

Proposal: Erection of five dwellings

Site Address: Land To The Rear Of Kenyon Lane Middleton M24 2DR

Applicant: Mr CHRIS TATE

Agent: Mr ROBERT DEBORSEY
DEBORSEY CONSULTANCY LTD

RECOMMENDATION: Grant subject to conditions



DELEGATION

The application was previously considered by the Middleton Township Planning Sub-Committee on 28th September 2016 as more than four objections had been received and the application represented a departure from the Development Plan.

Members of the Middleton Township Planning Sub-Committee deferred the application in order that the potential for car parking measures for existing residents to be included within the site could be explored. The applicant has since confirmed that this cannot be accommodated on the site.

SITE

The application relates to an area of land to the east of Kenyon Lane in Middleton, labelled as 'allotments' on the Ordnance Survey map for the area, however the site is not designated as such on the Unitary Development Plan Proposals Map. The site at present is overgrown with scrub, is not a registered allotment site and no longer appears to function as such.

The site is bounded to the west by a narrow alleyway which provides access to the rear of the two-storey terraced properties fronting Kenyon Lane. To the north is an adjacent area of allotments which falls outside of the area for development and contains a number of garage structures. To the north east are neighbouring dwellings on Collinge Avenue and to the south east is Portal Court, a sheltered housing complex of 42 flats for the elderly.

The site benefits from two access routes from the adopted highway of Kenyon Lane - Rose Street to the north west and Lily Street in the south west corner of the site; neither of the access routes are adopted. Both routes are unmade, with no apparent registered owner. As such, the applicant has completed the requisite Certificate D on the application form.

PROPOSAL

The application proposes the development of the site with five detached dwellings. The site would effectively be formed of two distinct sections; plots 1 to 4 would be accessed via Rose Street (terminating in a T-shaped turning head) whilst plot 5 would be accessed directly via Lily Street.

Plots 1 & 2 would be house-type 2/B, constituting a two-storey dwelling with a dual-pitch gable roof to a maximum height of 8.7m at the ridge and 5m at the eaves. The buildings feature a stepped design, with the integral garage section being approximately 0.4m lower at the ridge line. The dwellings feature a front porch at ground floor level and a two-storey projecting pike gable feature. Internally the dwellings comprise at ground floor an integral garage, living room and combined kitchen diner and at first floor level four bedrooms and two bathrooms.

Plots 3 to 5 would be house-type 1/A, constituting a two-storey dwelling, again with a dual-pitch gable roof to a maximum height of 8.8m at the ridge and 5.1m at the eaves. The building features a large projecting pike gable feature on the front elevation. Internally the dwellings comprise at ground floor a lounge, dining room, utility, study and WC and at first floor level again four bedrooms and two bathrooms.

The dwellings would incorporate a number of attractive design and architectural features including cast stone window heads and cills, brick corbelling detail to the corners and exposed rafter tails at eaves level. Windows would be of a relatively traditional form and size, with strong vertical and horizontal lines as a result of the proposed glazing bars.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework

The Department for Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Policy Guidance

The government published its National Planning Practice Guidance on 6 March 2014. This is intended to complement the National Planning Policy Framework 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 NPPG or other national advice in the Analysis section of the report, where appropriate.

Core Strategy (CS):

The Core Strategy was formally adopted by the Council on 19th October 2016 and partially replaces the 2006 Unitary Development Plan. The following policies are relevant:

SO2	Creating successful and healthy communities
C1	Delivering the right amount of housing in the right places
C3	Delivering the right type of housing
SO3	Improving design, image and quality of place
P3	Improving design of new development
SO4	Promoting a greener environment
G6	Enhancing green infrastructure
G7	Increasing the value of biodiversity and geodiversity
G8	Managing water resources and flood risk
G9	Reducing the impact of pollution
SO5	Improving accessibility and delivering sustainable transport
T2	Improving accessibility
DM1	General development requirements

Unitary Development Plan (UDP):

A number of policies contained within the Unitary Development Plan have been saved following the adoption of the Core Strategy. The following saved policies are relevant:

G/D/1	Defined Urban Area
G/7	Protection of Allotments (<i>This policy should be read in conjunction with Core Strategy Policy G6 until replaced by Site Allocations or other DPD.</i>)

Supplementary Planning Documents (SPD):

'Guidelines and Standards for Residential Development' (June 2016)
Oldham and Rochdale Residential Design Guide

RELEVANT PLANNING HISTORY & BACKGROUND

None.

