

Application Number 19/00264/FUL

Proposal	Full planning permission for the demolition of existing buildings and erection of 55 dwellings with associated car parking and access arrangements.
Site	Scout Green Depot, Mossley.
Applicant	Scout Green Ltd.
Recommendation	Grant planning permission subject to conditions and the prior completion of a Section 106 Agreement.
Reason for report	A Speakers Panel decision is required because the application constitutes Major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks planning permission for the demolition of existing buildings and erection of 55 dwellings with associated car parking and access arrangements. The proposed mix of units would be as follows:
12 x 2 bed units
31 x 3 bed units
12 x 4 bed units
- 1.2 The proposal would see a row of properties fronting on to the Manchester Road on the western side of the bridge, with the majority of the dwellings located around a central area of open space in the main part of the site, located to the east of the River Tame. The properties on the eastern edge of the development would front onto the Canal adjacent to the eastern boundary. The proposed house type in that location would include an integral garage with ancillary work accommodation above on the western elevation, ensuring some active frontage to the central area of open space, with the gardens associated with those properties situated between the two linked elements of accommodation.
- 1.3 Dwellings would also front the northern, southern and western edges of the open space, with further properties located to the rear of the units on the northern and southern edges of the development, where provision would also be made for car parking associated with those properties that would not have integral garages.
- 1.4 The following documents have been submitted in support of the planning application:
 - Design and Access Statement;
 - Planning Statement;
 - Transport Statement;
 - Sequential Test (relating to flood risk);
 - Phase 1 Habitat Survey and Bat Survey;
 - Otter and Water Vole Assessment;
 - Arboricultural Impact assessment;
 - Flood Risk Assessment; and,
 - Contaminated Land Assessment.
- 1.5 The plans been amended to reduce the number of dwellings proposed down from the 58 originally proposed, following concerns expressed by officers regarding the amenity of the future occupiers of the units on the northern and southern edges of the development in that scheme.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to land to the east of Manchester Road, located on the southern edge of Mossley. The site contains a former Council depot building and is situated between the River Tame to the west and the Ashton Canal to the east. Dense mature tree planting demarcates the northern, southern and western boundaries of the site. This tree planting and the fact that the site sits at a lower ground level than Manchester Road, ensures that the site is well screened from public views to the west of the site.
- 2.2 Land levels on the site itself are relatively flat, with an embankment adjacent to the Canal on the eastern boundary of the site. The site is currently accessed via a narrow pedestrian bridge across the River Tame. Public views of the site are afforded from the footpath running immediately adjacent to the eastern boundary of the site and the footways that run parallel with the Canal. Plevins, a manufacturing business which produces woodchip for biomass systems and animal bedding, is located on the opposite side of the Canal to the application site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/01126/OUT - Outline planning application for the demolition of buildings and erection of up to 41 dwellings and 6 Live/Work units with associated car parking and access arrangements – approved 18 December 2017.

4.0 RELEVANT PLANNING POLICIES

4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

4.3 Tameside Unitary Development Plan (UDP) Allocation

Unallocated, although included within the Council's Strategic Housing Land Availability Report as a future site for housing development.

4.4 Part 1 Policies

1.3: Creating a Cleaner and Greener Environment.

1.4: Providing More Choice and Quality Homes.

1.5: Following the Principles of Sustainable Development

1.10 Protecting and Enhancing the Natural Environment

1.12: Ensuring an Accessible, Safe and Healthy Environment

4.5 Part 2 Policies

H2: Unallocated Sites.

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H7: Mixed Use and Density (Density being relevant to this proposal)

H10: Detailed Design of Housing Developments

OL4: Protected Green Space

OL7: Potential of Water Areas

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

C1: Townscape and Urban Form

N1b: National Nature Conservation Sites

N2: Locally Designated Nature Conservation Sites

N5: Trees Within Development Sites.

N6: Protection and Enhancement of Waterside Areas

N7: Protected Species

MW11: Contaminated Land

MW14 Air Quality
U3: Water Services for Developments
U4 Flood Prevention
U5 Energy Efficiency

4.6 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; and,
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

Section 2: Achieving sustainable development;
Section 5: Delivering a sufficient supply of homes;
Section 8 Promoting healthy and safe communities;
Section 11: Making efficient use of land;
Section 12: Achieving well designed places; and,
Section 15: Conserving and enhancing the Natural Environment.

4.8 **Planning Practice Guidance (PPG)**

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

5.0 PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement. This is in addition to a site notice and press notice.

6.0 RESPONSES FROM CONSULTEES

6.1 Borough Tree Officer – Tree T40 (located in the part of the site to be developed adjacent to Manchester Road) is assessed in the Arboricultural Report submitted with the application as a Category A specimen. This tree is proposed to be removed to make way for the development. The removal of this tree should only be permitted if 5 trees of 'heavy stock' are planted in replacement.

Other trees within the development are of lower value but a detailed landscape plan should be agreed to mitigate losses. There are many high value trees adjacent to the development, including one Category A tree (T26) and several Category B trees. These are located in the Council owned and managed Country Park area. These trees should be protected to BS5837 during development and no removal, or works, permitted to them.

In particular there should be no dig within the Root Protection Areas (RPAs). If necessary, engineered foundations and no dig hard surfacing solutions should be utilised within the RPAs.

