

Application Number 19/00489/FUL

Proposal	Proposed residential development of 21no. family homes and associated works - Amended plan to create temporary construction access from Stamford Road
Site	Land at Brookfields, Mossley
Applicant	Clements Court Properties limited
Recommendation	Members resolve to grant planning permission subject to completion of a Section 106 Agreement.
Reason for Report	A Speakers Panel decision is required because the application constitutes a major development. There have also been requests to speak.

1.0 APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for a residential development of 21 detached 4 and 5 bedroom properties. The properties would be a mixture of 2 and 3 storeys in height.
- 1.2 The development would comprise of dwellings set around 2 cul-de-sacs with access taken from Spring Street. The properties would in the main be positioned along an east / west axis to address site levels. A number of retaining works would be required as part of the overall development proposals.
- 1.3 A series of highway improvements are proposed to Spring Street including the widening of the existing carriageway, provision of new pedestrian pavements and the provision of dedicated off-street car parking areas for 23 vehicles. A temporary layby access is proposed off Stamford Road to the west of the site to accommodate construction traffic. This area of land is owned by TMBC, access would be granted via licence agreement with the Council which would be agreed separate of the planning process. The intention is for vehicles to unload at Stamford Street via a tower crane located at a lower level. Once works are complete the existing wall to Stamford Street would be reinstated.
- 1.4 It is proposed to retain an area of land within the northern boundary as public open space, this would be maintained by a management company. An existing footpath linking Mill Lane to Stamford Street would be upgraded with new surfacing handrails and lighting where appropriate.
- 1.5 There would be 23 individual and 18 groups of trees lost to the development. A comprehensive landscaping package is proposed which also include the retention and management of 0.9ha of open space on a natural/amenity basis.
- 1.6 A viability appraisal has been tested as part of the application. With the provision of on-site managed open space and highway improvement works 25k is offered towards additional infrastructure.
- 1.7 The proposed accommodation would consist of 5 different house types including 11 x 4 bedroom and 10 x 5 bedroom dwellings. The accommodation would measure from 146sqm to 198sqm. Off road parking for a minimum of 2 vehicles and a garage would be provided to all units. It is proposed that the dwellings would be constructed from a modular system which allows for the quicker construction but also creates a very efficient building. The materials are stipulated as Buff Stone and Slate Grey Tile with anthracite Grey windows, other feature

include stone heads and cills and chimney stacks. The applicant requests that these details should be conditioned.

1.8 The application has been supported by the following document;

- Ecology survey;
- Economic Benefits Summary
- Phase 1 Desktop Study;
- Flood Risk Assessment;
- Invasive Species Treatment plan;
- Noise impact Assessment;
- Land Stability Report;
- Topographical Survey;
- Planning Statement;
- Design & Access Statement;
- Construction Management Plan;
- Statement of Community Involvement;
- Traffic Assessment;
- Tree Survey & Arboricultural Impact Assessment;
- Proposed Drainage Strategy;
- Full Plans Package and Landscaping Details;
- Viability Appraisal.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to an area of undeveloped land to the south of Mossley town centre. The site is irregular in shape and covers an area of approximately 2.2 hectares. The site is bounded by Stamford Road to the west, railway to the south, Spring/Archer Street to the East and Carhill Road to the north, levels falls steeply to the railway line boundary. The site has not been previously developed and is heavily vegetated with numerous mature trees and shrubs throughout the site and across its boundaries.
- 2.2 Mossley Town centre can be accessed via pedestrian footpath which crosses the site and links Mill Lane to Stamford Road. Spring / Archer Street loop around Vernon Street and connect to Mill Lane to the north, this is a steep road that connects to Manchester Road to the east via a restricted access under the railway line and Carhill Road to the north. Mill Lane also serves as the primary access to Milton Saint John's C of E primary school. Mill Lane and the surrounding streets are subject to a 20mph speed restriction.
- 2.3 The side streets off Mill Lane support dense terrace properties. On-street parking is in high demand with double parked vehicles. Land off Archer Street is used informally for vehicle parking.
- 2.4 The redline boundary extends toward Stamford Road. This includes land within the ownership of TMBC. Stamford Road is the main highway which connects "Bottom" Mossley to "Top" Mossley. The Red Line extends to the west of no. 46 Stamford Road. This includes a 3m wide pavement bordered by a 1m high stone boundary wall.

3.0 PLANNING HISTORY

- 3.1 889/03/24518 –Create residential development and public open space – Outline on land off Stamford Road and Brookfields - Planning Permission refused 29/11/89.

- 3.2 09/01066/FUL – Erection of 10no. houses with car parking on site adjacent to Spring Street and Brookfields – Withdrawn on 28/1/10.

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 immediately bordering Green Belt & Site of Biological Importance.

4.4 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.11: Conserving Built Heritage and Retaining Local Identity;
- 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
- H6: Education and Community Facilities
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space.
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T10: Parking
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

4.6 Other Policies

- Greater Manchester Spatial Framework - Publication Draft October 2016
- Residential Design Supplementary Planning Document
- Trees and Landscaping on Development Sites SPD adopted in March 2007.
- Tameside Open Space Review 2018

4.7 National Planning Policy Framework (NPPF)

- Section 2 Achieving sustainable development
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting sustainable travel

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

4.8 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 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 the application has been advertised as a Major Development affecting a Public right of way:

- Neighbour notification letters to 211 addresses on two occasions
- Display of site notices
- Advertisement in the local press

6.0 RESPONSES FROM CONSULTEES (SUMMARISED)

6.1 Arboricultural Officer – The proposals retain many of the existing trees on the boundaries that will provide screening to the surrounding properties. Also to be retained are many Category B2 trees and the only Category B1 tree on site. Recommend that all the trees to be retained should be protected to BS5837 during all works. The species for the proposed new street, native and ornamental plantings are appropriate to the planned development. The retention/enhancement of the naturalised wildlife area on the northern side of the development is particularly desirable.

6.2 Contaminated Land – No objections subject to recommended conditions requiring further site investigations.

6.3 Environment Health Officer – Supportive of recommendations within the submitted noise assessment and request that the mitigation measures are conditioned. Further recommendation relating to controls on construction hours.

6.4 Greater Manchester Ecology Unit – The development will result in the loss of over 1ha of semi-natural habitats. Around 0.9ha is however being retained providing potential for on-site mitigation. Other potential ecological issues include invasive species, nesting birds and potentially badgers.