CONSULTATION RESPONSES

Highways & Engineering – This application has provided a 200% dedicated parking provision which is ideal for a development of this size and nature at this location. Therefore I have no objections regarding this proposal. The development can be accessed via public transport; within walking distance is the A669-Oldham Road which is a major bus route providing regular sustainable transport links to a variety of destinations.

In addition to this Mills Hill train station is within close proximity of the development and also offers regular sustainable transport links to a variety of destinations. This development will not have a significant negative impact upon the local network capacity. The surrounding highway network will adequately accommodate vehicles from the development. This development will not have a significant negative impact upon road safety. Ample dedicated parking has been proposed therefore on street parking outside the development will not be an issue.

A new access to the highway will be created by this development. The proposed access is sufficient to serve a development of this size and nature. The proposed footway and carriageway widths are sufficient to serve a residential development of this size and nature.

I have no concerns regarding refuse collection from this location. Adequate space will be retained as part of the proposed development to store and dispose of refuse collection. This application will not impact upon the highways layout. Highways drainage will not change as a result of this development. No public right of way will be obstructed by this development.

Greater Manchester Ecology Unit – The site is not designated for its nature conservation interest and the Greater Manchester Local Record Centre database holds no records for protected species within the site. The trees on site do not appear to have any bat roosting potential as they are a mix of young trees and conifers.

Birds

The trees and scrub within the site have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). We would therefore recommend that works to trees and scrub, including site clearance should not be undertaken in the main bird breeding season (March to July inclusive). We would therefore suggest that a **condition** to this effect be placed on any permission, if granted, in order to protect wild birds.

Biodiversity Enhancement

In line with Section 11 of the NPPF, we would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting

In conclusion we are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the **condition** above.

Greater Manchester Archaeological Advisory Service – Having checked our records I am 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.

United Utilities – No objection. Foul and surface water should drain separately on site, combining just prior to connecting to the public combined sewer network. Surface water from this development draining to the combined sewer should be limited to a maximum pass forward flow of 5 l/s.

Coal Authority – Confirm that part of the application site falls within the defined Development High Risk Area. The Coal Authority records indicate that within that part of the application site and surrounding area there are coal mining features and hazards which should be considered as part of development proposals.

The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support the planning application.

However, when considering that the buildings are not within the defined Development High Risk Area, we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of development proposed and **do not object** to this planning application.

In the interests of public safety, however, The Coal Authority would recommend that, should planning permission be granted for this proposal, a relevant Informative Note be attached to the decision notice.

GM Fire Service – The above proposal should meet the requirements for Fire Service access.

The Fire Service requires vehicular access for a fire appliance to within 45m of **all** points within the dwellings.

The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes. Additionally if the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required. The maximum length of any cul-de-sac network should be 250 m.

There should be a suitable fire hydrant within 165m of the furthest dwelling.

The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons. At a small cost occupants' can be given the reassurance of a high level of protection. All developers should positively consider the viability of installing domestic sprinkler systems.

Public Protection (Environment) – Recommend a standard condition requiring site investigation and assessment of contamination risk be attached to any permission.

Tree & Woodland Development Officer – No objection to the proposal on arboricultural grounds.

Greenspace Development & Countryside Manager – Site is not on any list of identified allotment sites. No objection to development.

Lead Local Flood Authority – No objection.

Design for Security – No response received to date.

REPRESENTATIONS

Letters of notification were sent to surrounding properties, a notice displayed in the vicinity of the site and an advert placed in the local press. Sixteen separately addressed letters of objection have been received in response to this publicity, as summarised below:

- Impact on wildlife, trees and birds in the area

Officer's Response: Consultation has been carried out with both the Greater Manchester Ecology Unit and the Council's Tree and Woodland Development Officer, both of whom have raised no objection to the proposal. The clearance of the existing vegetation on the site can be offset through the use of ecological mitigation measures including bird and bat boxes and planting of native species through a detailed landscaping plan.

