

Application reference number	2024/0097
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Application Type	Outline with all Matters Reserved
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Proposal Description:	Outline application with all matters reserved for residential development
Location:	Land off Grange Crescent, Thurnscoe, Rotherham

Applicant	Nanthakumar Visuvalingam
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Number of Third Party Reps	0	Parish:	
		Ward:	Dearne North

SUMMARY

The proposal seeks Outline Planning Permission with all Matters Reserved for a residential development. The site is a vacant area of land, which is in part allocated as urban fabric and Greenspace as identified on the Local Plan proposals map.

The proposed development will provide a residential development on an area of vacant and in part previously developed land, within the Principle Town of Goldthorpe, (which includes Thurnscoe and Bolton on Dearne). The site has good access to a range of amenities and public transport, it is therefore sustainable development and the weight given to the provision of housing is considered to be considerable.

The potential loss of the small area of Greenspace would not be significantly detrimental to the provision of Greenspace in the area, subject to compensation. The impact of the loss of the Greenspace is considered to be moderate.

The development of the site would not cause an unacceptable level of harm to neighbouring properties, drainage, the highway network, trees and Biodiversity or the wider character of the area subject to suitably worded conditions and the submission of full details at Reserved Matters Stage.

Recommendation: **GRANT Outline Planning Permission subject to conditions and Section 106 Agreement**

Application site

Grange Crescent



Site Description

The site is a roughly semi-circular shaped piece of land measuring approximately 0.52ha which is bounded by Grange Crescent on the north, east and western boundaries. The southern boundary is set adjacent to the garden areas of numbers 70 and 79 Grange Crescent. There is a small electricity substation outside of the site, to the south western corner of the site.

The northern part of the site was previously the location of the 'Fairway Hotel' which was demolished in approximately 2006/2007. There are now no existing structures on the site. The site is bound by a low brick wall in part and consists of areas of hardstanding, grass and shrubs and small trees. There are a number of prominent early mature Sycamore trees along the southern boundary of the site which are located off site and within the gardens of the adjacent properties on Grange Crescent.

Whilst there are no definitive Public Rights of Way affected by the proposed development there do appear to be a walked routes which runs through the centre of the site.

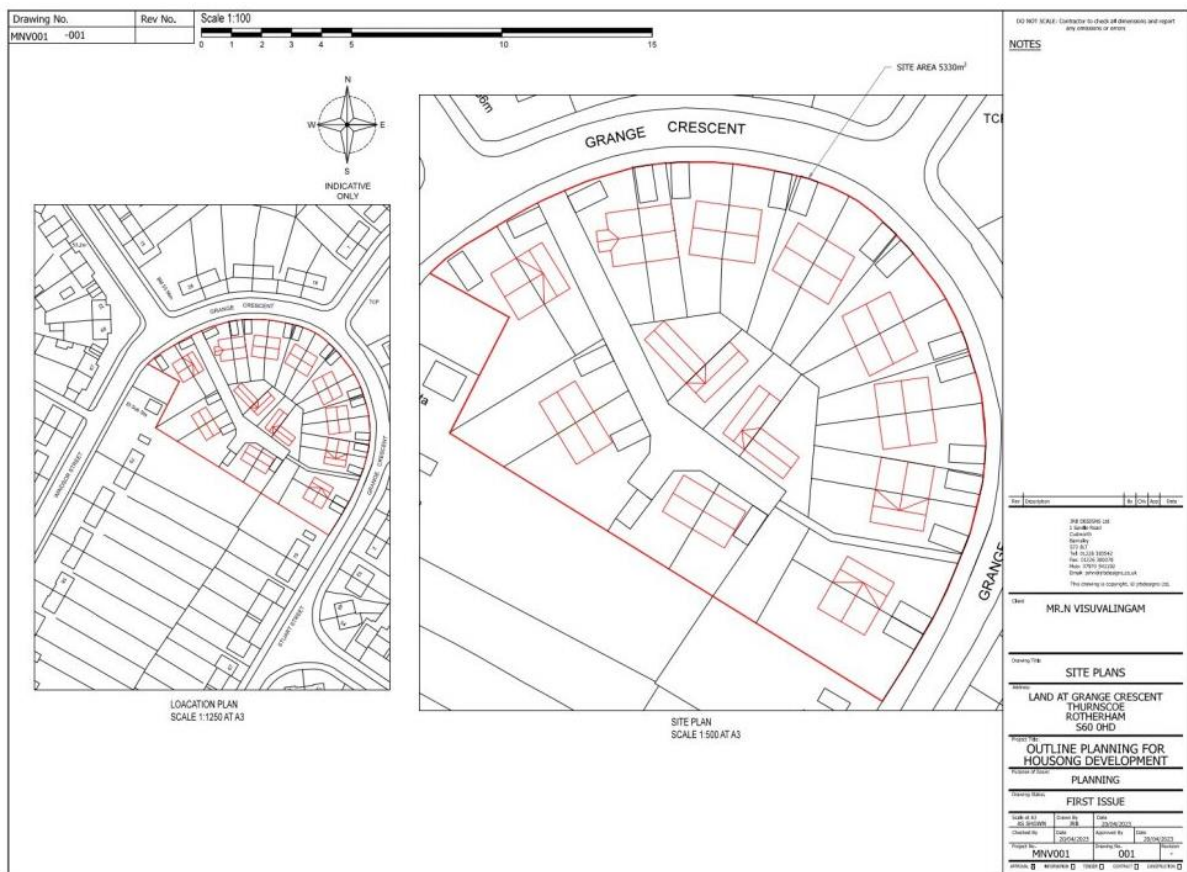
The predominant form of the properties in the area is two storey red brick or rendered semi-detached houses with tiled hip roofs. The houses follow the line of the highways and are generally set back from the footway with the space between forming private front gardens.

