

<b>Application Number:</b>	2016/0074	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of 2 dwellings	<b>Location:</b>	Land adj 14 Millfold, Facit, Whitworth
<b>Report of:</b>	Planning Unit Manager		
<b>Report to:</b>	Development Control Committee	<b>Committee Date :</b>	7 June 2016
<b>Applicant:</b>	Mr A Sanderson	<b>Determination Expiry Date:</b>	10 June 2016
<b>Agent:</b>	Mr S Hartley		

<b>Contact Officer:</b>	Neil Birtles	<b>Telephone:</b>	01706-238645
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## HUMAN RIGHTS

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	<b>Cllr L Barnes</b> Concerns over overlooking neighbouring properties, highway safety due to the proximity to the bend at Millfold, the plan doesn't detail trees near to the proposed site, loss of residential amenity.
<b>3 or more objections received</b>	
<b>Other (please state):</b>	

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

### Article 8

The right to respect for private and family life, home and correspondence.

### Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

#### 1. **RECOMMENDATION**

That Permission is granted for the reasons set out in Section 9 and subject to the Conditions set out in Section 10.

#### 2. **SITE**

This application relates to a wedge-shaped site, of approximately 0.1ha in area, which is situated to the south side of Millfold. The site has a frontage width of approximately 31m and a depth, at its maximum, of approximately 18m.

The site slopes down gently from east to west, and has a hardcore-surface. The frontage to Millfold is fenced/gated, the site currently used for the parking of vehicles.

A stone retaining wall runs along the eastern boundary and along the greater part of the southern boundary, rising from a height of below 1m to 2m, reflecting the level of the ground beyond these boundaries. Midway along the southern boundary, just to the other side of the retaining-wall is a mature multi-stem Sycamore, with a Willow of less size and visual amenity value situated further to its west. Beyond the stone retaining-wall to the eastern and southern side of the application site is a tarmaced car park used by residents of dormer-bungalows extending up Industry Street. That dormer-bungalow nearest to the application site presents a blank gable to it. To the other side of Industry Street are terraced houses of 2-storey construction and traditional design/facing materials.

To the west side of the site is 14 Millfold, a semi-detached house of 2-storey construction and traditional design/facing materials, possessing a garage that comes near to the party-boundary. Whilst the concrete-post/timber panel fence on the party-boundary is 1m high where near to the highway, it is for the most part 1.75m high. The grounds of this property are somewhat lower than the application site, with a mature eucalyptus tree in the front garden near to the boundary fence. To the west side of 14 and 15 Millfold runs the River Spodden, which has been designated as 'main river' by the Environment Agency; 14 & 15 Millfold and the north-west corner of the application site are identified as being within Flood Zone 2 by the Environment Agency.

To the other side of Millfold to the application site, close to the highway, are traditional 2 and 3-storey mill buildings of stone construction. They have been sub-divided, 6 or so bay-doors facing the application site. To the west side of these buildings is the access to more modern industrial units.

The site is within the Urban Boundary of Whitworth.

### **3. RELEVANT PLANNING HISTORY**

- 1996/418 - Construction of 2no semi-detached dwellings  
Permission granted on 2/7/97  
Lapsed without implementation
  
- 2007/49 - Construction of two dwellings  
Dismissed on Appeal 15/10/07
  
- 2008/188 - Erection of two detached houses  
Dismissed on Appeal 3/2/09

The Inspector's decision letter states :

*"The Council considers the siting and design of the dwellings and the access thereto to be acceptable and that the development would not harm the living conditions of neighbours in any respect. I have no reason to disagree.*

*On this basis, there are two main issues. Firstly, whether the proposal would be acceptable in strategic terms; and secondly, whether sufficient information has been submitted to determine the suitability of the site for family housing in light of its historic use.*

- 1) *I am satisfied that the proposal accords with the requirements of the Interim Housing Policy Statement and it would not frustrate the Council's aim to direct residential development to the areas referred to...*
- 2) *On the basis of the conclusions of the [Appellant's] 'Study of Contamination, Landfill Gas and Geotechnical Issues' I am of the view that more detailed and intrusive studies are required before it can be known for certain that the site is capable of being remediated to a standard suitable for family housing.*