- Noise generated from building the houses would have an impact on existing residents

Officer's Response: Development will always result in a certain level of noise and disturbance to existing occupiers surrounding a site and is not a reason to refuse planning permission. Given the nature of the site, as a back land area, it is proposed to require, by condition, the submission of a construction method statement prior to commencement of development in order to minimise the impact on the amenities of neighbours.

- Privacy issues for existing houses surrounding the site and proximity of proposed houses to existing development – issues of potential overshadowing and overbearing impact

Officer's Response: It is not considered that the proposed dwellings would have an undue impact on the amenity of the occupiers of neighbouring dwellings. This is considered in detail in the relevant analysis section below.

- Traffic on Kenyon Lane during school hours is horrendous with parents dropping off and picking up children – more houses would mean more traffic. The use of the access lanes would endanger children that walk to school.

Officer's Response: Consultation has been carried out with the Council's Highways Service - the additional traffic resulting from the proposed dwellings would not have a significant impact on the capacity of the surrounding highway network. The proposed new highway access points on Lily Street and Rose Street are considered acceptable for the volumes of traffic which would arise from this number of additional properties.

- Difficulty for emergency vehicles in accessing the proposed houses.

Officer's Response: The proposed access routes to the dwellings would be approximately 4.7m minimum in width. This exceeds the 4.5m width recommended by the Greater Manchester Fire and Rescue Service.

- Alley gates were recently erected to the rear of properties fronting Kenyon Lane – the Council investment should not be removed and replaced. Concern that if these are removed issues of fly-tipping may return.

Officer's Response: The application does not propose the removal of the existing alley gates. Notwithstanding this, the alley gates are positioned outside of the 'site-edged red' development boundary. Details of boundary treatments would be required

to be submitted to the LPA via condition in order to ensure adequate provision of screening and security.

- Density of houses proposed for the plot is too great

Officer's Response: There are no set requirements for density of housing. Following concerns raised by the case officer in relation to separation distances, the number of dwellings proposed for the site has been reduced to five. It is considered that the site can comfortably accommodate these five dwellings in the layout proposed.

- Application states that the site is an area of former allotments, however there are approximately six plots still rented out

Officer's Response: Whilst a number of areas of the site are still in-use, including for garaging purposes, it is not considered that the majority of the site represents a usable and viable allotment site.

- Loss of view onto greenspace for residents of properties fronting Kenyon Lane

Officer's Response: Loss of view is not a material planning consideration. Given the separation distances, it is not considered that the proposed dwellings would unduly impact on the outlook of existing surrounding properties.

- Garages used by residents of Kenyon Lane within the site would be demolished, reducing the number of parking spaces available to existing residents

Officer's Response: Whilst a number of garages on the site may be used by local residents for parking purposes, even in a situation where permission were not granted for the redevelopment of the site, the LPA could not guarantee the future of this provision.

- Question the need for four-bedroomed properties in the locality and whether this would be affordable to local residents or first-time buyers

Officer's Response: Policy C1 of the Core Strategy outlines that the Council will ensure the creation of successful, inclusive and mixed communities (added emphasis). Whilst the proposed dwellings will evidently be aimed at a specific market, the development would serve to increase the housing mix in the area. The five dwellings proposed fall significantly below the threshold for affordable housing contributions.

- Potential for noise pollution due to higher number of car users in the area

Officer's Response: It is not considered that the vehicle movements that would arise from an additional five residential properties within the vicinity would have an unacceptable impact on adjacent residents by way of noise nuisance.

- The proposed entrance on Lily Street would compromise the privacy of adjacent occupants

Officer's Response: It is not considered the passage of vehicles to a single dwelling would unacceptably impact on the privacy of existing occupiers.

Five individually addressed letters of support have been received for the application, as summarised below:

- Having something other than unused land would make the houses a lot safer that are surrounding the land – it was always scruffy looking so anything would be an improvement
- This would benefit everyone as it would deter fly tipping
- The access roads will be brought up to standard

ANALYSIS

Principle of Development

The application site is allocated as Defined Urban Area under the Rochdale Unitary Development Plan. Policy G/D/1 of the UDP aims to locate new development in the urban area to support urban regeneration and to protect the countryside. Paragraphs 14 and 15 of the NPPF set out the 'presumption in favour of sustainable development' and state that development that accords with the development plan should be approved without delay. Having specific regard to residential developments, paragraph 47 of the NPPF requires Local Planning Authorities to "boost significantly the supply of housing".

