
2020/1339

Applicant: Mr David White – A&E White Ltd

Description: Demolition of existing buildings and erection of 13 dwellings with associated access from Park Road (A61) and landscaping

Site Address: A and E White Bakers Ltd, Charles Street, Worsbrough Bridge, Barnsley, S70 5AF

3 representations have been received from local residents. The recommendation is the subject of a proposed S106 Agreement.

Site Location & Description

The site is located to the east of the A61 Park Road Worsbrough. It is of an irregular shape and covers an area of approximately 0.5 hectares. The site is tightly bounded by residential properties on Charles Street to the north, Westfields to the east, Harvest Close to the south with the A61 defining the western boundary. Levels fall across the site towards the eastern and southern boundaries.

The site is at present occupied by Whites Bakery, a large pitched roofed warehouse located within the south eastern area of the site. Access to the bakery is currently taken from Charles Street via residential streets. The immediate curtilage to the building is used as a service/parking yard. Extending to the west of the car park the land is undeveloped and becomes uneven (presumably made ground) and comprises of mix of shrubs and trees. The ground level to the boundary with A61 ranges between 1 and 3m lower. The main body of the existing site where the existing buildings are located is approximately 5m lower than the A61. The site is mainly clear of vegetation apart from a group on the western boundary adjacent to Park Road on a lesser number on the southern boundary. There is a partially culverted and a partially open small watercourse (Snape Sike) passing through the southern part of the site.

Planning History

B/03/1561 – Erection of single and two-storey extension to existing bakery and construction of new access from Park Road – Approved with conditions.

2014/0460 – Erection of single storey extension to factory to form storage and preparation area – Approved.

2014/1570 – Demolition of existing bakery and erection of 23no. dwellings – Refused for the following reasons:-

The Local Planning Authority considers that the proposed development would result in an unacceptable level of overlooking and loss of privacy to properties located across the northern boundary on Charles Street by virtue of the height, design and orientation of plots 1-10 and the inability to achieve the desired separation distances required within the SPD. In addition, it is considered that the outlook of the Charles Street properties would be completely dominated by virtue of the collective mass and elevation of the proposed dwellings. For these reasons it is considered that the relationship to adjacent properties would be unacceptable and contrary to the objectives of UDP Saved Policy H8a, Core Strategy Policy CSP29 and the guidance contained within Supplementary Planning Document "Designing New Housing Development".

In the opinion of the Local Planning Authority, the proposed layout and design of the development is at odds with the form and layout of properties within the locality. The design, scale and layout of the properties would create a very car dominated environment and substandard levels of amenity for future residents, this does not accord with the principle of good design and fails to take the opportunities available to improve the character and quality of the area and the way it functions. As

such the proposal is considered contrary to the NPPF, Core Strategy policy CSP29, and the Councils Supplementary Planning Document "Designing New Housing".

The application has failed to demonstrate that a suitable drainage strategy for the site can be achieved. In the opinion of the Local Planning Authority proposals to culvert a section of Snape Syke could create a legacy of flood risk problems due sections of the culvert falling within the riparian ownership of different properties which would compromise the ability coordinate maintenance. In addition to this the design and layout fails to demonstrate that surface water flows could be suitably controlled within the site. Consequently, it is considered that the proposals are contrary to the requirements of policies CSP3 Sustainable Drainage Systems and CSP 4 Flood Risk.

The application has failed to provide sufficient public open space and affordable housing provisions necessary to mitigate the impact of the development and satisfy the NPPF, Core Strategy policies CSP15 "Affordable Housing", CSP35 "Green Space", along with "Open Space Provision on New Housing Developments" SPD.

A subsequent appeal to the Planning Inspectorate was also dismissed under reference number APP/R4408/W/17/3172968.

2019/0203 - Demolition of existing building and erection of 19 no. dwellings and associated access and landscaping – Refused for the following reasons:-

The proposed development would be contrary to Local Plan Policy D1, the Council's Supplementary Planning Document 'Design of Housing Development' and paragraph 127 of the NPPF in that its design and layout would fail to create a visually attractive development that would function well for the lifetime of the development, nor be safe, inclusive, and accessible for all people. Particular references are made to the combination of tall dwellings built close together positioned close to the road with minimal amounts of soft landscaping, the proposed parking layout which dominates the proposed street scenes and includes parking spaces located remotely from dwellings in several cases and the isolated bungalow.

