

Application Number 19/00901/FUL

Proposal	Erection of a 4-storey building to provide 2 ground floor retail units and 49 residential apartments, with 13 parking spaces, following the demolition of the existing 2 and 3 storey buildings.
Site	30-38 Old Street, Ashton-under-Lyne
Applicant	Yu Group
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 and any planning permission granted would be subject to a Section 106 Agreement.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a development of a 4 storey building (the fourth floor being accommodation within the roofspace) with 2 retail units at ground floor level, following the demolition of the existing building on the site, which is split between part 2 and part 3 storeys in height.
- 1.2 The scheme has been amended to reduce the level of residential accommodation above ground level from 53 units down to 49. The mix of residential accommodation in the revised scheme would be as follows:
- 41 x 1 bedroom apartments;
 - 6 x studio apartments (treated as 1 bed units for the purposes of compliance with the national space standards); and
 - 2 x 2 bedroom apartments.
- 1.3 The proposed ground floor retail units would have a total floor area of 118 square metres, compared to the 595 square metres of retail space accommodated within the existing vacant building. The proposals would therefore result in a net loss of 477 square meters of retail space and a loss of 190 square meters of office space which forms the extant use of the upper floors of the existing building.
- 1.4 The following documents have been submitted in support of the planning application:
- Air Quality Assessment (Nb. The site is not located within a designated Air Quality Management Area);
 - Heritage Statement;
 - Preliminary Ecological Appraisal;
 - Planning Statement;
 - Transport Statement;
 - Acoustic Assessment;
 - Design and Access Statement; and
 - Residential Market Assessment.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates to 30-38 Old Street in Ashton town centre. The existing building is vacant, formerly a retail unit at ground floor with office and storage accommodation above.

The western portion of the building is 3 storeys in height on the Old Street frontage, the eastern portion reduces to 2 storeys in height. The western end of the building retains traditional proportions in terms of the size of openings above ground floor level but the building has been substantially altered to the detriment of its original character e.g. modern shop front to ground floor and the rebuilding of the central façade of the principal elevation in engineering brick. Modern single storey extensions project from the rear of the original building, towards a car park which forms the northern portion of the application site.

- 2.2 There are narrow alleyways to the east and west of the site which separate the existing buildings from neighbouring properties. The building to the west of the site stands 3 storeys in height, displaying shorter openings at second floor level and detail around the window openings that is characteristic of the traditional buildings in this part of the Conservation Area.
- 2.3 The neighbouring unit to the east of the site is a single storey retail unit, which is adjoined to a 3 storey building further east. Buildings of 2 and 3 storeys with accommodation in the roof stand opposite the site, on the southern side of Old Street. The rear elevations of neighbouring units also face the northern and western boundaries of the existing car park, these units being predominantly 3 storey properties with residential accommodation above ground floor commercial units.
- 2.4 In terms of Unitary Development Plan allocation, the site is located within the designated Ashton Town Centre and is also within the boundaries of the Ashton Town Centre Conservation Area.

3.0 PLANNING HISTORY

- 3.1 97/00135/FUL – Outline planning permission for change of use to Bar/Restaurant – approved 26.11.1997.

4.0 RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation:

Within the designated Ashton Town Centre Conservation Area and the UDP defined Town Centre boundary.

4.2 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;
- 1.7: Supporting the Role of Town Centres;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.11 Conserving Built Heritage and Retaining Local Identity; and
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.3 Part 2 Policies

- S1: Town Centre Improvements;
- S2: New Retail Developments in Town Centres;
- C1: Townscape and Urban Form;
- C2: Conservation Areas;
- C3: Demolition of Unlisted Buildings in Conservation Areas;

C4: Control of Development in or adjoining Conservation Areas;
C11: Shop Fronts;
H2: Unallocated Sites (for housing);
H4: Type, size and affordability of dwellings;
H5: Open Space Provision;
H6: Education and Community Facilities;
H7: Mixed Use and Density;
H10: Detailed Design of Housing Developments;
MW11: Contaminated Land;
MW12: Control of Pollution;
MW14 Air Quality;
N3: Nature Conservation Factors;
N4 Trees and Woodland;
N5: Trees Within Development Sites;
N7: Protected Species;
OL10: Landscape Quality and Character;
T1: Highway Improvement and Traffic Management;
T10: Parking;
T11: Travel Plans;
U3: Water Services for Developments; and
U4: Flood Prevention
U5: Energy Efficiency

4.4 **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 (SPD);
Trees and Landscaping on Development Sites SPD adopted in March 2007;
Tameside Open Space, Sport and Recreation Study (2010); and
Tameside Council Playing Pitch Strategy 2015

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

Section 2: Achieving Sustainable Development;
Section 5: Delivering a sufficient supply of homes;
Section 7: Ensuring the vitality of town centres;
Section 8: Promoting healthy and safe communities;
Section 11: Making Effective use of Land;
Section 12: Achieving well-designed places;
Section 15: Conserving and enhancing the natural environment; and
Section 16: Conserving and enhancing the historic environment