The Council has now formally adopted its Core Strategy. Whilst the latest published information suggests that the Council can demonstrate a five year supply based on the Core Strategy target, this does not preclude the promotion of sustainable development particularly where this can assist in delivering additional housing to meet local needs. Policy C1 of the CS focuses on brownfield land but acknowledges the potential for sustainable residential development on Greenfield land, specifically where it is demonstrated that the development would have limited adverse impact on green infrastructure or amenity value in and around the site; and green infrastructure is, wherever possible, incorporated into the scheme.

The site in question, although Greenfield, is not protected as recreational open space under the UDP proposals map. The Unitary Development Plan contains a saved policy (G/7) which relates to the protection of allotments – however, it is not considered appropriate in this case to rely on the policy for protection of the site given that the allotments are not registered with the Council and, as the site is over the threshold of 0.2 hectares in area, should be identified on the UDP Proposals Map in order to benefit from protection under the policy.

The site does not appear to have functioned properly as an allotment site for some time. The area is significantly overgrown with scrub and appears to have suffered in recent years from issues of fly-tipping and vandalism – as evidenced by both the case officer's site visit and representations from surrounding neighbours. It is not therefore considered that a refusal on the grounds of the loss of a former allotments site would be sustainable especially given that less weight can be afforded to the UDP policy protecting allotments due to its limited compliance with the NPPF.

Policy G6 of the Core Strategy generally seeks the protection and enhancement of valuable green infrastructure and it is acknowledged that land does not have to be formally designated in order to have value as greenspace. The site is relatively open, but given its size, accessibility (or lack thereof) and location, in a back land site entirely surrounded by built development, has very limited or zero value in terms of recreational open space. It has no specific structural value in defining the local community or providing a buffer between incompatible uses.

The site is considered to represent a sustainable location, being located just off the A669 Oldham Road, which provides direct access into central Middleton and through Chadderton, into Oldham. The site is served by bus stops within 100m walk, with services to both Middleton and Oldham. Mills Hill railway station on the Caldervale Line stands approximately 0.7km away to the east, providing rail access to Manchester and Leeds.

Whilst the proposal would result in residential development on a Greenfield site, it is considered that the scheme is acceptable in principle. Given the Government's desire to provide a more flexible supply of housing land, it is considered that it would not be sustainable to refuse this application specifically on the grounds that the principle of residential development on this Greenfield site is unacceptable. In light of the above, it is recognised that the proposal would make a valuable contribution to the supply of housing in the Borough in a sustainable location. This factor must however be balanced against all other material considerations which are outlined below.

Provision of Recreational Open Space

Policy G/6 of the Core Strategy requires developments to provide or contribute financially towards recreational open space, including maintenance, in accordance with the standards set out in the Provision of Recreational Open Space in New Housing SPD.

Nevertheless, in November 2014, the Government made a policy announcement that tariff style planning obligations should not be applied to developments of 10 dwellings or fewer or with a floorspace of less than 1000sqm. The Council's recreational open space policy is a tariff style planning obligation and as such was caught by this change in policy and therefore no contribution to recreational open space would be required as a result of this development.

Design, Layout and Scale

Paragraphs 56 and 58 of the National Planning Policy Framework and Policy P3 of the Core Strategy requires all new developments, including associated landscaping, regardless of location, to adhere to high standards of design.

The proposed dwellings are considered to represent a high quality of design, demonstrating a relatively traditional architectural vernacular and incorporating a number of attractive design and architectural features including cast stone window heads and cills, brick corbelling detail to the corners, brick banding between levels, and exposed rafter tails at eaves level. Windows would be of a relatively traditional form and size, with strong vertical and horizontal lines as a result of the proposed glazing bars.

Both of the house types have been designed to read well together within the same setting, and make use of projecting and recessed sections in order to avoid presenting blank, flat facades. This particular area of Middleton demonstrates a number of architectural styles, with early 20th Century terraced housing fronting Kenyon Lane, a more modern late 20th Century development of flats at Portal Court and mid-20th Century semi-detached housing to the north east on Collinge Avenue. It is not therefore considered appropriate that any particular style requirement should be imposed on the site, and the design put forward appears to sit well against the predominant themes.