- 6.2 Local Highway Authority – no objections to the amended proposals subject to a number of conditions. Conditions requiring the parking spaces to be laid out as shown on the submitted plans prior to the occupation of the dwellings, the provision of secured cycle parking, the submission of a construction environment management plan, the submission of a condition survey of the highway and details of the proposed access arrangements are recommended. In addition, conditions requiring an approval in principle relating to the proposed retaining wall adjacent to the access into the development from Manchester Road, submission of details of an external lighting scheme and a Travel Plan to serve the development should also be attached to any planning permission.
- 6.3 Borough Environmental Health Officer (EHO) – no objections to the proposals following the completion of a revised Noise Assessment, which is considered to accurately account for the existing background noise levels. Conditions requiring details of the specification of the glazing units and trickle vent systems to be installed in the elevations of the properties closest to external noise sources, bin storage arrangements to serve the development and an electric vehicle charging strategy to be submitted and approved. A condition limiting the hours of work during the construction phase of the development is also recommended.
- 6.4 Greater Manchester Ecology Unit (GMEU) – no objections subject to the imposition of a number of conditions. Details of a management plan to prevent pollution of the watercourses on either side of the site (the Huddersfield Narrow Canal is designated as a SSSI), a condition preventing tree removal during the bird breeding season, measures to mitigate any harm to mammals and amphibians during the construction phase, a management plan for dealing with invasive species, the submission and approval of an external lighting scheme and a scheme of biodiversity enhancements should all be secured as part of any planning permission granted.
- 6.5 United Utilities – no objections to the proposals subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and requiring surface and foul water to be drained from the development via separate mechanisms,
- 6.6 Greater Manchester Police (Designing out Crime Officer) – no specific objections raised but consider that a Crime Impact assessment should be submitted with the planning application.
- 6.7 Borough Contaminated Land Officer – no objections to the proposals, subject to the imposition of a condition requiring the submission and approval of an assessment into potential sources of contamination and any necessary remediation works.
- 6.8 Environment Agency – no objections to the proposals subject to a condition requiring the retention of an 8 metre buffer between the edge of the development and the River Tame and details of how that area is to be treated and managed. Recommend consultation with the Lead Local Flood Authority in relation to flood risk and the Borough Contaminated Land Officer regarding ground conditions.
- 6.9 Canal and Rivers Trust (C&RT) – have some concerns regarding the ‘urbane’ character and density of the development adjacent to the Canal and the fact that the span of the development across the full width of the site prevents more positive linkages between the development and the pathway along the western edge of the Canal. The C&RT consider that the development takes the form of a regimented series of blocks in very close proximity to the Canal, which it considers likely to impact upon the amenity of the users of the towpath adjacent to the Canal. Further details are considered to be necessary in relation to the potential impact of the development on the biodiversity value of the Canal. Comments are made in relation to surface water drainage – consent is required for the discharge of

water into the Canal and also in relation to the potential to seek financial contributions to enhance the quality of pedestrian/cycle access along the Canal corridor.

The C&RT recommends conditions requiring details (including cross section plans) of the proposed development fronting to the Canal and any boundary treatments to be installed, compliance with the mitigation measures detailed in the ecological appraisal submitted with the application (including the provision of biodiversity enhancements within the development), details of a scheme to prevent pollution of the Canal during the construction phase of the development and a survey of the potential impact of the development on the structural stability of the land adjacent to the Canal to be attached to any planning permission granted.

- 6.10 Mossley Town Council - no objection to the principle of development but consider that the overall number and type of housing units proposed are inappropriate and compromise the environmental considerations. The Town Council requests a reduction in the number of housing units and an increase in open space / landscaping provision as part of the development.
- 6.11 Coal Authority – no objections to the proposals as the development is not located in an area considered to be at high risk from the stability issues associated with coal mining legacy. An informative advising the applicant of their responsibilities in this regard should be attached to any grant of planning permission.
- 6.12 Transport for Greater Manchester (TfGM) – raise no objections to the proposals, subject to the imposition of conditions. The Transport Statement submitted with the application concludes that the level of trip generation result from the development would not result in a detrimental impact on network capacity at peak times and that the new junction with Manchester Road to provide access into the site would not lead to unacceptable impacts on highway safety, subject to the installation of a right turn lane the existing highway adjacent to this access point. The provision of suitable footpath connections between the development and the existing pedestrian network should form part of the new access arrangements, along with measures to support active travel from the development, including cycle storage facilities. A Sustainable Travel Plan for the development should be secured by condition should the development be approved.
- 6.13 Greater Manchester Archaeology Advisory Service (GMAAS) – no objections to the proposals and no conditions are considered to be necessary.
- 6.14 Natural England – no objection to the proposals but indicated initially that further details regarding the impact of potential pollution of the Canal (a designated SSSI) during the construction phase of the development and from surface water drainage from the development once built should be submitted prior to the determination of the application. Following the submission of an indicative surface water drainage strategy, confirm no objection to the proposals, subject to further details being secured by condition.
- 6.15 Lead Local Flood Authority – following the submission of additional information regarding a potential sustainable surface water drainage strategy for the site, no objections to the proposals subject to further details being secured by condition.
- 6.16 Cadent Gas - raise no objections to the proposals but advise that Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. An informative advising the applicant of their responsibilities in this regard should be attached to any planning permission granted.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 1 letter of objection has been received from a neighbouring resident, raising the following concerns:

- The proposed development would have a detrimental impact the wildlife in the locality, including badgers deer bats hedgehogs owls and black bees
- Given the sharp bend in Manchester Road adjacent to the proposed access point, the scheme is considered to be detrimental highway safety. There are already existing problems with congestion and accidents on this main road and additional traffic in this location would make the situation worse.
- The proposals involve the removal of a number of trees considered to be of high amenity value.
- The removal of these trees would harm the biodiversity value of the site as well as being detrimental to the visual amenity of the area.
- There is historic evidence of flooding on the site and the development of the site will increase the risk of flooding through building over the majority of the land.
- The units that are proposed to be built along the Manchester Road frontage would develop over land that has been maintained by one of the local residents which has resulted in increased biodiversity in this part of the site. The scheme proposes to develop over this area and this would be detrimental to the biodiversity value of the land.

A letter of objection has also been received from Plevins, the commercial premises located on the opposite side of the Canal to the site, which raises the following (summarised) concerns:

- The proposed development does not protect the employment designation of the area and therefore detrimentally prejudices the operators within the area.
- The activities of the commercial operators opposite the application site are not compatible with sensitive residential uses and as such the Council should place a great deal of weight on the current neighbouring activities to ensure that all parties are protected.
- The Plevins site has been in operation in this location for 25 years and is authorised by a permit issued by the Environment Agency (EA). The business recycles and pre-processes waste wood and operated between 7am and 6pm. The operation results in irregular, tonal and impulsive noise emissions which impact on background noise levels, which area assessed against the permit issued by the EA.
- Measures have already been put in place to protect local residents from this noise. Any further measures to accommodate new development in the surrounding area would be onerous to the business and would therefore be vehemently objected to.
- The onus should be on the developer of the scheme to ensure that all measures are put in place to reduce the effect of the surrounding activities on the residents of the proposed dwellings.
- The proposed development fails to comply with UDP policy in that it is threatening a site that provides jobs for local people and would not preserve the amenity of the future occupiers of the proposed 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 of the design and scale of the development on the character of the site and the surrounding area;

- 3) The impact upon the residential amenity of neighbouring properties and future occupiers of the development;
- 4) The impact on highway safety;
- 5) The impact on flood risk;
- 6) The impact on ecology and trees; and
- 7) Other matters.