Proposed Development

The application proposes an outline application with all matters reserved for a residential development. The information submitted at this stage is very limited as all matters are reserved for future consideration. The design and access statement indicates that 'The property development is for the building between 20 to 24 low cost houses, with car parking to the front and private gardens to the rear.'

An indicative layout plan showing how the dwellings could be arranged on site has been submitted, however this is not being considered at this stage and is for information purposes only. A Tree Survey has also been submitted with the application which shows the location of the trees on and close to the site.

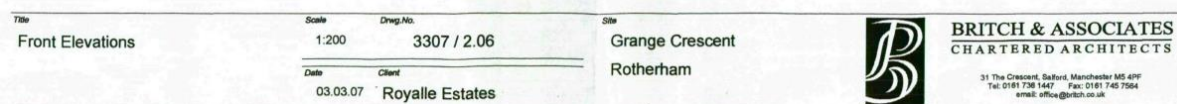
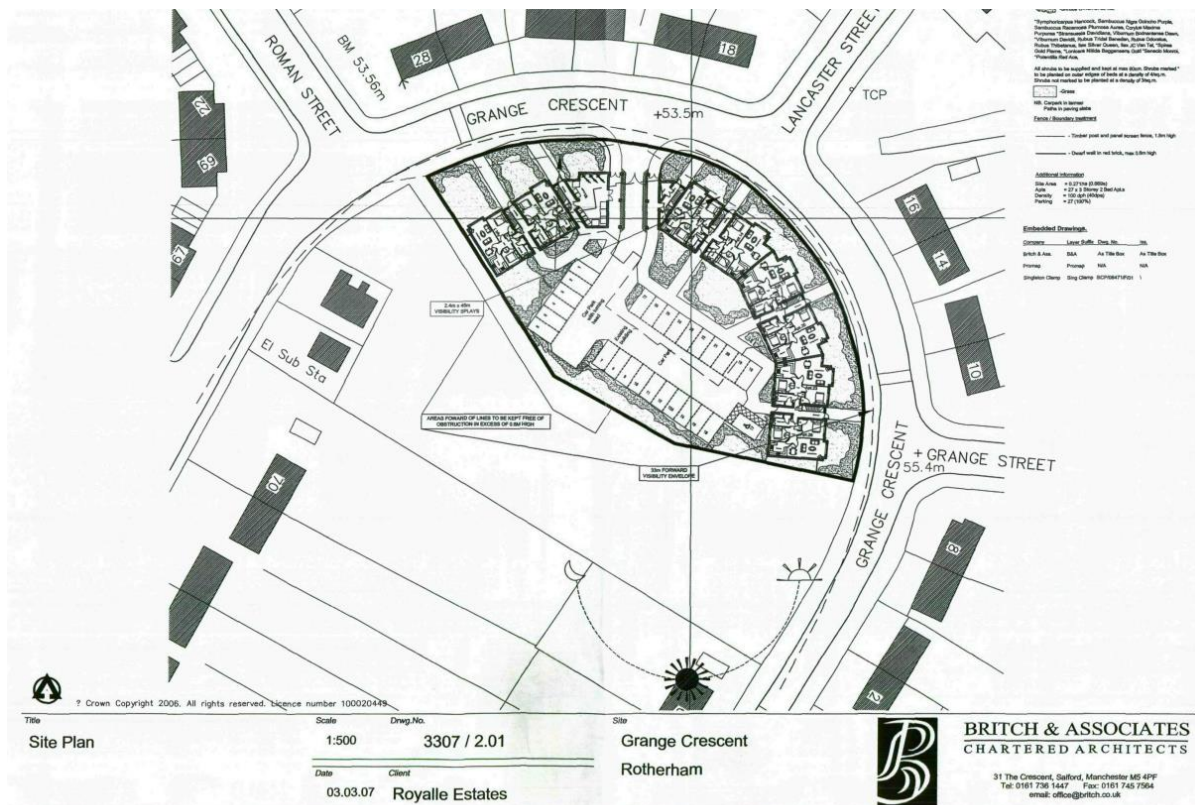
Location and indicative site layout plan only - not under consideration