No evidence of any protected species was found on the site and the site assessed as low risk for all species. GMEU have no reason to doubt these conclusions. As the site was densely vegetated however, making detailed surveys difficult in some areas, pre-cautionary measures have been recommended for badgers and slow worms which can be addressed by a condition.

Section 170 of the NPPF 2019 states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of around 1.2ha of moderate and high value habitat, which are currently in poor condition and are widespread in Greater Manchester. It will also result in the loss of associated bird nesting

habitat. 0.9ha will be retained and broad enhancement measure proposed, including tree planting, management of the retained woodland and provision of bird boxes.

Given the nature of the habitats that would be lost, the area of land available for mitigation and the developers commitment to provide mitigation, GMEU are satisfied that net gain can be achieved, through production and implementation of a 5 year management plan that brings the retained habitat to a good condition (through removal of invasive species; diversification of age structure and species composition of the canopy, diversification of the shrub layer and introduction of native ground flora) and production of bird nest box strategy both within the retained woodland and a the proposed housing development. (Provision of boxes suitable for woodland species and provision for typical urban species on housing such as house martin, swift, house sparrow and starling on the new build). Recommend that conditions are applied to secure this.

6.5 Greater Manchester Archaeology Advisory Unit – Satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

6.6 Highway Authority – Recommend a conditional approval. Comments provided are as follows;

The original plan submitted to the LHA involved the majority of the site traffic to the development using Spring Street, Vernon Street and Archer Street requiring parking restrictions and excessive vehicle traffic movements around the side streets which was not acceptable to the LHA and local residents.

The revised plan proposes that a temporary access/delivery area be constructed off Stamford Road which will be route signed from all the major principle roads to the proposed temporary delivery area, this will result in Spring Street, Vernon Street and Archer Street no longer having HGV traffic accessing the new development and the side streets will be restricted to 10 tonne, four wheeled vehicles for any delivery's. This temporary access satisfies the LHA's concerns regarding visibility splays of construction vehicles entering and leaving the site and re-joining Stamford Road and along with the proposed managed delivery system and dedicated banksmen that we are satisfied with the proposals.

The extra Vehicle journeys generated from the proposed site are considered negligible and will not have a significant impact on the local highway in the vicinity of the site and along with:-

1. The proposed construction of residents' parking spaces relieving congestion at the junctions of Mill Lane with Spring Street, Vernon Street and Archer Street, improve traffic movements and pedestrian visibility at these locations.
2. Improved vehicular visibility splays at Archer Street with build outs to the existing footways
3. Footway improvements to adjoining streets with dropped crossing facilities and improved St. Lighting.

Therefore the LHA are satisfied that the Development does not have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This internal layout has been designed to promote low traffic speeds and create a safe environment for pedestrians and other road user's, incorporating various traffic calming measures within the site including speed tables and 20 mph zones.

A planning condition has been included for a requirement for an Electric Vehicle Strategy to be Implemented on the site, along with the necessary infrastructure to facilitate the use of electric vehicles promoting more sustainable modes of travel.

- 6.7 Lead local Flood Authority – Have reviewed the Flood Risk Assessment and drainage strategy. The application is considered to be generally acceptable from a drainage perspective up to submission of plans and subject to detailed design to be reviewed through the discharge of condition process.
- 6.8 Mossley Town Council – reviewed the amendments and object to the temporary access resulting in serious traffic concerns. This an extremely busy road and the proposals will result in additional danger to pedestrians and vehicles. Loss of a historic wall would be detrimental to visual amenity. Main concerns with the development include overdevelopment of the site, potential for HGV's to become stranded, impact on the safety school children, loss of wildlife and important habitat, description of trees in unrealistic, ecological aspects overlooked, development should be treated in the same manner as Greaves Street which recently had an appeal dismissed owing to its local open space function and recognised deficiencies in the area.
- 6.9 Network Rail – No objection in principle to the development of the land. Provide advice on construction adjacent to the railway boundary. The developer/applicant must ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air space and no encroachment of foundations onto Network Rail land and boundary treatments. Any construction works on site and any future maintenance works must be conducted solely within the applicant's land ownership.
- 6.10 Police (Secure by Design) – Satisfied with the recommendations within the Crime Impact Statement which should be conditioned on any approval.
- 6.11 PROW – Note that a definitive footpath MOS/81 crosses the site in an east / west direction. This will need to be taken into account as part of the design of the scheme and during the construction period. Any changes to the path (whether temporary or permanent) will need the correct legal order to be processed.
- 6.12 TFGM – No objections note that the site is accessible with bus stops within a 3 minute walk (Manchester Road) and Mossley railway station within a 10 minute Walk. TMBC should determine if they are satisfied with the conclusion of the Traffic Assessment. Supportive of improvement to footpath connectivity and make recommendation for a residential Travel Plan.
- 6.13 United Utilities – Submitted drainage details are acceptable in principle. Request that the drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing SRM-SHD-00-ZZ-DR-C-0100, Rev P1 which was prepared by Scott Hughes Design Ltd. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 Councillors Sharif, S. Homer & J. Homer object to the proposals. Raise serious concerns regarding the access arrangements for both construction traffic using Stamford Road and the future residents using Archer Street which is heavily congested. Stamford Road is the main highway serving Bottom Mossley to top Mossley and the access would cause complete chaos. Further traffic movements would be a risk to pupils of the primary school. Note that the topography is very challenging and this could result in local flooding issues. Concerns with regard to the loss of valued Green Space noting an appeal at Greaves street was recently dismissed on these grounds.

