that point, the building line of the Mill then splays away from Bank Street, with the vast majority of that section of the building exceeding the 14 metre separation distance. Given that a large proportion of the ground floor accommodation is given over to a health facility and offices, it is considered that the proposed apartments would not be of a scale or

siting that would result in harmful overlooking into or overshadowing of those neighbouring properties.

- 12.3 The proposed apartment development in the northern portion of the site would not result in an adverse impact on the residential amenity of any of the other neighbouring uses. The applicant has submitted a noise impact assessment, addressing the impact of surrounding commercial uses on the future occupants of that part of the development. The report highlights that, in order to mitigate the impact of noise generated by the public footpath on the canalside, the proposed access road and the surrounding highway network, a number of units would need to be fitted with higher specification glazing.
- 12.4 The EHO has studied the report and considers that these mitigation measures should be extended to include the rear of the units 33 – 38, to ensure that the impact of noise generated by the commercial operation to the west of the site (currently occupied by Splinter Scenery) does not result in an adverse impact on the residential amenity of the occupants of those units. On the basis, the EHO is satisfied that any adverse impact can be mitigated. Further details of the exact specification of the glazing and ventilation to be installed on the affected plots can be secured by condition.
- 12.5 There would be no windows in the western gable of the property at plot 39 in the south western corner or the eastern gable of plot 50 in the south eastern corner of the southern parcel of the development. On that basis, no unreasonable overlooking could occur into the apartments to the west or the units in Cavendish Mill to the east of that part of the site. Plot 39 would be set behind the rear building line of the apartments to the west of the site and sufficient separation would be retained between the eastern gable of plot 50 and the corresponding elevation of Cavendish Mill to prevent unreasonable overshadowing in both situations. Subject to the implementation of the noise mitigation measures, it is considered that the residential amenity of the future occupants of the proposed dwellings in that part of the site would be adequately protected.
- 12.6 In terms of the relationships between buildings within the development, the separation distances to be retained would be compliant with the RDG with one exception, that being the relationship between the rear elevation of plot 32 and the corresponding gable elevation of plot 29, which does not contain any habitable room windows. The separation distance to be retained in that relationship would be approximately 12 metres, falling short of the 14 metres required by the RDG for this situation. However, following amendments to stagger the relationship between the buildings, the windows in plot 32 that would be directly affected are one bedroom at first floor level and a lounge at ground floor level, which has an additional window in the western elevation.
- 12.7 Given this situation and the relatively short nature of the deficit, it is considered that the fact that this relationship does not fully accord with the RDG guidance is not sufficient to significantly and demonstrably outweigh the benefits of boosting the supply of housing through the redevelopment of a brownfield site. This assessment is made within the context of the fact that the marginal deficiency in this relationship does not adversely affect the residential amenity of any existing neighbouring properties.
- 12.8 Following the above assessment, it is considered that the proposals would preserve the residential amenity of neighbouring properties and the amenity of the future occupants of the development.

### **13. HIGHWAY SAFETY**

- 13.1 The applicant has submitted a Transport Statement in support of the application. On the basis of standard TRICS modelling, the existing lawful use of the site (incorporating 1,726 square metres of B2 floorspace) would generate 17 trips to and from the site during the AM

peak and 13 trips to and from the site during the PM peak period. In contrast, using the same modelling, the proposed development is anticipated to generate 21 trips to and from the site during the AM peak and 21 movements to and from the site are anticipated during the PM peak period.