The design of the proposed development is therefore acceptable in the context of the character and appearance of the site and immediate area, and is in accordance with the requirements of Policy P3 of the Core Strategy and the National Planning Policy Framework.

Amenity Standards

Policy DM1 of the Core Strategy sets out a number of basic planning considerations that apply to all development. Further to this, paragraph 17 of the NPPF, containing the 'core planning principles', advises that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The Council's adopted Supplementary Planning Document '*Guidelines and Standards for Residential Development*' contains a number of guidelines and requirements for the design and layout of new housing in order to preserve the amenity standards for surrounding

residents. Section 4.3 of the above SPD notes that exceptions to the minimum space standards may be acceptable in some circumstances and applications will be considered on their individual merits.

The primary minimum separation distances for consideration are set out below:

- Plot 4 to dwellings on Kenyon Lane – side elevation to rear – 14m
- Plot 1 to dwellings on Kenyon Lane – side elevation to rear – 17m
- Plots 1 & 2 to dwellings on Queen Street – rear elevation to rear – 31m
- Plot 2 to dwellings on Collinge Avenue – oblique front elevation to rear – 18m
- Plot 3 to dwellings on Collinge Avenue – oblique side to elevation to rear – 12m
- Plot 5 to dwellings on Collinge Avenue – rear elevation to rear – 25m
- Plot 5 to Portal Court – side elevation to side – 11.5m

The proposals therefore largely meet the above requirements for minimum separation distances, with the exception of the separation from Plot 3 to 7 Collinge Avenue. However, the relationship here is oblique, with 7 Collinge Avenue tapering away from the shared boundary, and the distance would only breach the guidance by 2m at the pinch point. It is noted that there is no facing fenestration proposed in the side elevation of the property with the exception of a bathroom window at first floor level which would be conditioned to be obscure glazed. The separation distance from Plot 5 to Portal Court would again breach the separation distances by 2.5m, however, it is noted that Portal Court stands approximately 1.5m above the level of the site and is not therefore considered that the proposed dwelling would result in any adverse impact on the residents of the neighbouring property by way of overbearing impact or overshadowing. Again the facing first floor window to be installed in side elevation of Plot 5 would be conditioned obscure glazed.

It is therefore concluded that the proposed development would have no undue impact on the amenity of surrounding occupiers through overlooking, overshadowing, loss of outlook or loss of daylight, and satisfactory separation distances, in accordance with the Council's Residential Development SPD would be maintained. The proposal therefore meets the requirements of Policy DM1 of the emerging Core Strategy, the residential development SPD and the National Planning Policy Framework.

Highways and Parking

Policy T2 of the emerging Core sets out that development and infrastructure proposals are required to satisfy the Council's accessibility hierarchy and in all circumstances, the safety, accessibility and amenity of those who live or have business in the area will have priority, while providing reliable journey times for those travelling through. Developments are required to provide parking in compliance with the Council's Car Parking Standards as set out in Appendix 5 of the CS.

Consultation has been carried out on the application with the Council's Highways Service who has noted that the development site can be accessed easily via public transport given that it is within walking distance of the A669-Oldham Road which is a major bus route providing regular sustainable transport links to a variety of destinations. In addition to this Mills Hill train station is within close proximity of the development and also offers regular sustainable transport links to a variety of destinations.

The Highways Officer considers that the development would not have a significant negative impact upon the local network capacity, with the surrounding highway network adequately accommodate vehicles from the development. The application has provided a 200% dedicated parking provision which is ideal for a development of such a size and nature and they therefore consider that on street parking outside the development would not be an issue.

The proposed access is sufficient to serve a development of the size and nature proposed, with footway and carriageway widths sufficient to serve a residential development of the size proposed. No concerns are raised regarding refuse collection with adequate space retained as part of the proposed development to store and dispose of refuse. It is recommended that a condition be attached to any permission requiring the submission of details of refuse stores to be submitted to the Council prior to occupation of the dwellings.

The proposal is therefore considered to meet the requirements of Policy T2 of the Core Strategy and the National Planning Policy Framework.