- 7.2 Jonathan Reynolds MP raised objection to the initial development in addition to the proposed temporary access arrangements. Considers that construction access using Stamford road would be highly disruptive to vehicle and pedestrians on the main thoroughfare between top and bottom Mossley. Equal concerns raised in relation to highway safety given the proximity on a bend. Archer Street not a suitable access and there are concerns that development would exacerbate congestion around Milton St John's school. Concerns specifically raised around the sites topography, its importance for wildlife and the adverse impact on residents of Mossley as a whole.
- 7.3 In response to the consultation undertaken there have been 256 letters of objection including a request to speak at the time of writing.
- 7.4 The following concerns have been raised with the individual object letters which are summarised as follows:
- 7.5 Highways concerns:
- The local highway network is severely congested.
 - The increase in traffic, noise and pollution will have a serious impact on residents of Spring Street, Vernon Street and Archer Street.
 - During Winter months the roads are completely inaccessible, the development will add to this pressure.
 - The plans show insufficient parking - they only take resident parking into consideration and not the additional parking and/or turning need created by the nearby school.
 - Will also remove valuable safe parking areas on and around Archer Street, Vernon Street and Spring Street. This area is used by many parents, especially those with prams for whom it is far too dangerous to get their babies out of the car on Mill Lane. Less parking in this area will ultimately mean more congestion on Mill Lane and more danger to the children.
 - Proximity to Milton St John primary school. At peak times, parking and traffic around the school is already causing safety concerns for local residents and parents. An increase in traffic in an area where there will be a lot of pedestrians and small children is dangerous and will increase the probability of danger of accidents to children.
 - Parking to dwellings is not compliant with the Councils own parking guidelines SPD.
 - No betterment to the highway infrastructure which is wholly inadequate to support further development.
 - Disagreement to the conclusion of the transport statement.
 - Poor visibility on Mill Lane often hampered by parked vehicles.
 - Stamford Rod inadequate for construction traffic, increase in disruption would impact highways safety, mud on the highway would be a safety concern.
 - Lorries often get stuck on Mill Lane.
 - Emergency Services would not be able to adequately serve the site due to current access constraints.
- 7.6 Design Concerns:
- The proposed buildings will be obtrusive and out of character with their surroundings.
 - Retaining walls to parking areas and along Brookfields are a poor design solution
 - Buildings too large for the site
 - Gradient would not work
 - Large retaining walls would be needed in several places, leaving residents with an expanse of concrete looming over the end of the streets.
 - Out of keeping with the size, style and building materials of properties in the locality
 - Density is too high for the site
- 7.7 Amenity Concerns:
- Noise and air pollution to surrounding residents.
 - Increased disturbance to residents during construction and then from traffic movements.

- Overshadowing and loss of outlook.
- The impact on the neighbours, particularly in terms of privacy and overlooking which will be exacerbated by the tree loss and lack of planting.
- Little Amenity space within the development.
- Does not comply with Councils Spacing Standards.

7.8 Green Space Trees & Ecology concerns:

- Site is Green Field and of a high biological importance.
- Application should be consistent with the recent dismissal of an appeal at Greaves Street for development on Green Space.
- Unacceptable loss of trees and detrimental wildlife impact.
- Already few green spaces within the area and this will add to local deficiencies.
- Disingenuous for the applicant to describe the site a wasteland.
- Area of habitat proposed is meagre in size.
- Land is used by badgers as habitat.
- NPPF states that where significant negative impacts on biodiversity cannot be avoided development should be refused.
- Development is not environmentally sustainable.

7.9 Social Infrastructure concerns:

- Local school are at capacity.
- Health Care provision is oversubscribed.
- Overdevelopment within Mossley which has seen a 12% population growth between 2001 – 2011 and infrastructure investment has not kept abreast.

7.10 Administrative concerns

- The agreement to allow construction traffic to access via Council land demonstrates bias and pre-determination.
- Breach of practice from the Council officers have obviously discussed and colluded with the developer in seriously inappropriate ways and reached a deal in a way which is in blatant conflict with the public scrutiny demanded in this legal process.

7.11 Other Concerns:

- Loss of functioning Space contrary to policy OL4.
- Development would cause mental and physical health issues.
- Development does not provide affordable housing suitable for the demographic of Mossley.
- Increase in flooding.
- Damaging to the character of Mossley.
- Reduction in property values.
- Abundance of 4bed+ properties for sale in Mossley.
- Development does not benefit community only greedy developers.
- Development of the site has been refused previously and this should be upheld.
- Safe levels could not be achieved and this would impact upon the safe use of the Public Right of Way through the site by increasing the gradient to 1 in 4.
- Queries raised over the ownership of the land and ability to provide parking spaces.
- Poor natural surveillance to the proposed parking areas.
- Existing drainage infrastructure inadequate.
- This is not sustainable development when people decide to move house due to this development and break up existing communities. Removing this amenity space is not in the best interests of resident's health and wellbeing.
- Gradients are unresolved and completely misleading.
- Development will upset the water table resulting in localised flooding.

- 7.12 An online petition with 564 signatures (accurate at the time of writing) objecting to the proposals under the following headline;

'Mossley, has an already at breaking point infrastructure, please help save this truly peaceful haven of green space, that children can and do enjoy exploring safely. Help save the wildlife and trees. Help stop the added congestion to Mill Lane and the school. Manchester Road residents are majorly affected too in the severe winter months, when access to Mill Lane is unavailable due to the heavy snow. This development will NOT benefit the community it will only benefit the developers and the government coffers!'

8.0 ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - o specific policies in the Framework indicate development should be restricted.

9.0 INTRODUCTION

- 9.1 It is understood that the developer has been in consultation with the Council Estates department and has reached agreement in principle to access Council land as per details in the submitted construction management plan. The application has been assessed on the merits of these proposals. Conversations between the developer and the Council as landowner are independent of the planning process.

10.0 PRINCIPLE OF DEVELOPMENT

- 10.1 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.
- 10.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and Section 5 of the NPPF requires Local

Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.

