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Application reference number	2024/0698
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Application Type	Full Planning Permission
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Proposal Description:	Erection of 39no. dwellings and associated infrastructure and open space
Location:	Land south of Coniston Avenue, Darton, Barnsley

Applicant	Ben Bailey Homes Ltd
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Number of Third Party Reps	28 representations received to original application and 28 representations to re-consultation on amended scheme	Parish:	N/A
		Ward:	Darton East

SUMMARY

This application is for 39no. dwellings and associated infrastructure and open space.

The proposal is considered to be acceptable in policy terms being a site allocated for housing as Site Allocation HS6 with the number of dwellings proposed being very close to the indicative yield in the local plan (40 dwellings) A previous application for 48 dwellings at this site, under planning application reference 2021/1661, was passed by the Planning Board in June 2022, although the applicant chose to withdraw the application before the signing of the S106 and issuing of the decision notice. In principle, there has therefore been a previous acceptance of residential development at this site.

The report demonstrates that any harm generated by the proposal is outweighed by other material planning considerations. The development would not cause an unacceptable level of harm to neighbouring properties, the highway network, the ecology of the site, drainage, or the visual amenities of the area. Subject to the imposition of suitable conditions and signing of a S106 it is considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2023).

Recommendation: **GRANT Planning Permission subject to conditions and signing of S106**

Introduction

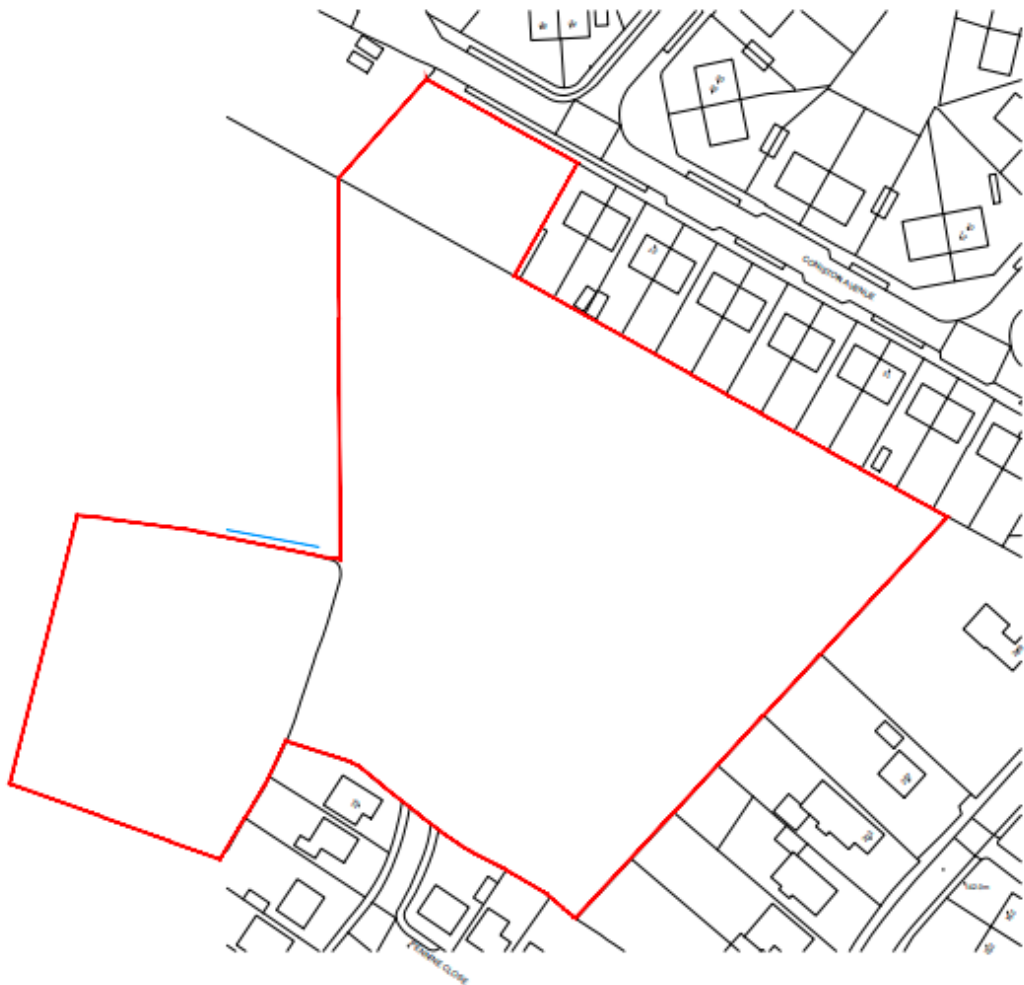
The report is being presented to Planning Board because the application would require a S106.