9.0 PRINCIPLE

Principle of the loss of protected green space:

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.
- 9.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.
- 9.3 The site is allocated in the UDP as protected green space. Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.
- 9.4 Criterion (d) of the policy states that an exception to the policy requirement to retain green space can be made where the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation.
- 9.5 The policy also states that these exceptions will not apply if part or all of the land would continue to fulfil a local need for amenity space, provide a valued sense of openness in the street scene, maintain the character and environmental quality of the area, maintain an open land corridor or substantial enclave of open space within the urban area, provide links to or continuity with wider areas of countryside, or form a wildlife corridor.
- 9.6 Tameside has produced a Playing Pitch Strategy and Action Plan report which does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+). As such, the land is considered not to be significant in terms of sports pitch provision and the proposals would not conflict with criteria (d) of the policy as a result.
- 9.7 The site to which the application relates is currently occupied by the former Council depot building and an ancillary building in the south eastern corner of the site, with areas of hardstanding and flattened ground associated with the previous use. Whilst the mature trees adjacent to the northern, southern and western boundaries of the main parcel of the land provide a mature landscaped setting, the site itself is considered to maintain the characteristics of previously developed land, in accordance with the definition provided in the NPPF. Within this context, subject to the retention of the mature trees adjacent to the edge of the development, it is considered that the development of the site would not prejudice the character of the wider area of protected green space.

- 9.8 It is also the case that the majority of the site benefits from an extant planning permission for residential and live/work units, which was approved under outline planning permission ref. 16/01126/OUT. This scheme evidently proposes more units and includes land that was not the subject of that planning permission but the fact that the outline permission is extant is material to assessing the principle of this proposal.
- 9.9 Paragraph 118 of the NPPF states at part c) that Local Planning Authorities should 'give substantial weight to the value of using suitable brownfield (previously developed) land within settlements for homes....' Given this direction from national policy, the fact that the site is self-contained and well screened from the wider allocation of protected open space and benefits from an extant permission for residential development (for the majority of the land), it is considered that the principle of the loss of this area of protected green space is acceptable, subject to all other material considerations being satisfied.

Principle of the proposed development:

- 9.10 The site area is 0.9 hectares and the proposal therefore represents a density of approximately 61 dwellings per hectare. The entrance to the site is located within 0.5 miles south of Mossley railway station, which offers hourly train services between Mossley and Manchester at commuting times and there are bus stops within close proximity to the entrance to the site which are served by regular connections to and from Ashton.
- 9.11 The 2016 Housing Land and Availability Report (HLAR) is the most up to date adopted position in relation to the allocation of land for employment and housing. This site is identified as one of the sites to come forward as part of the housing land supply within the Borough and is one of the sites earmarked to come forward early in the period covered by the Report (2016 – 2031). The anticipated yield for the site was recorded as 40 in the report, resulting in a density of approximately 43 dwellings per hectare, somewhat lower than the density proposed in this application.
- 9.12 Nevertheless, the extant outline planning permission granted permission for 47 units across a site area which excluded the north western corner of the land, clearly exceeding the indicative density provided in the HLAR.) Given this situation, the brownfield nature of the site, the close proximity of bus services to and from Ashton and the fact that Mosley train station is within reasonable walking distance (which provide alternative means of transport to the private car), it is considered that a higher density of development should not be precluded purely on the basis that it exceeds the anticipated yield. The sustainable location of the site ensures that the proposed density of development could be acceptable, particularly within the context of the need to boost the supply of housing in the Borough, subject to all other material considerations being satisfied.

10.0 CHARACTER

- 10.1 The principle of setting the majority of the dwellings around a central area of communal open space is considered to be a positive design feature of the scheme, respecting the rural feel to the setting of site, provided by the mature tree planting on three of the boundaries. The provision of an active frontage to the Canal is also considered to be a benefit of the proposed layout, providing active surveillance of the footpath adjacent to the watercourse.
- 10.2 In addition, the use of a house type that would include accommodation above the garages to the rear of the plots fronting the Canal would allow active frontage to be presented on all four sides of the central area of open space, ensuring that this space would be well overlooked.

- 10.3 The row of properties fronting Manchester Road would present a strong building line to that boundary of the site. Those units would be three storeys (accommodating split level apartments) to that frontage, rising to four stories at the rear, accounting for the change in levels through that part of the site. The front building line of the units would be tight to the back edge of the footway, corresponding with the predominant character of development Manchester Road and the restaurant building immediately to the south of the access into the site.
- 10.4 The units on the western edge of the development would back on to the boundary with the River Tame. The rear boundary treatment of those properties would be visible from the footpath adjacent to that boundary of the site. In order to prevent a detrimental impact on the amenity of the users of this footpath, it is considered that this treatment needs to be sensitively designed e.g. low rise brick walls with railings above. These details can be secured by condition. The dense tree planting along the river bank would screen the boundary treatments in wider public views of the site.
- 10.5 In terms of scale, the elevations of the buildings fronting the western edge of the open space would be two storeys in height with rooms in the roof (three storey design on the rear elevation, with the brick elevation extending to the ridge). The buildings fronting the northern and southern edges of the open space would also be two storeys in height on the front elevation, with the building on the western edge being three storeys with rooms in the roof on the front elevation.
- 10.6 The Canal and Rivers Trust (C&RT) has raised some concerns regarding the scale of development on the Canal side frontage. C&RT consider that the continuous span of buildings along that frontage would result in a development of a mass more appropriate within an urban setting, in a predominantly undeveloped setting. They also raise concerns regarding the scale of the development (three storeys with pitched roof above) located in close proximity to the pathway adjacent to the Canal and the impact that this would have on the experience of users of the footpath.
- 10.7 Whilst these comments are acknowledged, officers also acknowledge that any built form on this frontage would clearly contrast with the undeveloped nature of adjacent land on that side of the Canal. It is considered that the 3 storey height of the proposed units on this edge of the development would provide definition to this boundary of the site but would not have an overbearing impact on the Canal towpath, due to the retention of a landscaped strip (which rises in level away from the towpath) which would continue to demarcate the edge of the application site.
- 10.9 Development fronting onto the Canal is considered preferable in design terms to units backing on to this boundary. Setting the buildings further back into the site to provide a greater buffer to the Canal tow path would compromise the layout of the rest of the development, as even if apartments were proposed in this location, sufficient depth would be required to provide adequate parking provision.
- 10.10 C&RT also comment that the continuous span of the development along the Canal frontage also prevents positive linkages between the development and the Canal. The provision of a continuous frontage along the eastern boundary of the site would have beneficial environmental impacts in terms of noise (discussed in more detail later in this report) which would be undermined if significant gaps were introduced between the buildings. It is also the case that there is currently no access through the site to the footway adjacent to the Canal (which can be accessed within close proximity to the south of the site), which would not be infringed upon by the proposed development.
- 10.11 Within this context, and given the fact that this proposal is only 8 units larger than the extant outline planning permission over a smaller site area, it is considered that the proposed development would not result in an adverse impact on the character of the Canal frontage.