- 10.3 The site is located immediately to the south of Mossley Centre with easy access to both bus and train links. Commensurate to its central location within Mossley, the site would represent a sustainable location with regard to access to transport, local services and relevant amenities provided within Mossley. Historically there is some evidence that parts of the site having been developed, this also included, in part, landfill operations. Excluding peripheral areas which abut existing highways the land is wholly naturalised and should be considered as Greenfield for planning purposes.
- 10.4 It is unallocated and is not subject to any designations. Policy H2 applies to unallocated sites, it gives preference to the reuse of previously developed sites. It permits the development of Greenfield sites where an adequate five year supply of housing land cannot be demonstrated.
- 10.5 The site was included within a larger parcel of land which had been included within the Councils Strategic Housing Land Availability Assessment (SHLAA) it was identified under Ref MO133. This allocation effectively included the Brookfield's land in addition to TMBC land which abuts Stamford Road. It was envisaged that collectively this land parcel would support 84 dwellings. The parcel was however, dropped from the SHLAA, this appears to coincide with the Open Space review in 2018. The sites exclusion from the SHLAA does not prohibit its development, that can only be determined in the event of a successful planning case being presented.
- 10.6 By virtue of its undeveloped nature the site functions in a Green Space capacity, its function / typology within the Open Space review is identified as an area of Natural Space / Countryside. Policy OL4 of the UDP offers protection to non-designated functioning areas of land in similar use but which are not shown as Protected Green Spaces on the Proposals Map. Due consideration to policy OL4 is required as part of the assessment process.
- 10.7 Policy OL4 identifies a number of exceptions which may permit the release or redevelopment of land which functions both formally and informally as Green Space. The policy makes clear reference that the criteria should not apply if: *'part or all of the land involved 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'*.
- 10.8 The sites value/function for the purposes of policy OL4 is as a natural area, its recreational function is limited by virtue of access constraints associated with the density of vegetation growth and local topography. The Open Space Assessment identifies that within Mossley 100% of the population have an acceptable access standard to Natural Space / Countryside (defined as a 10min walk). This reflects the towns position in relation to the Pennines / Peak Park and Huddersfield Canal. Within Tameside Borough only Longdendale is comparable to this standard. The Open space Strategy identifies within Mossley access to Amenity Space (managed space) is lower than the Borough average with only 64% of the population meeting the accessibility standard.
- 10.9 It is without doubt, from the number of representations received that, local support for the site is high and value is taken from its associated function as a wildlife haven within the locality. A balanced assessment is however, needed of the proposals and this is informed in part by the evidence base of the Open Space Assessment, in addition to consultation undertaken with the Arboricultural officer and Ecologists within GMEU. Crucially, both note that the site would not be developed in its entirety with a significant area to be retained and managed in perpetuity. The undeveloped managed area would equate to approximately 1.1ha, or 45% of the development site area.

- 10.10 GMEU have reviewed the Ecology survey and the recommended mitigation package and are satisfied with the conclusions. The habitat which would be lost to the development, is in a poor condition, being densely overgrown, home to invasive species and having had no routine management. They have assessed the proposals against Paragraph 170 of the NPPF and identified that adequate onsite net gain can be achieved by bringing the retained habitat up to a much improved condition which would secure the diversification of native flora and wildlife habitat. Management of all natural areas would be conditioned as part of a Landscape Ecological Management Plan and further conditions would ensure protection of wildlife during construction. The Arboricultural officer adds further weight to the planning balance by confirming that an adequate level of mitigation can be secured to compensate for the associated tree cover that would be lost.
- 10.11 With reference to the environmental effect of the development there would be a clear quantitative loss of natural open space as a result of the proposals. There would however, remain an adequate supply of Open Space within the locality, and in this regard it cannot be demonstrated that supply within the local community would be undermined. In recognition of the above an objection against policy OL4 could not be sustained, it is clear that this loss can be appropriately mitigated so as not to erode the wider ecological value or function of the area. The management of the onsite open space would improve accessibility and secure qualitative improvements to local habitats and the sites overall ecological value. The provision of managed amenity space would also help to address the identified deficiency of this typology of open space within the Mossley area.
- 10.12 Housing Supply, paragraph 59 of the NPPF identifies the Government objective to significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that land with permission is developed without unnecessary delay. UDP policy H2 confirms that the Council will not permit the development of Greenfield sites unless there an adequate five year supply is no longer available.
- 10.13 In terms of housing development, the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, paragraph 11 is clear that where no five-year supply can be demonstrated, the presumption in favour of sustainable development identified in the footnote of paragraph 11 should be applied to the consideration of planning applications.
- 10.14 The site is located on the periphery of Mossley town centre which is directly accessible via the public right of way which crosses the site. Its central location within the urban fabric means that it is within catchment of essential services and amenities. The location is considered accessible and sustainable for planning purposes. The proposals are therefore considered to achieve the three dimensions of sustainability through the contribution to the supply of housing within a sustainable location.

11.0 HIGHWAYS AND ACCESS

- 11.1 The development would take its primary pedestrian and vehicle access from Spring Street, which along with Vernon Street and Archer Street provide access to the wider highway network via Mill Lane and Carrhill Road. To address current parking capacity issues, visibility and pedestrian safety associated with Spring Street, Vernon Street and Archer Street the following improvements are proposed which would need to be secured through a section 106 agreement:
- Construction 23 residents parking spaces off Spring Street;
 - Realignment to Spring Street carriageway to allow build out of the existing footways and improved visibility;
 - Improved footways, dropped crossing and street lighting to Spring Street; and

- Any relevant signage.

- 11.2 A development of 21 dwellings does not generate a significant number of daily vehicle movements. The location of the site within walking distances of Mossley town centre and public transport options would also be a mitigating factor. A Transport Statement has accompanied the application which identifies that vehicle movements are predicted as 4 into the site / 8 out in the am peak (1 vehicle trip every 5 min) and 7 in / 4 out in the PM peak, crucially the PM movements would be outside of the core school opening times of Milton St Johns Primary School. The Local Highway Authority (LHA) have assessed the traffic generation against the TRICS database and confirm that it represents an adequate assessment. The Transport statement concludes that vehicle movements would not be perceivable from existing traffic flows and this position is supported by the LHA and TFGM in their independent assessments.
- 11.3 Spring Street along with Archer Street and Vernon Street which feed onto Mill Lane are all adopted but the width of the carriageway is restricted in places. The terraced nature of the local housing stock dictates that there is high dependence upon on street car parking, double parking is common and vehicles also tend to park informally on land alongside of Archer Street, this results in disturbance to the ground and impacts negatively on visual amenity. Site visits confirm that current parking arrangements can present an obstacle to highway users. These concerns, along with general issues over the capacity of the highway, have been raised extensively within the representations received.
- 11.4 Policy T1 requires all developments are designed to improve the safety for all road users. Likewise Paragraph 109 of the NPPF confirms that development should be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 11.5 The LHA comments are detailed within the consultation section of the report. The current conditions and highway capacity of the locality is well understood. The LHA accept that the mitigation measures proposed would represent a significant improvement to the existing circumstances for highway users of Spring Street, Archer Street and Vernon Street, and this would be secured in perpetuity. They also confirm that trip generation for the site would not be significant and that the development accords with the objectives of Manual for Streets, in terms of visibility splays, and highway geometry. It would be recommended that the highway mitigation measures are delivered as part of an initial phase of the development proposals to improve safety and capacity at the sites access.
- 11.6 Whilst the LHA have been comfortable with the scale of the development they had maintained concerns in relation to construction traffic and the ability access via Carrhill Road / Mill Lane. This would have required parking restrictions and excessive vehicle traffic movements around the side streets that was not acceptable to the LHA, such an arrangement would cause significant disruption to local residents, the ability to mitigate this through a construction management plan would not have been practical to enforce by the LHA or LPA.
- 11.7 The inclusion of the temporary access has been scrutinised within many of the objections received, including those from Local Members. Concerns have also been raised with regard to the Councils involvement as landowner. In terms of the planning process the applicant has extended the redline boundary to include the land concerned and they have also served relevant notice on the Council. The planning merits are informed by the technical consultation responses in addition to matters raised within the representations.
- 11.8 The revised plan allows for a temporary construction access on Stamford Road. This is the main connecting highways between Manchester Road and Mossley town centre; it presently serves commercial traffic and has sufficient capacity to accommodate movement associated during a temporary construction period. A Construction Management Plan (CMP) has been submitted which details how vehicle routing would be accommodated. This would comprise

