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**2020/0028**

**Applicant:** Pegasus Group

**Description:** Highways Infrastructure Proposal at Higham Common Road.

**Site Address:** Land at Higham Common Road, Higham, Barnsley

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50 comments have been received in total for both consultation periods. This included 8 comments and 42 objections.

### **Site Description**

The site is 1.21 hectares in area and proposes a new roundabout junction on Higham Common Road that will provide access into the Local Plan allocation, MU1. Existing residential development is located on Higham Common Road to the west and on Hermit Lane to the north. The existing land use includes highway and agricultural land.

Higham Common Road is a single carriageway road linking Barugh Green crossroad, in the north with Capitol Park and the A628 Whinby Road in the south. The settlement of Higham is located to the north of the site. Where the road runs alongside the south western boundary of the site, the speed limit is 30 mph and a bus turning circle is present.

### **Proposed Development**

The primary role of the development is to help facilitate access to the MU1 development site and deliver highway capacity benefits to serve wider Local Plan growth.

The proposal comprises a five-arm roundabout on Higham Common Road, which provides access to the MU1 site together with an arm dedicated to the properties, west of Higham Common Road. A turning head is proposed to allow refuse vehicles to serve the properties and manoeuvre out safely. Pedestrian crossing locations are provided along each arm of the roundabout, with pedestrian crossing islands located on every approach.

The location and design of the roundabout has been amended from the original submission in order to address concerns from the Council's highways officers. Highway safety concerns were raised with the previous proposal that potentially affected the operation of the roundabout making it less safe for all users. The roundabout is now located further north east of the previous proposals, and this is illustrated on the submitted plan: Red boundary old and new. The revised design was subject to a further 21-day consultation period where all previous consultees were notified. During this time, consultees together with the wider public received the opportunity to submit additional comments on the proposal. This report considers the issues raised by consultees within both consultation periods.

One further current planning application is of relevance; 2020/0027 and listed building consent 2019/1567 which is a proposal for the northern roundabout into the MU1 site from Barugh Green Road, including relocation of a listed milepost. Those are presented to Planning Regulatory Board in a separate report that covers both items.

## **Relevant Planning History**

The only previous planning application of relevance is reference 2020/0040 relating to highways works to create a roundabout connecting Higham Lane and Capitol Close that is part of the off-site highway improvements required to provide satisfactory access to the MU1 site.

## **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.

The Local Plan is the statutory development plan for the borough. The Council has also adopted a series of Supplementary Planning Documents which are also material considerations together with the adopted MU1/Barnsley West Masterplan Framework.

Local Plan Allocation – Mixed Use Allocation (MU1), Urban Fabric

Relevant Local Plan Policies are:

SD1 Presumption in favour of Sustainable Development  
GD1 General Development  
LG2 The Location of Growth  
GB1 Protection of Green Belt  
E1 Providing Strategic Employment Locations  
E2 The Distribution of New Employment Sites  
E7 Promoting Tourism and encouraging Cultural Provision  
H1 The Number of New Homes to be Built  
H2 The Distribution of New Homes  
T1 Accessibility Priorities  
T3 New Development and Sustainable Travel  
T4 New development and Transport Safety  
T5 Reducing the Impact of Road Travel  
D1 High Quality Design and Place Making  
LC1 Landscape Character  
HE1 Historic Environment  
HE3 Developments affecting Historic Buildings  
HE6 Archaeology  
BIO1 Biodiversity and Geodiversity  
CC1 Climate Change  
CC2 Sustainable Design & Construction  
CC3 Flood Risk  
CC4 Sustainable Drainage Systems (SUDS)  
CL1 Contaminated and Unstable Land  
Poll1 Pollution Control and Protection  
AQ1 Development in Air Quality Management Areas  
UT2 Utilities Safeguarding  
Site MU1 Land South of Barugh Green Road

## **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 without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date planning permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The most relevant paragraphs are as follows:-

8 – The 3 overarching aims of the planning system are economic, social and environmental objectives in order to deliver sustainable development.

11 – The presumption in favour of sustainable development.

12 - Presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

38. Local planning authorities should approach decisions on proposed development in a positive and creative way.

47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible.

80. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

85. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

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

102. Transport issues should be considered from the earliest stages of plan-making and development proposals.

108. In assessing specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

124 & 127. Achieving well-designed places

146. Provides a list of forms of development that are not considered inappropriate in the Green Belt provided they preserve its openness and do not conflict with the

purposes of including land within it. This includes c) local transport infrastructure which can demonstrate a requirement for a Green Belt location.

175. Habitats and Biodiversity

178. Planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

180. Decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

181. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

## **Consultations**

Responses have been received from the following consultees:

Air Quality – Does not object to the application on operational air quality grounds.

Biodiversity – No objection subject to the imposition of a condition requiring the submission of a landscape plan.

Highways England- No objections

Coal Authority – No objections subject to a condition requiring intrusive investigation work to inform any mitigation works which would be necessary.

Drainage – No objections subject to a condition requiring approval of a drainage scheme to ensure that surface water run-off is discharged into a local watercourse of the public sewer network at a restricted rate.

Highways – Support the proposal subject to the imposition of necessary conditions and informatives.

Regulatory Services – No objection. Comments on the noise implications of the proposal. These comments are covered in the section on residential amenity.

Tree Officer – No objection from an arboricultural perspective subject to condition requiring the submission of detailed landscaping scheme.

South Yorkshire Mining Advisory Service – Are content that the Coal Mining Risk Assessment identifies that mining legacy issues are likely to affect the proposals and request a condition requiring an intrusive site investigation

PROW- No objections have been received.

Yorkshire Water – No objections subject to the imposition of a condition requiring the approval of a detailed drainage scheme prior to the commencement of development. Information shall need to include evidence that no discharge to a watercourse is possible prior to them accepting flows into the public sewerage system.

South Yorkshire Archaeological Service-No objections subject to the imposition of condition requiring the submission of a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and a further condition requiring the demonstration of compliance with the WSI prior to the development being brought into use.

Enterprising Barnsley-Supports the proposal.

## **Representations**

The application was advertised by neighbour notification letters, press and site notices.

Following the submission of a revised red line boundary and design, a further notification was issued providing opportunity for additional comments.

50 comments were received in total for both consultation periods. This included 8 comments and 42 objections.

No supportive responses have been received from residents however one individual did express gratitude in recognition that the revised design and location had taken account of previous concerns raised by residents.

Cllr Wright submitted comments stating the importance of ensuring that the proposed roundabout position is considered in terms of proximity to existing residents. This follows concerns raised by residents including requests to relocate the roundabout further into the development site. He also raised concern in relation to the noise and air quality impact of the scheme for existing residents.

Cllr Fielding wrote to seek clarification on several technical matters and raised concerns around the validity and robustness of technical assessments including noise, air quality impact, rights of way, contamination, drainage and impact on trees and hedgerows. Furthermore, he considers that insufficient justification has been provided on the rationale for the location of the roundabout and why it cannot be located further from the existing residential properties. In addition, Councillor Fielding initially raised concerns around the proposed access/egress to the terraced properties on Higham Common Road; however feels that this concern has been addressed in the revised design.

Yorkshire Wildlife Trust has written to request a condition relating to a Construction Environmental Management Plan (CEMP) and a Detailed Landscape/Ecological Management Plan (LEMP) should permission be granted. They also raised concerns around potential piecemeal development in terms of separating the highways schemes from wider MU1 proposals.

Objections received can be summarised under the following themes:-

### Visual impact

- Loss of amenity
- Loss of outlook

- Light pollution

#### Harm to living conditions of existing properties

- Noise impact and inadequacy of submitted report
- Air Quality impact
- Loss of privacy
- Blight on residential properties
- Loss of amenity/outlook
- Impact during construction
- Additional traffic through Higham
- Proximity and scale adjacent to residential properties
- Health impact

#### Highways safety

- Additional traffic generated from wider MU1 development/traffic impact in advance of link road opening.
- Number of roundabouts that HGV's will have to negotiate
- Increased number of HGV's on Higham Lane.
- Southern end of Higham Lane is restricted in terms of space for enlargement-weight restriction is required
- Increased congestion in vicinity including Barugh Green Road, Higham Lane and Chestnut Tree roundabout
- Safety risks to pedestrians
- Long term impact of traffic diversions when link road operational
- Structural Condition of M1 Motorway bridge.
- Structural condition of existing road
- Impact on existing resident parking