In the opinion of the Local Planning Authority, the proposed development would be materially detrimental to the amenities of the future occupants of the proposed dwellings by reason of substandard internal and external spacing and inadequate separation distances, contrary to Local Plan Policy GD1 'General Development', Supplementary Planning Document 'Design of Housing Development' and the South Yorkshire Residential Design Guide.

In the opinion of the Local Planning Authority the proposed development would fail to provide any affordable housing or education contributions, contrary to Local Plan Policy I1 'Infrastructure and Planning Obligations', Local Plan Policy H7 'Affordable Housing', SPD 'Financial Contributions to Schools' and NPPF paragraph 54. The absence of essential forms of mitigation for a shortfall in school places and any provision of affordable housing would mean that the development would fail its social responsibilities, which is one of the three overarching objectives of sustainable development set out within the NPPF.

The proposal does not incorporate adequate on-site vehicular and cycle parking to the standard required by the Local Planning Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment of highway safety contrary to Local Plan Policies T3 and T4.

A subsequent appeal was also dismissed under reference number APP/R4408/W/20/3251286.

Proposed Development

The applicant seeks permission to demolish the existing buildings on the site and erect 13no. dwellings with associated access and landscaping. Vehicular access would be taken from a newly created access to the west of the site via Park Road (A61).

The site would consist of 5 blocks of semi-detached dwellings and one block of 3no. town houses, all containing 3no. bedrooms. 4no. house types are proposed across the site. All properties would have accommodation over 2 floors, with pitched roofs above. Each property would have in curtilage parking to the front/side and private amenity space to the rear.

8no. properties would be served by, and front, the main access road into the site which would be constructed to adoptable standard. The remaining 5 properties would front, and be served by, a private drive.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making which in Barnsley is the adopted Local Plan and Joint Waste Plan. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

The site is designated as Urban Fabric land within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy E3 uses on Employment Land

Policy E4 Protecting Existing Employment Land

Policy H1 The Number of New Homes to be Built

Policy H5 Residential Development on Large Non-allocated sites

Policy H6 Housing Mix and Efficient Use of Land

Policy T3 New Development and Sustainable Travel

Policy T4 New development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy LG2 The Location of Growth

Policy GD1 General Development

Policy D1 High Quality Design and Place Making.

Policy Poll1 Pollution Control and Protection

Policy BIO1 Biodiversity and Geodiversity

Policy CC2 Sustainable Design and Construction

Policy CC4 Sustainable Drainage System (SuDS)

Policy RE1 Low Carbon and Renewable Energy

Policy I1 Infrastructure and Planning Obligations

SPD's

Those of relevance to this application are as follows:

- Design of Housing Development
- Parking
- Sustainable Travel

Other

South Yorkshire Residential Design Guide

NPPF

The NPPF 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. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 91 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 109 - 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.

Para 124 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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.

Consultations

Comments have been received from the following consultees:-

Enterprising Barnsley – Support the proposal. They are working with the applicant on the proposed S106 Agreement and the intended relocation.

Drainage – No objections following amendments and subject to conditions

Air Quality Officer – No objections subject to condition requiring electric vehicle charging points.

Yorkshire Water – No objections to the revised plans.

Tree Officer – No objections have been received. Previous applications were not refused due to the impact on trees.

Education Officer – Since the previous application there is sufficient primary and secondary places forecasted at local schools. As such contributions are not requested.

Broadband – No objections subject to conditions.

SYMAS – No objection subject to a condition.

Coal Authority – Raised concerns with the age of the report. A condition is therefore proposed to be imposed as per the wording supplied by SYMAS.

Highways – No objections in principle to the revised plans subject to conditions.

Representations

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter (42no. in total). 3 letters of objection have been received as a result. The main points of concern are:

- Increased overlooking
- Overshadowing
- Loss of trees
- Increased flood risk
- Displacement of rats during construction
- Impact on wildlife

Assessment

Principle of Development

Local Plan Policy E4 'Protecting Existing Employment Land' states that land currently or last used for employment purposes will be retained in order to safeguard existing or potential jobs. The development of employment land and premises for non-employment uses will only take place if; development would not result in a significant loss of existing jobs or employment potential; there will still be an adequate supply of employment land or premises in the locality; and the land or premises cannot satisfactorily support continued employment use.

