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**2018/1361**

**Applicant:** Rouse Homes Ltd

**Description:** Demolition of existing buildings and residential development of 29no dwellings and associated works

**Site Address:** Land off New Road, Tankersley, Barnsley, S75 3BQ

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3 letters of objection have been received.

### **Site Location and Description**

The application relates to site HS94 in the adopted local plan which is allocated for housing. The site is circa 1.2 hectares and lies to the west of the M1 on the outskirts of Tankersley. It is bounded to the southeast by relatively new housing, to the north and west lays a wooded area and to the southwest lies Potters Hole Plantation, an area of TPO'd woodland and a Nature Conservation site. The woodland all lies within Green Belt. There is an existing vehicular access to the eastern end from New Road and there are level changes within the site. It is believed that there is a footpath running east-west just outside the northern boundary of the site.

The site previously accommodated a business known as the Company Shop which has relocated to Wentworth Business Park in Tankersley. The site is therefore currently vacant with buildings falling into disrepair. The site consists of a car park to the East, a large depot/warehouse and attached office within the centre and a single storey former staff sales building to the West.

### **Proposed Development**

The applicant proposes to demolish the existing buildings and build 29no. dwellings comprising 22no. detached, 4no. semi-detached and 3no. terraced/townhouses. All the dwellings would provide accommodation over 2 floors and have either 2, 3 or 4 bedrooms. The applicant proposes 9 different house types across the development.

Access would be taken from New Road to the East of the site and a single road built to adoptable standards would provide access to 24no. properties. The remaining 5 properties to the West of the site would be served by a private drive. All the properties would have a frontage on to the road or the drive.

The detached dwellings would have in curtilage parking with access to either an attached or detached garage. The larger property types have double garages. The semi-detached and townhouses have out of curtilage parking/small parking court arrangements.

The majority of properties would have a modest, relatively open buffer garden to the front elevation and an enclosed private garden to the rear.

The existing hedge rows and trees to the North West boundary would be retained where possible and a new hedgerow to the South East boundary is proposed along the entirety of the boundary. A 5m buffer is proposed between the 2no. plots to the South West of the site, adjacent to the Local Nature Reserve Woodland.

The application has been subject to amendments through the course of the application process in terms of the provision and location of on-site affordable housing and the landscaping treatment around the perimeter of the site.

The applicant initially proposed no contributions or affordable housing and provided a Viability Assessment, however, following on from an independent Viability Assessment, full education and Open Space contributions are proposed as well as 4 no. on site affordable units.

## **Policy Context**

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

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

Policy H1 The Number of New Homes to be Built

Policy H3 Uses on Allocated Housing Sites

*Policy H6 Housing Mix and Efficient Use of Land*

*Policy H7 Affordable Housing*

*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 GS1 Green Space*

*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/PAN's

The SPD's/PAN's are currently being updated due to the adoption of the Local Plan with some already out to consultation. Those of relevance to this application are as follows:

- Designing New Residential Development
- Open Space Provision on New Housing Development
- Parking

## 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**

Enterprising Barnsley – concerned with loss of employment unit

SYAS – No comments to this application but no objections at pre application stage.

SYMAS – No objections subject to standing advice

Coal Authority – No objections subject to condition

Tankersley Parish Council – Raised initial concerns with the lack of contributions and the height of the proposed dwellings in relation to existing dwellings. They also stated a desire to retain the site for retail or to be used as additional car parking/drop off/pick up for the local school.

Conservation Officer – No objections

Yorkshire Water – No objections subject to conditions

Regulatory Services – No objections subject to conditions

Highways – No objections subject to conditions

Public Rights of Way – No objections, provided advice regarding acquired public access rights

Policy – No objections subject to compliance with relevant policies

Air Quality Officer – No objections but asked for potential EV charge points

Education – No objections subject to contributions

Contaminated Land Officer – No objections subject to conditions

Affordable Housing Officer – No objections to reduced affordable housing provision following Viability Assessment.