Overall, it is considered that the proposals would be of a scale, siting and detailed design that would not result in a detrimental impact the character of the surrounding area and would create strong sense of place.

11.0 RESIDENTIAL AMENITY

- 11.1 There are no residential properties adjacent to the boundaries of the main part of the site i.e. the land located between the River Tame and the Huddersfield Narrow Canal. The building located to the south of the units that would front on to Manchester Road houses a restaurant.
- 11.2 Scout House, on the western side of Manchester Road, located opposite the entrance to the site is set back from the highway. Given the extent of the separation distance to be retained, the extent of the mature planting on the eastern edge of that neighbouring property and the fact that the highway bisects the intervening distance, it is considered that the proposed development would not result in any adverse impact on the residential amenity of that neighbouring property. The closest properties to the north on the Manchester Road frontage are located in excess of 100 metres from the entrance to the proposed development and would therefore not be adversely affected in terms of overlooking, overshadowing or noise disturbance.
- 11.3 In relation to the amenity of the future occupiers of the site, the principle area of consideration is the impact of the commercial use on the eastern side of the Canal, located opposite the eastern boundary of the site. Plevins, the operator of the wood chipping/recycling plant directly opposite the application site have objected to the application on the grounds that the introduction of residential development in this location is likely to result in complaints regarding the noise associated with the commercial activity on their site.
- 11.4 Paragraph 182 of the NPPF states that 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities.....Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.'
- 11.5 The applicant has submitted a Noise Impact Assessment during the course of the application, which has been revised following concerns expressed by the EHO regarding the basis on which the proposed mitigation measures were founded. The revised noise assessment indicates that, with high specification glazing and trickle ventilation installed in the openings on the front elevations of the properties facing the Canal, the level of noise travelling across from the Plevins site could be adequately mitigated when assessed against the acceptable internal room noise levels prescribed in the British Standard.
- 11.6 Consideration has been given to the noise travelling from Plevins on the gardens to the rear of those properties in more detail as the EHO initially had some concerns regarding the impact in these external areas, due to the constant nature of the noise source during daytime hours.
- 11.7 The applicant has provided more detail on their modelling and it has been confirmed that the noise levels in the rear garden areas of the properties fronting the Canal would be 40dBA. The limit that is considered to be acceptable in the British Standard is 50dBA, 10dBA above what will be achieved on site. Given this situation, the EHO is not objecting to the application, subject to a condition requiring the mitigation measures included within the

Noise Impact Assessment being implemented before occupation of the dwellings. Such a condition is attached to the recommendation.

- 11.8 On that basis, officers consider it difficult to make a case that the noise generated by the Plevins site would have a 'significant adverse effect' on the residential amenity of the future occupiers of the development. As such, given the level of impact required by the NPPF, it is considered that such a reason for refusal could not be defended at appeal.
- 11.9 In assessing the impact of the noise generated by the Plevins site on the amenity of the future occupiers of the proposed development, it is also necessary to give some weight to the fact that the employment site is currently included within the Strategic Housing and Employment Land Availability Assessment which maps out the sites for future development within the Borough.
- 11.10 The weight to be attributed to this factor is reduced to a degree by the fact that this site is included as a longer term development site (projected to come forward in the latter stages of the period) but that is still a material consideration in assessing the severity of any long term implications in terms of the compatibility of the adjacent uses.
- 11.11 In concluding the issue of the impact of noise associated with the neighbouring uses, it is considered that the applicant has demonstrated that a detrimental impact on the future occupiers of the proposed development can be adequately mitigated.
- 11.12 In relation to the relationship between the buildings within the development, the Residential Design Guide SPD (RDG) requires a separation distance of 21 metres to be retained between elevations with habitable rooms that directly face each other and 14 metres to be retained where elevations with habitable room windows face a blank elevation.
- 11.13 The scheme has been amended to reduce the number of dwellings to the rear of the properties fronting the Canal in the north eastern corner of the site, to allow an appropriate separation distance between the rear elevation of plots 29 and 30 and the corresponding gable elevation of plot 28. In the southern portion of the site, the number of properties to the rear of the row fronting the central area of open space has been reduced from 4 down to 3, with a gable elevation now facing the rear elevation of the frontage plots, ensuring that the residential amenity of the future occupiers of those properties would be retained.
- 11.14 In the north western corner of the site, the front elevations of the units at plots 53 and 54 would be approximately 7 metres from the gable elevation of plot 38. However, the staggered relationship would ensure that the habitable room windows would allow sufficient outlook from and light into those properties. Unreasonable overlooking would be avoided by virtue of the fact that the gable elevation of plot 38 would be blank.
- 11.15 The relationship between the rear of the properties fronting the Canal and those to the rear in the north eastern corner of the site is relatively tight, with unit 28 facing the rear of plot 43 and the blank gable elevation of plot 29 would face the rear of the units at plots 39 and 40. However, the plans indicate that the rear portion of the units fronting the Canal would be garage space at ground floor level, with the ancillary (to be conditioned as such, as discussed later in this report) work space above. In the south eastern corner, the blank gable of plot 55 would be relatively close to the rear of plot 32 but the corresponding elevation in that unit would again serve a garage with ancillary work space above. Given this situation, it is considered that the relationship would preserve the amenity of the future occupiers of those units.
- 11.16 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the residential amenity of neighbouring properties or the future occupiers of the development.