It is important to retain existing employment sites in order to maintain a range of types of available premises. The Local Plan sets out the numbers of housing required and broadly where it will be located. The Local Plan seeks to stop further losses of employment land to housing unless credible supporting evidence is provided to demonstrate that a proposal conforms to the above policy. However, it is recognised that the site is constrained given the level differences, the watercourse, and the surrounding residential properties. As such, although the bakery is in a position to expand, it is prevented from doing so on this site and needs to seek larger premises. Any future business occupying this site could also be faced with similar difficulties.

The applicants have stated that a S106 Agreement will be drawn up which limits the business to relocating within the Borough so as not to lose the employment from this business. The demolition of the current building and the development of the site would not be able to commence until

suitable alternative premises or land in the Borough have been found and tied to the bakery business. As such, any approval on this site would need to be the subject to such a S106 Agreement.

In terms of the proposed development, proposals for residential development on non allocated sites above 0.4 hectares will be supported in line with policy H5 of the Local Plan 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 proposal scores highly against the above criteria as the development would involve the re-development of a brownfield site that is located within Urban Barnsley. In addition, the site is located on the A61 which is a main bus route and there are a range of shops and services in the immediate catchment area. It is considered that the proposal strongly satisfies policy H5 therefore.

Furthermore, all new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety.

Residential Amenity

It is noted that there would be noise and disturbance associated with the proposed development in terms of residential and vehicular activity and the site is surrounded by existing residential properties which are noise sensitive. However, the current use of the site has to be considered. There is a currently operating bakery which operates long and unsociable hours. Arguably therefore, the proposed residential use would be more compatible with the predominantly residential area than the existing bakery use.

Plots 1-4 would sit to the South of the existing rear elevations of the properties on Charles Street. However, there would be a separation distance of over 24m, and the proposed properties would be on a lower level. The two sites would also be separated by a gabion retaining wall and the access road.

Plot 13 would sit close to the site boundary but there are no immediately adjacent properties at that point, just the head of Charles Street. Furthermore, it would be the side elevation of plot 13 facing which does not contain any habitable room windows.

The application site is on a higher level than the existing properties on Harvest Close and the neighbouring dwellings have rear elevations containing habitable room windows facing the application site. However, the closest plots are plots 6 and 7 which would have gables facing the shared boundary. The separation distance between the existing rear elevations and the proposed gables would be in excess of 21m, which is significantly more than the 12m required in the SPD in the case of rear wall to side wall relationships. It should also be noted that there is a watercourse and landscaped banking separating the two sites.

Plots 7-10 would back on to existing properties which front Westfields. Those plots would be built on a higher level and would have rear elevations and habitable room windows facing the neighbouring properties and their private amenity spaces. There would, however, be a separation distance of at least 11m between the proposed habitable room windows and the neighbouring amenity space, in accordance with the SPD. Although there would only be a 19m separation distance between the proposed windows and existing neighbouring windows associated with number 19 Westfield which is less than the 21m guidance, the windows do not directly face each other given the angles of the properties. As such it is considered that there would be no significant overlooking or loss of privacy. It should also be noted that the existing main bakery building is

located to the rear of the properties on Westfields at a closer proximity than the proposed dwellings and is a larger more imposing building than those proposed. 19 Westfields stands to benefit in relation to an improved outlook and light levels compared with the existing situation.

In terms of the amenity of the future residents of the development, the internal space on offer within the properties generally meets or exceeds the requirements of the South Yorkshire Residential Design Guide. The external garden areas also exceed the requirements of SPD 'Design of Housing Development'.

The separation distances of the proposed properties within the site meet the requirements of the SPD. It is noted that the front habitable room windows of plot 6 falls short of 21m from the front habitable room windows of plots 7 and 8, however, this is acceptable where properties are separated by a road.

Design & Visual Amenity

The site is an irregular shaped parcel of land with changing land levels, currently used in association with a bakery. As such there is an industrial building centrally located, with areas of hardstanding and ancillary storage, car parking and servicing space. The western portion of the site sits at a higher level beyond a series of storage containers and is overgrown with mixed vegetation.

This site is part of the surrounding built environment within an area of contrasting styles and character and being part of this broader urban fabric a new residential development would not be out of place. The layout provides for a mixed housing development of two storey semi-detached and town houses set behind modest front gardens or parking spaces, in accordance with Local Plan policy H6.