Tree Officer – No objections to amended scheme subject to conditions

Ecology – No objection to revised scheme, subject to conditions

Drainage – No objections subject to conditions

Waste Management – No comments

Broadband – No comments

Ward Councillors – Cllr Hand Davies and Cllr Barnard objected to the initial lack of contributions

## **Representations**

34 neighbouring properties were consulted on the application via letter and there was also a site notice put up and a press notice in the Barnsley Chronicle. As a result of the consultation exercise, 3no. letters have been received. The main points of concern are:

- Height of properties in relation to neighbouring dwellings
- Increased overlooking/loss of privacy
- Loss of trees/hedges
- Drainage issues
- Lack of visitor parking
- Reduced highway safety
- Strain on local services/facilities
- Development leaves an area of no man's land

## **Assessment**

### Principle of development

The site is currently vacant but previously accommodated an employment use, however, the site is now a Housing allocation (HS94) in the adopted Local Plan with an indicative number of dwellings at 26. As such, the proposal is acceptable in principle subject to compliance with the relevant Local Plan policies.

Local Plan Policy H6 Housing Mix and Efficient Use of Land states that a density of 30 dwellings per hectare net will be expected in villages. Based on the proposed site area of 1.21 Ha, a development of 29 dwellings would, after the application of the gross to net ratio, give the proposal a density of 30 dwellings per hectare which is regarded as acceptable

All new dwellings proposed 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, particularly in respect of the levels of mutual privacy. In addition, development will only be granted where the development would maintain visual amenity and not create traffic problems or prejudice the possible future development of a larger area of land.

### Design / Visual Amenity

Due to the level differences between the site and New Road none of the proposed dwellings would have a frontage on to New Road itself, however, the existing boundary wall onto New Road would be retained by gabions and behind that would be new retaining structures with plateaus provided for planting. Furthermore, 2no. Oak trees, one either side of the entrance, are incorporated into the scheme. As such, a 'soft' and attractive frontage would be provided along New Road and into the development in order to maintain or improve the visual amenity of the streetscene, in accordance with Local Plan Policy D1. The planting and landscaping would also continue the soft boundaries to either side of the development.

It should also be noted, the current buildings on the site are all set back from New Road and do not have a frontage or presence on it.

All the properties within the site would have a frontage onto the internal road network within the site, which provides an active street frontage, in accordance with guidance set out in SPD 'Designing New Housing Development' and the South Yorkshire Residential Design Guide. The scheme also includes 9 different property types which is in-line with Policy H6 'Housing Mix and Efficient Use of Land' which states '*Housing proposals will be expected to include a broad mix of house size, type and tenure to help create mixed and balanced communities. Homes must be suitable for different types of households and be capable of being adapted to meet the changing needs of the population*'.

In terms of the design of the proposed housing types, they are all compatible with the location and would harmonise with the relatively modern housing estate to the South which consists of predominantly detached, 2 storey, hipped roof dwellings. There is also a new housing estate currently under construction to the North of the site which consists of detached and semi-detached 2 storey properties.

The streetscene would also be varied in that there is not a strict building line and a number of the properties have projecting gables, porches and other features to add interest to the front elevations.

The majority of properties would have a modest, relatively open buffer garden located in between the front elevation and the back edge of the highway hard margin/private drive. This aids to soften the development and create an attractive streetscene which is not over dominated by hard landscaping, in accordance with policy D1 and the SPD.

It could be argued that the proposed development is more visually compatible with the surrounding area than the existing commercial buildings given that it sits immediately adjacent to a residential development of a similar style and density. Furthermore, as the site has been vacant for some time, the buildings have fallen into a state of disrepair.

In terms of parking, each of the detached dwellinghouses has in-curtilage parking which sits forward of either a detached or attached garage. These parking solutions are varied in that some sit to the front of the properties and some to the side, as such, the hard landscaping is broken by soft landscaping and the vehicles would not be overly prominent on the streetscene.

The semi-detached dwellings (plots 1 - 2 and 16-17) and townhouses (plots 18-20) have out of curtilage parking. The parking for plots 1 and 2 and in a prominent position adjacent to the entrance to the site but are separated into 2 groups of 2 with landscaping to both sides and also in-between.

The parking to the front of plots 16-20 are in 2 rows with landscaping to both sides and a bin store in between. There would be a relative large area of hard landscaping with potentially 9 vehicles in a row, however, the site is in a relatively non prominent area of the site and is viewed against the backdrop of the wooded plantation which softens it somewhat, in combination with the onsite landscaping.