Flood Risk and Drainage

Policy G8 of the Core Strategy sets out the Council's strategy for managing water resources and flood risk more effectively in the interests of public safety, protecting property and infrastructure and the conservation of the natural environment.

The site falls within Flood Zone 1 and is therefore at a low risk of flooding (less than 1 in 1000 or 0.1% annual probability of river or sea flooding in any year). The applicant submitted an outline drainage strategy for the site, which included the drainage of both foul and surface water to the existing combined sewer on site.

Consultation has taken place with United Utilities and the Council's Drainage consultee, as the Lead Local Flood Authority, who have all raised no objection on the basis of the submitted information, subject to conditions being attached to any permission. It is therefore considered that, subject to these conditions, the requirements of the above policies have been met.

Contamination & Land Stability

Paragraph 120 of the NPPF states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Policy G9 of the Core Strategy relates to contamination and land instability and requires that risks and appropriate actions to address these risks are identified prior to any development taking place on that land and the identified actions taken.

The Council's Public Protection Officer is satisfied that any issues which may exist on the site can be adequately identified and addressed by the imposition of a condition requiring the submission and approval of a contamination report and implementation of any appropriate remediation measures required.

Consultation has been carried out with The Coal Authority who have confirmed that part of the application site falls within the defined Development High Risk Area. However, they have noted that the proposed buildings are not within the defined Development High Risk Area, and therefore they do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of development proposed and therefore raise no objection.

The proposal is therefore considered to accord with the requirements of Policy G9 of the emerging Core Strategy and the National Planning Policy Framework.

Landscaping and Ecology

Consultation has been carried out with the Greater Manchester Ecology Unit and the Council's Tree and Woodland Development Officer, neither of whom has raised any objection to the development of the site. It is noted that the site is not designated for its nature conservation interest and the Greater Manchester Local Record Centre database holds no records for protected species within the site. The trees on site do not appear to have any bat roosting potential as they are a mix of young trees and conifers.

The trees and scrub within the site have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). It is therefore recommended that works to trees and scrub, including site clearance, should not be undertaken in the main bird breeding season (March to July inclusive) and a condition to this effect should be attached to any permission.

In line with the requirements of both national and local policy to increase biodiversity, it is also recommended that opportunities for biodiversity enhancement be incorporated into the new development, including bat bricks and boxes, bird boxes and native tree and shrub planting.

No detailed landscaping plan has been submitted with the application. It is therefore recommended that a condition be attached requiring the submission of a full landscaping scheme for the site to the LPA prior to occupation of the buildings, which should include proposals for planting, in accordance with the advice of GMEU to enhance biodiversity on the site in accordance with Policy G7 of the CS.

Conclusion

The proposed development would be compatible with the character of the site and its surroundings in terms of its design – including size, scale, height, massing, layout and materials. The siting and design of the buildings would ensure that the development would have no undue impact on the amenity of surrounding occupiers by way of overshadowing, loss of outlook or loss of daylight and a satisfactory level of separation would be achieved between facing residential elevations to ensure no unacceptable impact by reason of visual intrusion or loss of privacy.

The proposal would allow for safe and convenient access and circulation for all modes of transport and includes sufficient off-street parking provision in order to ensure the development would have no detrimental impact on the safe and efficient operation of the highway network either adjacent to or further away from the site. Final details of the landscaping for the site would be required by condition, however, the potential ecological and arboricultural impacts of the scheme are considered acceptable.

RECOMMENDATION

GRANT subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans/documents:-

- Site Location Plan drawing no. 779/200/01 – Rev A. received 26.02.16
- Existing Site Survey ref. PQS 060315
- Site Layout Plan drawing no. 779/200/02 received 31.07.16
- House Type A Floor Plans drawing no. 779/200/04
- House Type A Elevations drawing no. 779/200/05
- House Type B Floor Plans drawing no. 779/200/05
- House Type B Elevation drawing no. 779/200/06

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Core Strategy, the Unitary Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specifications of materials to be used externally on the building(s) 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 order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy P3 of the Core Strategy and the requirements of the National Planning Policy Framework.

- 4 No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place.

The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before any of the building(s) hereby approved are first occupied.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: Further investigation will be necessary prior to commencement of any building or engineering works on site.