The design of the 4no. house types are relatively simple but incorporate enough differences and design features to add interest while still sitting comfortably and harmonising with the existing surrounding housing stock, in accordance with Local Plan Policy D1 and SPD 'Design of Housing Development'.

Given the size and layout of the site, the properties would also be set back from the A61 and not visually prominent within that street scene. The entrance to the site would incorporate soft landscaping to the southern side to aid soften the hard landscaping and first plots. Plot 1 would face the entrance from the A61 but that is a dual aspect property with windows, rather than a blank elevation, on that side elevation providing an active frontage.

Once within the site the views would be terminated by plot 13. There would be parking to the front of that property, but the driveway is single width and there is ample space for a front garden and soft landscaping. The majority of the plots within the site incorporate gardens to the side/rear which are visible within the street scene in order to soften the development and provide a greener and more attractive streetscape.

To North of the access road would be a gabion wall which would be prominent within the street scene. Further details of the materials and design of this retaining structure would be required via condition.

The layout limits the run of parking spaces to a maximum of 3, less than the guidance of 4 in the SPD, and despite the constraints on the site there is space for planting to assist in assimilating the development. There is a mix of side and front parking solutions which adds variety and interest to the street scene and avoids car dominance. As such the quality of the resulting environment would be satisfactory.

All the plots, including the mid-town house, have pedestrian access to the rear amenity space. This allows for bins and recycling containers to be stored to the rear of the property and away from public vantage points.

Education

SPD 'Financial contributions towards schools' 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; or
- There is a need for contributions to ensure schools are in an appropriate condition

The Education Officer has stated that on the basis of future roll projections there would be sufficient Primary and Secondary school places within the area. As such, no contribution will be sought compared with previously.

Sustainable Travel

The objective of the 'Sustainable Travel' SPD is to ensure that the accessibility of new development via public transport, walking and cycling is acceptable in order to promote sustainable transport and active travel and where possible enhance the safety, efficiency, and sustainability of the transport network to meet Barnsley MBC's economic, health and air quality aspirations. This document also supports the Council's 'Zero to 40' Climate Change strategy.

The SPD requires contributions on developments of 10 or more dwellings using the calculation set out in the SPD. In this case a contribution of £9,750 is required and this payment would need to be secured via a S106 Agreement. The contributions will be used to help finance and deliver the programme of public transport improvements and enhancements identified in the Infrastructure Delivery Plan, the updated Barnsley Rail Vision, and other relevant documents.

The SPD also requires that 1 electric vehicle charging point (EVCP) will be provided per unit. A condition requesting the EVCP will be imposed on any permission.

Highway's considerations

Park Road is a busy link and distributor road (the A61) and is subject to a 30-mph speed limit. There is a bus stop and shelter directly opposite the proposed access and the boundary wall at the proposed access location is a highway retaining structure.

The site is currently occupied by factory and warehouse units associated with White's Bakery. The change of use will see the existing access which is reached via a network of lightly trafficked residential side streets; John Street, George Street and Hardwick Close abandoned in favour of a new access directly off Park Road. Taking into account of the existing use the increase in traffic generated by the site is unlikely to be significant and would be most common at the residential am and pm peaks rather than spread throughout the working day as is currently the case.

It is accepted that the development will see traffic shifted from residential side streets to the newly formed junction on the main road to some likely benefit to residential amenity. However conversely this will see an additional access created on this heavily trafficked stretch of road to some detriment to the free and safe flow of traffic. However, this would likely not be significant enough to warrant a substantive objection to the proposal solely on highways grounds.

There are waiting restrictions in place on Park Road, but these are some distance from the proposed access. A Bike shop currently occupies the property on Park Road adjacent the proposed access. A significant level of pavement parking occurs at these properties which lie within the visibility splays of the proposed junction. As such measures including the amendment

and extension of the waiting restrictions on Park Road and/or a suitably located pedestrian refuge island are required to discourage this behaviour and so ensure the necessary visibility splays are kept clear of waiting vehicles. Suitably worded conditions will be recommended.

