

**Application Number** 19/00374/FUL

<b>Proposal</b>	Full planning application for the redevelopment of land surrounding Cavendish Mill to create 51 no. dwellings, with associated landscaping, public space and access roads.
<b>Site</b>	Land adjacent to Cavendish Mill, Cavendish Street, Ashton under Lyne.
<b>Applicant</b>	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.

## **1.0 APPLICATION DESCRIPTION**

- 1.1 The applicant seeks full planning permission for the erection of 51 dwellings on the site. The development would take the form of 4 storey block of 32 apartments fronting the Canal. A further 12 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. A terrace of 5 units and a pair of semi-detached dwellings fronting onto Bentinck Street would be located on the parcel of land bound by Bank Street, Bentinck Street and Higher Wharf Street (to the rear of no. 85 Cavendish Street).
- 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

## **2.0 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 is located to the rear of no. 85 Cavendish Street (also within the applicant's ownership but excluded from the application site), 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.

### **3.0 PLANNING HISTORY**

- 3.1 17/00911/FUL - Full planning application for the redevelopment of land surrounding Cavendish Mill to create 50 no. dwellings, with associated landscaping, public space and access roads - approved.

### **4.0 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

#### **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.

#### **5.0 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.

#### **6.0 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. No objection to the proposals, 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) – no objections to the proposals in terms of impact on the character and appearance of the Conservation Area and the setting of Cavendish Mill (Grade II\* listed)
- 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 objections. Recommend that an ecological survey of the site is undertaken but acknowledge that the shadowing assessment demonstrates that any shading of the Canal resulting from the development would be late in the day, ensuring that the biodiversity value of this part of the Canal would not be diminished.

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

1 letter of objection has been received from a commercial use adjacent to the site, raising the following issues (summarised):

- 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 plots 10-19 which would back on to the common boundary with the commercial units. There must be appropriate mitigation of the visual and noise generating impacts of the adjacent commercial development.

## **8.0 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

## **9.0 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.

## **10.0 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 focussed 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 are afforded 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 part of 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.

- 10.7 The scheme excludes no.85 from the application site, with a view to converting the building through a future planning application. A car parking area to serve that future development would be located immediately to the rear of no. 85, with 7 x 2 storey dwellings to be sited on the remainder of the north eastern parcel of the application site. A terrace of 5 properties would front Bank Street, with 2 dwellings facing Bentinck Street on the western boundary of that parcel. The proposed dwellings would be subservient in height to no. 85 Cavendish Street and substantially lower in height than Cavendish Mill, ensuring that these buildings would remain dominant in public views of this part of the Conservation Area.
- 10.8 The connection between the northern eastern and south western parcels of the site would be legible in public views of the site from public views on the junction between Bentinck Street and Bank Street. The units at plots 6 and 7 on the north eastern parcel and 8 and 9 in the south western parcel would provide active frontage to this junction and emphasise the connection between the two parts of the development.
- 10.10 There would be a consistency in the treatment of the buildings across the development. The elevations of the dwellings and the apartment buildings would be given vertical emphasis by the tall narrow openings and a relatively high brick to void ratio would reference the robust character of the traditional buildings within this part of the Conservation Area.
- 10.11 The apartment building proposed to front the Canal is considered to be a positive element of the scheme. The building would remain subservient to the height of Cavendish Mill but at four storeys, would present a strong presence to the Canal side due to the robust and simple design. It is considered that the location of the apartments allows positive engagement with the Canal, by effectively responding to the substantial drop in levels on the southern boundary of the site though sitting the apartment building at a lower level than the majority of the southern parcel of the site.
- 10.12 Plots 10- 19 of the proposed development would allow enclosure of western edge of southern parcel and would provide an active frontage to the central part of that portion of the site. The orientation of these properties would provide a more positive terminating vista than the existing boundary with the commercial properties beyond and would provide surveillance over the communal car parking areas associated with the flatted development fronting the Canal.
- 10.13 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.