of a dedicated layby created on made ground to allow vehicles to pull in off Stamford Road and not prohibit the movement of traffic. The visibility splay at the point of exit would be 2.4m x 43m which accords with Manual for Streets and is acceptable to the LHA. Proposals include signage along all local (principle) roads directing vehicles to the proposed temporary delivery area, this will result in Spring Street, Vernon Street and Archer Street not having to accommodate HGV traffic. This temporary access mitigates the LHA's concerns regarding construction traffic being able to serve the development in a safe manner. It presents a viable solution to an identified problem which would also have the least intrusive impact upon residents. Agreement for the access arrangement would require further approval from the landowner (TMBC Estates) via a separate arrangement to a planning application. Planning conditions would need to be applied governing the proposed managed delivery system as detailed in the CMP, highway construction details and overall phasing of the development.

- 11.9 The internal road within the development is designed with traffic management measures including speed tables to ensure that vehicle speeds are low on the approach to the site access. Adopted roads within the development would be treated with Tarmac with private driveways block paved. In line with the maximum standards of the adopted SPD on parking all of the properties have a minimum of 2 off street parking spaces which are accessible and well overlooked. The design layout ensures there is also adequate capacity for on-street visitor parking as well as appropriate turning provision for refuse and fire appliances. The design and highway layout is deemed acceptable against the standards of the Tameside Residential Design Guide.
- 11.10 The site is crossed by footpath MOS/81. The path would be retained along its alignment with additional points of access to both the site and Spring Street also proposed. Improvements are proposed to the surfacing, lighting and handrails which would be included as part of wider site landscaping details. The gradient of the existing footpath is extremely steep in parts, the development would provide an added option of pedestrian access being taken via the access road / cul-de- sac to circumvent the steepest section. Whilst there would inevitably be some disruption to the use of the PRoW during the construction period this would be for a limited period of time only, careful planning of the construction phases of the development can ensure it remains accessible which may or may not require a temporary diversion of the right of way.
- 11.11 In recognition of the above issues the development has appropriately demonstrated that safe and convenient access can be achieved to meet all highway users' requirements. The disruption associated with traffic during the construction period can be managed in a viable manner to ensure minimal disruption would occur during the temporary period. The development would secure a positive intervention by virtue of increased parking capacity on Spring Street, new pedestrian footways and improved visibility splays Vernon/Archer/Spring Street junction would also secure a positive highway legacy. This is therefore considered to be in compliance with the requirements of T1, T7, T10 and T11 and NPPF paragraph 109.

12.0 DESIGN AND LAYOUT

- 12.1 Policies C1 and H10 seeks to ensure that developments are designed to respect their surroundings and contribute positively to the character of the area, having particular regard to the layout, density, design, scale, height, massing, appearance, materials and landscaping prevalent in the area. New development should be compatible with the local character and encourage local distinctiveness through the use of appropriate and high-quality building materials, architectural detailing and boundary treatment.
- 12.2 The development would be around two cul-de-sacs which lead off from the primary access onto Spring Street. The accommodation includes 5 house types which would all be of a detached nature, the design includes a traditional 2 storey to split level 2/3 and outright 3 storey dwellings. The range of house types and design is influenced by topography within

the site. The site levels are challenging but not insurmountable and the layout as presented responds appropriately to this by ensuring suitable levels of access and interface distances can be achieved to all proposed dwellings.

- 12.3 In addition the larger area of managed open space there would be further pockets to the rear of plots on Stamford Road. The level of retained open space along with the parking provision off Spring Street give a very low housing density of just 9 dwellings per hectare. Whilst planning policy seeks to maximise densities within urban areas served by public transport, owing to site constraints, it would not be desirable in this instance.
- 12.4 The properties proposed would provide desirable family housing. They would be large dwellings benefiting from well-proportioned internal and external space. All of the properties have usable gardens and they would be served with private front to rear access which allow for the storage of bins outside of the public domain.
- 12.5 The design and housing mix would create visual interest. The elevations are traditional in appearance and draw upon features and materials which are well established in the locality. The exact materials would need to be agreed as part of a condition, however, a commitment to the use of stone, slate and features such as heads/cills along with chimneys provide a sufficient quality.
- 12.6 The siting of the properties follows a structured hierarchy based around the access road. This would provide clear legibility throughout the site with good levels of surveillance. Parking is well integrated within plots ensuring that hard surfacing would not dominate frontages. The provision of well-proportioned garden spaces also allows for structured tree planting to the highway boundary to the significant benefit of overall amenity and place. Key features include the retained onsite public open space, improvements to PRoW MOS/81 and structured landscaping to the Archer Street boundary, all of which would aid integration to the existing settlement and soften the impact of the development considerably.
- 12.7 Within the development, boundaries would consist of a mixture of treatment with all public facing boundaries being of a suitably robust design. The aim being to create private defensible space and also provides a suitable finish to the public areas that ensures relevant privacy standards are achieved. Where space allows, frontages would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the site's overall appearance and providing a complimentary structure to the estates highway. It is noted that retaining structure will be required within some public facing areas, the details and construction of these would need to be addressed by a condition. The hard landscaping materials would need to be of a sufficient quality to ensure no visual harm occurs.
- 12.8 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The scale and density of the development is reflective to that of properties within Mossley which has a broadening housing mix, the traditional approach to design would allow the developments to integrate successfully and promote the regeneration of the overall area. It is therefore considered that the proposal adheres to the objectives of policy C1 and H10.