- 13.2 Given the relatively close proximity of the site to Ashton town centre it is considered that the anticipated number of trips by private car throughout the day could be reduced as a proportion of the total due to the accessibility of alternative modes of transport, services and facilities. The Local Highway Authority has not raised any concerns in relation to traffic movements associated with the development, which must be considered within the context of the lawful use. It is considered that the volume of traffic generated by the proposals would not result in a severe impact on the capacity of the highway network as a result.
- 13.3 The access and egress to the apartments in the northern portion of the site proposed would be taken from Higher Wharf Street, which would be opened as a one way street as part of the proposals. An access route through the central reservation would be installed, allowing traffic to turn right into Cavendish Street from Higher Wharf Street. Bank Street would be closed to vehicular traffic, with bollards installed at either end and a pedestrian crossing installed at the end of Bank Street, across Cavendish Street. This crossing would replace the existing zebra crossing to the north of the junction between Higher Wharf Street and Cavendish Street and the new pedestrian crossing would result in the closure of the existing right turn lane within the central reservation leading from Bank Street into Cavendish Street.
- 13.4 The Local Highway Authority has not raised any objections to the proposed access arrangements. The highway control measures and the installation of the proposed infrastructure within the highway are matters that can be resolved under the Highway Act should planning permission be granted.
- 13.5 In relation to parking, the site is located within the designated Ashton town centre. Policy RD8 of the RDG indicates a maximum provision of 0.5 to 1 parking spaces for each 1 bedroom unit, 1.5 spaces per 2 and 3 bedroom dwelling and 2 spaces for each dwelling of 4 or more bedrooms in this location. A total of 13 spaces for the 26 apartments would be provided within the ground floor of that building and 2 parking spaces would be provided for each dwelling, with integral garages provided in each of the dwellings along the southern edge of the site providing 1 of those spaces. The development would therefore achieve the required parking standards.
- 13.6 TfGM has not raised any objections to the proposals, subject to the imposition of conditions requiring the provision of secured cycle storage as part of the development and the production of a sustainable Travel Plan. They have also commented that investment in cycle path infrastructure should be secured via financial contributions. Details of a scheme for highway improvements to improve pedestrian connectivity shall be verbally reported at the Panel meeting.
- 13.7 The Local Highway Authority has not raised any objections to the proposals, subject to the imposition of conditions requiring the proposed car parking arrangement to be laid out prior to the first occupation of the dwellings, the submission and approval of an external lighting scheme and the submission of a survey of the condition of the highway prior to the commencement of development. The parking and lighting conditions are considered to be reasonable and necessary to ensure adequate and safe parking provision is available from first occupation of the development. The latter is considered not to be necessary as this would duplicate powers held by the Council under the Highways Act. A condition requiring the submission and approval of an environment management plan for the construction phase of the development is considered to be reasonable, as are the other recommended conditions and these are attached to the recommendation.

13.8 Following the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety and in accordance with the guidance contained within paragraph 109 of the NPPF, should not be refused on that basis.

#### **14. FLOOD RISK/DRAINAGE**

14.1 The site is located within Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The site sits on an elevated land level in comparison to the Canal immediately to the south of the site. The response from United Utilities to the application does not raise concerns regarding capacity within the sewerage network within the vicinity of the site to accommodate the additional demands of the proposed development.

14.2 United Utilities has not objected to the application, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms. Both requirements can be combined into one condition, as per the condition attached to the recommendation. The Environment Agency have not raised any objections to the proposals in relation to flood risk.

#### **15. ECOLOGY AND TREES**

15.1 In relation to ecology, the Ashton Canal which runs parallel with the southern boundary of the site is a Site of Biological Importance (SBI). Natural England has not raised any objections to the proposals. GMEU has confirmed that a bat survey would not be required having concluded that the buildings are considered to have negligible potential for roosting bats, following an inspection of the site. GMEU recommend that a condition be imposed to ensure that measures are put in place to protect the locally designated Canal during the construction phase of the development.

15.2 The Canal and Rivers Trust (C&RT) has recommended that a comprehensive ecological appraisal of the land should be submitted. Given that GMEU consider that a bat survey is not required and that the potential impact on the Canal would be limited to the construction phase and this impact can be controlled by measures to be secured by condition, officers consider that further information in this regard is not required to determine the application.

15.3 It is however considered necessary to condition a method statement relating to the construction of the retaining wall to be erected on the southern boundary of the land. The C&RT has indicated that close boarded fencing would not be a suitable treatment along the southern boundary of the site with the Canal, from a design and surveillance perspective. Officers concur with this assessment. A more open form of boundary treatment, such as railings would be more appropriate and would allow the development to have a more positive impact on the character of the Conservation Area. The details of all boundary treatments to be installed can be secured by condition.