Site Description

The site is an irregular shape, circa 1.66 ha of undeveloped farm land, located to the north east of Darton. There is housing backing onto the site to the north east, off Coniston Avenue, the south east, off Sackup Lane, and to the south west off Pennine View. To the west is open fields which are washed over as Green Belt, an area of which has been included in the red line.

The site falls from Coniston Avenue down to Pennine View by circa 6m. As it has been farmed, there is limited vegetation or features with just a few trees around the site edges and linear hedgerows.

The immediate wider area of Darton is residential in character with a mix of housing styles and materials, albeit predominantly brick.



Site location plan

Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
B/00/1255/DT	Residential development of 31 houses with garages	Refused and appeal dismissed
B/03/0120/DT	Residential development – Erection of 43 dwellings	Refused
2021/1661	Residential development and associated works, including access and sustainable drainage feature	Recommended for approval by the Planning Board but agent withdrew the application before S106 signed and decision notice issued

Proposal

The proposal is for a residential scheme of 39 dwellings, with associated infrastructure (the proposed site layout is provided at Appendix 1). Access is proposed from Coniston Avenue to the north east, running parallel with the site boundary before turning to the east and splitting into two roads, one continuing east and one heading south.

The scheme proposes 8 different house types providing a mix of detached, semi-detached and terraced housing. The properties would be two storeys and would have 2 bed, 3 bed, and 4 bed dwellings on the site. In terms of accessibility, 10 of the properties would meet M4(2) accessible and adaptable standard and 2 of the properties would be M4(3) adapted. The properties would be constructed of brick with tiled roofs similar to the materials found in the surrounding area.

The layout also shows a surface water attenuation basin to the south-west of the site and shows a pedestrian footway link to Pennine View to the south.

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan 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 development plan for this part of Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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 located within Darton which is identified as forming part of Urban Barnsley. Urban Barnsley is acknowledged as the most accessible and sustainable locations in the borough where growth should be encouraged and is therefore the main focus for development.

The majority of the site is identified as site allocation HS6 with the indicative number of dwellings within the Local Plan as 40. The surface water attenuation area of the scheme is located in the Green Belt. 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' sets out the priority given to development by location with the Principle Towns second in the hierarchy after Urban Barnsley.

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.

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 in Urban Barnsley

H7 'Affordable Housing' seeks 20% affordable housing in Darton and Barugh on sites over 15 units.

T3 'New Development and Sustainable Travel'. New development should be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

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.

Policy GB1 – Protection of Green Belt

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

CC1 'Climate Change'

CC3 'Flood Risk'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

I1 'Infrastructure and Planning Obligations'

I2 'Educational and Community Facilities'

Adopted Supplementary Planning Documents relevant to this application:

- Design of Housing Development
- Parking
- Open Space Provision on New Housing Developments
- Sustainable Travel
- Financial Contributions for Schools
- Trees and Hedgerows
- Affordable Housing
- Biodiversity and Geodiversity
- Planning Obligations
- Trees and hedgerows
- Parking

NPPF

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 48 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 61 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community

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 153 - When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances

Paragraph 187 - Planning policies and decisions should contribute to and enhance the natural and local environment including by (amongst other things) providing net gains for biodiversity including by incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

Paragraph 198 – Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.

Relevant Consultations:

Highways DC – following receipt of additional information and amended plans no objections are raised subject to conditions

Drainage – no objections subject to condition

Yorkshire Water – no objections subject to conditions

Design Officer - . following receipt of additional information and amended plans no objections are raised subject to conditions

Pollution control/contamination – satisfied with the recommendations within the “Ground Investigation Report” and subject to condition implementing these then no objections raised

Biodiversity - the biodiversity net gain assessment indicates that a gain of 0.67 habitat units (17.57%) and 0.11 hedgerow units (13.19%) can be achieved on site, which is welcomed. Additional enhancement/mitigation measures proposed include the installation of bird and bat boxes on all proposed dwellings and provision of hedgehog access within proposed fencing. No objections subject to conditions.

Education – to cover primary and secondary school places a S106 contribution of £240,000 would be required

Affordable housing – considering the viability study, no objections are raised to the 3 affordable houses proposed.

SYMAS – no objections raised.

