

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**13 February 2020**

<b>Application No:</b>	SMD/2019/0722	
<b>Location</b>	Land Adjacent to Rakeway Grange, Rakeway Road, Cheadle	
<b>Proposal</b>	Full Planning Approval is sought for the erection of 6no. residential dwellings	
<b>Applicant</b>	Mr L Clark – CCP Development (STONE LTD)	
<b>Agent</b>	Miss Hannah Mountford	
<b>Parish/ward</b>	Cheadle	<b>Date registered</b> 28.11.2019
<b>If you have a question about this report please contact:</b> Lisa Howard tel: 01538 395400 ex 4923 lisa.howard@staffsmoorlands.gov.uk		

**REFERRAL**

*The application site is currently managed by four trustees. Former Councillor Ivor Lucas is related to one of the named trustees and was a serving Councillor at the time that the last application was submitted (planning reference SMD/2019/0126), which was determined at Planning Applications Committee in August 2019. In accordance with the Council's constitution and in the interests of transparency and consistency the application is to be considered by Committee.*

**SUMMARY OF RECOMMENDATION**

<b>APPROVE subject to conditions</b>
--------------------------------------

**1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

1.1 The application site lies just beyond the defined settlement boundary of Cheadle, within the countryside. It comprises a parcel of previously overgrown land that has since been cleared of most of its vegetation, aside from boundary hedgerows and a scattering of immature self set trees. The site extends to some 0.175 hectares in area and is enclosed along its northern boundary by Rakeway Road. Rakeway Grange Farm is located to the south of the site, with its associated means of access enclosing the eastern boundary. Rakeway Grange lies to the west of the site.

## 2. DESCRIPTION OF THE PROPOSAL

2.1 Full Planning approval is sought for the erection of 6no. three bedroom dwellings with associated off-street parking and amenity space. This application follows Outline approval for the same development, which gave consent for matters of:

- Layout
- Scale
- Appearance
- Means of Access

2.2 Matters of landscaping were reserved for subsequent approval. Reserved Matters have not been sought.

2.3 The application, as submitted, proposes the erection of 6no. three bedroom semi-detached dwellings arranged in a linear pattern of development, orientated towards Rakeway Road. The scheme proposes 3no. semi-detached pairs, each comprising of a lounge, kitchen/dinner and w/c at ground floor; and three bedrooms (one being en-suite) and a family bathroom to the first floor. External building materials are stated to include:

- Wienerberger old autumn antique brick to the walls;
- Plain Marley Ashmore smooth grey tiles to the roof; and
- PVCu coloured anthracite grey to the windows and doors (RAL: 7016)

2.4 Vehicular access to the site is to be taken off Rakeway Road, via a newly created access at the westernmost end of the site. Each dwelling will benefit from 2 no. off-street parking spaces. A bin dwell area to be used on waste collection days has been provided to the east of the access.

2.5 The application follows two previous outline consents on the site, that were approved at Planning Applications Committee under application references SMD/2016/0764 and SMD/20190126. Both permissions remain extant, with a requirement for Reserved Matters details to be submitted before 10th May 2020 and 10<sup>th</sup> December 2022 respectively.

## 3. RELEVANT PLANNING HISTORY

SMD/2016/0764	Outline planning permission (with all matters reserved) for residential development	Approved
SMD/2019/0126	Outline application with some matters reserved for the erection of 6no. dwellings	Approved

## **4. PLANNING POLICIES RELEVANT TO THE DECISION**

4.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

### Staffordshire Moorlands Local Plan (1998)

4.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process. Following consultation last year a Preferred Options Site Allocation DPD is to be consulted on in late Spring 2016.

### Adopted Staffordshire Moorlands Core Strategy DPD (26<sup>th</sup> March 2014)

4.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SD1 Sustainable Use of Resources
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

### National Planning Policy NPPF

- Section 5 Delivering a wide choice of high quality homes
- Section 12 Achieving well-designed places
- Section 15 Conserving and enhancing the natural environment

### National Planning Policy Guidance

- Space about dwellings

### Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

## Emerging Policies

The following policies are considered to be relevant to this application:

SS1	Development Principles
1a	Presumption in Favour of Sustainable Development
SS2	Settlement Hierarchy
SS10	Other Rural Areas Strategy
DC1	Design Considerations
DC3	Landscape and Settlement Setting
NE1	Biodiversity and Geological Resources
NE2	Trees, woodlands and Hedgerows
T1	Development and Sustainable Transport
T2	Other Sustainable Transport Measures

## Emerging Policies

The following policies are considered to be relevant to this application:

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

## **5. CONSULTATIONS CARRIED OUT**

5.1 A Site Notice was displayed and neighbours notified by letter. The last date for comments expired: 6<sup>th</sup> January 2020. Comments received in response to date can be summarised as follows:

- Highway safety

### **Cheadle Town Council:**

5.2 It was resolved that the Council has no objections to this application in principle but were concerned that the access is safe and that Staffordshire County Council Highways were appropriately consulted on the safety aspects of the proposed access. In addition, Council would like more clarification of the proposed turning spaces/circle on the site.