## **11.0 DESIGN CREDENTIALS**

11.1 Section 12 of the NPPF is entitled Achieving well-designed places. Paragraph 127 states that planning decisions should ensure that developments achieve 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 proposal to include apartments on the Canal side boundary, the position of buildings of subservient scale to no. 85 Cavendish Street to the rear of that building and the synergy of the simple and robust design approach across the two parcels of the development are considered to be positive elements in this regard. Overall, it is considered that the proposed development would respect the historical character of this part of the Conservation Area and would substantially improve the appearance of the site 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 proposals would create a strong sense of place and the retention of space to the rear of no. 85 Cavendish Street would suitably preserve the setting of that building.
- 11.6 The 4 storey height of the apartment building on the southern boundary would provide positive interaction with the Canal, a feature which would be strengthened by the fact that this element of the scheme would sit within the excavated embankment, as opposed to sitting on top of the existing embankment. 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 to be controlled by condition. It is considered that the location of the apartment buildings would prevent blank retaining structures being presented to the Canal, which would be an improvement on the extant scheme in design terms.

## **12.0 RESIDENTIAL AMENITY**

- 12.1 The adopted Residential Design Guide (RDG), which requires 21 metres to be retained between corresponding elevations with habitable rooms and 14 metres where one of the elevations is blank. These standards where the affected buildings are 2 storeys in height, with an additional 3 metres required per storey if one building in the relationship is taller than the other.
- 12.2 The front elevation of plot 1 (eastern most property in the terrace of dwellings to front Bank Street) would be approximately 14 metres from the north west facing elevation of Cavendish Mill at the point where the corresponding elevations would face each other. After that point, the building line of the Mill splays further away from Bank Street, increasing the separation distance to the application site in a westerly direction.
- 12.3 Given that a large proportion of the ground floor accommodation of Cavendish Mill is given over to a health facility and offices, it is considered that the proposed dwellings would not be of a scale or siting that would result in harmful overlooking into or overshadowing of those neighbouring properties.
- 12.4 Given this context and the fact that a vehicular highway bisects the intervening distance, it is considered that the oblique relationship between the buildings would be sufficient to ensure 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.
- 12.5 The proposed dwellings 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 Canal side and the highway network surrounding the site, a number of units would need to be fitted with higher specification glazing.
- 12.6 The EHO has studied the report and considers that these mitigation measures should be extended to include the rear of the units 10 – 19, 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.
- 12.7 Plot 19 would be the closest of the proposed units to the existing apartment development located adjacent to the south western corner of the southern part of the site. The southern gable elevation of that building would be set further away from the boundary of the site with the Canal and the common boundary with the apartment development than the same elevation of the existing industrial building which would be removed from the site. Within this context and given the extent of the oblique relationship and the separation distance to be retained between the corresponding elevations of the buildings (approximately 21 metres), it is considered that the proposed development would not result in unreasonable overlooking into or overshadowing of those neighbouring properties
- 12.8 A separation distance of approximately 27 metres would be retained between the eastern elevation of the proposed apartment building and the corresponding elevation of Cavendish Mill. Given the oblique relationship between the buildings, this separation distance is considered to be sufficient to prevent unreasonable overlooking or overshadowing of any of the affected properties.

- 12.9 The relationships between the buildings within the development are also considered to accord with the requirements of the RDG quoted above. The rear elevation of plot 7 faces the blank gable elevation of plot 5 and the separation distance would be 14 metres. The separation distance to be retained between the front elevations of the dwellings proposed at lots 17 to 19 and the western side elevation of the apartment building would be approximately 15 metres.
- 12.10 Given that the apartment building would be 3 storeys in height above the retained ground level in that relationship, this distance should be 17 metres to meet the requirements of the design Guide, unless obscured glazing could be employed to prevent overlooking. In this case, the windows in the affected elevation of the apartment building are either secondary windows to habitable rooms (2) or a window serving a landing.
- 12.11 These windows can reasonably be obscurely glazed without adversely affecting the residential amenity of the future occupants of the units, with primary windows also serving those rooms. On the basis that a condition requires these windows to be obscurely glazed and fixed shut below 1.7 metres above internal floor level, this is considered sufficient to prevent unreasonable overlooking between those plots within the development.
- 12.12 It is acknowledged that the regrading of the land to the north and west of the apartment building results in the ground floor apartments siting below the ground level of the car park area at the centre of the south western parcel of the site. The most prominent impact would be to the northern elevation as the openings on the western elevation are secondary windows. The slope to the north of the building would be treated with a grassed embankment, dropping down to a low rise retaining wall, which would sit slightly below the mid-point of the tall windows that would serve the rooms on the ground floor level within the building.
- 12.13 Whilst the retaining wall would be close the rear elevation of the building, outlook and light would be provided through the upper section of the windows on that elevation of the building. The use of a grassed embankment to grade the slope is considered preferable to a taller retaining structure located further from those windows, which would result in a harsher appearance and would not significantly improve outlook from the development. Given that the upper section of the windows would afford views above the lower section of the retaining wall, it is considered that adequate light and outlook would be provided to ensure that the residential amenity of the future occupiers of those units would be preserved.
- 12.14 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.