12.0 HIGHWAY SAFETY

- 12.1 The applicant has submitted a Transport Statement in support of the planning application. The Statement uses TRICS modelling to anticipate the level of trips generated by the proposed scheme. As the scheme was originally for 58 dwellings, the modelling has been undertaken on that basis. The modelling anticipates that an 8 dwelling increase on the extant outline permission (47 units were approved but the modelling assumes 50 dwellings) would result in 4 additional two-way trips during the AM peak period and an additional 5 two-way trips in the PM peak period.
- 12.2 Whilst the concerns of the objector in relation to traffic impact are noted, given the relatively modest increase over and above the extant scheme, it is considered that the level of traffic would not result in a detrimental impact on the capacity of the highway. This assessment is corroborated by the lack of objection to this element of the proposals from the Local Highway Authority.
- 12.3 The scheme has been amended to increase the width of the access arrangements serving the development, which would include a new bridge over the River Tame and to include the provision of adequate turning areas within the main part of the development for refuse vehicles. Following these amendments, it is considered that the proposed access arrangements would preserve highway safety, with the visibility splays from the access into Manchester Road considered to be adequate.
- 12.4 The 12 x 2 bed units that would front Manchester Road would be served by 14 car parking spaces and provision would also be made for cycle storage. In the southern portion of the site, 13 x 3 bed units would be served by 17 car parking spaces. The 11 properties to the north of the central area of open space would be served by 8 car parking spaces within that part of the site. Each of the 3 bed properties to the west of the open space and the 4 bedroom units fronting the Canal would include an integral garage, providing 1 space per property. A total of 16 communal car parking spaces would be provided within the public areas of the development. Overall parking provision would be equivalent 2 car parking spaces for the 4 bedroom properties, 2 each for 7 of the 3 bed units (those with integral garages) and 1 for each of the other units.
- 12.5 Policy RD8 of the RDG indicates that 2 parking spaces should be provided per 2 or 3 bedroom property in this location and that 3 spaces should be provided for properties with 4 or more bedrooms. Clearly the proposal does not meet these requirements, making provision for approximately 50% of these spaces. However, as indicated previously in this report, the site is considered to be in a sustainable location, within reasonable walking distance of Mossley train station and with bus stops within close proximity of the entrance to the site, providing access to regular bus services to and from Ashton.
- 12.6 The application of maximum parking standards is no longer consistent with national planning policy and it is also the case that the units to the north, south and west of the central area of open space would include provision of cycle storage, with communal provision to be made to the rear of the units fronting Manchester Road. Given the relatively close proximity of public transport, it is considered that journeys to and from the site at least in part by cycle is a realistic prospect and as such, this provision should weigh positively when balanced against the fact that the level of car parking provision is below the guidelines within the RDG.
- 12.7 The Local Highway Authority have not raised any objections to the level of parking provision or the internal loop road arrangement, around the central area of open space, following amendments to increase the width of certain areas of the carriageway. A number of conditions have been recommended by engineers. It is considered reasonable to condition that the parking spaces indicated on the submitted site plan are provided prior to

the occupation of the dwellings and that details of external lighting, a Travel Plan to serve the development and the cycle storage provision to serve the development are secured.

- 12.8 It is also considered reasonable to condition the submission and approval of a management plan relating to the construction phase of the development to ensure that highway safety and the amenity of neighbouring properties are preserved. It is considered not to be reasonable to condition the submission and approval of a survey of the condition of the highway as this is matter that can be dealt with under the powers available to the Council as Local Highway Authority.
- 12.9 TFGM has not raised any objections to the proposals, subject to the securing of the right turn ghost lane being installed within Manchester Road, the installation of a pedestrian connection from the development to the existing footway network and the submission and approval of a Sustainable Travel Plan. The highway infrastructure works can be incorporated as a requirement of a Section 106 Agreement, the Travel Plan can be secured by condition.
- 12.10 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety or the capacity of the surrounding highway network. In accordance with paragraph 109 of the NPPF, planning permission should therefore not be refused for this reason.

13.0 FLOOD RISK/DRAINAGE

- 13.1 The majority of the site is located within Flood Zone 1 and is therefore considered to be at a low risk of flooding. The north western portion of the site, which was excluded from extant the outline planning permission, is located within Flood Zone 2, which is considered to be at medium risk of flooding.
- 13.2 The Technical Guidance that accompanies the NPPF indicates that appropriate uses within Flood Zone 2 includes the 'more vulnerable' uses, which include dwellings, subject to a Flood Risk Assessment (FRA) being submitted with an application and that a sequential test is undertaken to demonstrate that there are no suitable sites within Flood Zone 1 where the development could be located. The Technical Guidance is clear that the Exception Test does not need to be applied to residential development in Flood Zone 2.
- 13.3 The FRA submitted with the planning application indicates that the depth of any flooding that could occur on the site would be minimal as there would be overland flow into the River Tame at all times except when the river exceeds ground level i.e. surface water run-off should not substantially affect flood risk on the site due to the change in levels between the site and the river. The FRA considers that an increase in the impermeable area of the site by 50% would result in an increase in surface water run-off rates by approximately 1%, demonstrating the relatively low risk of surface water flooding on the site.
- 13.4 The FRA indicates that predicted increases in peak river flows over the next 100 years should be taken into account when detailing a sustainable surface water drainage strategy for the site. The FRA considers that there is no risk of sewer flooding at the site and that the risk of ground water flooding and flooding through uncontrolled releases from the Canal is negligible. The FRA recommends that soakaway testing is undertaken to establish the feasibility of infiltration drainage and that any drainage strategy must ensure that the greenfield run off rate is not exceeded. The FRA anticipates that attenuation measures capable of storing 248 cubic metres would be required to ensure that the surface water run-off rate is acceptable.
- 13.5 As required by the NPPF, the applicant has also submitted a sequential test. The applicant concentrated a search around Mossley, which is considered to be reasonable given the

extant permission relating to the majority of the application site. The conclusion of the exercise was there were no other available sites that could be delivered to provide this development. Whilst other sites within Mossley are included within the Council's projected future supply of housing, those sites would only deliver the supply proposed in this application if they are deliverable i.e. available at the time of this application. On that basis, it is considered that the application passes the sequential test.

- 13.6 The Environment Agency (EA) has not raised any objections to the proposals, subject to a number of conditions. The applicant has provided a plan indicating that an 8 metre wide buffer zone, free of any development, can be maintained alongside the boundary of the site with the River Tame. Details of how this buffer zone will be treated and managed over the long term can be secured by condition. The EA has not raised any objections in relation to contaminated land or flood risk, but have advised that the advice of the relevant Council departments should be sought.
- 13.7 Following initial comments from the Lead Local Flood Authority (LLFA), the applicant has submitted an updated Drainage Strategy for the site. The Strategy includes surface water run-off rates and storage calculations for each element of the site. For the land to east of the River Tame, the controlled rate of drainage would be 5 litres per second, with the land to the west of the River Tame to be controlled to 1 litre per second discharge rates through a combination of underground storage and permeable paving attenuation. The Strategy concludes that restricting run-off to just above the 1 in 2 year greenfield rate will reduce the risk of flooding to downstream receptors post development and provide betterment to the current unrestricted brownfield flows discharging from the site.
- 13.8 The LLFA has raised no objections to the proposals, subject to a condition being imposed requiring the submission and approval of a comprehensive surface water drainage strategy to serve the development. Subject to this condition and a requirement that surface and foul water are drained from the development via separate mechanisms, United Utilities have also indicated that they have no objections to the proposals.
- 13.9 Neither Natural England (NE), nor the Canal and Rivers Trust have objected to the proposals, however both consider that additional drainage information should be provided prior to the determination of the application. Following re-consultation on the additional surface water drainage information submitted by the applicant, NE has confirmed that it has no objections to the proposals.
- 13.10 When balanced against the comments from the LLFA (the statutory consultee on drainage matters) and the Environment Agency and given the extant outline planning permission for residential development on the site, it is considered that the proposed condition would provide adequate safeguards against any harm to the biodiversity value of the Canal as the method and speed of discharge into the watercourse would need to be approved before the commencement of development.
- 13.11 Following the above assessment, it is considered that the proposals would not result in an adverse impact on flooding or foul/surface water discharge, subject to the imposition of appropriately worded conditions.