#### Overdevelopment/future development concerns/link to the Local Plan

- Principle of MU1 development
- Impact of the MU1 development on existing infrastructure such as GP surgeries

#### Others:-

- Neighbour notification too localised and timescales for response too short
- Validity of procedures relating to the reconsult.
- Scale of plans difficult to understand
- More detail required at this stage-unsatisfactory to defer to later stages.
- Loss of privacy
- Climate change impact
- Ground investigation should be undertaken prior to determination
- Length and complexity of documents submitted prohibitive for residents
- Loss of hedgerows/ecological impact
- Drainage concerns
- Concerns SCRIF funding driving timescales for planning applications
- Loss of agricultural land
- Relocation of listed milestone
- Lack of evidence presented in relation to ground contamination
- Potential impacts on PROW
- Considers that political and financial ambitions are dictating the planning agenda
- Unclear function of link road-whether strategic or not.

- Topography
- Lack of detail on phasing/project timescales
- Visual impact of required acoustic fencing
- Disruption to business operation
- Loss of trees
- Inadequate technical reports that do not consider the full impact of site MU1.
- Timings of planning application and transparency of documentation.
- Difficult to understand how earlier objections have been dealt with
- Lack of evidence justifying proposed location of roundabout.
- Availability of part 1 claims to sound-proof.
- No access retained to land at apex of Higham Common Road and Hermit Lane.
- Unclear responsibilities in relation to construction/contract management

It should be noted that a number of respondents provided a collective response for 2020/0027, 2020/0028 & 2020/0040 and as such there is overlap in the reasons for objection, some of which are not considered applicable to this proposal.

In addition to points of objection, one comment was received stating that it is positive to see previous comments about the positioning of roundabouts in relation to existing properties has been acknowledged and addressed. In addition, the representation supported the removal of the bus turning head and considers that improved access is provided for the adjoining properties on Higham Common Road and that the refuse turning area is a good addition.

## **Assessment**

### The Need for the Proposal

The application proposes a new five armed roundabout on Higham Common Road, to the South of Hermit Lane.

The case in support of the development is one based around the need to facilitate access into the mixed-use allocation, MU1 (Barnsley West). Together with planning application 2020/0027 which seek to deliver the northern roundabout to serve the site, the schemes collectively seek to deliver the necessary off site highways infrastructure works to facilitate the access to the development site, taking account of the future growth anticipated relating to site MU1 and wider Local Plan related growth. In accordance with Local Plan Policy LG1 and the adopted Spatial Strategy, Urban Barnsley is expected to accommodate a significant amount of the borough's growth in relation to employment (22%) and housing (43%). Site MU1 will deliver 43 hectares of the 64.6 hectares allocated in Urban Barnsley together with 1700 of the 9070 homes.

The roundabout schemes, together with the provision of the link road will lead to traffic reassignment when the link road is operational. For residents in the local area this will lead to a welcomed reduction in HGV movement on Higham Lane in the long run.

### Highways Assessment

The proposal seeks to construct a five-arm priority roundabout junction on Higham Common Road. Two stub arms are initially proposed to enable a future connection into the development of the MU1 allocation. This application has been amended

following a change to the original layout. This was in response to previous highways concerns over the proposed vehicular access for the existing adjacent properties that front Higham Common Road. The revised layout now proposes a minor arm to the west that would directly link to a new roundabout junction and provide appropriate access to the nearby properties.

### *Transport Assessment*

It is accepted that this application does not propose any development and is seeking approval for highways infrastructure only. Nonetheless, to ensure that the roundabout would be for purpose given its future role on the highway network, a Transport Assessment has been provided and assessed by officers in Highways.

The Assessment incorporates appropriate TEMPRO traffic growth figures consistent with those agreed and used in other localised traffic assessments. Committed development also largely reflects what was agreed at the scoping stage with Highway Officers and Highways England.

The trip rates provided in the TA for Phase 1 of MU1 to inform the interim year assessments are consistent with rates agreed at scoping and those used in other applications. The use of the Barnsley Transport model to determine indicative network redistributions as a result of future development/link road construction scenarios is also deemed acceptable.