Each of the dwellings has pedestrian access to the rear gardens, including the mid terraced unit (plot 19). This enables bins to be stored in non-prominent areas and maintain the visual amenity of the streetscene to a reasonable degree. Bins would be collected from the front of the properties which front the adopted highway and there is a bin collection area adjacent to the adopted highway for the residents of the private drive to utilise on collection days.

## Residential Amenity

It is acknowledged that a scheme for 29 dwellings on the site would introduce noise and disturbance associated with residential activity and vehicular movement. The site is currently not in use but previously accommodated an industrial use with an element of retail. As such, the site could be brought into use again for commercial purposes which would arguably generate more noise and disturbance through industrial activity and the manoeuvring of HGV's. In fact, Regulatory Services have received complaints in the past relating to noise from vehicles and general site activities.

The Northern and Western boundaries of the site sit adjacent to a plantation and the North Eastern boundary adjoins New Road, therefore, the only boundary neighbouring existing residential properties is to the South East.

Plots 4 to 12 have rear elevations containing habitable room windows which face the neighbouring properties and the site is on a higher level. However, the proposed rear elevations are in excess of 10m from the site boundary and any neighbouring private amenity space, in accordance with SPD 'Designing New Housing Development'.

A number of existing neighbouring properties have side elevations facing the application site and proposed habitable room windows but there is a separation distance of circa 20m, significantly above the 12m required in the SPD. There are some existing properties to the South East of the site which would have rear elevations, containing habitable room windows, facing proposed habitable room windows. There is a separation distance of circa 25m between the sets of windows which is in excess of the 21m set out in the SPD.

It should also be noted that there is existing landscaping outside the site boundary which provides some screening and a new hedge is proposed inside of the site along the entire South Eastern boundary which would provide further screening from the neighbouring development.

In terms of the amenity of the future residents of the site the dwellings achieve the separation distances set out in the SPD and generally meet or exceed the internal and external spacing standards set out in the South Yorkshire Residential Design Guide.

## Contributions

Initially the applicant stated that they could not provide any contributions on viability grounds and submitted a Viability Assessment. The Council appointed an independent Viability Assessor and it was determined that development could support full education contribution, full off site Open space contribution and reduced on site affordable housing provision, the applicants ultimately agreed to these terms. These will be explored below:

## Education

A financial contribution will be needed for planning applications for housing developments where the scheme provides 20 or more homes; and, there is insufficient capacity in local schools. The proposed development would generate a total of 16 primary pupils (21 pupils per 100 homes) and 12 secondary pupils (17 pupils per 100 homes). The following contributions for educational provision have been proposed:

6 primary pupils totalling £82,530  
12 secondary pupils totalling £56,408

The applicants have agreed to pay full primary and secondary education contributions totalling £138,938.

## Open Space

In accordance with Policy GS1, I1 and the SPD Open Space Provision on New Housing Developments a minimum of 15% of the gross site area must be open space of a type appropriate to the site, its location, layout and nature. Where it is impossible to make such provision on land either within or immediately adjacent, or where the council deem it appropriate, suitable off-site open space facilities may be acceptable either as new facilities or improvements to existing.

On small sites such as this, unless there is a deficiency in greenspace in the locality, it is unlikely that the Council will seek on site provision as it is very difficult to provide a useable space and reduce deficiencies. Whilst there are some deficiencies in the provision of child/youth facilities and local green spaces in the locality, it is considered more appropriate in this instance to seek an off-site contribution in entirety towards upgrading the quality of existing facilities. The full contribution has been calculated as £53,757.14. Following the independent Viability Assessment, the applicants have agreed to pay the full off site open space contribution.

## Affordable Housing

Policy H7 'Affordable Housing' states '*Housing developments of 15 or more dwellings will be expected to provide affordable housing. 30% affordable housing will be expected in Penistone and Dodworth and Rural West, 20% in Darton and Barugh; 10% in Bolton, Goldthorpe, Thurnscoe, Hoyland, Wombwell, Darfield, North Barnsley and Royston, South Barnsley and Worsbrough and Rural East.*

*These percentages will be sought unless it can be demonstrated through a viability assessment that the required figure would render the scheme unviable'.*

Although the Independent Viability Assessment found that full contributions for education and open space could be viably accommodated, it did state that a full on-site affordable housing contribution in line with policy H7 'Affordable Housing' of 30% would render the scheme unviable but 4no. of units (circa 14%) could viably be incorporated.