14.0 ECOLOGY AND TREES

- 14.1 The applicant has submitted an extended phase 1 habitat and bat survey and an Otter and Water Vole assessment with the planning application. The Huddersfield Narrow Canal which runs parallel to the eastern boundary of the site is designated nationally as a Site of Special Scientific Interest (SSSI) and locally as a Site of Biological Importance (SBI). The River Tame does not have a designation but both of these water courses provide important wildlife corridors for species movement. The Greater Manchester Ecology Unit (GMEU) has been consulted on the application and has indicated that both the water courses should be protected from the development.
- 14.2 GMEU concurs with Natural England and the Canal and Rivers Trust that no building materials or surface water run-off should be allowed to enter either water course. It is therefore recommended that a Construction Environmental Management Plan (CEMP) be produced to include measures on how the SSSI will be protected throughout the construction phase, this should include pollution prevention measures. The CEMP can be secured by condition.
- 14.3 In relation to the potential impact of the development on bats, the buildings on site and the bridge were surveyed in 2016, 2017 and again in 2018. The surveys comprised preliminary inspections of the buildings and the bridge together with dusk/dawn emergence/re-entry surveys at appropriate times of the year. No bats or signs of bats were found during the preliminary surveys and no bats were seen to emerge or re-enter any of the buildings or the bridge during the dusk/dawn surveys.
- 14.4 During the emergence surveys, a high level of activity by bats was observed at this site and the river and canal were found to support a high level of commuting and foraging activity by bats. None of the surrounding trees were subject to bat surveys as they are not to be affected by the development. No further surveys for bats are considered necessary at this time and works can commence with a low risk to roosting bats. An informative outlining the developer's responsibilities with regard to the protection of bats can be added to any planning permission granted.
- 14.5 Large and small mammals are known to occur in the locality and whilst no signs of mammals were found on the proposed development site it is possible that mammals could potentially travel into the site throughout the construction phase of the development, with the same true of Amphibians. To avoid any possible harm to mammals/amphibians, a condition requiring details of the Reasonable Avoidance Measures (RAMs) to be adopted in full during the construction phase is recommended by GMEU. Such a condition is attached to the recommendation.
- 14.6 Surveys for both Otter and Water Vole were undertaken along the river and canal adjacent to the site. No evidence of either species were observed during the survey periods. No further survey work is considered to be necessary in relation to these species. An informative explaining the responsibilities of the applicant in this regard can be attached to any planning permission granted.
- 14.7 The invasive Japanese Knotweed and Himalayan Balsam were identified on site by the survey submitted with the application. It is an offence under the terms of the Wildlife and Countryside Act to allow these plants to grow in the wild. Japanese Knotweed is also classified under the Environmental Protection Act 1990 as "controlled waste". GMEU recommend that a condition be attached to any permission that prior to the commencement of any works on site (including vegetation clearance) a methodology for the control of invasive species be submitted to and approved by the council. Such a condition is attached to the recommendation.

- 14.8 Conditions requiring details of external lighting and details of the biodiversity enhancement measures to be installed as part of the development are also recommended by GMEU and are considered to be reasonable in order to ensure the environmental sustainability of the development and are attached to the recommendation.
- 14.9 Natural England (NE) initially requested that details of the construction environment management plan relating to the protection of the Canal are submitted prior to the determination of the application although they have confirmed that they have no objection to either the construction phase or permanent form of the development following re-consultation. Given the fact that NE has not formally objected to the application, the fact that GMEU consider that this detail can be conditioned and the fact that there is an extant planning permission relating to the land which includes such a condition (no. 13), it is considered reasonable to request this information post approval but prior to the commencement of any development.
- 14.10 In relation to the impact on trees, the application is supported by an Arboricultural Impact Assessment. One of the trees in the western portion of the site to be removed to make way for the development is an Elm assessed as a Category A (high amenity value) specimen. The Tree Officer initially raised concerns regarding the loss this tree. The applicant has agreed to the planting of 5 semi-mature trees within the development to provide mitigation for this loss. An obvious area for these trees to be planted would be within the amenity space at the centre of the development in the eastern parcel of the site. On that basis, the Tree Officer has not raised any objections to the proposals. Details of the replacement trees can be secured by condition.
- 14.11 There are many high value trees adjacent to the development, including one Category A tree (T26) and several Category B. These are located in the LA owned and managed Country Park area. These trees should be protected to BS5837 during development and no removal, or works, permitted to them. In particular there should be no dig within the Root Protection Areas. If necessary, engineered foundations and no dig hard surfacing solutions should be utilised within the RPAs. Details of the method of any construction work within the RPA of these trees can be secured by condition, as can a requirement that the tree protection measures are installed prior to the commencement of development.

15.0 OTHER MATTERS

- 15.1 In relation to environmental health, in addition to the aforementioned noise mitigation measures, the EHO has not raised any objections to the application subject to conditions relating to the hours of work during the demolition/construction phase of the development and the provision of refuse storage facilities prior to the occupation of the development.
- 15.2 In relation to air quality, the proposed development has the potential to expose future users to elevated pollution levels and to impact negatively on existing air quality in the vicinity of the site once occupied, primarily through traffic generation. 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.
- 15.3 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.
- 15.4 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 approved 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