13.0 DESIGN AND RESIDENTIAL AMENITY

- 13.1 The adopted policies within the Council's Residential Design Guide Supplementary Planning Document strive to raise design standards; they should be applied along with the criteria of Building for Life (BFL). Good design is aligned to the delivery of high residential amenity standards. This should reflect equally on the environment of existing residents as well as that of future residents. Paragraph 127 of the NPPF states that development should seek to provide a high standard of amenity for existing and future users alike. This is reflected in

policy H10 and the recommendations of the Residential Design Guide SPD, the guidelines of which seek to ensure that all development has regard to the amenity of existing and proposed properties.

- 13.2 Whilst the site is located within a relatively central location to Mossley it is somewhat isolated from surrounding development. Stamford Road and the adjacent Transpennine railway line provide strong boundaries and the site is somewhat detached from existing properties as a result. Dwellings on Stamford Road occupy a much higher level, which taken with the intervening spacing distance would ensure that levels of privacy and outlook are not impacted. Likewise the orientation and separation to properties on Spring, Archer and Vernon street dictates that occupants of these properties would not be overlooked.
- 13.3 Disruption from the development would be mainly attributable to the construction phase of the development. To minimise this conditions would need to be applied to address working practices to address noise and dust controls, as stated within the CMP are adhered to, further to this working hours can also be conditioned to ensure residents amenity is protected. Environmental Health have no objections to the proposals. As stated, vehicle movements to/from the site would not be discernible above that of existing highway users, the proposals would not give rise to undue impacts.
- 13.4 With regard to the amenity which will be afforded to the residents of the development it is of note that each of the properties meets with the technical housing standards. The close proximity of the site to existing Mossley Town Centre, transport links, nearby local amenities, employment opportunities and open space means that residents would also benefit from good access to local services.

14.0 LANDSCAPING & TREES

- 14.1 As identified previously Paragraph 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The site currently has a good ecological value, associated with the level of tree and vegetation cover.
- 14.2 The tree survey identified 87 individual and groups of trees within the site. Species include mature Oak, Sycamore, Ash, Birch and Willow. The survey identifies that in total 23 individual and 18 groups of trees would require removal
- 14.3 The applicant states that the hard and soft landscaping in this scheme is designed to be sympathetic to the surrounding area.
- 14.4 An indicative Landscape Masterplan and Biodiversity Enhancement Strategy has been submitted with the application setting out the overall strategy for the site. All of the retained onsite open space, including the car parking areas, would be subject to a private management agreement with future occupiers. In summary, this involves the following:
- Retaining existing vegetation wherever possible and ensuring its protection during the proposed construction work using industry standard methods;
 - Retaining the existing drystone walling within the site (where feasible);
 - Invasive vegetation management;
 - Woodland management to retained are of open space;
 - Introduction of native tree planting within open space areas and gardens where feasible;
 - Introduction of native wildflower planting to open areas;
 - Ornamental hedgerow and shrub planting will be provided within the development plots to define external spaces;
 - Habitat provision in the form bird, bat, insect boxes through the landscaped area of the layout.

- 14.5 The proposals have been considered by the Council's Tree Officer along with GEMU who are supportive with the strategy and the overall level of planting which is proposed. The Tree Officer requires further assurance about the methods to be used for tree protection and recommends that a condition be attached to any approval requiring submission of additional information. Subject to this requirement, the proposals are considered to be in accordance with the requirements of policy N4, N5 and NPPF paragraph 170.
- 14.6 The level of retained onsite open space is significant and well proportioned to the scale of the development. The landscaping strategy makes appropriate provision for a suitable level of wildlife habitat. Whilst comments have been received regarding the potential impact of the proposals upon wildlife there is no evidence of any adverse effect upon protected species and the proposals are in accordance with policy N7: Protected Species.

15.0 DRAINAGE

- 15.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. There are a number of public sewers on the site, each of these will either be diverted to facilitate the development, or the recommended easement will be applied. A drainage strategy has been submitted with the application which has been reviewed respectfully by both the LLFA and United Utilities. They are satisfied with the level of investigation undertaken, the local geology would not support infiltration options but there is adequate opportunity to address surface water management via geocellular storage tanks. The full methodology of the site drainage is a matter of detail to be conditioned but for the purposes of the planning application Flood Risk and overall Water management has been appropriately investigated.

16.0 GROUND CONDITIONS

- 16.1 The Coal Authority records indicate that the site is not within a high risk mining area and, therefore, no specific coal mining risk investigation is required and any approval would be subject to the Coal Authority's standing advice only.

17.0 CONTRIBUTIONS

- 17.1 The scale of the development constitutes a major development which would otherwise be expected to meet thresholds for Affordable Housing, Green Space, Education and Highways contributions. The Council does not currently have an adopted SPD for infrastructure contributions, but financial contributions are identified via the online developer contributions calculator, they would equate as follows:
- Green Space £13,268
 - Education £27,895
 - Highways: £16,451
 - Total £57, 614
- 17.2 The applicant has submitted a viability report which has been reviewed by an independent consultant to provide an objective assessment. The report provides comment on the sites financial viability taking into account current market conditions. It includes assessment of a series of viability appraisals to assess the impact of the section 106 contributions. The result of this exercise has identified that viability is a material consideration. There are site specific abnormal costs associated with the ground conditions and engineering works equating to approximately £996k above expected costs.
- 17.3 The NPPF advises that the affordable housing should be provided on all major developments of 10 units or more unless it would exceed the level of affordable housing required in the

area. Policy H4 sets an affordable housing threshold of 25 or more dwellings or 1 hectare or more in size. The scale of the development falls below the 25 units threshold, whilst the redline does qualify on the sites area the site constraints are such that the actual development area for housing compared to that for open space and other infrastructure is not exceeded.

- 17.4 The independent viability appraisal has identified that a section 106 contribution of £25k could be secured. This position has been robustly tested for the purposes of the planning application. The Green Space contribution would be met through the on-site management of retained amenity space and enhanced connections, the highways mitigation was relating to Spring Street improvement and residents parking address would exceed any contribution otherwise identified by the developer contribution generator. It is therefore recommended that the 25k is allocated for education purposes.