The selection of scenarios tested the junction proposals for both a worst-case interim year without a link road and a 2033 future year with link road and full growth/development. The results in the TA show that the proposed junction would continue to operate within required capacity limits in the worst-case future year.

Having regard to all of the above, the Transport Assessment is deemed acceptable by Highways. Accordingly, whilst the proposal is for highway infrastructure only, it is considered that a sufficient assessment has been undertaken to demonstrate that the roundabout will have sufficient capacity given its ultimate intended use.

### *Highway Safety*

The application proposes a roundabout design based around a 30mph Design Speed. The design achieves substantial compliance with the Design Manual for Roads and Bridges as is required by current adopted local policy guidance provided in the sustainable transport SPD. It is noted that the proposed design is subject to a small number of 'relaxations from standard', hence a stage 1 Road Safety Audit (RSA) has been undertaken. A number of items were raised within the RSA and have led the applicant/designer to produce a designer's response statement. The justification and reasoning of proposed relaxations within the design has been carefully considered and are deemed acceptable by the Highway Authority, who consider this amended proposal to be a significant improvement compared with the original submission.

Following internal review of the proposals it is felt necessary to recommend an appropriately worded planning condition to ensure that some areas of visibility are protected by means of appropriate surfacing to areas currently identified as highway verge, particularly to the visibility splay to the south from the minor residential arm.



### *Other Highway Matters*

The revised layout includes removal of the current bus turning area near Hermit Lane. Given the principles of introducing a roundabout at this location, the future requirements of an area for buses to turn is removed. The removal of the bus turning facility is proposed for reasons of road safety and to facilitate an appropriate geometric alignment of the junction. South Yorkshire Passenger Transport Executive have been formally consulted on the planning application and have not returned any objection.

The design proposes a new shared use footway of 3.0m width along the immediate key approaches of the junction, with appropriate tie-ins to existing infrastructure outside of the main design elements. Pedestrian crossing points are provided either across entry/exit arms or within close proximity to the junction itself. Given expected future desire lines of pedestrian and cycle traffic, the proposals are considered acceptable in principle subject to a planning condition to reflect the need for additional shared use provision (3.0m min width) along the southern kerblineline of the north west arm, passing the proposed bus layby.

### *Highway Assessment Conclusion*

The submitted Transport Assessment provides a robust analysis of projected future traffic growth including the completion of the link road and totality of the MU1 development and committed development, together with the expected traffic reassignment expected upon completion of the link road. In addition, the proposal is considered acceptable taking into account highway and pedestrian safety.

Taking into account all of the above in addition to other issues raised in the representations, it is considered that in respect of highway and pedestrian safety, accessibility to public transport and the needs of pedestrians and cyclists, the proposal complies with Local Plan Policies T3 and T4.

### Impact on Residential Amenity

#### *Noise*

A noise assessment has been submitted and Regulatory Services have confirmed that they are satisfied with the methodology and scenarios used together with the identification of impacts. As the scheme will support access improvements to enable the delivery of site MU1, the submitted report provides an analysis of the future noise impact of both the link road and completed MU1 development.

The assessment identifies a moderate short-term change at 29 Hermit Lane that results in a significant effect on this property in accordance with DMRB standards. Whilst it is acknowledged that this impact is a result of the anticipated delivery of the link road rather than the roundabout schemes submitted, as a Local Planning Authority we need to ensure that any future anticipated impacts are adequately mitigated and provide elected members and residents with the reassurance that residential amenity will be protected. Whilst outside of the scope of the current application, additional plans and supporting information were requested including a plan showing the proposed alignment of the link road together with a cross section showing the proposed noise mitigations that would be sufficient to reduce the noise impact by 1Db in accordance with the requirements. A cross section was submitted showing a 1 metre high stone wall and landscaping to the

satisfaction of officers. This can be secured as part of a future planning application relating to site MU1 and the link road.

Regulatory Services confirmed that they had no further comments following the consult and were satisfied that the revised location did not result in additional impacts over and above what was raised in the initial report submission.

Whilst the report identifies a future noise impact, this is not as a result of the proposed scheme and cannot be mitigated within the current proposal. Future assessments will be required in support of any planning applications for site MU1 and any necessary mitigations secured at that point.

The proposal is therefore considered acceptable and in compliance with Local Plan Policy Poll1.