- 15.5 In relation to the potential impact of the development on features of archaeological importance, GMAAS has indicated that the site is not of any significant archaeological merit and therefore has not raised any objection to the proposals and no conditions are considered to be necessary.
- 15.6 In relation to crime prevention, the proposed layout would provide active frontages to all sides of the communal open space. There are parking courts located to the rear of the units that front onto the northern and southern edges of the development. However, these areas would be visible from the first floor level windows on the rear elevations of the frontage properties and access to those areas would require passing the frontage of the adjacent units. Given these factors, it is considered that the public areas in the development would be well surveyed and that the development would not create opportunities for an increase in crime or anti-social behaviour.
- 15.7 Given this assessment, whilst the comments from GMP requiring the submission of a Crime Impact Assessment are noted, it is considered that planning permission could not be refused on this basis. 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.
- 15.8 In relation to financial contributions required to mitigate the impact of the development, the applicant would ordinarily be required to make a contribution to the provision of both formal and informal open space within the local area, in accordance with policy H5 of the adopted UDP. This scheme would provide approximately 800 square metres of public open space at the centre of the eastern parcel of the site. Some additional amenity space would be provided to the rear of the apartments proposed on the Manchester Road frontage.
- 15.9 The adopted Open Space, Sport and Recreation Study indicates that approximately 0.5 hectares of amenity space is required to meet the necessary standard per 1000 people in Mossley. It is considered reasonable to assume a population of 3 people per dwelling for this scheme, the population of Mossley would increase by 165 as a result of the development. The equivalent amount of space to mitigate this population increase is 800 metres, a level of provision which is marginally exceeded by the proposal.
- 15.10 For a development of this scale, the Developer Contributions Calculator indicates that a total of £101,350.33 is required to mitigate the impact of the development. Given the above, it is considered that this amount should be discounted as further contribution to informal open space is considered not to be reasonable. A contribution of £50,000 towards improvements to the Egmont Street link path and infrastructure through Scout Green and the replacement of junior/teen play equipment at Egmont Street playing fields is considered to be reasonable to mitigate the impact of the development in relation to formal play provision.
- 15.11 In relation to off-site highway improvements, the outline planning permission did not secure a contribution in this regard. Given the minor anticipated increase in trip generation that would arise from this scheme for 55 units over and above the extant permission, it is considered that seeking a contribution towards highway improvements from this scheme would not be reasonable. A detailed specification of the proposed replacement access bridge and the necessary commuted sum for maintenance, in addition to the provision of the right turn lane within Manchester Road would be secured through the Section 106 Agreement.
- 15.12 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 contribution of £63,898.44 is to be secured through the Section 106 Agreement towards the provision of an extension to St. George's C of E Primary School, Mossley (the same scheme to which funding was secured via the Section 106 the outline planning permission).

- 15.13 The above contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the lack of formal amenity space to be provided on site, the additional traffic to be generated and the population growth arising from the development), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.
- 15.14 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.
- 15.15 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.
- 15.16 The outline planning permission was granted prior to the adoption of the HNA and as such no affordable housing was secured (either on or off site) as part of the Section 106 associated with that permission. Given the extant nature of this permission, it is considered reasonable to apply the affordable housing requirement to the uplift in units in this application i.e. 8 units. As 15% of 8 units equated to just over one unit, it is considered that it would not be viable to provide this unit on site, as it is unlikely that a Registered Social Landlord would be willing to take on the management of an individual unit.
- 15.17 On that basis, it is considered reasonable to secure a commuted sum equivalent to the provision of an affordable housing unit on site, so that provision can be made elsewhere in Mossley. Following consultation with the Project Manager for Housing Growth, a sum of £120,000 (based on local land values and applying a discount given the brownfield nature of the site) is to be sought through the Section 106 Agreement as a sum equivalent to the provision of an affordable (20% below market value) three bedroom property on site.
- 15.18 The description of development refers to 54 dwellings. The units to be developed along the eastern boundary of the site (facing the Canal) include office space above the garages to the rear of those units. The submitted floor plans indicate that 30 square metres of the total floor area of each unit (250 square metres each) would be given over to office space. This proportion is considered to be ancillary to the main use of each unit as a dwellinghouse, as per the description of development.
- 15.19 However, given that the level of parking provided within the development would not be sufficient to allow a split use of these units, it is considered reasonable to attach a condition to any planning permission granted to prevent the use of this space as anything other than ancillary accommodation to the main dwelling. Such a condition is attached to the recommendation.

16.0 CONCLUSION

- 16.1 Following the detailed assessment earlier in this report, it is considered that the principle of development is acceptable. The site is included within the Housing Land and Availability

Report as a site that is projected to come forward in the early part of the review period and is therefore earmarked for delivery. There is an extant outline planning for development of 47 units on the site and the amended scheme is considered to be acceptable in density terms, given the sustainable location of the site.

- 16.2 Part of the site is considered to be at a higher risk of flooding. However, the applicant has provided a sequential test which indicates that there are no alternative sites in Mossley that are available and deliverable. Given the fact that the majority of the site benefits from an extant permission, it is considered that the applicant has provided sufficient evidence to pass the sequential test. There are no objections to the proposals from the LLFA or the Environment Agency, subject to appropriate conditions.
- 16.3 Natural England and the Canal and Rivers Trust have requested that additional information be submitted regarding drainage and the potential impact on biodiversity value of the Canal prior to the determination of the application. However, given that comments from GMEU, the other drainage related consultees and the status of the extant planning permission, it is considered that further details can reasonably be secured by condition. It is also the case that neither Natural England, nor the Canal and Rivers Trust have objected to the proposals.
- 16.4 Following amendments to the scheme, there are no objections to the proposals on highway safety grounds or in relation to the residential amenity of neighbouring properties or the future occupiers of the development. As discussed in detail in the main body of the report, subject to the implementation of the noise mitigation measures detailed in the Impact Assessment submitted with the planning application, there are no objections from the EHO and it is considered that these measures would prevent a significant adverse impact from the noise generated by the Plevins site on the opposite side of the Canal. Despite an objection from the operators of that site to the application, it is considered that there are no planning grounds to substantiate a reason for refusal in this regard.
- 16.5 There are no objections to the proposals from any of the statutory consultees and the proposals are therefore considered to comply with the relevant national and local planning policies quoted previously in this report.