The Coal Authority – no objections raised

Forestry Officer – . following receipt of additional information and amended plans no objections are raised subject to conditions

Ward Councillors – have welcomed the reduction in numbers from the previous scheme but have raised concerns on:

- Impact on the landscape and environment
- Insufficient provision for the attenuation of surface water
- Subsidence
- Lack of affordable housing
- Disruption to nearby residents
- Proximity of houses to existing residents and overlooking issues
- Removal of vegetation on site
- Disruption to residents from drainage works
- Need to prevent access to Pennine View becoming a cut through road
- Attenuation land is outside of site allocation
- Impact on No. 25 from pedestrian access point to Pennine View

Representations

Neighbour notification letters were initially sent to 125 surrounding properties; a site notice was placed nearby and a press notice placed in a local newspaper. 28 representations were received to this initial consultation. On the receipt of amended plans and further information a further re-consultation was carried out and another 28 representations were received to this second consultation. The following is a summary of the concerns raised from these representations:

- Use of green belt for attenuation scheme
- Loss of walls and hedges due to lack of maintenance
- Lack of green space on site
- Development too dense
- Increase in traffic causing highway safety issues
- Inadequate local facilities to serve development – in particular local schools and GPs
- Design of houses not visually attractive
- Loss of outlook
- Impact on wildlife
- Increase in dog fouling
- Pedestrian access too close to drive
- Increase in flood risk
- Drainage works affecting nearby residents
- Overlooking
- Lack of affordable housing
- Removal of trees and hedgerows
- Subsidence
- Small gardens to some of the plots

The following non material concern was also raised:

- Impact on house prices

Assessment

The main issues for consideration are as follows:

- The acceptability of the development in principle
- The impact on visual amenity and the character of the area
- The impact on residential amenity
- The impact from traffic and highway safety
- The impact of the development on drainage
- The impact on Biodiversity and trees
- S106 contributions
- Other issues

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

Principle of development

Local Plan Policy LG1 sets the basis for growth in the Local Plan with LG2 providing an overview on the approach to the location of development with Urban Barnsley as the main focus for housing, employment, shopping, health, leisure, business and public services in the region. Policy H1 identifies the number of homes to be built, with Policy H2 allocating 43% to Urban Barnsley.

The site is allocated in the Local Plan for housing under site specific policy HS6 with an indicative yield of 40 houses. Sites which are allocated for housing, and where there are no site-specific details in the policy, shall be determined in accordance with the Local Plan. Policy GD1 provides a starting point for assessing all development proposals and sets various criteria which development should comply with. Various other policies in the Local Plan cover these criteria in more detail and the proposed is assessed against GD1 and these other policies in the report.

The scheme includes a proposed surface water attenuation area located in the adjacent field which is in the Green Belt where Local Plan Policy GB1 applies which seeks to protect the Green Belt in accordance with the National Planning Policy Framework (NPPF). Paragraph 154 of the NPPF lists certain forms of development which are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, this includes engineering operations such as the proposed surface water attenuation area. Looking first at the impact on openness, the applicant's have provided an engineering feasibility plan which shows the surface water attenuation scheme to consist of a detention basin which would have a perimeter of 122m . It will be a greenfield feature, with landscaping around it. In this respect the detention basin will be green and, when water is in it, will appear more as a natural pond, therefore, it will not impact on the openness of the Green Belt or conflict with the purposes of including land within it as required by Local and National Planning Policy.

The scheme would allow for the development of housing on an allocated site which would weigh significantly in favour of the scheme.

The impact on visual amenity and the character of the area

The landscape character and value of the site itself is limited by it being farmland which is relatively featureless. Its visibility is limited because it is surrounded on 3 sides by existing housing development which restricts views and there are no public rights of way across the site and limited views from the PROW's in the surrounding area. Views of the site are therefore restricted to those of existing residents who back onto the site and some longer distance views from the west, which are less sensitive given the development would be viewed against the backdrop of the existing urban area.

In terms of the proposed layout the scheme has adopted a similar approach to planning application 2021/1661 that was passed by Members of the Planning Board in June 2022, although it was withdrawn prior to the signing of the S106 and issuing of the decision notice Below is a comparison between the layout for application 2021/1661 and the layout for this current application:



2021/1661



2024/0698

The access and layout of internal roads is very similar between the two schemes as is the location of the surface water attenuation areas. The main difference is the 2021 scheme was for 48 dwellings whereas the current application is for 39 dwellings so the density of the layout has reduced.