Relevant Site History

Application Reference	Application description	Status
2006/1394	Erection of 27 apartments (Outline)	Approve with Conditions
2007/0611	Residential Development of a 3 storey block of 27 apartments (Reserved Matters)	Approve with Conditions

Approved plans 2007/0611 – development was not commenced and planning permission is now expired.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted in January 2019 and is accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan

The site is allocated as Urban Fabric and Greenspace within the Local Plan and as such the following policies are considered to be relevant to this application:

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

LG2 'The Location of Growth'

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes' states 43% of new homes to be built in Urban Barnsley.

H5 'Residential Development on Large Non-allocated Sites'

H6 'Housing Mix and Efficient Use of Land' proposals for residential development are expected to include a broad mix of house size, type and tenure and a density of 40 dwellings per hectare is expected

H7 'Affordable Housing'

T3 'New Development and Sustainable Travel'.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

GS1 'Green Space' requires new development to provide or contribute towards green space in line with the Green Space Strategy.

GS2 'Green Ways and Public Rights of Way' seeks to protect rights of way from development.

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

PI1 'Infrastructure and Planning Obligations'

SPD's

-Design of Housing Development

-Parking

- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Education Provision
- Trees and Hedgerows
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations

Other

South Yorkshire Residential Design Guide

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant paragraphs are:

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. NPPF policy of relevance to this application includes:

Paragraph 115 - In assessing specific applications for development, it should be ensured that sustainable transport modes are prioritised taking into account the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

Paragraph 116 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 131 – Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Paragraph 135 – planning decisions should ensure that developments function well, add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character, establish a strong sense of place, optimise the potential of the site and create safe, inclusive and accessible places that promote health and well-being.

Paragraph 136 – trees make an important contribution to the character and quality of urban environments. Planning policies and decision should ensure that opportunities are taken to incorporate trees in developments and that existing trees are retained wherever possible.

Paragraph 139 – development that is not well designed should be refused. Conversely, significant weight should be given to development which reflects local design policies and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Relevant Consultations:

Biodiversity - No objections subject to conditions

Highways DC – No objections in principle subject to conditions

PROW – No objections subject to informative

Drainage – No objections subject to conditions

Yorkshire Water – No objections subject to conditions

Pollution control – No objections subject to conditions

Affordable Housing – Council policy is that housing developments of 15 or more dwellings are expected to provide affordable housing. The site is in the Bolton, Goldthorpe and Thurnscoe sub-market area; therefore, we expect developers to deliver 10% affordable homes.