### **13.0 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 Local Highway Authority has not raised any objections to the proposed access arrangements, which would retain the existing one way system, with access to the development via Bentick Street and egress via Bank Street.
- 13.4 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 25 spaces for the 32 apartments would be provided in the central part of the southern portion of the site. On plot provision for 2 parking spaces would be made for each of the 2 storey dwellings in the south western parcel of the site. In the north eastern parcel, 1 space would be provided for each of the 2 bedroom properties.
- 13.5 Taken as whole, the development would therefore achieve the required parking standards, as the lower level of provision for the smaller dwellings and apartments is considered appropriate in this highly sustainable location. In addition details of secure cycle storage to facilitate more sustainable modes of travel can be attached to any planning permission granted.
- 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. A scheme to improve cycling and walking facilities on Hill Street has been identified by engineers as appropriate mitigation in this case.
- 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.
- 13.8 The requirement for a dilapidation survey 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.
- 13.9 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.

#### **14.0 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 has not raised any objections to the proposals in relation to flood risk.

## **15.0 ECOLOGY AND TREES**

- 15.1 In relation to ecology, the adjacent section of Ashton Canal which runs parallel with the southern boundary of the site is designated as a Site of Special Scientific Interest (SSSI) and locally as a Site of Biological Importance (SBI). Natural England has not raised any objections to the proposals. 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) and Natural England have recommended that a comprehensive ecological appraisal of the land should be submitted. 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. Given that GMEU consider that the risk to bats is minimal having visited the site, officers consider that further information in this regard is not required to determine the application. GMEU has not raised any objection to the determination of the application without a wider ecological survey, as was the case with the previous application for development on the site, which remains extant.
- 15.3 It is however considered necessary to condition a method statement relating to the construction of the apartment building and associated retaining structures to be erected on the southern boundary of the land. Such a condition is attached to the recommendation.
- 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 A shadowing assessment has been submitted with the application, which assesses the extent of shading that would be caused by the development, in order to determine the potential impact on the biodiversity value of the Canal. The assessment models the impact of shadowing in the morning, afternoon and late afternoon on days in March, June and September, to provide a range of scenarios at different times of the year.
- 15.6 The assessment indicates that the apartment building would result in overshadowing of the Canal in the late afternoon in June and September. At those times however, the overshadowing of the watercourse resulting from Cavendish Mill immediately to the east would be substantially greater at both times. It is also the case that the apartment building on the Canal frontage to the west of the site results in shading of part of the Canal in March and June. Natural England have reviewed the shading plan and have raised no objections to the conclusions, which indicate that sufficient access to light would remain in order to preserve the biodiversity value of the Canal. On that basis, it is considered that any harm to biodiversity arising from the development in this regard would not be sufficient to warrant refusal of the application, given the extent of overshadowing caused by the existing buildings.

- 15.7 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.
- 15.8 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. A proposed landscaping scheme has been submitted as part of the planning application, which indicates the location of new grassed areas, shrub planting and trees to be planted. A number of trees would be planted in the central part of the south western parcel of the development and further trees would supplement the existing planting along the Canalside boundary. The Tree Officer has not raised any objections to the proposed scheme. Details of protection measures to be installed around the trees to be retained on the southern edge of the site and compliance with the submitted landscaping scheme can be secured by condition.