Notwithstanding the above, each application needs to be judged on its own merits. The current application proposes 39 dwellings which is close to the indicative yield stated within the Local Plan for allocation HS6 of 40 dwellings. The density of the development is therefore considered acceptable. In terms of the mix of dwellings there are 2 bed, 3 bed and 4 bed homes proposed on the site. Whilst there are no single storey dwellings proposed, the scheme does meet the accessibility standards as 10 of the properties would meet M4(2) accessible and adaptable standard and 2 of the properties would be M4(3) adapted. The scheme also provides a suitable mix of house types and styles with it featuring terraced, semi detached and detached properties.

In terms of the design of the dwellings, the immediate surroundings show a mix of dwelling types. The properties bordering the north of the site on Coniston Avenue are predominantly semi-detached red brick houses. Bordering the eastern boundary the properties are more individual detached dwellings with evidence of brick and render being used. To the south the properties are predominantly detached brick dwellings with tiled roofs. The applicant is proposing brick for the proposed dwellings with tiled roofs which would fit in with the surroundings. The house types proposed provide a suitable mix of styles to provide interest without appearing out of character with the surroundings. The proposal is considered to be in line with Local Plan Policy D1 and its visual impact is therefore considered acceptable. This weighs moderately in favour of the scheme.

Impact on Residential Amenity

The site is surrounded on three sides by existing residential properties. To the north, the properties have been sited so they meet or exceed the 21 m distance from the backs of the properties to the back of the existing dwellings on Coniston Avenue. To the east there are a mixture of side elevations and rear elevations facing the neighbouring properties but all meet the required distances set out within the relevant SPD. In terms of the properties to the south, the distance between Plot 32 and the nearest property, 1 Pennine Close, would be approximately 18.5m to No 1 Pennine Close's side /rear extension, and approximately 21.5m to the original house. Given the average of these figures would be 20m this is not

considered a significant difference from the 21m recommended. With regards to Plot 31 to No. 3 Pennine Close the distance is approximately 18.5m but in this case there is a large mature tree in between which would mitigate the impacts of the shortfall in distance preventing any significant detrimental impact to this near property. The tree is to be retained as part of the scheme. All other properties to the south meet the required distances set out in the SPD and as such the proposal is not considered to give rise to any significant impacts of overlooking or overshadowing to nearby neighbours in accordance with Local Plan Policy GD1.

It is noted that there has been a concern about the footpath link between the proposed development and Pennine Way linking into the footway in front of No. 25 Pennine Way. Whilst this could create a bit more activity in this location it will be to the front of this neighbouring property and won't affect the private amenity areas of this dwelling. It also has to be weighed against the advantages of having the link to allow improved connectivity between this site and Darton to the south as well as for residents of Pennine View and to the south in connecting to the park on Keswick Road.

In terms of disruption during construction a condition would be recommended to limit the working hours during the week to protect neighbouring amenities.

In terms of proposed residents, the overall internal floor areas meet the required standards and sufficient private amenity spaces are provided for the different types of dwellings.

Taking account of the above the impact on residential amenity is accepted to comply with Local Plan Policies D1 and Poll1. This weights modestly in favour of the scheme.

The impact from traffic and highway safety

The site lies between Coniston Avenue to the north and Pennine View to the south and is an allocated residential site within the Local Plan which is accepted to be in a sustainable location. The indicative number of dwellings within the policy is 40 and this scheme is for 39 dwellings. The Council's Highways Section have assessed the scheme and are satisfied that the number of trips generated from this site would not cause detriment to the surrounding highway network

Access into the site is shown from Coniston Avenue. The western end of Coniston Avenue currently served Coniston Farm. As the farm is unlikely to generate a significant number of vehicular trips, the predominant movement would be into and out of the development site. Given this predominant movement, the scheme shows the new development access route would take priority.

In terms of the internal layout the Council's Highways Section are satisfied it meets the necessary requirements and adequate off-street parking is provided for all the dwellings.

On this basis of the above the proposal complies with Local Plan T3 and T4 with regards to Sustainable Transport and Highway Safety. This weighs moderately in favour of the scheme

The Impact of the development on drainage

The site is within Flood Zone 1 which has the lowest probability of flooding. The applicant has provided a Flood Risk Assessment which sets out the general strategy for drainage at the site. This includes the use of the surface water attenuation system to reduce the run off from the site to a suitable discharge rate to ensure there is no increase in flood risk to the downstream catchment.