Manual for Streets requires visibility at new junctions of 2.4m x 43.0m, with a relaxation for the setback distance to 2.0m only in lightly trafficked situations. The main issue then is the sub-standard visibility to the north (2.4m x 31m). This is of a degree of concern, however, it is noted that the proposed access directly off Park Road will remove any traffic flows and turning movements associated with the alternative proposal of serving the site from the existing junction of John Street with Park Road which is more sub-standard with regard to visibility than the proposed access. In addition, the development would also remove the existing industrial traffic from this sub-standard junction, all to some benefit to highway safety. Consequently, on balance the proposal is not objected to in principle in highways terms.

Furthermore, although application 2019/1339 proposed access to the site from Charles Street (similar to the current access to the bakery) application 2014/1570 proposed a similar access off the A61 to serve the proposed 23no. dwellings. Whilst that application was refused and dismissed at appeal, it was not refused on highway safety grounds and that access point was deemed acceptable in principle, subject to conditions.

Within the site there is adequate turning and manoeuvring facilities. 8no. properties would be served from the adoptable highway and 5no properties would be served from a private drive, which is in accordance with the South Yorkshire Residential Design Guide.

Each property would have at least 2no. incutillage/dedicated parking spaces, in accordance with SPD 'Parking' and there would be space for on street parking to the North of plots 1-4.

A bin storage area is also provided at the end of the private drive so that the refuse vehicle can collect from the adopted highway.

Ecology

The application site is approximately 0.56 hectares in size and is located within the Barnsley suburb of Worsbrough. The site is dominated by the main bakery building and hardstanding, which cover approximately three quarters of the site, along with a small area of scattered scrub, amenity grassland, scattered trees, and a culverted drain which runs along the southern site boundary.

The submitted preliminary Ecological Assessment (PEA) did not identify any priority habitats, nor any protected species. However, the report does make recommendations about vegetation clearance being undertaken outside of bird nesting season and that enhancements should be provided in the form of replacement tree planting, native species hedgerows, bird and bat nesting boxes and boundary treatments with gaps to allow small mammals to pass through. Those recommendations are proposed to be conditioned.

Trees

A total of fifteen individual trees and two groups of trees/hedging were surveyed. Of these trees/groups, one was identified as retention category 'B' and sixteen as category 'C'. No category 'A' or 'U' trees were identified.

It has been recommended that five trees are monitored annually to assess if their condition is still acceptable. T9 has a fungal bracket present which require monitoring to ensure the decay does not progress.

A condition will be recommended for additional details to be provided regarding the protection of the retained trees during the construction period.

Mining

The contents of the 'Phase 1 Site Investigation' report in regard to the proposals as prepared by Hannah, Reed and Associates Ltd ref: D211161 dated May 2011 are noted. Although this report does not appear to address the shallow coal mining or geological position, the site marginally lies in a Coal Authority referral area on the north-eastern boundary – where the Kents Thin seam is conjectured to outcrop. This area is outlined on Coal Authority records as an area of 'probable shallow coal mine workings', and according to the development plans it is likely to affect proposed plots 12 and 13. SYMAS have raised no objections to the proposal subject to further investigations being carried out and these investigations will be conditioned.

It is noted that the Coal Authority have raised concerns with the age of the report. However, as outlined above more upto date information will be requested via condition through additional intrusive site investigations. The Coal Authority will be consulted on the findings of these investigations through a discharge of conditions application. It should also be noted that the previous applications were not refused for reasons relating to mining legacy.

Drainage

A partially open/partially culverted watercourse (Snape Sike) runs through the southern portion of the site from west to east in a position that is considerably lower than the proposed dwellings. In the culverted section it is a 600mm diameter clay pipe 15m in length before flowing through the southern portion of the site from west to east before entering a 450mm circular culvert on the south eastern boundary of the site. The Snape Sike ultimately discharges into the River Dove downstream from the site.

It is proposed to extend the existing culvert by approximately 40m to allow a new entrance into the site to be built. The proposed extended section of pipe will be required to be designed to support the new road construction and the requisite vehicular loadings in accordance with the highways specification.

The proposed culvert will match the existing culvert in slope, width, height and type to reduce the impact on water levels within the watercourse and therefore the flood risk posed to the site and off-site locations. It is proposed that the new culvert will be a 600mm diameter pipe. By maintaining the same profile, the conditions will be as existing and therefore will accommodate any increase in water flows.

The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of the NPPF. The development should not therefore be precluded on the grounds of flood risk.