*In reaching my decision, I am mindful that issues of flood risk have been satisfactorily addressed, that no local objections were made, and that the scheme has the support of Whitworth Town Council...I have also considered concerns raised by a local resident relating to infrastructure including drainage and utilities, although in the absence of any compelling technical evidence to the contrary, I have no reason to doubt that these matters could be satisfactorily addressed."*

2015/0304 Erection of 2 dwellings

As first submitted this application sought permission for the same scheme of development as that proposed in Application 2008/188. However, the Applicant subsequently submitted an amended plan to hand the house proposed nearest to 14 Millfold to make it less likely that its occupiers would wish to prune-back the multi-stem Sycamore situated just beyond the rear boundary of the site.

In short, the scheme proposed the erection of two 3-bedroomed detached houses, each to be of natural stone/slate construction, with a 2-storey gabled projection to the front and a 1-storey projection to the rear, with off-street parking for two cars. They were to have a floor level of 231.2+m AOD in order to meet the Environment Agency's previously-stated requirement for flood-mitigation.

The Planning Statement accompanying the application stated :

*"...the central issue [in respect of the appeal for Application 2008/188] was the absence of sufficient information to convince the Inspector that the site could be remediated to a standard suitable for family housing. The Inspector was satisfied that the proposal was acceptable in strategic housing terms.*

*Since the above appeal decision a phase 2 contamination report has been completed and the identified contamination has been removed from site. The Borough's Environmental Health officer has assessed the treatment work and has met the applicant's engineering consultant on site and has agreed that no further remediation is required. The phase 2 contamination report is submitted with the application together with a letter from the engineering consultant with regard to the removal of contaminants since then."*

The documentation relating to Ground Contamination which accompanied the application indicated that :

- The principal constraint upon residential development of the site resulted from a gasometer shown on OS Maps of 1851 & 1910.
- Intrusive investigations in July 2009 revealed the gasometer to have been located towards the eastern end of the site, have a diameter of 7.3m and a

- floor-level 2.4m below the existing ground level.
- The material/water within its perimeter wall/above its floor was sufficiently contaminated to have required removal from the site and the hole was then in-filled with clean stone.
  - Elsewhere the trial pits encountered made-ground/building foundations, only that nearest the gasometer with hydrocarbon contamination present and at a depth consistent with slow-release of contamination from the gasometer.
  - There is no need for further material to be removed from the site so long as the proposed houses incorporate a high-specification hydrocarbon resistant membrane to guard against gas & vapour ingress, protection of waterpipes and provision within soft-landscaped areas of clean-soil of at least 0.6m in depth.

A copy of the Officer Report considered by Committee at its meeting in February 2016 is appended. It will be noted that Whitworth Town Council, RBC Environmental Health, LCC Highways, the Environment Agency and United Utilities had no objection. Notwithstanding the receipt of representations/objections from 1 local resident and a number of the industrial units opposite, Officers recommended approval of the application and it was approved by Committee, subject to a number of conditions.

#### 4. **PROPOSAL**

Rather than submit an application for Approval of Details reserved by Conditions 3 / 6 / 9 / 10, the applicant has submitted the current application, which seeks permission for 2 detached houses of the same siting/size/design/appearance as previously permitted, but with different/additional supporting information.

The Planning Statement accompanying the application states :

*“The pre- construction conditions imposed on that approval (no 2015/0304) are dealt with in this new application in anticipation that they will not need to be included in any approval to the current application. All other matters remain as per application 2015/0304.”*

#### 5. **POLICY CONTEXT**

##### **National**

##### **National Planning Policy Framework**

- Section 1 Building a Strong Competitive Economy
- Section 4 Promoting Sustainable Transport
- Section 6 Delivering a Wide Choice of High Quality Homes
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 10 Meeting the Challenges of Climate Change, Flooding, etc
- Section 11 Conserving and Enhancing the Natural Environment