15.4 A condition requiring the submission and approval of a method statement outlining measures to be put in place to prevent pollution and sediment run-off into the canal during and post construction is also recommended, as are further details of external lighting (to ensure that the biodiversity value of the site and Canal are not diminished through light pollution.) These conditions are considered reasonable and are attached to the recommendation

15.5 Details of the biodiversity enhancements to be incorporated can also be secured by condition, in accordance with the guidance within paragraph 175 of the NPPF.

15.6 In relation to the impact on trees, the Borough Tree Officer considers that the proposed development would not result in an adverse impact on any trees of significant amenity value. Details of protection measures to be installed around the trees on the southern edge of the site and details of the soft and hard landscaping scheme to be incorporated into the development can be secured by condition.

## **16. OTHER MATTERS**

16.1 In relation to environmental health, the EHO has not raised any objections subject to conditions relating to the hours of work during the construction phase of the development and the provision of refuse storage facilities prior to the occupation of the development, in addition to the noise mitigation measures discussed previously in this report.

16.2 In relation to air quality, the eastern edge of the site is located within an Air Quality Management Area. The applicant has submitted an Air Quality Assessment in support of the planning application. The report concludes that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. Following assessment of the potential impacts, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and associated activities was predicted to be not significant.

16.3 The proposed development has the potential to expose future users to elevated pollution levels and impact negatively on existing air quality in the vicinity of the site once occupied, primarily through traffic generation. Dispersion modelling was therefore undertaken to predict pollutant concentrations as a result of emissions from the local highway network. Results were subsequently verified using local monitoring data. The modelling indicated that concentration levels of gases from emissions were within accepted air quality limits at all locations across the development.

16.4 The Assessment concludes that the site is therefore considered suitable for residential use from an air quality perspective. On the basis that a Construction Environment Management Plan could be conditioned to mitigate any harm arising from that phase of the development, the scheme is considered not to result in an adverse impact on air quality. The EHO has not objected to the proposals but has requested further information in terms of the impact of the development once occupied. It is considered reasonable to condition details of an electric vehicles charging strategy to serve the development, in order to reduce the emissions produced by the vehicular traffic generated by the development.

16.5 The site is not located in a high risk area in relation to coal mining legacy. An informative explaining the responsibilities of the applicant in this regard can be attached to any planning permission granted.

16.6 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing a detailed investigation into potential sources of contamination on the site by condition. The recommended condition would require any necessary remediation measures to be agreed and implemented prior to the commencement of development. This is considered to be reasonable given the brownfield nature of the site and such a condition is attached to the recommendation

16.7 In relation to the potential impact of the development on features of archaeological importance, GMAAS has indicated that the industrial history of the site gives it some significance in this regard. The Greater Manchester Historic Environment Record has one entry falling within the development proposal site. This is no. 5843 for Higher and Lower Bank Mill which were built around 1823. These mills were demolished, in the 1930s, but given the lack of subsequent development of this part of the site it can be anticipated that there will be significant below-ground industrial archaeological remains.