The Council's Drainage Officer largely agrees with the FRA, but initially there was limited information regarding the flows and capacity of the culverting works and the surface water run off risk to existing dwellings had not been adequately considered in that the land slopes down on the southern side of the new access road that is proposed to be constructed to join with Park Road. That banking slopes down directly to dwellings on Harvest Close. The FRA has now been updated in line with the Drainage Officer's requirements and the drainage plans have been amended to show a cut off drain at the toe of the embankment including a cross section. Given the above comments, there are no objections to the proposed drainage strategy, subject to conditions.

Conclusion

Taking into account the relevant development plan policies and other material considerations (principally policy H5) it is considered that there are not any significant and demonstrable adverse

impacts that would outweigh the benefits associated with the granting of planning permission, subject to the applicant entering into a S106 Agreement to secure the prior relocation of the company to a new site within the Borough. That pre-requisite is considered absolutely necessary in order for the principle of development to be supported having regards to Policy E4 Protecting Existing Employment Land. In addition, the proposal is assessed to be acceptable taking into account of other material considerations including design and appearance, residential amenity and highways considerations, also subject to a need to secure a sustainable travel contribution. The recommendation is therefore one of approval subject to a S106 Agreement and the conditions listed below.

Recommendation: Grant subject to the following conditions & S106 Agreement (Company relocation to another site within the Borough and a sustainable travel contribution)

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

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

2. The development hereby approved shall be carried out strictly in accordance with the amended plans (Nos.20-137-01-F, 20-137-02, 20-137-03 & 20-137-06-A) and specifications as approved unless required by any other conditions in this permission.

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

3. Upon commencement of development details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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. Upon commencement of development a plan indicating the position of boundary treatment(s) to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwelling is occupied. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality and the amenities of occupiers of adjoining property in accordance with Local Plan Policies GD1 General Development Policy and D1 High Quality Design and Place Making

5. Upon commencement of development details of measures to facilitate the provision of high speed full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure compliance with Local Plan Policy I1.

6. Construction or remediation work comprising the use of plant, machinery or equipment, or deliveries of materials shall only take place 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: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of plots 1 & 3-9 inclusive,

which would otherwise be permitted by Part 1 of Schedule 2 to that Order, shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.

Reason: In the interest of visual and residential amenity, in accordance with Local Plan Policies GD1 & D1 and SPD.

8. Upon commencement of development, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be implemented prior to the occupation of the building(s).

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

9. All in curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out on each plot no later than the first planting and seeding season following the occupation of the individual dwellinghouse/s; and any trees or plants which die within a period of 5 years from first being planted, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

10. All out of curtilage planting, seeding or turfing comprised in the approved details of landscaping (plan refs) shall be carried out in full in accordance with a timetable to be submitted to and approved in writing by the Local Planning Authority upon commencement of development. Thereafter the landscaping shall be carried out in accordance with the approved details and timescales.

Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan policies GD1 'General Development' and D1 'High Quality Design and Place Making'.

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.

Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.

12. Pedestrian intervisibility splays having the dimensions of 2 m by 2 m shall be safeguarded at the drive entrance/exit such that there is no obstruction to vision at a height exceeding 1m above the nearside channel level of the adjacent highway.

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

13. No development shall take place, including any works of demolition, until a Demolition & Construction Method Statement 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 Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development

-The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

-Wheel washing facilities

-Measures to control the emission of dust and dirt during construction

-Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity and in accordance with Local Plan Policy T4 New Development and Transport Safety and Local Plan Policy D1 High Quality Design and Place Making.

14. Visibility splays, having the dimensions 2.4m x 31m to the North and 2.4m x 43m to the South, shall be safeguarded at the junction of Park Road with the proposed site access, such that there is no obstruction to visibility and forming part of the adopted highway.

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

15. The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: To ensure that satisfactory off-street parking/manoeuvring areas are provided, in the interests of highway safety and the free flow of traffic and in accordance with Local Plan Policy T4 New Development and Transport Safety.

16. All surface water run off shall be collected and disposed of within the site and shall not be allowed to discharge onto the adjacent highway.

Reason: In the interests of highway safety in accordance with Local Plan Policies T4 New Development and Transport Safety and POLL1 Pollution Control and Protection.