Education – A financial contribution towards school places would be required, however the amount would be dependent on the number and type of units to be determined at reserved matters stage

The Coal Authority – No objections subject to informative

South Yorkshire Mining Advisory Service – No objections subject to informative

Tree Officer – No comments received

Planning Policy – No comments received

Sustainability – No comments received

Ward Councillors – Cllr Morrell has made the following comments:

‘The clearing of the land and erection of houses can only be of benefit to Thurnscoe East. I am aware that there is a stream that runs under the land as this stream actually ran under the old Fairway public house in the cellar. May I enquire if draining has, or will be put in place to maintain this constant flow of water? I look forward to the commencement of this new development as the old Fairway land has been a haven for fly tippers and generally an eyesore to the residents of Thurnscoe East.’

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was placed nearby.

1 letter has been received which raises the following concerns

- Concerns regarding potential overlooking and loss of privacy
- Query regarding trees within garden and potential impact

Assessment

The main issues for consideration are as follows:

- The acceptability of residential development
- The impact on the character of the area
- The impact on neighbouring residential properties
- The impact on the highway network and highways standards
- The impact on the existing trees
- The impact on the ecology of the site
- Flooding, Drainage and Pollution Control issues
- Coal Mining
- Financial contributions

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

The acceptability of residential development

The site is a vacant area of land, which is in part allocated as urban fabric and Greenspace as identified on the Local Plan proposals map. The site measures approximately 0.52ha, therefore policy H5 'Residential Development on Large Non-allocated Sites' is of relevance in this instance. Policy H5 states that:

'Proposals for residential development on sites above 0.4 hectares which are not shown as housing sites on the Policies Map will be supported where they:

- Are located on previously or part previously developed land;
- Are located within Urban Barnsley, Principal Towns and Villages;
- Are accessible by public transport; and
- Have good access to a range of shops and services.'

The proposed development will provide a residential development on an area of vacant and in part previously developed land, within the Principal Town of Goldthorpe, (which includes Thurnscoe and Bolton on Dearne). The site has good access to a range of amenities and

public transport, and is therefore sustainable development. The weight given to the provision of housing on this site is considered to be considerable.

As stated previously, part of the site is allocated as Greenspace. The area of Greenspace measures approximately 0.24ha and is set to the southern portion of the site, as can be seen on the map below. At this stage, given the application is in outline, details of the extent of the Greenspace to be developed for residential purposes has not been put forward, nor have details of potential on site provision been submitted.



In terms of development on land allocated as Greenspace, the SPD Open Space Provision on New Housing Developments states that:-

‘When we receive a planning application to redevelop green space for an alternative use we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space. As set out in Policy GS1, compensation could include on-site retention and enhancement, off-site replacement or financial contribution. In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.’

The site is known as Fairway within the Greenspace Register and is shown as Local Neighbourhood Green Space. The site does not appear to be well used as a recreational area, given its overall condition and overgrown nature. An analysis of the Greenspace in the area shows 5 other areas of allocated Greenspace, between 10m and 300m from the site. There are also larger parks within 700m of the site which include Pheonix Park and Thurnscoe park,

which have a wide range of recreational facilities. As this stage it is unclear how much of the Greenspace would be developed, however should the whole area be developed for residential purposes, the loss of this area of Greenspace would not be significantly detrimental to the provision of Greenspace in the area, subject to compensation, in order to secure community benefit to outweigh the loss of the green space. The impact of the loss of the Greenspace is considered to be moderate.

At reserved matters stage, we will require a calculation of the overall area of the site allocated as Green Space and the compensation payment will be calculated at £125,640 per hectare of green space that will be lost to development.

The impact on the character of the area

In terms of Design, the National Planning Policy Framework attaches great importance to the design and quality of the built environment, stating that 'it is important to plan positively for the achievement of high quality and inclusive design for all development'. As stated previously, the site is currently vacant and overgrown. There is a mix of overgrown grass, shrubs and areas of unsightly hardstanding from the previous hotel which stood on the site. There is also a mix of boundary treatments, including low walls and metal fencing which appear in poor condition.