4.6 **Planning Practice Guidance (PPG)**

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

5.0 PUBLICITY CARRIED OUT

- 5.1 Neighbour notification letters were issued and a notice displayed adjacent to the site for 21 days, 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.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to the imposition of conditions covering the following:
- Provision of refuse storage and collection arrangements;
 - Limiting the hours of work during the construction phase of the development;
 - Details of the appearance, screening and specification of any plant/ventilation equipment to be installed on the exterior of the building;
 - Details of a soundproofing scheme to be installed between the ground floor retail units and the first floor residential accommodation; and
 - Compliance with the mitigation measures detailed in the Noise Assessment submitted with the planning application
- 6.2 Greater Manchester Ecology unit (GMEU) – no objections to the proposals or the conclusion of the Bat Survey submitted with the planning application. Conditions limiting the timing of tree/vegetation removal and requiring details of biodiversity enhancements to be submitted and approved are recommended, along with informatives outlining the developer's responsibilities with regards to both protected and invasive species.
- 6.3 Transport for Greater Manchester (TfGM) – no objections to the proposals, acknowledging that the site is in a sustainable location, within close proximity of regular public transport services. Conditions should be attached to any planning permission granted requiring the submission and approval of a Sustainable Travel Plan for the development, details of cycle storage provision and a Traffic Management Plan for the construction phase of the development.
- 6.4 Local Highway Authority – no objections to the amended proposals following consideration amendments to the layout of the scheme. A number of conditions are recommended, as detailed in the main body of the report.
- 6.5 United Utilities - no objections to the proposals subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development.
- 6.6 Lead Local Flood Authority (LLFA) – following the submission of additional information regarding the proposed means of draining surface water from the development, no objections to the proposals subject to the imposition of a condition requiring full details of a sustainable surface water drainage system to serve the development being attached to any planning permission granted.
- 6.7 Greater Manchester Police (Design Out Crime Officer) – no objections to the proposals subject to the imposition of a condition requiring the crime reduction measures detailed in the Crime Impact Statement to be installed prior to the occupation of the development.
- 6.8 Borough Contaminated Land Officer - no objections to the proposals subject to the imposition of a condition requiring an intrusive investigation into potential sources of ground

contamination of the site and the approval of a remediation strategy prior to the commencement of development.

- 6.9 Borough Tree Officer – no objections to the proposal. The existing trees and vegetation to be removed include a line of Lombardy Poplars in the centre of the existing car park. Although these trees are visually significant they are in a poor condition with decay evident at the bases and poorly structured crowns. A replacement landscaping scheme to compensate for this loss should be secured by condition.
- 6.10 Coal Authority – no objections to the proposals. The site is in an area at high risk of the stability issues associated with coal mining legacy. The information provided in support of the application identifies the need for further investigation and a condition to this effect should be imposed on any planning permission granted.
- 6.11 Highways England – no objections raised to the proposals.
- 6.12 Historic England – no comments received.
- 6.13 Greater Manchester Archaeological Advisory Service (GMAAS) – no objections to the proposals and no conditions considered to be necessary.
- 6.14 Natural England - no objections raised to the proposals.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 2 letters of objection have been received to the proposals from neighbouring properties, which raise the following concerns (summarised):
- The proposals will result in a significant loss of car parking. The scheme would see the loss of 32 parking spaces in the rear portion of the site and will introduce a development where at least 50 car parking spaces are required, with only 13 to be provided. This situation will result in congestion in the locality and harm the vitality of the town centre.
 - The Old Cross car park adjacent to the site has 149 spaces but this is full most days.
 - The properties on Market Street currently use the car park in the rear portion of the site to provide access for deliveries. It is not clear how access would be retained to the existing neighbouring commercial units.

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 proposed design and scale of the development on the character of the site and the Conservation Area;
 - 3) The impact on the residential amenity of neighbouring properties;
 - 4) The impact on highway safety;
 - 5) The impact on the ecology and trees;
 - 6) The impact on flood risk/drainage; and
 - 7) Other matters

9.0 PRINCIPLE OF DEVELOPMENT

- 9.1 Section 7 of the NPPF is entitled 'Ensuring the vitality of town centres.' Paragraph 85 of the NPPF states that 'planning policies and decisions should support the role that town centres

play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.’ The same paragraph goes on to state that there is a need to ‘recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.’