18.0 OTHER ISSUES

- 18.1 Noise: - The majority of noise is transport based associated with rail traffic line. The EHO is satisfied that a suitable standard of amenity level can be achieved for the dwellings subject to recommendations for the noise survey.
- 18.2 Security:- Concerns have been raised with regard to the lack of surveillance across the proposed parking areas. The proposals are deemed a significant improvement to the unregulated parking arrangements currently experienced along Spring and Archer Street. New street lighting would ensure the areas are well lit which is also an improvement on current somewhat ad-hoc arrangements.
- 18.3 Economic: - In addition to jobs associated with the construction phases of development. The proximity of the dwellings to Mossley Town centre is likely to secure offsite local economic benefits associated by increased spend, in turn contributing to the viability and vitality of the centre.
- 18.4 Ground Conditions: - In view of the sites topography a desk study land stability appraisal accompanied the application. This identified that further site investigation will be required to inform the detailed design of the engineering solution. This detail can be suitably conditioned along with matters relating to the design of any retaining structures.

19.0 CONCLUSION

- 19.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the Development Plan to be approved without delay, and where the Development Plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 19.2 A balanced assessment has been undertaken of the proposals and it is recommended that the application should be approved having regard to the policies of the Development Plan, National Guidance and all material considerations raised.
- 19.3 Policy H2 identifies that the development of Green Field sites can be tolerated where the Council cannot demonstrate a 5 housing supply. The sites former inclusion in the SHLAA identifies that the site was previously earmarked for residential development. The application relates to the partial development of a larger area of functioning open space. The adopted Opens Space Strategy has confirmed that land lost to the housing aspect of the development would not result in deficiencies within the Mossley Area. The management of the open space

to be retained would offset the impact of the developmental in accordance with NPPF paragraph 170.

- 19.4 The site is located within a sustainable location as demonstrated by immediate access to Mossley Town centre and the public transport network. The highways impacts have been reviewed and the LHA are satisfied that the site can be appropriately accessed. The temporary construction access can be accommodated and presents a viable alternative to preventing heavy construction vehicles having to navigate Mill Lane and Spring Street. Once constructed traffic movements associated with the development would not be significant. The improvements to the existing carriageway and footways on Spring & Archer Street along with dedicated parking mitigates the impact will secure long-term benefits to the amenity and safety of existing residents and highway users.
- 19.5 The redevelopment for residential purposes would be compatible with the Housing Strategy and would also be readily compatible with the residential nature of adjoining uses. The development would add to and contribute to much needed, good quality family housing in a period of documented under supply.
- 19.6 The design creates a positive and welcoming residential environment. The high quality properties would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 19.7 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals would meet sustainability requirements and contribute positively to the Borough's affordable housing supply.

RECOMMENDATION

That the Assistant Director of Operations and Neighbourhoods be authorised to process any Traffic Regulation Order considered necessary (in connection with the approved development and indicated on the attached plan and in accordance with the Road Traffic Regulation Act 1984. Subject to the resolution of any objections received during the public consultation period.

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following:

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure:
 - Management arrangements for open space
 - Provision of highway improvements to Spring/Archer Street including realignment of carriageway, new pedestrian footways and street lighting
 - Scheme to secure the provision of 23 parking spaces
 - Education provision: £25,000 to fund improvements at Milton St Johns School
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within a reasonable period of the resolution to grant planning permission;
- (iii) That Officers are afforded discretion to amend the wording of any conditions; and,
- (iv) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED subject to the following conditions:

Planning Conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

2234-PL-700-02 Location Plan rev 2
2234-PL-700-01 Proposed Site Plan rev 7
2234-PL-700-06 Developable Area
2234-MG-SE-700-01 Site Section
2234-MG-SE-700-02 Site Section
2234-A-PL-200-01 The Elmstead - Proposed Plans rev 1
2234-B-PL-200-01 The Bromley - Proposed Plans rev 1
2234-C-PL-200-01 The Tilbury - Proposed Plans
2234-D-PL-200-01 The Oakley - Proposed Plans rev 1
2234-E-PL-200-01 The Westcliff - Proposed Plans rev 1
2234-PL-A-200-00 Single Garage Overview rev 1
2234-A-EL-200-01 The Elmstead - Proposed Plans
2234-B-EL-200-01 The Bromley - Proposed Plans
2234-C-EL-200-01 The Tilbury - Proposed Plans
2234-D-EL-200-01 The Oakley - Proposed Plans
2234-E-EL-200-01 The Westcliff - Proposed Plans
2234-VS-200-01 V1 House Type A
2234-VS-200-02 V2 House Type B
2234-VS-200-03 V3 House Type C
2234-VS-200-04 V4 House Type D
2234-VS-200-05 V5 House Type E
2234-VS-200-06 V6 Site Overview
0535-PLI-ZZ-GF-DR-L-0300 Tree Retention / Removal Plan
0535-PLI-ZZ-GF-DR-L-0120 Proposed Site Plan (landscaping) P01
Soft Landscape and Ecological Enhancement P01
3453-SHD-00-ZZ-DR-C-0001 Proposed Levels P4
3526-SHD-00-ZZ-M3-C-0002 Drainage Strategy Plan P1
3526-SHD-00-ZZ-M3-C-0003 Overland Flood Flow Routes P1

Reports:

5789.01 TS JUL 18 Tree Survey R8
Design and Access Statement REV 1
Brookfields Construction Management Plan Construction Management Plan Rev 1
Methodology & Construction Management plan REV 2
Planning Addendum & Update 01/10/20
Economic Benefits Summary Statement
Planning Statement
Statement of Community Involvement
Crime Impact Statement 19-0237 Carrhill Road
MG.5789.TSR.JUL18 Tree Survey Report
Brookfields Ecological Appraisal
Environmental Noise Study R1640-REP01-JR
MC/18618/TS/00 Transport Assessment
SCP_18618_TS Addendum November 19 Transport Statement Addendum
C19462 Phase 1 Desktop Study Phase 1 Desktop Study - C19462 Rev A
18056 ReV A Full Land Stability Report Land Stability Assessment rev A

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance

- 3) Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) The car parking indicated on the approved plan 2234-PL-700-01 Proposed Site Plan rev 7 shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. The areas shall be maintained and kept available for the parking of vehicles at all times.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 5) No work shall take place in respect to the construction of the approved highway, as indicated on the approved site plan, 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 and implementation plan of all highway works
2. Wheel Washing Facilities;
3. Provisions for Staff/Visitor parking;
4. Temporary access and turning facilities;
5. Surface and drainage details of all carriageways and footways;
6. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase;
7. Details of an Approval in Principle must be obtained for the proposed retaining wall/culverted watercourses shown on the approved plan including reinstatement of the retaining wall at Stamford Road for temporary works and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, (note this does not define adoption of the asset but merely the design constraints should they be approved by the LHA.)
8. Full construction details relevant to surfacing, signage, lighting and hand rails to PRow MOS/81;
9. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas;
10. Details of carriageway markings and signage; and
11. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance.