In terms of design, scale and layout, the proposal is in outline, therefore no formal details are submitted at this stage, however it is felt that a residential development could be designed as such that it would sit comfortably with the street scene and adjacent dwellings in terms of appearance. Overall, subject to detailed proposals, the development of the site would provide an improvement in terms of visual amenity, given the current condition of the site. The indicative proposed layout plan submitted is not under consideration at this time, however the layout would require further detailed consideration and it is expected that the new buildings should follow existing building lines and respect the existing pattern of development, in accordance with Local Plan Policy D1. The weight given to the potential positive impact on the character of the area is considered to be considerable.

The impact on residential amenity

As the site is in close proximity to other dwellings, one of the main considerations would be the impact of the proposal upon the residential amenity of the surrounding residential properties. The SPD Designing New Housing Development states that 'in order to ensure adequate levels of privacy are provided/ maintained, to ensure residential development does not result in unacceptable levels of overshadowing or loss of outlook and in order to provide adequate amenity space, development will usually be expected to comply with the external spacing standards.'

Any residential development of the site could be designed to meet the separation distances set within the SPD Design of Housing Development, in terms of distances from habitable room windows which would reduce any impact in terms of overlooking/loss of privacy or overbearing/overshadowing/loss of light impact. In addition, the dwellings themselves could be designed to meet the garden areas and the internal room sizes required in order to meet the amenity standards set with the South Yorkshire Residential Design Guide.

Other impacts such as disturbance/noise/dust during construction are not material considerations, however construction impacts can be mitigated against via the planning conditions set on the outline permission.

In terms of housing mix, Local Plan Policy H6 states Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced

communities. The development would need to provide a broad mix of house size, type and tenure, in line with policy H6, which should be considered at Reserved Matters stage. The weight given to the potential impact upon residential amenity is considered to be moderate.

The impact on the highway network and highways standards

An indicative plan showing 24 plots has been provided by the applicant, despite this being an outline application with all matters reserved. A Design and Access Statement has also been submitted which gives some brief detail of the proposed parking provision.

In terms of Public Rights of Way, there do not appear to be any Definitive Public Rights of Way affected by the proposed development but there do appear to be walked routes through the site, therefore an informative will be required.

Given the application is outline only the Highways Officer has no objection to the principle of development, however, the indicative plan submitted would not be a suitable layout in terms of highway safety for the reasons given below:

- Off-street parking should be provided at a rate of one space per property of one or two bedrooms and two spaces for properties with three or more bedrooms. As such, the proposals may be low on parking if the dwellings are anticipated to be larger.
- No visitor parking has been shown and this should be provided at a rate of one space per four dwellings.
- Visibility splays from the proposed new driveways would have to be demonstrated as being a minimum of 2.4m x 43m from each drive onto Grange Crescent.
- The proposed new shared access appears to serve more than five plots and would therefore have to be constructed to adoptable standard. The present design is too narrow, has no provision for pedestrians, and is unlikely to be able to safely turn a refuse vehicle. Visibility would again have to be demonstrated.

Highways would require a significant change to the layout at Reserved Matters stage and to facilitate this, highways have requested a number of conditions to be included to the decision notice.

In view of the above Highways have no objection to the principle of the proposal subject to conditions and the proposal is therefore acceptable when measured against policy T4 of the Local Plan. The weight given to the potential impact upon Highway Safety is considered to be moderate.

The impact on the existing trees

The site consists of areas of hardstanding, grass, shrubs and small trees. There are a number of prominent early mature Sycamore trees along the southern boundary of the site which are located off site and within the gardens of the adjacent properties on Grange Crescent. The remaining trees and shrubs on site are smaller specimens.

A Tree Survey has been submitted with the application, however at this stage as the application is in outline, the layout of the proposal is not being considered. The group of Category B Sycamore trees set off site along the southern boundary will need to be retained and protected as part of the development, therefore an Arboricultural implication assessment, Arboricultural method statement, Tree protective barrier details and a Tree protection plan would be required to be submitted at reserved matters stage, to ensure that the trees are protected and planned for within the site layout.

No detailed landscaping has been provided and as such a landscaping scheme will need to be submitted with the Reserved Matters submission. In consideration of the above, the weight given to the potential impact upon existing trees is considered to be moderate.