- 9.2 UDP policies S1 and S2 support the role that retail development has in maintaining the vitality and viability of town centres and encourage new development that improves the quality of the environments in these allocated areas.
- 9.3 Whilst the scheme does result in the net loss of some retail space, it would maintain a retail frontage to Old Street and would replace what is currently a vacant unit. The ground floor units would therefore return the site to viable retail use and allow employment opportunities to be generated. Like the retail use at ground floor level, the office space within the existing building has been vacant for an extended period and therefore the replacement of this space with a viable new use is considered to enhance the vitality and viability of the town centre.
- 9.4 The 49 units of residential accommodation within the scheme would significantly increase footfall in this part of Ashton and given the range of services and facilities available within walking distance of the site, including regular public transport services, the site is considered to be an appropriate location for housing as per the requirements of paragraph 85 of the NPPF quoted above.
- 9.5 In relation to the type of accommodation proposed, each of the units would be self-contained dwellings but would be designed as single occupancy units as opposed to family dwellings. The application has provided a Residential Market Assessment of Ashton town centre, produced by Roger Hannah, in support of the application. The Assessment identified 2 schemes within close proximity of the town centre which it considers to be aimed at a similar market to the proposed development, although Oakglade House on Booth Street was not in a habitable state at the time that the Assessment was written.
- 9.6 The Assessment concludes that there are very limited opportunities to purchase 1 bedroom apartments in the town centre. Conversely, the report identifies a high level of demand, particularly for rented accommodation in this location, with demand from students and young professionals being driven by the ease of access to Manchester city centre. The conclusions of the Assessment are considered to be corroborated by the adopted Housing Needs Assessment, which identifies first time buyers as a key purchasing group within Ashton. The fact that the scheme has been amended to accord with the national minimum space standards ensures that this evidence of demand for suitable accommodation can be given positive weight in the determination of the application.
- 9.7 In relation to the density of development, paragraph 122 of the NPPF states that ‘planning policies and decisions should make efficient use of land, taking into account:
 - a) the identified need for different types of housing and other forms of development, and the availability of land for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- 9.8 Paragraph 123 states that ‘where there is an existing.....shortage of land for meeting identified housing needs (as is currently the case in Tameside), it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

9.9 The site measure 0.16 hectares. The density of development therefore equates to approximately 312 dwellings per hectare. Policy H7 of the UDP refer to a range of densities of between 30 and 50 dwellings per hectare as a general target across the Borough, with higher densities being appropriate in locations close to public transport links, such as this site. The recently published Strategic Housing and Economic Land Availability Assessment (SHELAA) gives an indicative density of 150 dwellings per hectare for apartment schemes in locations such as this, based on TfGM's Greater Manchester Accessibility Levels dataset.

9.10 Clearly the proposed density is substantially higher than that indicated in the SHELAA but given that there is demonstrable demand for the smaller units of accommodation proposed, it is considered that the development is capable of meeting the definition of sustainable development as set out in the NPPF, so long as all material considerations are satisfied

9.11 Following the above assessment, the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10.0 CHARACTER OF THE CONSERVATION AREA

10.1 Section 16 of the NPPF is entitled conserving and enhancing the historic environment. Paragraph 192 states that Local Planning Authorities should take into account the following when assessing applications affecting heritage assets (such as Conservation Areas):

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

10.2 For the reasons explained in the following paragraphs, officers consider that the demolition of the existing building would lead to less than substantial harm to the character of the Conservation Area (as opposed to causing substantial harm). Paragraph 196 of the NPPF states that 'where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...'

- 10.3 UDP policy C2 of the UDP echoes the requirements of the NPPF that new development must preserve or enhance the character of Conservation Areas. Policy C3 relates to the demolition of unlisted buildings within Conservation Areas (as would be the result of this proposal) and states that 'Demolition of unlisted buildings within Conservation Areas which make a positive contribution to the character or appearance of the area will not be permitted (unless exceptional criteria apply)...Where unlisted buildings within Conservation Areas make no positive contribution to the character or appearance of the area, demolition will only be permitted if this will be followed...by a development scheme that would make a greater contribution to the character or appearance of the area.'
- 10.4 The existing building is considered to have a neutral impact on the character of the Conservation Area. The openings on the upper floors of the building where original brickwork remains do display the proportions characteristic of the traditional red brick buildings in this part of the Conservation Area.
- 10.5 However, the windows themselves are modern replacements, the shop front at ground floor level is modern and the depth of the signage incongruous with the relatively plain and brick dominated form of the original building. The quality of the façade of the principal elevation has also been severely weakened by a section of repair in modern engineering brick and the fact that the replacement windows in this part of the elevation do not match the proportions of the openings where the original brickwork remains further erodes the contribution that the building makes to the character of this part of the Conservation Area.
- 10.6 The large single storey rear extensions detract from the character of adjacent buildings constructed from traditional materials and present a low quality environment to views of the site from Swan Street to the east.
- 10.7 It is therefore considered that the redevelopment of the site presents an opportunity to create a development that would have a more positive impact on this part of the Conservation Area. In line with the requirements of both national and local planning policy, the design quality and public benefits brought about by the proposed scheme must be sufficient to justify the demolition of the existing building.
- 10.8 The scheme has been amended during the course of the application to simplify the treatment of the building and improve its relationship with the adjacent traditional buildings. The roof form to the Old Street elevation has reverted to a traditional gabled pitched roof. Although now taller than the neighbouring building in close proximity to the west of the site, the degree of difference is considered not to unbalance the rhythm of the street or have an overbearing impact on the character of this part of the Conservation Area, given the detached nature of the development.
- 10.9 It is also the case that views looking down Old Street (in either an easterly or westerly direction) would place the proposed development opposite a building which has an elaborately designed second floor level. The more regular design of the proposed building would allow the scale of development not to compete with or appear incongruous with adjacent development. The addition of dormer windows on the Old Street elevation of the building would not result in a detrimental impact on the character of the Conservation Area, with windows of similar proportions evident on adjacent buildings. The alignment of the dormer windows has been revised to line through with the openings on the front elevation of the building, further reducing the prominence of the additions to the roof space.
- 10.10 The provision of an active frontage along the western boundary of the site would provide a higher quality interaction with the footway that links to Swan Street, which runs parallel with the western boundary of the site than is achieved by the current situation on the site. Planning permission remains extant for a 2.5 storey development on the land on the eastern side of this footway but that would present a blank gable to the opposite side of the footway, enhancing the importance of activity generated by the proposed development in regenerating