#### Air Quality

No exceedance of air quality standards is predicted as a consequence of the scheme. On this basis, Regulatory Services do not object to construction of the roundabout on operational phase air quality grounds, taking into its proposed location and layout. The proposal therefore complies with Local Plan Policy Poll1.

#### Visual Impact

The proposal incorporates the construction of a new roundabout connecting the existing highway and providing access to the MU1 allocation. It is expected that there will be a moderate visual impact on the residents of Higham Common Road and Hermit Lane which overlooks the scheme, however the benefits of the scheme are considered to outweigh the impact. A condition is proposed to request the submission of a landscaping scheme that could assist in improving the visual impact of the proposal.

It is acknowledged that whilst the scheme will lead to the removal of a small area of trees and hedgerow, mitigation will be secured through a proposed condition requiring the submission of a detailed landscaping scheme that secures the necessary mitigation to offset this loss. The Tree Officer is satisfied that with this approach and has suggested an appropriate condition to satisfy the requirement to mitigate.

#### Flood Risk and Drainage

The application is supported by a Drainage and Flood Risk Assessment.

Consultation responses have been received from the council's Drainage Engineer and Yorkshire Water which require conditions to be imposed requiring a surface water management system so as to prevent an increase in flood risk off the site, together with further details on proposed arrangements for the discharge of foul and surface water.

Subject to the inclusion the suggested conditions, the proposal therefore complies with Local Plan policies CC3 and CC4.

## Climate Change

Local Plan policies CC1 and CC2 seek to reduce the causes of and adapt to the future impact of climate change. The proposal is a standalone piece of infrastructure, but which is intended to create access to the MU1 site as well as a new multi-user link road. Given highway construction standards it is not considered technically feasible to incorporate different materials, but full provision is made for active travel (pedestrians and cyclists). The proposal is also consistent with the Hoyland West Masterplan Framework which includes site specific strategy for sustainable urban drainage and green infrastructure on a sustainably located site within Urban Barnsley.

## Mining Legacy

A coal mining risk assessment has been included in the supporting documentation which identifies the mining legacy issues likely to affect the proposals and makes appropriate recommendations for further Phase II works to investigate ground conditions. It also provides guidance as to what potential mitigation measures will be required to ensure safe development. The Coal Authority and SYMAS have responded to the consultation confirming that they are satisfied with the approach taken to date but that if planning permission were to be granted they require the imposition of a condition securing intrusive site investigations. This would inform any mitigation measures which would be necessary to ensure that the development is not affected by any land instability issues. Again, the imposition of this condition would ensure the proposal complies with policy CL1.

## Biodiversity

A preliminary ecological survey has been undertaken to support the submission and provides recommendations for ecological mitigations and enhancements that can be secured through the imposition of a condition to the satisfaction of the council's Biodiversity Officer. The proposal is therefore in accordance with Local Plan Policy BIO1 Biodiversity.

## Historic Environment/Archaeology

South Yorkshire Archaeology have been consulted on the scheme and do not object to the proposal subject to the imposition of a condition requiring the submission of a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and a further condition requiring the demonstration of compliance with the WSI prior to the development being brought into use. The required condition will ensure that the scheme is in compliance with Local Plan Policy HE6 Archaeology.

## **Balancing Exercise/Conclusion**

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.

Site Policy MU1 of the Local Plan sets out the requirement for the mixed-use allocation including the provision of on and off-site highways infrastructure works.

This assessment has considered the need for the proposal and existing highway conditions alongside other material considerations including residential amenity,

visual impact, highway and pedestrian safety, flood risk, climate change and biodiversity.

The proposal seeks the provision of a new roundabout to provide the southern access to the MU1 site. If approved, the scheme, together the proposal for the northern roundabout (2020/0027) and previously approved Capitol Close scheme (2020/0040), will collectively deliver the necessary off-site highways mitigations required to unlock the MU1 site to help deliver identified development within the Local Plan period (1700 new homes, 43 hectares of employment land, a new primary school and supporting community infrastructure).

In addition to the benefits generated from helping to facilitate the wider benefits of the MU1 development, the proposal when considered as part of a wider package of improvements will also have the added benefits of diverting existing traffic away from existing routes and through MU1 in the long term thus reducing existing issues on the highway network. Given the extent to which the MU1 site will meet identified employment and housing need, the role the roundabout will play in opening it up and facilitating the "Claycliffe Link" attracts substantial weight when balancing the merits of the proposal.