The impact on Biodiversity

In terms of Biodiversity an Ecological Impact Assessment has been submitted with the application. The report concludes that the whole site is considered to be vacant, derelict land, due to the presence of tarmac underneath the vegetation. The habitat present on site offers limited foraging and commuting habitat in the local area, however it could act as a stepping stone between other areas with better connectivity for aerial species e.g. bats and birds. A condition assessment for the vacant derelict land was undertaken, with varied vegetation structure, different plant species which are beneficial for wildlife, buddleia is present, and the site does not show spatial variation and does not form a mosaic of bare substrate. The condition of the land is therefore considered to be 'moderate'.

The Ecology Officer has been consulted and has no objection to the proposal subject to the development being completed in line with the recommendations within the Ecological Impact Assessment and the submission of a Biodiversity Enhancement Management Plan (BEMP) should be conditioned. The BEMP will need to include the following;

- Details on the type and location of integrated bat and bird boxes to be installed in the dwellings (a minimum of one per dwelling as per the Biodiversity and Geodiversity SPD);
- Location of hedgehog highways (to be signposted to present residents blocking gaps);
- Details regarding the replacement of trees and scrub on site, to be completed at a ratio of 2:1 to those lost;
- Method statement for the sensitive removal of vegetation to avoid impacts to small mammals; and
- Sensitive lighting scheme to mitigate impacts to foraging and commuting bats.

Subject to the above, the proposal is considered acceptable when measured against policy BIO1 of the Local Plan and therefore the impact upon Biodiversity is considered to be moderate.

Flooding, Drainage and Pollution Control issues

The site is not set in an area at high risk of flooding. A culverted watercourse crosses this site which will require an easement when the site layout is designed.



Plan showing the culverted watercourse running through the site

The Drainage Officer has confirmed that drainage can be dealt with via conditions. Yorkshire Water have no objections subject to conditions and a easement to protect the culvert. The Pollution Control team have not raised any significant concerns with regard to noise issues, subject to conditions. The proposal is therefore considered acceptable, subject to the detailed layout to be submitted at Reserved Matters stage, in accordance with Local Plan Policy POLL1.

Coal Mining

The site falls within the Coal Authority's defined Development Low Risk Area. The Coal Authority and South Yorkshire Mining Advisory Service have raised no objections to the proposals subject to an informative.

Planning Obligations

Paragraph 55 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 57 states that planning obligations must only be sought where they meet all of the following tests:

- 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.

These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010.

Education

The SPD Financial Contributions for Educational Provision states that a financial contribution will be needed for planning applications for housing developments where the scheme provides 10 or more homes and there is insufficient capacity in schools.

The Education Officer has stated that with the limited information provided it is not possible to calculate the Education Provision contribution at this stage. The amount would depend on the type and number of homes, therefore the formula within the adopted SPD will need to be used to calculate the contribution at reserved matters stage.

Affordable Housing

In line with the Affordable Housing SPD, housing developments of 15 or more dwellings are expected to provide affordable housing. The site is in the Bolton, Goldthorpe and Thurnscoe sub-market area; therefore, we expect developers to deliver 10% affordable homes.

The Affordable Housing Officer has been consulted and considers that further information will be required at reserved matters stage before a final response regarding the Affordable Housing provision and mix can be agreed. It should be noted that the highest need in this sub-market area is for 3 bedroom houses and 1 and 2 bedroom bungalows.

Sustainable Travel

Local Plan Policy T3 requires financial contributions towards improvements to sustainable travel, where levels of accessibility through public transport, cycling and walking are unacceptable. Contributions will be sought on developments of 10 dwellings or more. In accordance with the adopted Sustainable Travel SPD, there is a requirement for the applicant to provide a contribution towards sustainable transport and active travel measures. The formula within the SPD shall be used to calculate the contribution at reserved matters stage.

Public Open Space

The SPD Open Space Provision on New Housing Developments states that we require open space on all new housing developments of 20 or more dwellings including flats.