this part of the Conservation Area. The bulk of this 'wing' of the proposed development has been reduced by the recession of the mansard roof back from the main elevations of the building.

- 10.11 The gable feature on the eastern elevation of that wing of the building would emphasise the entrance to the residential units but would sit marginally below the ridge height of the elevation that fronts onto Old Street. This is considered to be an important element of the design, emphasising the Old Street elevation as the tallest part of the building.
- 10.12 The western elevation (facing the courtyard area to be retained between the building and the rear elevations of the properties further west) has been amended to present a more regular form. This has coincided with a reduction in the amount of living accommodation on that side of the building, to ensure that adequate separation distances are retained to neighbouring properties.
- 10.13 The level of harm attributed to the loss of the building is considered to be limited due to the fact that, in the view of officers, the existing development has a neutral as opposed to a positive impact on the character of the Conservation Area. Nevertheless, demolition would result in a degree of harm as the original frame of the building still stands. This harm is considered to be outweighed by the public benefits associated with the regeneration of the site and this part of Ashton town centre.
- 10.14 The existing site and a number of neighbouring units are vacant. This indicates that there is a significant threat to the vitality of this part of the town centre and the consequent impact is evident in the poor quality/short term nature of the repairs to buildings such as those evident at the application site. This has a cumulatively detrimental impact on the character of the Conservation Area and weakens the significance of the heritage asset. The comprehensive redevelopment of the site with a viable retail and residential use with a development that has a positive impact on the character of this part of the Conservation Area would therefore achieve a public benefit that outweighs the limited harm arising from the demolition of the existing buildings.
- 10.15 GMAAS has been consulted on the application and has not raised any objections to the demolition of the existing buildings on the site, confirming that the redevelopment of the site would not result in a detrimental impact on the archaeological significance of this part of the Conservation Area. No conditions are therefore considered to be necessary in this regard.
- 10.16 Following the above assessment, it is considered that the amended proposals would achieve the requirements set out in UDP policies C3 and C4 and Section 16 of the NPPF as quoted above.

11.0 RESIDENTIAL AMENITY

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with a habitable room and a corresponding blank elevation. An additional 3 metres should be added to these distances for each additional storey where buildings are taller than 2 storeys in height.
- 11.2 The most sensitive relationships are considered to be the separation distances between the northern and western elevations of the rear 'wing' of the proposed building and the corresponding rear elevations of the neighbouring properties. In relation to the properties to north, the separation distance to be retained across the vehicular access into the rear courtyard area would be approximately 13.85 metres.

- 11.3 The northern elevation of the proposed building would be blank. There are, however, habitable room windows in the corresponding elevation of the adjacent property, which is 3 storeys in height. Whilst the proposed building would have accommodation at first floor level, that level would be recessed behind the main 3 storey brick elevation and as such is considered reasonable to take the relationship as being 3 storey buildings facing each other.
- 11.4 The separation distance to be retained does not meet the 17 metres required where elevations directly face each other. There are however considered to be mitigating factors in this case. Firstly, the existing terrace of buildings to the north angles away from the application site, creating an oblique relationship between the proposed building and affected neighbouring property. There is also an established tree within the curtilage of that neighbouring property which provides a significant screen to views from that property into the application site. Given these factors, it is considered that the separation distance to be retained in that relationship would be sufficient to preserve the residential amenity of that neighbouring property.
- 11.5 A separation distance of approximately 24 metres would be retained between the western elevation of the building and the corresponding rear elevations of the properties to the west, excluding the ground floor offshots to the rear of those neighbouring properties. Those properties all have commercial uses at ground floor level and the accommodation in the roof of the proposed scheme would be recessed behind the main elevation of the building.
- 11.6 It is therefore considered reasonable to apply a 24 metre separation distance when assessing the impact of the proposed development on the residential accommodation within the upper 2 floors of those existing neighbouring properties. The separation distance to be retained where habitable room windows face each other in this relationship would therefore meet the requirements of the RDG and would prevent unreasonable overlooking into or overshadowing of those neighbouring properties.
- 11.7 The proposed residential unit labelled 3.1, on the third floor of the proposed building includes a bathroom window facing the corresponding elevation of the property to the west and windows serving the stairwell would also facet that neighbouring property. It is considered reasonable to ensure that all of those windows are obscurely glazed to prevent unreasonable overlooking into that neighbouring property. The existing building on the application site extends rearwards in very close proximity to that neighbouring property and as such, the scheme is considered not to result in detrimental overshadowing of that neighbouring property.
- 11.8 The proposed development would follow a very similar front building line to the existing situation, with the established tree within the footway to be retained. The separation distance to the neighbouring property on the opposite side of the street would therefore be very similar to the existing arrangement. Whilst the dormer windows would allow a degree of overlooking from the third floor level of the proposed development, this would not cause harm to the amenity of neighbouring residents given the established dense pattern of development on Old Street, which is typical of this town centre location.
- 11.9 The corresponding side gable elevations of the properties to the east are blank and an oblique relationship would be retained between the rear 'wing' of the proposed development and the rear elevations of those neighbouring properties. These factors and the separation distances to be retained ensure that the proposed development would not result in any unreasonable overlooking into or overshadowing of those neighbouring properties. As previously mentioned, there is an extant permission for residential development to the rear of those neighbouring units. However, the western elevation of that scheme would be blank and therefore no unreasonable opportunities would exist for overlooking into or overshadowing of those properties, should that extant scheme be built out.