In contrast, the short term negative visual and biodiversity impacts only attract limited weight, particularly given the proposals within the adopted Masterplan Framework which seek to enhance visual amenity and biodiversity, particularly through the creation of green infrastructure corridors within the MU1 site.

It is therefore considered that the proposal complies with Local and National Planning Policy and that the benefits of the proposal clearly outweigh the identified harm.

## **Recommendation**

Grant planning permission subject to the following 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 following plans and specifications as approved unless required by any other conditions in this permission:
  - Location Plan- 9014 A2-100-P-004 D
  - Engineering layout- 9014 A2-100-P-003 E
  - General Arrangement- 9014 A2-100-P-001 D
  - Cut and Fill- 4848 - JPG - SW - 00 - DR - C - 1602 P02**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.**
3. 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:
  - Working times
  - The parking of vehicles of site operatives and visitors

- Routing of and 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
- Measures to control mud and dust being transferred to the public highway
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction
- A Construction Environmental Management Plan (CEMP) to outline the mitigation to be put in place to ensure no impacts to biodiversity occur as a result of construction
- A Construction Traffic Management Plan including details of volumes and types of construction traffic, identification of delivery routes, identification of agreed access point, Contractors method for controlling construction traffic and adherence to routes, construction period, and temporary signage.

**Reason: In the interests of highway safety, residential amenity, ecology and visual amenity, in accordance with Local Plan policies T4, BIO1, and Poll 1.**

4. 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 submitted to and agreed in writing by the Local Planning Authority.

**Reason: In the interest of highway safety, in accordance with Local Plan policy T4.**

5. Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the implementation of a Traffic Regulation Order to cover the proposed restrictions as indicated in the approved Transport Assessment. has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

**Reason: To ensure that the highway works are designed to an appropriate standard in the interest of highway safety.**

6. No works shall commence until a phasing plan and arrangements have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and timescales.

**Reason: In the interest of highway safety, in accordance with Local Plan policy T4.**

7. Notwithstanding submitted details, prior to any works commencing on-site revised design details shall include for the installation/continuation of a 3m wide shared user footway/cycleway along the southern side of the north west (Higham Common Road) arm, details shall be submitted and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall

be implemented in accordance with the approved details and the phasing scheme as set out in the relevant condition above.

**Reason: In interests of highway safety, in accordance with Local Plan Policy T4.**

8. Prior to any works commencing on site full detailed highway engineering, drainage, street lighting and signing / lining details shall be submitted to and approved in writing by the Local Planning Authority. The works shall subsequently be constructed in accordance with the approved details.

**Reason: In interests of highway safety, in accordance with Local Plan Policy T4.**

9. Upon commencement of development details of a scheme of biodiversity enhancement measures, 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: In the interests of biodiversity in accordance with BIO1.**

10. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

**Reason: In the interests of land stability in accordance with Local Plan Policy CL1.**

11. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

**Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper**

**understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated in accordance with Local Plan Policy HE6.**

12. Upon commencement of development, full details of soft landscaping works, including details of the species, positions and planted heights of proposed trees; 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.

**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.**

13. No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the water main, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken. The development shall be carried out in accordance with the approved details.

**Reason: In the interest of public health and maintaining the public water supply in accordance with Local Plan Policy CC1.**

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. This shall also include details on the following:
- A scheme for the provision and implementation of a surface water run-off limitation into the watercourse.
  - A scheme showing surface water run-off from hardstanding (equal to or greater than 800 metres and/or communal car parking area(s) of more than 50 spaces to be passed through an oil, petrol, and grit interceptor/separator or another adequate design

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.

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

**Reason: To ensure the proper drainage of the area in accordance with Local Plan Policy CC1.**

15. 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 completion of the development; 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 others of similar size and species.

**Reason: In the interests of the visual amenities of the locality, in accordance with Local Plan Policy D1.**

16. 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, with the exception of any specific works which shall be agreed in advance in accordance with details to be submitted to and approved in writing with the Local Planning Authority.

**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.**

PA Reference:-

2020/0028