The Council's Drainage Section and Yorkshire Water have both been consulted on the scheme and raised no objections. The Council's Drainage Section have noted that the area is well served by sewers. Subject to suitable conditions to provide a more detailed drainage scheme the proposal is considered acceptable and in line with Local Plan Policy CC3. This weighs modestly in favour of the scheme

The Impact on Biodiversity and on Trees

The applicant has submitted a Preliminary Ecological Assessment (PEA) and a Biodiversity Net Gain Assessment. The PEA notes the site is mainly arable land and poor modified grassland. The only potential evidence of any protected species would be the potential for the Oak tree at the south of the site to be a roosting area for bats but this is to be retained as part of the proposal.

The biodiversity net gain assessment indicates that a gain of 0.67 habitat units (17.57%) and 0.11 hedgerow units (13.19%) can be achieved on site, which is welcomed. Additional enhancement/mitigation measures proposed include the installation of bird and bat boxes on all proposed dwellings and provision of hedgehog access within proposed fencing. In view of the measures proposed the Council's Biodiversity Officer has raised no objections to the scheme subject to suitable conditions.

In terms of trees the scheme does propose some loss of low category trees on the site. However, the higher category trees, particularly the Oak trees to the southern end of the site are to be retained. Amendments have been made to the site layout to provide further protection to these trees. The Council's Forestry Officer has commented as follows:

"The amendments to the scheme have allayed many of my concerns regarding the trees particularly those surrounding Trees T19 and T21, the moving of the dwelling and the proposed retaining wall within the plot has ensured only very minimal incursion into the rooting area of T19 with T21 remaining unaffected. T21 is in close proximity to the scheme but the size, age and species of the tree mean that if this became an issue in the future some very minor pruning could alleviate it. T3 and T19 will require some very minor root pruning, however the level of encroachment is well within the limits of what the trees should be able to tolerate. Protection measures including protective barriers and ground protection have been specified and are entirely suitable to ensure the trees remain as unaffected as possible."

The Forestry Officer has recommended a landscape scheme would be required to ensure adequate replanting for those trees that are to be removed. The Forestry Officer has also recommended that the submitted Arboricultural Method statement is adhered to. These can both be conditioned. Subject to these conditions the Forestry Officer raises no objections to the scheme from an arboricultural perspective. This weighs moderately in favour of the scheme

S106 contributions

To meet Policy requirements the scheme would require:

Education - £240,000
Sustainable Travel - £29,250
Open Space - £73,798.48
Biodiversity – 10% net gain in site
Affordable Housing – 20% of the scheme i.e. 8 dwellings

However, the applicant has submitted a viability assessment as part of the submission which details the building costs for the development. This has been assessed by an independent assessor. The applicant initially stated that the scheme could not provide any affordable housing on site as it would not be viable. This was contested by the independent assessor and a number of discussions and further analysis took place. The outcome of the re-assessments was that it was agreed that the scheme would be viable with 3 affordable houses on site along with the other S106 contributions. However, it has also been agreed that an overage clause would need to be inserted into any S106. This would allow a review mechanism to take place at an agreed point to allow the Local Planning Authority the potential to capture any profit that wasn't anticipated at this current time to reinvest that back into affordable housing. If the review shows there is no extra profit or the scheme did not meet the profit it said it would do then that does not mean the developer would gain any reduction in the S106 requirements.

In view of the above it has been agreed that the scheme will provide 3 affordable houses and the remaining S106 requirements detailed above. This will be secured by a suitable S106 with the required overage clause. This weighs modestly in favour of the scheme.

Other issues

Within the objections raised concerns were expressed about the impact on local services in particular GPs and Schools. The impact on schools is mitigated by the required education contribution. In terms of the impact on GPs, the site is an allocated site for housing for around 40 dwellings. The NHS were consulted as part of the Local Plan process so will be aware of this allocation. It would be up to them, rather than the planning service, to allocate resources where they are required.

Comments have also been made about potential subsidence. This is more of a structural issue that would be dealt with by building regulations rather than planning regulations. The applicant has submitted a Geo-Environmental Ground Investigation Report that has been assessed by SYMAS, the Coal Authority, and the Council's Pollution Control Section who have all raised no objections to the proposal.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) 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 and would not impact on residential amenity, highway safety, the character of the area, trees, drainage or offsite trees.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

Having balanced all material planning considerations, whilst a number of objections have been received in respect to the proposal they have been suitably addressed through the information supplied and further amendments to the scheme. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations.

The proposal is therefore, on balance, recommended for approval subject to conditions.