- 11.10 The scheme has been amended to remove accommodation from the southern end of the rear wing of the building following concerns expressed by officers regarding the separation distance to be retained between the western elevation of the scheme and the corresponding elevation of the building to the west of the site. Following this amendment and the reduction in the number of units so that each dwelling meets the 37 square metres floor area required by the national technical space standards for a 1 bedroom unit and 61 square metres for 2 bed units, it is considered that the residential amenity of future occupiers of the development would be preserved.
- 11.11 On the basis of the above assessment, the proposals are considered to preserve the residential amenity of neighbouring properties and the amenity of the future occupants of the development.

12.0 HIGHWAY SAFETY

- 12.1 Vehicular access into the proposed development would be via the current point of access into the existing car park in the northern portion of the site, which connects to Swan Street. The existing entrance would be narrowed but would still be wide enough (approximately 4.5 metres at the narrowest point) for 2 cars to pass each other, exceeding the minimum 4.1 considered to be necessary by the guidance contained within Manual for Streets. The Local Highway Authority has not raised any objections to the proposed access arrangements.
- 12.2 A Transport Statement (TS) has been submitted in support of the planning application. Using TRICS modelling, the TS considers that the number of 2-way trips by car would not exceed 12 per hour during peak periods. This figure has not been challenged by either TfGM or the Local Highway Authority. This relatively low figure accounts for the size of the accommodation but also the very close proximity of regular bus and train services to and from Manchester city centre and a number of other destinations.
- 12.3 The scheme proposes 13 car parking spaces. Policy RD8 of the adopted RDG recommends 1 parking space per 1 bedroom property, although indicates that 0.5 spaces per unit may be acceptable within Ashton town centre. Car parking provision should average out at 1.5 spaces per 2 bedroom unit in this location, according to policy RD8.
- 12.4 The provision of 13 car parking spaces clearly falls below the lower end of the policy requirement. This site is within the very centre of the allocated town centre boundary. Bus, tram and railway stations are all under a 10 minute walk from the site and the scheme would exceed the level of secured cycle parking provision for each of the dwellings required by RD8 (66 to be provided). Given these factors, it is considered that the level of car parking provision is sufficient to avoid a harmful impact on highway safety, accommodating the projected level of trip generation. This assessment is corroborated by the lack of objection from the Local Highway Authority.
- 12.5 It is acknowledged that the scheme will result in the loss of the entire public car park currently provided within the northern portion of the site and that no provision is made for staff or customers of the retail units. However, information produced by the applicant indicates that there is capacity within the existing car parks within the town centre to accommodate the loss, without affecting the vitality of the town centre.
- 12.6 The number of regular public transport services that allow connection to and from other parts of the Borough to Ashton town centre must be weighed against any harm arising from the loss of public car parking spaces. The availability of alternative modes of transport and capacity within adjacent car parks indicate that no significant harm would arise from the lack of provision of car parking for staff and customers of the retail units.

- 12.7 The concerns expressed regarding access to the rear of the commercial units to the south west, north and west of the site are noted. However, the existing car park has a row of spaces along both the northern and western edges of the site. In a situation where each of these spaces was taken, deliveries to the rear of those units would be restricted as the car park does not include a designated delivery area to the rear of those units. The proposals would not make this situation materially worse and it must be considered that the right of access over private land (the entire application site being within the control of the applicant) is a civil matter and not a material planning consideration.
- 12.8 Both TfGM and the Local Highway Authority have recommended that a condition requiring the submission and approval of a Sustainable Travel Plan to serve the development. Given the extent of the deficit of car parking provision proposed against the standards in the RDG, it is considered important that the opportunities afforded by the close proximity of regular public transport services are maximised. Such a condition is therefore attached to the recommendation.
- 12.9 Following the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety, subject to the imposition of appropriate conditions.