##### **Development Plan Policies**

##### **Rossendale Core Strategy DPD (2011)**

- AVP1 Area Vision for Whitworth, Facit & Shawforth
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale’s Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 4 Affordable and Supporting Housing
- Policy 8 Transport

Policy 9	Accessibility
Policy 16	Preserving and Enhancing the Built Environment
Policy 17	Rosendale's Green Infrastructure
Policy 18	Biodiversity, Giodiversity and Landscape Conservation
Policy 19	Climate Change, etc
Policy 23	Promoting High Quality Design & Spaces
Policy 24	Planning Application Requirements

## 6. **CONSULTATION RESPONSES**

### **RBC Environmental Health**

No further comments to those on Application 2015/0304.

### **LCC Highways**

No objection to the proposal subject to the following conditions.

This consent requires the construction, improvement or alteration of an access to the public highway and prior to the commencement of any works the applicant must contact the Highway Authority Lancashire County Council to enter to the appropriate agreement to carry out these works. The footway along the frontage of the site should be re-surfaced for the full width, the position of the street lighting column and the surface water road gully outside plot 1 will be subject to review.

The off street parking spaces shown on the approved drawing shall be constructed and surfaced with a bound porous material and made available prior to first use of the dwelling hereby permitted and thereafter kept freely available for use as such. The path [to the side of the parking spaces to serve the most easterly house] should be widened.

### **LCC Drainage**

No comment.

### **Environment Agency**

#### **Flood Risk**

As indicated in our response to the previously submitted details, there is a residual risk of overland flooding from the culvert Hud Clough Brook beneath Millfold. This was not identified in the basic FRA provided to support the application.

The proposed floor levels have been raised above surrounding ground and this should mitigate the risk. Accordingly, we have no objections to the revised plan, dated 3 February 2016, showing floor levels of 231.00m AOD and 232.10m AOD.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment and revised plan, dated 3 February 2016, submitted with this application are implemented and secured by way of a planning condition on any planning permission.

#### Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and revised plan, dated 3 February 2016, and the following mitigation measures detailed: Finished floor levels are set no lower than 231.00m and 232.10m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### Land Quality

We have reviewed the following reports:

- Ground Investigation and Assessment Report Ref CL1477, dated 23rd September 2009, LK Associates; and
- Geoenvironmental Assessment and Remediation Strategy letter, dated 17th July 2015, LK Associates.

We would agree with the comments provided in the 2015 letter. All that could be undertaken in terms of remediation of the gas holder on the development site has been done. The contained and contaminated soils have been removed from the site and any incident influx of contaminated groundwaters have also been removed. Due to the proximity of the gas holder to the road and other structures removal off site is not physically possible. This summary of works undertaken to date and the on construction remediation strategy as presented are acceptable to allow the commencement of the development with regards to contamination and land risk assessment.

Third party validation of the installation of the hydrocarbon resistant membrane should be requested to complete the remediation strategy for the development.

### United Utilities

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

#### Drainage Comments

In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy.

United Utilities will have no objection to the proposal and therefore request no conditions are attached to any approval.

### Whitworth Town Council

The Council have concerns about overlooking of adjacent properties, highway safety due to the proximity to the bend at Millfold, the plan doesn't detail trees near to the proposed site, loss of residential amenity.

Council have requested Cllr Barnes to refer this to the Planning Committee for further investigation.

## **7. NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order neighbours were notified by letter on 24/3/16 and a site notice was posted on 24/3/16.

No comments have been received.

## 8. ASSESSMENT

Whitworth Town Council has raised a number of concerns. However, Planning Permission was granted for erection on this site of 2 detached houses of the same siting/size/design/appearance as those now proposed at the meeting of DC Committee held in February 2016.

There has since been no change in policy or circumstances that would allow it to be concluded that there is now an objection in principle to residential development of the site. The application site is located within the Urban Boundary of Whitworth and constitutes 'previously-developed' land. Although there are industrial units opposite, the site abuts 14 Millfold, a semi-detached house dating from the 1980's, and is near to dormer-bungalows on Industry Street of even more recent construction. Likewise, in dealing with Application 2015/0304 Committee accepted the advice of LCC Highways that the local highway network could accommodate the traffic likely to be generated by the 2 houses.