## **16.0 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 Given the potential impact of the proposal on the significance of the site in this regard, 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 proposed 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. Plots 10 to 19 also back on to the boundary of the site.
- 16.10 The layout also provides active frontage to each of the internal access roads serving the development. The 4 storey height of the apartment building adjacent to the Canal would provide surveillance of the towpath area. 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 the extant development was £41,579.53 and the contributions calculator indicates that the same sum would be required to mitigate the impact of this revised development. 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 was secured through the Section 106 Agreement to which the extant planning permission is subject. Given the similar scale of the proposed development, securing the same contribution from this development is considered to offset the impact of the scheme on the capacity of the highway network. A scheme to improve cycling and walking facilities on Hill Street has been identified by engineers as appropriate mitigation in this case.
- 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. The nearest school expansion project is in Denton. Officers consider that seeking a contribution from this development towards that scheme would not meet the CIL regulations due to the distance between the application site and Denton. As such, a contribution towards education provision is not to be sought in this case.
- 16.14 The open space and highway improvement 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 and the additional traffic to be generated), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

- 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.' The NPPF came into force in July 2018 and is a material consideration from that point. 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 Given that the NPPF is significantly more recent than the UDP policy, officers consider that the 15% affordable housing requirement should apply in this case.
- 16.17 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.

## **17.0 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 Given the siting of a 4 storey apartment building on the Canal side frontage and the robust nature of the design of all of the units across the scheme, officers consider that the proposals would enhance the character of this part of the Conservation Area, complying with policies C4 and E2 of the UDP and the relevant sections of the NPPF.
- 17.3 The proposals are 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.

## **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)

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. 2420-WS-PL-700-01 Rev. 6)

1:50 House Type B overview plan (drawing no. 2420-B2-DR-200-01 Rev. 2)

1:50 House Type A Overview plan (drawing no. 2420-B1-DR-200-01 Rev. 2)

1:50 House Type C overview plan (drawing no. 2420-B3-DR-200-01 Rev. 2)

1:50 House Type C terrace elevations plan (drawing no. 2420-B4-DR-200-01 Rev. 3)

1:100 Proposed apartment block plans and elevations (drawing no. 2420-B5-DR-200-01 Rev. 4)

1:100 Proposed apartment block floor plans

Proposed site section plan

1:200 Proposed landscaping plan (Dwg no. 5581.01 Rev. D)

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 retaining walls), fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

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. 2420-WS-PL-700-01 Rev. 6) 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. The soft landscaping scheme to serve the development shall be carried out in accordance with the approved details (as indicated on (Dwg no. 5581.01 Rev. D) 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.
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. 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.
12. 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
  - manufacturer's specifications of the glazing and trickle vent to be installed within the openings of the units in the above locations.

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

13. 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.
14. 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.

15. 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.
16. 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.
17. 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.
18. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. No development shall commence until a method statement relating to the construction of the apartment building and associated retaining structure to be erected adjacent to 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 proposed development and the Canal and details of the foundations of the structures. The development shall be carried out in accordance with the approved details.

24. 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.
25. Prior to the commencement of any development, protection measures meeting the requirements of BS5837:2012 shall be installed around the trees to the southern boundary of the site (adjacent to the Canal.) The protection measures shall be retained in place for the full duration of the construction works.
26. Prior to the first occupation of any part of the development hereby approved, details of secured cycle storage to be installed within the curtilage of each of the dwellinghouses and a communal secured cycle storage area to serve the apartments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
27. Prior to the first occupation of any part of the apartment building within the development hereby approved, the windows in the western elevation of that building shall be fitted with obscured glazing (to meet 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. The development shall be retained as such thereafter.
28. Prior to the first occupation of any part of the development hereby approved, a Sustainable Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include specific measures to be implemented to encourage trips to and from the site via alternative modes of transport to the private car. The measures shall be implemented in accordance with the approved details following first occupation of the development and shall be retained as such thereafter.