13.0 ECOLOGY AND TREES

- 13.1 As the scheme involves the demolition of the existing buildings on the site, any potential impact on protected species during this process must be given consideration. The applicant has submitted a Preliminary Ecological Appraisal of the site. The conclusion of the Appraisal is that the existing buildings have low potential for roosting bats, with no evidence of recent bat activity recorded during the survey. The trees within the site and the immediate surrounding area were considered to be of low quality in terms of foraging habitat. As such, no specific mitigation measures in this regard are considered necessary by the Appraisal.
- 13.2 The Appraisal highlights records of badger setts being present within 1km of the site and suggests a number of precautionary measures to be employed during the construction work. Mitigation measures in relation to the protection of nesting birds during the construction phase are also proposed. Compliance with all of these mitigation measures can be secured by condition.
- 13.3 GMEU has reviewed the findings of the Appraisal and has not raised any objections to the proposals. Conditions limiting the timing of tree/vegetation removal and requiring details of biodiversity enhancements to be submitted and approved are considered to be necessary and are attached to the recommendation. On the advice of GMEU, Natural England (NE) was consulted on the planning application. Their response confirms that NE do not wish to make any comments on the proposals.
- 13.4 Informatives outlining the developer's responsibilities with regards to both protected and invasive species can also be attached to any planning permission granted.
- 13.5 In relation to the impact on trees, an Arboricultural Impact Assessment (AIA) has been submitted in support of the planning application. The existing trees and vegetation to be removed include a line of Lombardy Poplars in the centre of the existing car park. Although these trees are visually significant, the Borough Tree Officer concurs with the findings of the AIA that they are in a poor condition with decay evident at the bases and poorly structured crowns and raise no objections to the proposals. Details of a replacement planting scheme and details of management of the new planting can be secured by condition and such conditions are attached to the recommendation.

14.0 FLOOD RISK/DRAINAGE

14.1 The applicant has submitted a Flood Risk Assessment and Drainage Strategy. The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The applicant has provided further details of the surface water run off rates and details of an indicative drainage strategy for the site, to satisfy the initial concerns of the LLFA. United Utilities has not raised any objections to the proposals, subject to the imposition of conditions requiring surface and foul water to be drained from the site via different mechanisms and the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development. These requirements are combined into one of the conditions attached to the recommendation.

15.0 OTHER MATTERS

15.1 In relation to designing out crime, the applicant has submitted a Security and Access Statement with the revised proposals. The Statement highlights the outward facing nature of the scheme (which provides natural surveillance of the adjacent highways) as a security benefit and details the type of physical security measures to be designed into and installed within the scheme. The overlooking of the footway that runs along the eastern edge of the site, connecting Swan Street to Old Street is a particular advantage of the scheme in this regard as that footway is currently not directly overlooked at close distance.

15.2 The GMP Designing Out Crime Officer has reviewed the content of the Statement and has raised no objections to the proposals but does comment that an official Crime Impact Statement should be submitted. Given the design of the scheme and the crime reduction information provided, it is considered that the Local Planning Authority has sufficient information to demonstrate that the development would not result in increased opportunities for crime, as required by the NPPF.

15.3 As such, it is considered reasonable to condition the submission and approval of a Crime Impact Statement prior to the commencement of development and evidence that Secured by Design status has been achieved, prior to the first occupation of the development. Such a condition is attached to the recommendation.

15.4 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 56 of the NPPF):

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

15.5 The applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. A contribution of £40,764.24 is to be secured towards improvements to the facilities at Ashton War Memorial Gardens and environmental improvements to the public open space within Ashton town centre.

15.6 A contribution of £11,297.92 is required to mitigate the impact of the development on highway capacity. This funding would contribute to a wider scheme to enhance pedestrian and cycleway facilities within Ashton Town Centre, with some funding secured via the Mayors Challenge fund. This enhancement is considered to mitigate the impact of the development on the capacity of the highway network and enhance opportunities for the use of more sustainable modes of transport than the private car by future occupants of the development.

15.7 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the limited amenity space to be provided on site and the additional traffic to be generated by 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.