- 16.8 GMAAS considered that insufficient information was submitted with the original application to inform mitigation strategies, either to preserve in situ or archaeologically excavate and record the potentially significant archaeology. Following revisions to the scheme and the retention of no. 85 Cavendish Street, it is considered reasonable to attach a condition requiring an intrusive investigation to be undertaken and any mitigation implemented to ensure that the development would not result in harm to the archaeological significance of the site. Such a condition is attached to the recommendation.
- 16.9 In relation to crime prevention, the revised layout ensures that active frontages are presented to the junctions between Higher Wharf Street and Bentinck Street and between Bentinck Street and Bank Street, which enhances natural surveillance of the entrance into the development and would mitigate the fact that the rear boundaries of plots 27-32 do not back onto the perimeter boundaries of the site.
- 16.10 The revised layout also provides active frontage to each of the internal access roads serving the development. The 3 storey height of the rear elevations of the buildings along the boundary of the site with the Canal would provide surveillance of the towpath area and the rear boundaries would be secured through appropriate treatment. The change in levels down to the Canal would remain sufficient to prevent access despite being significantly reduced in comparison with the existing situation. Details of the change in levels are to be secured by condition. It is considered necessary to condition the specific measures to be installed as part of the development to reduce the risk of crime. Such a condition is attached to the recommendation.
- 16.11 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 of the adopted UDP. The contribution from this development is £41,579.53. This would be allocated towards improvements to public open space within the vicinity of the site, including enhancements to the landscaped area around Ashton Old Baths, enhancements to landscaping at the entrance to St. Petersgate and improvements to the condition of the boundary walls around the public open space at Whitelands Road.
- 16.12 A contribution of £9,875.42 towards highway improvements can be secured through the Section 106 Agreement. This is considered to offset the impact of the development on the capacity of the highway network. The final details of this project will be reported to Members at the Panel meeting.
- 16.13 In relation to other infrastructure, where a proposal exceeds 25 dwellings, policy H6 requires financial contributions towards education and other community facilities where current facilities do not have the capacity to meet the additional population of a proposed development. A figure of £32,571.91 would be allocated to a scheme to extend capacity at a school in Ashton. The final details of this project will be reported to Members at the Panel meeting.
- 16.14 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the relatively limited amenity space to be provided on site, the additional traffic to be generated and the additional demand for school places), 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.
- 16.15 Paragraph 64 of the NPPF states that 'where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.' Following adoption of the Housing Needs Assessment (HNA) for the Borough in August 2018, the Council now has an up to date

evidence base on which to seek affordable housing contributions for developments of this scale. The HNA requires 15% of units on the proposed development to be provided as affordable housing. This application pre-dates the adoption of the HNA and the Cabinet report states that the affordable housing levy would only be applied to 'new' applications.

- 16.16 The applicant in this case is a Registered Social Landlord and the proposed development would be based on 100% affordable housing. As planning permission is attached to the land, it is considered necessary to ensure that any development achieves the 15% affordable housing provision required by the up to date policy. The provision of affordable housing within the development is a significant public benefit, which weighs in favour of the proposals.

## **17. CONCLUSION**

- 17.1 The principle of the redevelopment of the site for residential purposes is considered to be acceptable. The established use of the site is for employment purposes. However, since the land and buildings were last in active commercial use, Cavendish Mill has been converted to include residential use and there are apartments to the west of the site. These neighbouring developments provide a constraint to noise sensitive uses. In addition, there is an extensive area of allocated employment land at Ashton Moss which remains undeveloped and the Development Opportunity Area allocation indicates that residential uses would be a suitable use on this site.
- 17.2 Following amendments to the scheme, including the retention of no.85 Cavendish Street and improvements to the layout, scale and design of the scheme, officers consider that the proposals would enhance the character of this part of the Conservation, complying with policies C4 and E2 of the UDP and the relevant sections of the NPPF.
- 17.3 The revised scheme is considered to preserve the residential amenity of neighbouring properties and the future occupants of the proposed development, subject to the imposition of reasonable conditions. There are no objections to the proposals on highway safety grounds or from any of the other statutory consultees.
- 17.4 In weighing up all of the material planning considerations, officers consider that the proposals accord with the relevant national and local planning policies quoted above.