Whilst the proposal is in outline, the planning statement indicates that the site could deliver 20+ units. A minimum of 15% of the gross site area of new housing development must be open space of a type appropriate to the character of the site, its location and the layout and nature of the new housing and adjoining land uses. Where it is impossible to make such provision on land either within or immediately adjacent to the site in a satisfactory and acceptable manner, or where the Council deem it appropriate, suitable off-site open space facilities, remote from the development land, may be acceptable either as new facilities or improvements to those existing. Any contribution required would depend on the open space proposed on site (if any) and the number and type of units. This figure would be calculated using the formula set out in appendix 2 of the SPD.

Greenspace

In addition to the above, part of the site is also allocated as Greenspace. The SPD Open Space Provision on New Housing Developments states that:-

'When we receive a planning application to redevelop green space for an alternative use we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space. As set out in Policy GS1, compensation could include

on-site retention and enhancement, off-site replacement or financial contribution. In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.'

At reserved matters stage, we will require a calculation of the overall area of the site to be developed which is allocated as Green Space and the compensation payment will be calculated at £125,640 per hectare of green space that will be lost to development.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2023) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be located within a sustainable location on a site suitable for residential development in the Local Plan and this weighs considerably in favour of the application. The proposed development will provide a residential development on an area of vacant land, within the Principle Town (Goldthorpe (Dearne Towns, including Thurnscoe and Bolton on Dearne) where there is good access to a range of amenities and public transport, it is therefore sustainable development.

The site is known as Fairway within the Greenspace Register and is shown as Local Neighbourhood Green Space. The site does not appear to be well used as a recreational area, given its overall condition and overgrown nature. An analysis of the Greenspace in the area shows other nearby Greenspaces, which have a wide range of recreational facilities. As this stage it is unclear how much of the allocated Greenspace would be developed on site, however should the whole area be developed for residential purposes, the loss of this small area of Greenspace would not be significantly detrimental to the provision on Greenspace in the area, subject to compensation, in order to secure community benefit to outweigh the loss of the green space. The impact of the loss of the Greenspace is therefore considered to be moderate.

Whilst the application is in outline with all matters reserved, it is considered that a development could be designed on the site which would meet all the relevant SPD requirements, subject to the proposed layout of the development, the scale of the buildings, the design and external appearance of the proposed development, means of access and proposed landscaping details which will need to be submitted and agreed at Reserved Matters stage.

The proposal is therefore, recommended for approval subject to a Section 106 Agreement and the proposed heads of terms are outlined below.

RECCOMENDATION

Approve subject to conditions

MEMBERS RESOLVE TO GRANT OUTLINE PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE CONDITIONS BELOW AND FOLLOWING THE COMPLETION OF AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 IN RELATION TO THE FOLLOWING MATTERS AND THE HEAD OF PLANNING BE AUTHORISED TO ISSUE THE PLANNING PERMISSION UPON COMPLETION OF THE LEGAL AGREEMENT:

- A) Affordable Housing at 10% - details to be agreed at reserved matters stage
- B) Education Contribution – figure to be determined at reserved matters stage
- C) Public Open Space – details/figure to be determined at reserved matters stage

- D) Compensation for the loss of Green Space – figure to be determined at reserved matters stage
- E) Sustainable Travel Contribution – figure to be determined at reserved matters stage

CONDITIONS/REASONS

1. Application for approval of the matters reserved in Condition No. 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development, hereby permitted, shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-

- (a) the layout of the proposed development.
- (b) scale of building(s)
- (c) the design and external appearance of the proposed development.
- (d) means of access
- (e) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

3. The development hereby approved shall be carried out strictly in accordance with the plans (Nos Site Location Plan 001 (please note that the site layout as shown is not approved and is indicative only), Coal Mining Risk Assessment, Sustainable Drainage Report, Tree Survey, Ecological Impact Assessment, Energy Sustainability Statement) and specifications as approved unless required by any other conditions in this permission.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.

4. No development shall take place until a scheme detailing arrangements and specification for layout and parking have been submitted to and approved in writing by the Local Planning Authority. Before any building is occupied the development shall be completed in accordance with the details shown on the approved plans and retained thereafter.

Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

5. No works shall commence on site until a scheme for the parking of bicycles complying with LTN 1/20 Cycle Infrastructure Design has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: In the interests of encouraging the use of sustainable modes of transport in accordance with Local Plan Policy T3.