- 5 No development shall take place until details of existing and finished site levels and finished floor levels for the proposed buildings relative to off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of proper planning, amenity and in compliance with Policies P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding of site levels will therefore be necessary prior to commencement of any building or engineering works on site. Finished floor levels are intrinsically linked to site levels.

- 6 No development shall take place (including any works of demolition) until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) the erection and maintenance of security hoarding;
- d) wheel washing facilities;
- e) measures to control the emission of dust and dirt during construction;
- f) measures for the protection of the natural environment;
- g) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase in accordance with Policies DM1, P3, T2, G8 and G9 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposals require ground works and engineering works an understanding will therefore be necessary of what measures will be put in place to protect the amenity of nearby residents prior to commencement of any building or engineering works on site.

- 7 No development shall take place until full details of the vehicular accesses onto Kenyon Lane, including construction level drawings showing the levels, drainage strategy, lighting and materials (as necessary) of the access road have been submitted

to and approved in writing by the Local Planning Authority. The vehicular accesses and associated car parking arrangements shall be completed in accordance with the approved details prior to occupation of the dwellings hereby approved.

Reason: In the interests of proper planning, the comprehensive development of the site and in order to provide safe, secure access to the development in the interests of public safety, and ensure continued function of the surrounding highway network, in accordance with Policy T2 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: These details are required prior to commencement in the interests of highway safety and in order to ensure adequate access is provided to the site.

- 8 No development shall take place until such time as a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall ensure that foul and surface water are drained separately within the site prior to connecting to the existing public combined sewer network. For the avoidance of doubt, surface water from the development draining to the combined public sewer shall be limited to a maximum pass forward flow of 5 l/s. The drainage scheme shall be carried out in accordance with the approved details and implemented prior to the first occupation of the fifth dwelling.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with Policy G8 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement: Aspects of the drainage scheme will be required to be implemented prior to the commencement of above ground works.

- 9 No clearance of trees and shrubs in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless an ecological survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place during the period specified above unless a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policies G6 and G7 of the Core Strategy and the National Planning Policy Framework.

- 10 Prior to the occupation of any dwelling hereby permitted, details of the construction and design of refuse recycling/bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. The duly approved facilities shall be provided and made available for use before the first occupation of any dwelling relevant to that facility and the approved facility retained thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and in the interests of visual amenity in accordance with Policy P3 of the Core Strategy and the National Planning Policy Framework.

- 11 No part of the development shall be occupied until details of the type, siting (including a proposal to incorporate the existing alley gates on Rose Street), design and materials to be used in the construction of boundaries, screens or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of amenity and in compliance with Policy P3 of the Core Strategy and the National Planning Policy Framework.

- 12 (a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained, a scheme for the timing / phasing of implementation works and elements to include for loss of trees, shrubs and bird nesting habitat.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within the next planting season following final occupation of the development hereby permitted, whichever is the sooner.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policy P3 of the Core Strategy and the National Planning Policy Framework.

- 13 Details of bird and bat boxes to be provided in the development shall be submitted to the Local Planning Authority for approval in writing prior to above ground works first taking place. Thereafter, the approved bird and bat boxes shall be retained in perpetuity in accordance with the approved details.

Reason: To safeguard any protected species which may either live or forage within the site, in accordance with Policies G6 and G7 of the Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: The application proposes the development of a site which may provide a nesting site for birds or roosting site for bat species. The provision of bird and bat boxes built into the development itself would allow for the conservation and enhancement of biodiversity within the site.

- 14 The windows on the side elevations of Plots 3 and 5 as indicated on approved plan ref. 779/200/02 facing Collinge Avenue and Portal Court respectively shall be fitted with non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) prior to first occupation of the dwellings hereby approved and retained as such thereafter.

Reason: In the interest of amenity and in compliance with Policies P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof, the dwellings hereby approved shall not be altered or extended, and no buildings, structure, gates, fences or walls shall be erected within their curtilage under Schedule 2, Part 1, Classes A, B, C, D, E and F or Schedule 2, Part 2, Class A of the above Order except with the prior written approval of the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policies P3 and DM1 of the Core Strategy and the National Planning Policy Framework.

Report Author David Allen