### **SCC Minerals and Waste Planning**

5.3 No objection.

### **Severn Trent Water**

5.4 No objections subject to condition to secure an acceptable drainage scheme.

### **Staffordshire County Council Highways**

5.5 No objection subject to conditions relating to the following:

- Provision of the approved visibility splay prior to the development being first brought into use;
- Widening of the footway on the site frontage to a minimum of 1.8m;
- Provision of turning and parking areas prior to the development first being brought into use;
- Provision of bin store area prior to the development first being brought into use;
- Surfacing in a bound material to be agreed by the LPA;
- Details of surface water drainage to be agreed by the LPA.

### **Coal Authority**

5.8 No objection

### **Environmental Health**

5.9 No objection subject to conditions relating to the following:

- Submission of Demolition and Construction and Environmental Method Statement prior to commencement;
- Submission of intrusive site risk assessment and remediation strategy;
- No top soil shall be imported to the site until it has been tested for contamination;
- Waste material associated with the demolition or construction shall be burnt on site;
- Submission of noise assessment.

## **6. OFFICER COMMENT AND PLANNING BALANCE**

### **Policy Context**

6.1 As with all applications, the LPA is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

6.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant

planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the NPPF indicate that development should be restricted.

6.3 The Core Principles of the NPPF are set out at paragraph 8 which, amongst other things, seek to proactively drive and support sustainable economic development to deliver homes, businesses, industrial units, infrastructure and thriving local places that the country needs. High quality design should be sought and a good standard of amenity is expected for all existing and future occupants of land and buildings. Section 5 of the NPPF relates to the delivery of a wide choice of high quality homes.

6.4 The application site is located outside of a defined settlement boundary, within open countryside. Policy SS6c relates to 'other rural areas' and outlines that within such areas development will only be supported where it meets an essential local need, supports the rural diversification and sustainability of the rural area, promotes sustainable tourism or enhances the countryside.

6.5 The development in principle is therefore considered contrary to the Development Plan. However, government policy set out in the NPPF aims to significantly boost the supply of housing and at para 73 requires the Local Planning Authority to identify and annually update a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The Council currently does not have a five year supply of deliverable housing sites. Para 11 footnote 7 of the NPPF confirms that in such circumstances, relevant policies for the supply of housing cannot be considered to be up to date. Restricting the growth of towns and villages by the imposition of development boundaries in order to protect the wider countryside is, by definition, a means of restricting the supply of housing and these policies are therefore out of date.

6.6 Whilst this remains to be the case, the local planning authority must therefore consider any future application for the development proposed in line with para 11 of the Framework. Whilst the site is located outside of the development boundary, it is not located in the Green Belt. There appear to be no other NPPF policies that indicate that development should be restricted in this location. As such, the "tilted balance" is triggered and this application should be considered against the balance of harm and whether or not any adverse impacts of granting approval would significantly and demonstrably outweigh the benefits arising from the development when assessed against the policies of the NPPF as a whole.

6.7 Furthermore, there are two extant outline planning permissions for residential development on this site which have established the suitability in principle of development on this site.

## Character, Appearance & Heritage

6.8 In accordance with policies DC1, DC3 and R1, development should be designed to respect the site and its surroundings having regard to matters of scale, density, layout, siting and landscaping. Development that would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement should be resisted. The Council will seek to support development which respects and enhances local landscape character.

6.9 The application site is bounded by Rakeway Grange Farm to the south and Rakeway Grange to the west. Development on the site would therefore be read within the context of a cluster of development on the edge of Cheadle Town Development Boundary. The site nevertheless has a rural character that should be acknowledged within the layout, scale, form and design of a future development on the site.

6.10 The Council's Design SPD states that 'the setting of any building should be carefully considered. Attention should be paid to its impact on views into, over and out of the site'. It goes on to state at paragraph 3.2 that 'in the countryside or on the edge of settlements, building should sit comfortably in the landscape'; and at paragraph 3.5 it states that 'new development, be it a single building or group, must respect the 'grain' of the settlement'.