6. Before development commences, details of suitable storage, bin presentation points and access for collection of wastes from the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interest of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The statement shall include but not be restricted to:
- i. Site working hours and delivery hours which should avoid peak hours
 - ii. The parking of vehicles of site operatives and visitors
 - iii. Any temporary access to the site
 - iv. Loading and unloading of plant and materials
 - v. Storage of plant and materials used in constructing the development
 - vi. Arrangements to receive abnormal loads or unusually large vehicles
 - vii. Methods of communicating the Construction Management Plan to the workforce, visitors and neighbouring residents and businesses
 - viii. Measures to prevent mud/debris being deposited on the public highway.

The submitted and hereby approved Construction Traffic Management Plan (CTMP) shall be adhered to throughout the construction period.

Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 New development and Transport Safety.

8. Sight lines, having the dimensions 2.4m x 43m, shall be safeguarded at the access junction with Grange Crescent and from private driveways, such that there is no obstruction to visibility at a height exceeding 1m above the nearside channel level of the adjacent highway.

Reason: In the interests of highway safety, in accordance with Local Plan Policy T4 New development and Transport Safety.

9. Any parking place provided shall not be brought into use until pedestrian visibility splays of 2m x 2m to the back edge of the footway have been provided at the proposed access. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.9m to the rear of the footway which would obstruct the visibility splays. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.

10. The gradient of the vehicular access/driveway shall not exceed 1 in 12 as measured from the edge of adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4 New Development and Transport Safety.

11. Any redundant vehicular accesses shall be reinstated as kerb (and footway) prior to the development being brought into use. Reason: In the interests of road safety in accordance with Local Plan Policy T4 New Development and Transport Safety

12. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for highway adoption have been submitted to and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details unless otherwise agreed in writing with the LPA. Reason: To ensure that the internal streets are planned and approved in good time to a satisfactory standard for use by the public in the interests of highway safety.

13. During works, construction or demolition related activity shall only take place onsite between the hours of 0800 to 1800 Monday to Friday and 0900 to 1400 on Saturdays and at no time on Sundays or Bank Holidays

Reason: To reduce or remove adverse impacts on health and the quality of life, especially for people living and/or working nearby, in accordance with Local Plan Policy POLL1

14. No development shall take place unless and until

(a) Full foul and surface water drainage details have been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority.

(b) Porosity tests are carried out in accordance with BRE 365, to demonstrate that the subsoil is suitable for soakaways
and

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways are all approved in writing by the Local Planning Authority.

Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy POLL1.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no building or structure shall be placed or erected within 3 meters of the culverted watercourse shown on the approved plan.

Reason: To prevent damage to the existing culvert in accordance with Local Plan Policy POLL1.

16. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public water main i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the water main, the developer

shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

Reason: In the interest of public health and maintaining the public water supply in accordance with Local Plan Policy POLL1.

17. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy POLL1.

18. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the public sewer network in accordance with Local Plan Policy POLL1.

19. The development shall be completed in line with the recommendations within the Ecological Impact Assessment and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

20. Prior to the commencement of the construction of dwellings, a Biodiversity Enhancement Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP should include the following;

- a. Details on the type and location of integrated bat and bird boxes to be installed in the dwellings (a minimum of one per dwelling as per the Biodiversity and Geodiversity SPD);
- b. Location of hedgehog highways (to be signposted to prevent residents blocking gaps);
- c. Details regarding the replacement of trees and scrub on site, to be completed at a ratio of 2:1 to those lost;
- d. Method statement for the sensitive removal of vegetation to avoid impacts to small mammals; and
- e. Sensitive lighting scheme to mitigate impacts to foraging and commuting bats.

Reason: In the interests of Biodiversity in accordance with Local Plan Policy BIO1.

21. No development or other operations being undertaken on site shall take place until the following documents in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations have been submitted to and approved in writing by the Local Planning Authority:

- Arboricultural implication assessment
- Arboricultural method statement
- Tree protective barrier details
- Tree protection plan

No development or other operations shall take place except in complete accordance with the approved methodologies.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality In accordance with Local Plan Policy BIO1.