17. No development shall take place until:

(a) Full foul and surface water drainage details, including a scheme to reduce surface water run off by at least 30% and a programme of works for implementation, have been submitted to and approved in writing by the Local Planning Authority:

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

(c) Calculations based on the results of these porosity tests to prove that adequate land area is available for the construction of the soakaways;

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.

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

18. All 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

19. Development shall not commence until arrangements have been entered into to secure such works to mitigate the effect of the development, and such works shall be completed prior to the development being brought into use. Such works shall comprise of:

- Provision of right turn pocket and adjacent pedestrian refuge island at new junction with Park Road
- Measures for controlling parking on Park Road and in particular within visibility splays of the junction of the access road with Park Road
- Any necessary amendments to signing/lining
- Any necessary amendments to drainage
- Any necessary amendments to street lighting
- Relocation of telegraph pole
- Reinstatement of all redundant vehicular accesses.
- Provision of new /modifications to existing highways retaining structures where necessary.

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

20. Vehicular and pedestrian gradients within the site shall not exceed 1:12.

Reason: to ensure safe and adequate access.

21. Development shall not commence until details of all highway and other retaining wall structures, including specification and calculations have been submitted to and approved in writing by the Local Planning Authority, and the development shall then be carried out in strict accordance with the approved details.

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

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

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

23. Upon commencement of construction works, details of electric vehicle electric vehicle charge points shall be submitted and approved in writing by the LPA. The EVCPs will have a minimum "Mode 3" (7 kW, 32 AMP) capability and shall be installed in accordance with the approved details prior to first occupation of the development and thereafter in accordance with the approved details.

Reason: To ensure the new residential units are provided with infrastructure that conforms with the requirements of LP Policy T3 - New Development and Sustainable Travel.

24. The site has been identified to be at risk from potential coal mining legacy. An intrusive site investigation must therefore be undertaken by a suitably qualified person to evaluate the ground conditions and determine any actual mining legacy risks. The site investigation and subsequent development must be undertaken in compliance with Construction Industry Research and Information association publication C758D (Abandoned mine workings manual) where applicable. A report detailing the findings of the investigation and any recommended mitigation shall be submitted for approval in writing by the Local Planning

Authority, the development thereafter shall be carried out in accordance with the approved details. In the case of further stabilisation works being required, then the condition will not be discharged until details of such works have also been submitted. Responsibility for securing a safe development rests with the developer and/or landowner.

Reason: NPPF 178 a,b,c. 179 and 170 e & f, based around Land Stability.

25. Prior to the commencement of the development full details of the ecological mitigation and enhancement measures, including those set out in section 7 of the Preliminary Ecological Appraisal (PEA) Survey Report (Ref: WHITES.2020) dated 4th January 2021, shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with Local Plan Policy BIO1.

26. 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:

Tree protective barrier details
Tree protection plan
Arboricultural method statement

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality.

27. The development shall be carried out in accordance with the Flood Risk Assessment by KRS Environmental (Ref: KRS.399.001.R.002.C) and retained as such for the life of the development.

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

28. Upon commencement of the development, arrangements for regular inspection and maintenance of the culverted watercourse passing through the site (both new sections and the existing) shall be submitted to and approved in writing by the Local Planning. Thereafter the approved measures shall be maintained for the lifetime of the development.

Reason: In the interests of public safety and in accordance with Local Plan Policy D1 to contribute towards place making and be of high quality that contributes to a healthy safe and sustainable environment.

29. Prior to the commencement of development plans to show the following levels shall be submitted to and approved by the Local Planning Authority; finished floor levels of all buildings and structures; road levels; existing and finished ground levels. Thereafter the development shall proceed in accordance with the approved details. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed in accordance with Local Plan Policy D1 High Quality Design and Place Making.

30. No development shall be commenced until full engineering, drainage and 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.

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.

31. Before any dwelling is first occupied the roads and footways shall be constructed to binder course level from the dwelling to the adjoining public highway in accordance with details of a completion plan to be submitted and approved in writing by the LPA. The development shall, thereafter, be constructed in accordance with the approved details.

Reason: To ensure streets are completed prior to occupation and satisfactory development of the site.

32. The gradient of the vehicular access shall not exceed 1 in 20 for a minimum distance from the give way line of 5 metres or to the tangent point of the corner radii if greater.

Reason: In the interests of highway safety