- 15.8 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. Given that the scheme would be 100% apartments, with the vast majority being one bedroom in size, officers consider that it highly unlikely that the scheme would yield substantial numbers of occupants that are of school age. As such, a contribution in this regard is considered not to be necessary to make the scheme acceptable in planning terms and would therefore be contrary to the CIL regulations. On that basis, a contribution towards the improvement/expansion of education provision is not being secured as part of the recommended Section 106 package.
- 15.9 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 latest version of the NPPF came into force in February 2019. 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.
- 15.10 Given that the NPPF is significantly more recent than the UDP policy and that the Council has an up to date evidence base to require a level of affordable housing provision at 15% across developments of the scale proposed, officers consider that the 15% affordable housing requirement should apply. It is acknowledged that the type of accommodation proposed does limit the practicality of on-site provision (split management arrangements for example) and as such, an equivalent financial contribution is also considered to be a reasonable option in this case.
- 15.11 External consultants were appointed to advise the Council on the value of a financial contribution for offsite provision in lieu of the 15% on site provision. The conclusion of that exercise was that a contribution of approximately £400,000 should be sought.
- 15.12 The applicant submitted a viability appraisal in response to the Section 106 contribution requests, indicating that the scheme would be unviable if any contributions were added to the build costs. This appraisal has been scrutinised by external consultants and this process identified discrepancies in relation to the benchmark land value and the costs associated with demolition of the existing buildings on the site. These discrepancies totalled £203,450.
- 15.13 The appraisal did however identify a profit margin of only 5% as a return to the developer. This is substantially below the 15-20% range set out in the PPG as a reasonable return that should be assumed during the plan making process. The plan making and decision taking are different stages of the planning process. However, the low profit margin identified in this case does suggest that viability is a challenge on this brownfield site, as the cost and value assumptions used by the applicant are considered to be reasonable. It is also the case that the Vacant Building Credit should be applied to the affordable housing contribution sought, as whilst the site is vacant, it is considered that the extant use has not been abandoned.
- 15.14 In light of these considerations, officers have negotiated an initial contribution of £49,937.84 towards off-site affordable housing provision as a minimum (this sum to be paid prior to the full occupation of the development), with up to £101,450 additional funding being secured by an overage arrangement, depending on the sales values achieved. This is in addition to the offsite open space and highways contributions outlined above.

- 15.15 The overage clause will kick in if sales values exceed the assumptions made in the applicant's viability appraisal. The Council will receive 50% of the additional sales values up to a ceiling figure of £203,450, which is the total sum of the discrepancies within the applicant's original appraisal, as identified by the external consultants. At 50%, the overage rate is relatively high. Officers consider this to be appropriate balance between securing the regenerative benefits of the scheme, whilst at the same time securing social benefits.
- 15.16 The Borough EHO has not raised any objections to the proposals, subject to the imposition of a number of conditions. Indicative details of an area for communal refuse storage are shown on the proposed site plan adjacent to the northern boundary of the site. Exact details of the capacity of the bins to be provided and the means of enclosure of the communal storage area can be secured by condition.
- 15.17 An Acoustic Assessment has been submitted in support of the planning application. The report concludes that appropriately rated acoustic glazing with localised mechanical and passive ventilation systems would allow the development to comply with the internal noise levels set out in BS 8233:2014. The Assessment highlights that the principal elevation of the proposed building (facing Old Street) would be the most affected by external noise sources. A number of outline recommendations are made to mitigate the external noise impacts identified.
- 15.18 The EHO has not raised any objections to the conclusions of the assessment, but notes that specific details of the mitigation measures to be employed to preserve the amenity of future occupiers are required. A condition requiring this further information, along with conditions requiring the submission and approval of details of any plant/ventilation equipment to be installed on the exterior of the building and a soundproofing scheme to mitigate the impact of noise generated by the ground floor retail uses on the residential units above are attached to the recommendation. Given the close proximity of adjacent properties, it is considered reasonable to attach a condition limiting the hours of work during the construction phase of the development.
- 15.19 In relation to ground contamination, a Phase I Assessment has been submitted in support of the planning application. The Assessment highlights the brownfield nature of the site and concludes that intrusive investigations need to be undertaken to inform what remediation works may be necessary. The Contaminated Land Officer has reviewed the finding and has not raised any objections to the proposals, subject to the imposition of a condition requiring the undertaking of this intrusive investigation and the submission of a remediation strategy prior to the commencement of development. Such a condition is attached to the recommendation.
- 15.20 The site is located within an area identified as being at high risk in relation to the lands stability issues caused by coal mining legacy. This matter is covered in the above report submitted with the planning application. The information provided in support of the application identifies the need for further investigation. The Coal Authority concurs with this conclusion and recommends that a condition to this effect should be imposed on any planning permission granted. Such a condition is attached to the recommendation.
- 15.21 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and pedestrian connection to public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points and a condition requiring details of these facilities is attached to the recommendation.