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.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 6) The phasing of highway improvement works to Spring and Archer Street required by condition 5 shall be completed within the first phase of the development within a strict time scale to be agreed in writing with the Local Planning authority. Approval to the phasing shall be agreed prior to the commencement of development.

Reason: To mitigate the impacts of the development in the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 7) The car parking spaces to serve each dwelling as part of the development hereby approved shall be laid out as shown on the approved site plan prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 8) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 9) Notwithstanding the details shown on the approved plans, prior to the commencement of development above ground level, details of traffic calming measures to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Scaled plans showing the exact locations in which the traffic calming measures are to be installed;
- Scaled section plans showing the dimensions of each of the traffic calming measures to be installed; and
- Details of the construction materials and finish of the traffic calming measures to be installed.

The traffic calming measures shall be installed in accordance with the approved details, prior to the internal highway is opened up to the general public and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 10) As indicated on the approved plan, prior to the first occupation of the development hereby approved each house shall be provided with an electric vehicle charging facility. The specification of the charging points installed shall:
 - i. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);

- ii. have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
- iii. be fitted with a universal socket (known as an untethered electric vehicle charge point);
- iv. be fitted with a charging equipment status indicator using lights, LEDs or display;
- v. a minimum of Mode 3 or equivalent.

Reason: In the interests of sustainability to promote reduced carbon transport.

- 11) Prior to occupation details of a residential Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan along with any relevant monitoring techniques shall be implemented to the satisfaction of the local Planning Authority prior to occupation of any part of the development.

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans

- 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 13) Development shall not commence until 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 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.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

- 14) No development shall take place until detailed drainage details have been submitted for approval in writing to the Local Planning Authority the details shall include:
- (a) That foul and surface water shall be drained on separate systems unless otherwise agreed with the utility provider.
 - (b) Submission of full foul and surface water drainage details including CCTV surveys and assessment of existing culverts and sewer diversions as deemed necessary
 - (c) a scheme to reduce surface water run-off by a minimum of 30% and a programme of works for implementation.

Thereafter no part of the development shall be occupied or brought into use until the approved scheme has either been fully implemented or implemented within an agreed timescale. The approved scheme shall be retained throughout the life of the development.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

- 15) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing SRM-SHD-00-ZZ-DR-C-0100, Rev P1 which was prepared by Scott Hughes Design Ltd. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.
Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Reason: To ensure proper drainage of the area, in accordance with UDP policy U3 Water Services for Developments and Section 14 NPPF.

- 16) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with policy N7: Protected Species

- 17) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans (0535-PLI-ZZ-GF-DR-L-0300 Tree Retention / Removal Plan) and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity.

- 18) Notwithstanding any description of boundary treatments and materials listed in the application or detailed on the approved plans, no works shall be undertaken to any retaining walls or features until full details have been provided in writing to the Local Planning Authority. The details shall include specification of all materials, cross-sections and elevation drawing. The approved details shall be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 19) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for shall be submitted to and approved by the Local Planning Authority prior to the occupation of the first dwelling. The landscape management plan shall be carried out in accordance with the approved plan and in accordance with timetable to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 20) Dust suppression equipment in the form of sprinklers or water bowsers shall be employed at the site at all times. During periods of hot or dry weather water suppression shall be undertaken at regular intervals to prevent any migration of dust from the site. All surface water run off associated with the equipment shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway at any time.

Reason: In the interests of air quality and local residential amenity.

- 21) During vegetation clearance an ecological clerk of works will be present to check for evidence of badgers and other potential ecological issues. If a badger sett is found work will cease in proximity to the sett and a badger report produced to assess the potential level of impact to the local badger population and describe any avoidance and or mitigation measures that are required, supplied to and agreed in writing by the LPA.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 22) Prior to any site clearance a reasonable avoidance measures method statement for slow worms shall be supplied to and agreed in writing by the LPA.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 23) Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam, japanese knotweed and rhododendron should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason: in the interests of biodiversity to secure nature improvement.

- 24) No development shall take place until a landscape and environmental management plan has been submitted to and approved in writing by the LPA. The contents of the plan shall include:

- A 5 year management plan for retained habitats demonstrating how the habitats will be put in to good condition;
- A bird box strategy for the site including appropriate bird nesting opportunities both within the retained habitats and the development;

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 25) No development shall commence until full design details of the mitigation measures recommended in the Environmental Noise Study undertaken by Red Acoustics, reference R1640-REP01-JR, dated 29th March 2019, have been submitted to and approved in writing by the Local Planning Authority. 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. Written proof shall be provided to the Local Planning

Authority that all mitigation measures have been installed in accordance with the agreed details.

Reason: To protect the amenities of future occupants from external noise in accordance with UDP policy H10.

- 26) Prior to the completion of the development a scheme shall be submitted to the Local Planning Authority for approval in writing detailing remediation works to the temporary construction access on Stamford Road. The scheme shall take account of the reinstatement of the boundary wall, any highway repairs, levelling and landscaping relevant to the works undertaken. The scheme shall be implemented prior to the completion of the development or in accordance with a timescale to be agreed in writing.

Reason: In the interest of visual amenity and highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 27) The development hereby approved shall be carried in accordance with the measures listed in the Security Strategy (Section 4) of the Crime Impact Statement version A: 18 April 2019 ref 2019/0237/CIS/01 submitted with the planning application and shall be retained as such thereafter.

Reason: In the interests of security local residential amenity.

- 28) A scheme for the Biodiversity Enhancement Measures, as set out in section 4.0 of the Ecological Assessment ref May 2019 by Dunelm Ecology shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter.

Reason: In the interests of biodiversity to raise the biodiversity value of the site.

- 29) The details of an emergency telephone contact number for the site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: In the interests of local residential amenity.

- 30) Unless otherwise instructed by the Local Planning Authority the development shall be constructed in full accordance with the recommendations and working practices detailed within the submitted Construction management Plans: Brookfields Construction Management Plan Construction Management Plan Rev 1 Methodology & Construction Management plan REV 2 throughout the construction of the development.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.