## **18. RECOMMENDATION**

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

Financial contribution of £41,579.53 towards improvements to public open space within the vicinity of the site, including enhancements to the landscaped area around Ashton Old Baths, enhancements to landscaping at the entrance to St. Petersgate and improvements to the condition of the boundary walls around the public open space at Whitelands Road

Financial contribution of £9,875.42 towards a highway improvement scheme (details tbc)

Financial contribution of £32,571.91 towards an education expansion scheme (details tbc)

Details of the management of the surface water drainage system and public open space within the development

15% affordable housing provision



and 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 (drawing no. CAV-MA-00-XX-DR-A-0001 Rev. 1)  
1:200 Proposed site plan (drawing no. CAV-MA-00-XX-DR-A-0002 Rev. 10)  
1:100 House Type B overview plan (drawing no. CAV-MA-00-ZZ-DR-A-0200 Rev. 1)  
1:100 House Type B1 overview plan (drawing no. CAV-MA-00-ZZ-DR-A-0300 Rev. 3)  
1:100 House Type B2 overview plan (drawing no. CAV-MA-00-ZZ-DR-A-0400 Rev. 1)  
1:100 House Type B & B2 terrace overview plan (drawing no. CAV-MA-00-ZZ-DR-A-0600 Rev. 1)  
1:100 House Type B2 detached overview plan (drawing no. CAV-MA-00-ZZ-DR-A-0700 Rev. 1)  
1:200 Cavendish House floor plans (drawing no. CAV-MA-00-ZZ-DR-A-0500 Rev. 5)  
1:100 Cavendish Elevation plans (drawing no. CAV-MA-00-ZZ-DR-A-0501 Rev. 6)  
1:50 Cavendish House typical apartment floor plan (drawing no. CAV-MA-00-ZZ-DR-A-0502 Rev. 1)

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 listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls (including the retaining wall on the southern boundary of the site, which shall be constructed from natural stone), 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 (1:200 Proposed site plan (drawing no. CAV-MA-00-XX-DR-A-0002 Rev. 10), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
6. Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be fully 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.
7. 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.

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

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

10. 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.

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. 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.
13. Notwithstanding the details submitted with the planning application, no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
  - scaled plans showing the elevations of the development into which noise attenuation are to be installed, including those properties adjacent to the southern (adjacent to the Canal), western (adjacent to commercial uses) and northern (fronting Higher Wharf Street) boundaries of the site
  - manufacturers specifications of the glazing and trickle vents to be installed within the openings of the units in the above locations.

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

14. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Tameside Planning Authority.

The WSI shall cover the following:

1. An archaeological desk based assessment.
2. A phased programme and methodology of site investigation and recording to include:
  - archaeological evaluation through trial trenching (subject to a new WSI).
  - dependent on the results from the evaluation trenches, a targeted more detailed area excavation and recording (subject to a new WSI)
3. A programme for post investigation assessment to include:
  - production of a final report on the significance of the below-ground archaeological interest.
4. Deposition of the final report with the Greater Manchester Historic Environment Record.
5. Dissemination of the results of the archaeological investigations commensurate with their significance.

6. Provision for archive deposition of the report and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
15. No development shall commence until an Environmental Construction Method Statement detailing how pollution of the Canal adjacent to the southern 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.
16. No development above ground level shall commence until a Crime Impact Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail the specific crime prevention measures to be installed as part of the development to ensure that the scheme achieves the requirements of the document Secured by Design Homes 2016 or guidance which supersedes that document. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
17. No development above ground level shall commence until details of an electric vehicle charging strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.
18. 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.
19. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.
20. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
21. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
22. No development shall commence until plans at a scale of 1:20 of the window openings (including details of the surrounding cladding) have been submitted to and approved in writing by the Local Planning Authority. The details shall include a section plan showing the thickness of the frames and the depth of the recess of the frames from the outer

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

23. No development shall commence until elevation and section drawings of the retaining walls (including existing and proposed ground levels, with reference to a fixed datum point) and method statement detailing how the retaining wall is to be constructed 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 retained as such thereafter.
24. No development shall commence until a method statement relating to the construction of the retaining wall to be erected on the southern boundary of the site (adjacent to the Canal) has been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled cross section plans showing the relationship between the retaining wall and the Canal and details of the foundations of the structure. The development shall be carried out in accordance with the approved details.
25. No development shall commence until details of a scheme for preventing the use of the Bank Street for any form of traffic other than emergency vehicles, cyclists and pedestrian traffic 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.
26. Notwithstanding the details shown on the approved plans, 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.