6.11 The scale, form and layout of the proposed development is commensurate with that considered and approved at Planning Applications Committee under planning reference SMD/2019/0126. In the interest of clarification the proposal comprises three semi-detached pairs of dwellings positioned within a linear pattern of development orientated towards Rakeway Road. The dwellings are of an appropriate design and scale that adequately respects the landscape setting and character of the area. The units are to be set back from the highway boundary by circa 17m and off-street parking has been sited in order to allow for soft landscaping to reflect the rural context of the site and to avoid the creation of a car dominated frontage.

6.12 Vehicular access is to be provided towards the western side of the north site boundary. In order to achieve acceptable visibility the existing boundary hedge will need to be removed. However, the submitted scheme demonstrates that appropriate replacement hedge planting along the boundary can be successfully secured in accordance with the submitted Landscape Plan.

## Amenity

6.13 Core Strategy policy DC1 requires development to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Similarly, paragraph NPPF 127f) seeks to achieve a high standard of amenity for existing and future users of the site.

6.14 Principal habitable room windows are to be located within the front and rear elevations of the dwellinghouses. The Council's Space About Dwellings SPD in respect of dwellings with three or more bedrooms a spacing distance between front facing principal windows should be at least 22m. This distance is also applicable to rear facing principal windows. The distance required between the principal window on the rear elevation of a dwelling and a flank wall of a neighbouring dwelling where the flank wall has no principal windows or has obscurely glazed or high level windows is at least 14m.

6.15 Buildings located to the rear of the site are associated with Rakeway Grange Farm and the proposed development allows for a separation distance of 13.05m at its closest point to a single storey flat roofed farm building located to the south of the site. The estimated height of which indicated on the submitted drawings is 3m. A separation distance of 17m would exist between the proposed dwellings and a larger agriculturally building. This is sufficient to protect the proposed dwellings from any loss of amenity or light. A separation distance of 11.5m would exist between the side elevation of Plot 6 and the side elevation of Rakeway Grange farmhouse itself to the east. There are no other nearby properties and the separation distances specified are considered to be acceptable.

6.16 Each unit is served with private outdoor amenity space measuring in excess of 65 square metres in accordance with the Council's Space About Dwellings SPD. The layout of the scheme has been appropriately considered to ensure an acceptable standard of amenity can be achieved.

6.17 The DCLG Technical housing standards – *nationally described space standard* (March 2015), sets out the minimum gross internal floor areas expected for new dwellings. The proposed development accords with the space standards outlined.

### Highways

6.18 Core Strategy policy DC1 aims to ensure that new development is provided with safe and satisfactory access.

6.19 Objection has been received from a local resident who raises concerns regarding the level of proposed off-road parking spaces and the provision of appropriate turning and manoeuvring space. Further concern has been raised regarding the position of the access relative to a blind bend, speed limit and risk of overtaking vehicles. Staffordshire County Council Highway Authority have been consulted on this application.

6.20 The access arrangements and off-street parking layout is the same as that previously approved under SMD/2019/0126. Staffordshire County Council Highway Authority are satisfied that sufficient off-street parking and turning space is provided. No objection has been raised subject to appropriately worded conditions to secure appropriate visibility, surfacing, drainage, parking and manoeuvring space.

## Other Matters

6.21 Severn Trent Water raise no objection to the proposed development subject to the submission and approval of a drainage plan for the disposal of foul and surface water flows. It is noted that the application has been supported by Proposed Drainage Plan K817-102 Rev:-. Severn Trent Water have reviewed this plan and commented as follows:

*“The submitted ‘Proposed Drainage Plan’ (drawing ref: K817-102 rev: -) shows all foul sewage is proposed to discharge to the public foul sewer, and all surface water is proposed to discharge to the public foul sewer, at a proposed discharge rate of 2litres/second. For your information, before we would consider a connection to the public sewer for surface water discharge we would request that soakaways are investigated. If these are proven to not be feasible on site (with satisfactory evidence) we would request the applicant investigates connection to a public surface water sewer, with flows restricted. We therefore ask that the drainage related condition is applied.”*

6.22 The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this application, specifically probable shallow coal mine workings.

6.23 This application has been supported with a Coal Mining Risk Assessment Report, dated 30<sup>th</sup> January 2019. The content and conclusions of the Coal Mining Risk Assessment Report were considered sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the proposed development. No objection has been raised by The Coal Authority.

6.24 The site measures 0.87 hectares in size and therefore the affordable housing requirement outlined under policy H2 is triggered. In accordance with policy H2, development proposals of five dwellings (0.16 hectares) or more shall provide a target of 33% affordable housing from all sources, unless there are exceptional circumstances which dictate otherwise. However, the Planning Practice Guidance states that “there are specific circumstances where contributions for affordable housing and tariff style planning obligations (Section 106 planning obligations) should not be sought for small scale and self-build development. This follows the order of the Court of Appeal dated 13<sup>th</sup> May 2016, which give legal effect to the policy set out in the written statement...contributions should not be sought for developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000 square metres (gross internal areas)”.