RECOMMENDATION

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

- The provision of the informal open space as identified on the submitted site plan;
- A management plan for the public open space and surface water drainage infrastructure to be installed as part of the development;
- Details of the proposed access arrangement to serve the development – specifically the replacement bridge, a connection from the development to the existing footway network and the installation of a right turn lane within Manchester Road adjacent to the access into the site;
- A financial contribution of £63,898.44 is to be secured through the Section 106 Agreement towards the provision of an extension to St. George's C of E Primary School, Mossley
- A financial contribution of £50,000 towards improvements to Egmont Street link path and infrastructure through Scout Green and the replacement of junior/teen play equipment at Egmont Street playing fields
- A commuted sum of £120,000 in lieu of the provision of an affordable housing unit on site

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. 100)
Proposed site plan (drawing no. 202 Rev. E)
House Type A floor plans (drawing no. 220 Rev. A)
House Type A elevations plan (drawing no. 221 Rev. A)
House Type E floor plans (drawing no. 227 Rev. A)
House Type E elevations plan (drawing no. 228 Rev. A)
House Type E cross section plan (drawing no. 229 Rev. A)
House Type F floor plans (drawing no. 230 Rev. A)
House Type F elevations plan (drawing no. 231 Rev. A)
House Type G floor plans (drawing no. 232 Rev. A)
House Type G elevations plan (drawing no. 233 Rev. A)
Noise Impact Assessment produced by dBx acoustics, dated 22 August 2019
Extended Phase 1 Habitat Survey and Bat Report produced by JCA (dated 01/06/2018)
Otter and Water Vole Survey report (ref. 12807/e/f/DB)

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 western boundary of the site with the River Tame which shall be constructed from low risk brick 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. 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.

6. 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 shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.
7. 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 (including 5 trees to meet the definition of heavy stock as set out in BS 3936-1 to be planted in the central area of open space as identified on the approved site plan)
 - 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 part of the development hereby approved.

8. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
9. Prior to the 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.

10. 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 Secured by Design status. 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.
11. 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 (to include Bat bricks/bat slates, Bird boxes, Native tree and shrub planting and wildflower planting) 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.
12. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
13. The development hereby approved shall be carried out in accordance with the mitigation measures contained within Section 5 (Conclusions and Recommendations) of the Extended Phase 1 Habitat Survey and Bat Report produced by JCA (dated 01/06/2018) and Section 5 (Recommendations) of the Otter and Water Vole Survey report (ref. 12807/e/f/DB) submitted with the planning application.
14. Prior to the first occupation of any of the dwellings hereby approved, details of the noise mitigation measures to be installed within the facades and openings of the buildings (in accordance with the guidelines detailed on page 17 of the Noise Impact Assessment produced by dBx acoustics, dated 22 August 2019) shall be submitted to and approved in writing by the Local planning Authority. The mitigation 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.
15. Notwithstanding the details shown on the approved plans, prior to the commencement of development above ground level, details of the refuse storage and collection arrangements to serve the development 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 refuse storage shall be provided 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. The accommodation labelled as office space and breakout space (total area of 30 square metres) on plan ref. 227 submitted with the planning application shall be occupied only as ancillary accommodation to the dwellinghouse of which it forms a part and shall not be occupied as a separate planning unit.
17. No work shall take place in respect to the construction of the approved highway, as indicated on drawing no. 202 Rev. E, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
 1. Phasing plan of highway works;
 2. Surface and drainage details of all carriageways and footways;

3. Approval in Principle (AIP) of the construction details of the new bridge crossing the River Tame and all retaining structures adjacent to the access from the site on Manchester Road;
4. Details of planting specification for all trees within the highway; and,
5. Details of carriageway markings and signage.

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

18. No development shall commence until a statement detailing Reasonable Avoidance Measures to be implemented on site to prevent harm to mammals and amphibians during the construction phase of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The measures to be implemented shall include the following

- All excavations on site should be covered at night or a suitable ramp should be provided to allow mammals/amphibians to exit excavations. All excavations should be checked for mammals/amphibians each morning prior to the re-commencement of any works.
- All exposed new pipework and drains should be capped at night so as to avoid trapping amphibians.
- All excavated materials/waste should be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by amphibians. Alternatively all waste should be removed from site daily.
- All stored building materials that might be used as temporary resting places by amphibians should be stored off the ground on pallets or similar.
- Scaffold footings will be placed on sand to prevent newts taking temporary refuge underneath the footings.

The avoidance measures shall be implemented in accordance with the approved details on the first commencement of development and shall remain in force as such for the full duration of the construction phase of the development.

19. No development shall commence until an Environmental Construction Method Statement detailing how pollution of the Canal adjacent to the eastern 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 Method Statement shall include measures relating to the control and management of dust, surface water runoff, waste and pollution control. The development shall be carried out in accordance with the approved details.

20. No development shall commence unless and until a Method Statement is submitted to and approved in writing by the Local Planning Authority detailing how Japanese Knotweed and any other invasive species on the site will be removed from the site. The development shall thereafter proceed in strict accordance with the approved Method Statement.

21. Prior to the first occupation of any part of the development hereby approved, details of a scheme for external lighting to serve the development (including both within the highway and to serve private driveways) 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.

22. No development shall commence until a Construction Method Statement relating to the impact of the development on the structural integrity of the Canal corridor adjacent to the

eastern boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The Method statement shall include cross sections of the proposed development adjacent to the Canal and details of the foundations of those buildings (including any piling works necessary). The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

23. Notwithstanding the details shown on the approved plans, no development other than site clearance and compound set-up shall commence until scaled plans detailing the existing and proposed ground levels on the site, the levels of the proposed access arrangements and the finished floor and ridge levels of the dwellings (with (including sections and 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.
24. No development above ground level shall commence until a detailed Travel Plan for the development has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of specific measures to promote the use of sustainable modes of transport. The measures to promote sustainable modes of transport shall be implemented in accordance with the approved details on the first occupation of the development and shall remain in force thereafter.
25. No development shall commence until details of the species to be planted within the 8 meter wide buffer zone adjacent to the River Tame shown on approved drawing no. 202 Rev. E and a management plan for that area has been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development and the area shall be maintained in accordance with the approved management plan thereafter.
26. Prior to the first occupation of any part of the development hereby approved, scaled plans and a manufacturer's specification of the means of enclosing and securing the cycle parking spaces identified on the approved site plan (drawing no. 202 Rev. E) shall be submitted to and approved in writing by the Local Planning Authority. The secured cycle storage shall be installed in accordance with the approved details, in the approved locations, prior to the occupation of any of the dwellings and shall be retained as such thereafter.
27. No development above ground level shall commence until details of the method of construction within the Root Protection Areas of the trees to be retained on the boundaries of the site 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.
28. 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.
29. A clear view shall be provided on both sides of any driveway or vehicular access it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the back of footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.
30. Prior to the occupation of any of the dwellings hereby approved, details of an electric vehicle charging strategy for the development shall be 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 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.

31. The car parking spaces to serve the development hereby approved shall be installed in accordance with the details shown on the approved site plan (drawing no. 202 Rev. E) prior to the first occupation of any of the dwellings and shall be retained free from obstruction for their intended purposes thereafter.
32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the integral garages within plots 39-45 and plots 16-27 of the development hereby approved (drawing no. 202 Rev. E) shall be retained for their approved use and shall not be converted to additional living accommodation.