16.0 CONCLUSION

- 16.1 The proposals would result in the demolition of the existing buildings on the site, which is located within the Ashton Town Centre Conservation Area. For the reasons discussed in detail in the main body of this report, it is considered that the existing buildings have a neutral impact on the character of the Conservation Area and that the amended scheme meets the policy requirement of securing a replacement development that would have a more positive impact on the designated heritage asset.
- 16.2 The scheme would result in a net reduction in retail space. However, the retail unit that forms the ground floor level of the existing building is vacant and it is evident that there are a number of inactive commercial uses in this part of the Conservation Area. As such, the erection of smaller retail units in the revised scheme would enhance the vitality and viability of this part of the town centre and would therefore be acceptable in principle.
- 16.3 The scheme has been amended to simplify the design of the roof form of the element of the building that would front onto Old Street, ensuring that the proportions of the building would respond to the regular design of the traditional buildings in this part of the Conservation Area. The recession of the mansard roof at third floor level in the northern portion of the building has reduced the bulk of that element of the scheme. The ridge height of the element of the building that would front on to Old Street would be the tallest part of the building, ensuring that the hierarchy of the scale of buildings in this part of the Conservation Area would be respected.
- 16.4 The amended scheme would preserve the residential amenity of neighbouring properties and also the future occupiers of the development. In relation to highway safety, the access arrangements are considered to be satisfactory and the level of car parking provision is considered to be sufficient given the highly sustainable nature of the location, with 3 regular forms of public transport as well as a range of services and facilities within a short walk of the site.
- 16.5 It is considered that all other material considerations can be satisfied through the imposition of conditions, where appropriate, as detailed in the main body of the report. The value of financial contributions to be sought via a Section 106 agreement is considered to be appropriate given the viability constraints presented by this brownfield site. The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject to the following:

- a) The prior completion of a deed of a Section 106 Agreement to secure the following contributions:
- £40,764.24 towards improvements to the facilities at Ashton War Memorial Gardens and environmental improvements to the public open space within Ashton town centre;
 - A contribution of £11,297.92 towards enhancements to pedestrian and cycleway facilities within Ashton Town Centre;
 - £49,937.84 contribution towards off-site affordable housing provision as a minimum, with up to £101,450 additional funding depending on sales values (as detailed in the main body of the report); and
 - Management arrangements for surface water drainage and areas of public space within the development.
- b) 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. NP/10136/100);
Proposed site plan (Drawing no. NP10137 113 Rev. C);
Proposed northern and western elevations plan (Drawing no. NP10137 121 Rev. C);
Proposed eastern and southern elevations plan (Drawing no. NP10137 120 Rev. B);
Proposed level 3 and roof plan (Drawing no. NP10137 112 Rev. E); and
Proposed floor plans (Drawing no. NP10137 115 Rev. E)

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.

4. 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 and methodology for an investigation to determine the potential for the site to be affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority;
 - 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 coal mining legacy issues 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.

5. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls (including retaining walls), fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site (drawing no. NP10137 113 Rev. C) prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
7. Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be fully installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
8. 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.
9. Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.
10. 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;
 - 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.

11. The approved soft landscaping scheme to serve the development 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.
12. 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.
13. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
14. 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 plan of highway works;
 2. Surface and drainage details of all carriageways and footways;
 3. 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;
 4. 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; 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.

15. Notwithstanding the details submitted with the planning application, no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - scaled plans showing the elevations of the development into which noise attenuation are to be installed;
 - manufacturer's specifications of the glazing and trickle vent to be installed within the openings of the units in the above locations.

- Details of the appearance, screening and specification of any plant/ventilation equipment to be installed on the exterior of the building; and
- Details of a soundproofing scheme to be installed between the ground floor retail units and the first floor residential accommodation.

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.

16. No development above ground level shall commence until a Crime Impact Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail the specific crime prevention measures to be installed as part of the development to ensure that the scheme achieves the requirements of the document Secured by Design Homes 2016 or guidance which supersedes that document. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
17. No development above ground level shall commence until details of an electric vehicle charging strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.
18. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.
19. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4 metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.
20. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
21. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
22. No development shall commence until plans at a scale of 1:20 of the window openings (including details of the surrounding cladding) to be installed on the elevations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a section plan showing the thickness of the frames and the depth of the recess of the frames from the outer face of the host elevation. The development shall be carried out in accordance with the approved details and retained as such thereafter.
23. Prior to the commencement of any development, protection measures meeting the requirements of BS5837:2012 shall be installed around the trees to be retained on the site

and adjacent to the boundaries of the land. The protection measures shall be retained in place for the full duration of the construction works.

24. Notwithstanding the details illustrated on the approved plans, prior to the first occupation of any part of the development hereby approved, details of secured cycle storage 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 location of the storage and details of the means of enclosure. The secured cycle storage shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
25. Prior to the first occupation of any part of the development hereby approved, a Sustainable Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include specific measures to be implemented to encourage trips to and from the site via alternative modes of transport to the private car. The measures shall be implemented in accordance with the approved details following first occupation of the development and shall be retained as such thereafter.
26. All of the windows in the western elevation of the stairwell space (as shown on approved drawing no.s NP10137 112 Rev. E and NP10137 115 Rev. E) and the window in the western elevation of the bathroom of unit 3.1 (as labelled on drawing no. NP10137 115 Rev. E) within the development hereby approved shall be fitted with obscured glazing (meeting Pilkington Level 3 in obscurity as a minimum) and shall be non-opening below a height of 1.7 metres above the ground floor level of the room/space that they serve, prior to the first occupation of any part of the development. The development shall be retained as such thereafter.