RECOMMENDATION

MEMBERS RESOLVE TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT SUBJECT TO THE SIGNING OF A S106 AND THE CONDITIONS BELOW:

CONDITIONS/REASONS

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 following plans and documents:

- Location Plan 2427-0101-P01
- Site Layout Plan 2427-0301-P13
- House Type Farndale Drawing No. 0304 Rev 1
- House Type Newington Drawing No. 2427-0303-P02
- House Type Wiseton Drawing No 0306 Rev 1
- House Type Wiseton – M4(3) adapted Drawing No.2427-0309-P01
- House Type Hayton Drawing No. 2427-0305 Rev 1
- House Type Farnley Drawing No. 0307 Rev1
- House Type Penrose Drawing No. 0308 Rev 1
- House Type Sutton Drawing No. 2427-0302-P01
- Arboricultural Method Statement Report No. 2411.AMS.01 dated 18th July 2025
- Sustainability and Energy Statement dated August 2024
- Coal Mining Report 'Con29M'

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. 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.

5. 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 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 in accordance with Local Plan Policy T4 New development and highway improvement

6. 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 at Coniston Avenue, in accordance with details of a completion plan to be submitted and approved in writing by the LPA.

Reason: To ensure streets are completed prior to occupation and satisfactory development of the site in accordance with Local Plan Policy T4 New development and highway improvement

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 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
- Measures to prevent mud/debris being deposited on the public highway.

Reason: In the interests of highway safety in accordance with Local Plan Policy T4 New development and highway improvement

8. No development shall take place until a survey of the condition of the adopted highway condition to be used by construction traffic has been submitted to and approved in writing by the LPA. The extent of the area to be surveyed must be agreed by the LHA prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1250 showing the location of all defects identified
- A written and photographic record of all defects with the corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of survey.

On completion of the development, a second condition survey of the adopted highway shall be carried out to identify defects attributable to the traffic associated with the development. It shall be submitted for the written approval of the Local Planning Authority. 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: To ensure that any damage to the adopted highway sustained throughout the development process is identified and subsequently remedied at the expense of the developer in interests of highway safety in accordance with Local Plan Policy T4 New development and highway improvement

9. 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.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with Local Plan Policies D1 High Quality Design and Place Making and GD1 General Development.

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, 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. The approved landscaping details shall be implemented prior to the occupation any dwelling.

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

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out 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 Policy BIO1 Biodiversity.

12. No hedges or trees on or overhanging the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed by the residents of the development. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To safeguard existing trees/hedges, in the interests of the visual amenities of the locality in accordance with Local Plan Policy BIO1 Biodiversity.

13. No development (including construction, land raising and demolition if required) shall be carried out other than in accordance with a Construction Environmental Management Plan (CEMP) that is first submitted to, and approved by, the local planning authority. The CEMP is expected to include measures to control noise and dust.

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 full foul and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwellings shall be occupied or brought into use until the approved drainage details for that dwelling have been implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing with the Local Planning Authority. Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC3

15. 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 sewers i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant areas of the site shall commence until measures to protect the public sewerage 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 sewer, 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 sewer network in accordance with Local Plan Policy CC3

16. The development shall be carried out in accordance with the details shown on the submitted, Flood Risk Assessment E24/8080/FR01 dated July 2024 prepared by Haigh Huddleston & Associates,

Reason: In the interest of satisfactory and sustainable drainage in accordance with Local Plan Policy CC3

17. The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment Report (Version 4). All the recommendations shall be implemented in full according to the timescales laid out, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

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

18. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological documents submitted with the application.

Reason: In the interests of clarification and to help deliver a biodiversity net gain on site in accordance with Schedule 7a of the Town and Country Planning Act 1990

19. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority. The HMMP shall include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, and approved in writing by, the local planning authority.
- f) A timetable for implementation and completion of creation and enhancement works.
- g) Notice in writing shall be given to the Council within 10 working days of the implementation of the HMMP
- h) Notice in writing shall be given within 10 working days of the completion of the habitat creation and enhancement works as set out in the HMMP and a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- i) Thereafter the created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP] for a period of 30 years following the completion of the development.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Local Plan Policy BIO1 and Schedule 7A of the Town and Country Planning Act 1990

20. The recommendations within the "Ground Investigation Report" dated July 2021 ref: E21/7786/R001 with regard to foundation types should be adhered to throughout the development.

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

21. Upon commencement of development details of the proposed boundary treatments 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.

22. Upon commencement of development details of the bin storage areas and sheds 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.

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 – Proposed Layout