The Affordable Housing Officer has agreed a 50/50 split of affordable rent and shared ownership. The applicant has proposed plots 1 (3 bed Bedale unit) and 16 (2 bed Malham

Unit) for affordable rent and plots 2 (3 bed Bedale unit) and 17 (2 bed Malham Unit) as shared ownership.

### Trees

The initial site layout drawings and accompanying tree report stated that all the trees and hedges on the site were to be removed to accommodate the development. However, given that the majority of the existing trees within the site boundaries would be located towards the rear boundaries of the gardens serving the proposed dwellings, there was little justification for total removal and the Tree Officer objected.

As such, a revised tree report was submitted and the scheme now retains the majority of the trees along the Northern boundary. The applicant has also proposed 2no. native oak trees, 1 at each side of the site access to provide an attractive entrance into the site and link to the surrounding woodland. The Tree Officer has stated that he is now satisfied with the applicant's proposals and has withdrawn his initial objection, subject to standard conditions.

### Ecology

As stated above, the applicants initially proposed to remove all the trees and hedgerows from the site, however, Housing allocation HS94 states;

*Development on this site will be expected to retain the hedgerows on the Southern and Eastern boundaries. If it is proposed to remove any of these sections of hedgerows they should be first fully evaluated against all the criteria of the Hedgerow Regulations 1997; and ensure the impacts/effects on the landscape are appropriately minimised and mitigated.*

Unfortunately, the site owners, unknown to the applicants, had removed significant sections of the hedgerow on the Southern boundary. However, following on from significant negotiation, the applicants have agreed to plant a native hedgerow the full length of that boundary from New Road to the South Western boundary. Not only will this act as a buffer to the neighbouring housing site but it will also provide a wildlife corridor to the Nature Reserve Woodland.

Housing Allocation HS94 also states; *the development will be expected to...create a buffer strip of native tree planting at the boundary where the site abuts a Local Nature Reserve Woodland to the South West, which is an England Priority Woodland Habitat*. The applicants have now also incorporated a 5m buffer (i.e. retain a section of the existing woodland) to the rear of plots 13 and 14 in line with this requirement.

Alongside the amendments to the planning application, the applicants also submitted a revised Ecology Assessment. The Councils Biodiversity Officer has assessed the latest proposal and is content the development meets the requirement of Local Plan site HS94.

### Contaminated Land

The Site Investigation has identified elevated areas of contamination, and will require remediation measures to ensure the site can be considered suitable for the proposed residential use. The Contaminated Land Officer has raised no objections to the proposal subject to pre commencement conditions.

## Highways Safety

The proposed development would be accessed from New Road via the existing site entrance which served the previous use. The majority of the dwellings would be served by an adopted shared surface with a turning head adjacent to plots 18-20. Plots 11-12 to the west of the site would be served by a shared private drive. As the private drive would only accommodate 5no. properties it would accord with the South Yorkshire Residential Design guide.

Each 2 bedroom property would have access to at least 1no. parking space and each property with 3 bedrooms or over would have access to 2no. parking spaces, in accordance with SPD parking. It is acknowledged that the proposed garages would fall marginally short of the recommended internal sizing set out in the South Yorkshire Residential Design Guide, however, the development is not reliant on the garages to provide the required level of parking.

As well as the designated or in curtilage parking spaces provided for the residents, the scheme also incorporates visitor parking spaces to try and limit the amount of on street parking. This is not a policy requirement but something the applicant wanted to incorporate into the scheme.

There are 2 large oak trees proposed adjacent to the site entrance in order to create a feature and a gateway into the site. They would not impact on visibility and, subject to them being planted in pits, would not impact highway safety.

Highways DM have assessed the application and have raised no objections, subject to conditions; as such the scheme complies with Local Plan policy T4 New development and Transport Safety, SPD 'Parking' and the SYRDG.

## Conclusions

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the revised scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

**Recommendation:** Approve subject to legal agreement and conditions:

- 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 and specifications set out below unless required by any other conditions in this permission.