6.25 The proposed development does not meet the thresholds stated and as such the proposed development does not trigger the requirement for affordable housing.

6.26 The application has been supported by a Phase 1 / Desktop Risk Assessment produced by Sladen Associates (Report REF: 19 2123). The

report has been considered by the Council's Environmental Health Officer and is deemed to be an appropriate assessment of the site and is accepted.

6.27 The Officer concurs with the conclusions of the report which state that as the site has been subject to some historic tipping and may have some contaminants present intrusive investigation is required. An appropriately worded condition is recommended to secure the submission of an intrusive investigation and appropriate mitigation if required.

6.28 Furthermore, it is noted that the proposed development is adjacent to a main road and working farm. It is recommended that any housing development on the site considers sound insulation appropriate to the noise impacts from road traffic and the farm. An appropriately worded condition has been recommended.

## **7. CONCLUSION**

7.1 To conclude, whilst the application site is located outside of the development boundary, it is not located in the Green Belt. Therefore, in accordance with the NPPF there are no policies that indicate that development should be restricted in this location. In accordance with the National Planning Policy Framework, as the LPA cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing should be considered out of date. The site is positioned in a sustainable location and in accordance with the objectives of the NPPF and policy SS1a, planning permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

7.2 Extant outline consent exists for a development of the same ilk, the only outstanding matter being landscaping. This a material consideration in the determination this application. This application is considered to accord with the policies contained in the Staffordshire Moorlands Core Strategy and National Planning Policy Framework.

## **8. RECOMMENDATION**

### **A. APPROVE subject to the following conditions:**

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

**Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.**

- 2. The development shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority:-  
AL(0)01F Site Layout & Streetscene  
AL(0)04E House Type**

**AL(0)06 Site Plan as Existing  
AL(0)07(1) Landscaping Plan**

**Reason:- To define the permission and in the interests of proper planning.**

**3. External Building materials shall be in accordance with document reference: 00931 MS, dated October 2019.**

**Reason:- In the interests of the character and appearance of the area.**

**4. Hard and soft landscaping of the site shall be carried out in accordance with drawing number**

**4. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.**

**Reason:- In the interests of the visual appearance of the development and the amenities of the area.**

**5. The development hereby permitted shall not be brought into use until the visibility splays of 2.4m x 120m shown on plan 00931 AL(0)01F have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.**

**Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**

**6. The development hereby permitted shall not be brought into use until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:**

- Widening of the footway on the site frontage to a minimum of 1.8m**

**The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.**

**Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**

**7. The development hereby permitted shall no be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the like of the development.**

**Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**

**8. Before the proposed development is brought into use, the bin store adjacent to, but clear of the footway to store bins on collection day clear of the footway to avoid obstruction of the footway shall be provided in accordance with approved drawing 00931 AL(0)01F. The bin store area shall be retained as a collection day bin store for the life of the development.**

**Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**

**9. The development hereby permitted shall not be brought into use until details of a surface water drainage interceptor sited immediately rear of the highway boundary and connected to a surface water outfall (or drained to SUDS principles), has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.**

**Reason:- To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**

**10. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented in accordance with the approved details before the development is first brought into use.**

**Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.**

**11. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-**

- i. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00**

- to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- ii. the arrangements for prior notification to the occupiers of potentially affected properties;
  - iii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
  - iv. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
  - v. a scheme for recycling/disposal of waste resulting from the construction works;
  - vi. the parking of vehicles of site operatives and visitors;
  - vii. the loading and unloading of plant and materials;
  - viii. the storage of plant and materials used in constructing the development;
  - ix. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - x. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason:- To protect the amenities of the area.

12. (i) No development, shall take place until a intrusive site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

(ii) If the intrusive site risk assessment (i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.

(iii) The agreed remediation strategy (ii) shall be adhered to throughout the development,

(iv) Following completion of the site remediation and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.

(v) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional

measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:-** To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

**13.** No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

**Reason:-** To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

**14.** Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

**Reason:** To protect the amenities of the area.

**15.** Development shall not commence until a site specific scheme for protecting the proposed residential units from noise, has been submitted to, and approved in writing by the Local Planning Authority.

The submitted scheme shall have due regard for the British Standard BS8233:2014 Guidance on Sound Insulation for Buildings and the ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and 50dB LAeq in outside living areas.

**Reason:** To protect occupiers from noise and safeguard their residential amenities.

**10. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the development, as hereby approved, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.**

**Reason: In the interests of nature conservation having regard to policies SS6c, R1 and NE1 of the SMDC Core Strategy and Chapter 11 of the National Planning Policy Framework.**

**B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