Planning Layout SK-01b Rev B  
RH14/S/1149/D/OP - Kensington  
RH05/S/1429/D/OP - Harewood  
RH42/S/1457/D/AS - Fulwood plots 23 & 25  
RH42/S/1457/D/OP - Fulwood  
RH25/S/884/AS/OP - Bedale (SY)  
RH10/S/1167/OP - Studley (OP)  
RH34/S/1695/D/AS - Shelly plot 29  
RH34/S/1695/D/OP - Shelley  
RH34/S/1695/D/OP - Shelley - Plot 11  
RH30/S/775/T/AS/AS/OP - Malham  
RH02/ST/1500/D/AS - Nostell  
RH60/S/1826/D/AS - Collingham  
Standard Details Quad Garage  
SG1 - Standard Single Garage  
DG1 - Standard Double Garage  
Lap boarded timber fence detail  
AWD01 - Artstone Wall Detail

**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 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 Policy D, High Quality Design and Place Making.**

- 5 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**
- 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 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.**
- 8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species.  
**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy BIO1 Biodiversity.**
- 9 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.**

10 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.**

11 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.**

12 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
- 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.**

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

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

14 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.**

- 15 Prior to the commencement of any development works, a remediation scheme, endorsed by a competent engineer experienced in ground contamination, shall be submitted to the local Planning Authority for approval. This report shall, amongst other matters, include the following:-
1. Methodology to identify and remove any contaminated material.
  2. Measures to test and evaluate any imported soils onto the site to ensure they are suitable for the intended use.
  3. Chemical testing suite, frequencies and threshold levels.
  4. Procedures to confirm capping levels have been achieved on plots.
  5. The subsequent validation that the site has been satisfactorily remediated and that the development of the site can be safely undertaken and occupied.
- The development shall thereafter be undertaken in full accordance with the submitted reports.

**Reason - to protect the environment and ensure the site is suitable for the proposed end use, in accordance with Local Plan policy CL1 'Contaminated and Unstable Land.**

- 16 With regards to any remedial actions taken, there would be the requirement to provide a validation report to certify any works. This report should include the following.
- Details of who carried out the work.
  - Details and justifications of any changes from the original Remediation Statement.
  - Records of chemical characteristics of any imported capping soils/materials. Any testing suite and threshold levels need to be agreed with the local authority, prior to any sampling being undertaken.
  - Confirmation that capping levels have been achieved
  - Laboratory and in situ test results
  - Records of any materials disposed of off-site and their disposal locations.
  - Confirmation that remediation objectives have been met.

**Reason - to protect the environment and ensure the site is suitable for the proposed use, in accordance with Policy CL1 Contaminated and Unstable Land.**

- 17 No development shall take place until a scheme for disposing of surface water by Means of a sustainable drainage system is approved by the Local Lead Flooding Authority.  
A scheme for disposing of surface water by means of a sustainable drainage system shall accompany the reserved matters application. The scheme shall include the following details:
- " Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - " A timetable for its implementation; and
  - " A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.
- The development shall be implemented in accordance with the approved sustainable drainage scheme and maintained thereafter in accordance with the approved management and maintenance plan.
- Reason: To ensure proper drainage of the area in accordance with Local Plan Policy POLL1 Pollution Control and Protection.**
- 18 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum of 5 years, 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, in accordance with Local Plan Policy D1 'High Quality Design and Place Making'.**
- 19 Prior to commencement of development details of tree protection fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed before machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
- Reason: To safeguard existing trees, in the interest of visual amenity in accordance with Local Plan policy D1 'High Quality Design and Place Making'.**

- 20 No hedges or trees on the site (except those shown to be removed on the approved plan), or their branches or roots, shall be lopped, topped, felled, or severed. 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 and in accordance with Local Plan policy D1 'High Quality Design and Place Making' and BIO1 'Biodiversity and Geodiversity'.**
- 21 Prior to the commencement of development or other operations being undertaken on site in connection with the development, the following documents prepared in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority:  
  
Tree protection plan (TPP)  
Tree Protective Barrier Details (TPB)  
Arboricultural method statement (AMS)  
  
No development or other operations shall take place except in complete accordance with the approved methodologies.  
**Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.**
- 22 Upon commencement of development details of measures to facilitate the provision of high speed 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 policy I1 in the Local Plan and in accordance with paragraphs 112 of the National Planning Policy Framework 2018.**
- 23 Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.  
**Reason: To conserve and enhance biodiversity in accordance with Local Plan policy BIO1 'Biodiversity and Geodiversity'.**
- 24 Visibility splays, having the dimensions 2.4m x 70m, shall be safeguarded at the junction of the access with New Road 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.**