Accordingly, it is appropriate to make the focus for attention in dealing with the current application the pre-commencement conditions imposed on Planning Permission 2015/0304 and whether the details now submitted warrant their amendment/removal.

### Condition 3

This Condition reads as follows :

The development hereby permitted shall not be commenced until such time as details of proposed floor and external levels have been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason : To reduce the risk of flooding to the proposed development and future users, in accordance with the advice of the Environment Agency and Policy 19 of the Council's adopted Core Strategy.

The current application is accompanied by a drawing that shows the floor levels of the proposed houses (231m AOD & 232.1m AOD) and ground levels surrounding the site. The Environment Agency has advised that it has no objection to permission being granted so long as there is a condition to ensure that the proposed houses are constructed with floor levels no lower than those stipulated.

### Condition 6

This Condition reads as follows :

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s.

Reason : To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with the advice of United Utilities and Policy 19 of the Council's adopted Core Strategy.

The current application is accompanied by a drawing that shows foul-water from the proposed houses will drain separately from surface-water and to a foul-sewer in Millfold. United Utilities has advised that it has no objection to permission being granted on this basis.

#### Condition 9

This Condition reads as follows :

Prior to commencement of construction of the houses hereby permitted samples of the natural stone and natural slate to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved facing materials.

Reason : In the interests of visual and neighbour amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

The Planning Statement accompanying the current application states : “*The submitted plans show external materials to be natural stone and the roofs to be of natural blue slate*”. The Statement then contains photos of samples of the coursed natural stone and slate to be used. I consider these samples to be satisfactory. However, the Agent has been asked to provide samples for display at the Committee meeting.

#### Condition 10

This Condition reads as follows :

Prior to the commencement of the development hereby permitted a scheme of Landscaping/Boundary Treatment shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details which may have previously been submitted. The submitted scheme shall provide details of:

- a) measures to be taken during the development phase for the protection of trees/shrubs on the site to be retained;
- b) retaining structures/walls/fences/gates/hard-paved areas;
- c) the types and numbers of trees and shrubs to be planted and their size and distribution; &
- d) any changes of ground level or landform.

Reason : In the interests of visual and neighbour amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

The current application is accompanied by drawings that show :

- The proposed parking areas, ramped-access to each front door and other paths around the houses are to be of black porous tarmac.
- The frontage to Millfold is to be bounded by a 0.6m-1m high stone wall (except where there are drive/path openings).
- Between the proposed houses, & their rear gardens, 2m high post-&-panel fencing is to be erected, diminishing to 1m in height where bounding to Millfold.
- The existing walls/fences to the sides and rear of the site are to be retained and will be unaffected by ground-level changes.
- Garden areas are to be soiled and seeded.

As first submitted these drawings showed the position of the large multi-stem Sycamore situated just beyond the rear boundary of the site, but not the Eucalyptus tree in the front garden of 14 Millfold, the canopy of which also oversails the site to a small extent. Whitworth Town Council having expressed concern that the plan doesn't adequately detail trees near to the site an amended plan has been submitted that also shows the Eucalyptus. The Agent states : “*the latter of course is not on the application site but on private land...*”

*overhangs the proposed garden of the adjoining house and not the house itself. In addition the tree has quite an upright stance with not a great deal of overhang”.*

The current application is also accompanied by a DEFRA ‘Construction Code of Practice for the Sustainable Use of Soils on Constuction Sites’ and a Statement setting out ‘Measures for the protection of the Sycamore tree’. Amongst other things, the latter indicates that heras-fencing would be erected a minimum of 1m beyond the canopy and within the ‘exclusion zone’ created there could be no site ofices/parking of vehicles/storage of plant, materials or waste/no lowering of levels or excavation without a Written Method Statement & arboricultural site monitoring.

I consider this scheme of Landscaping/Boundary Treatment to be satisfactory, subject to protection of both the multi-stem Sycamore and Eucalyptus for the duration of construction works by erection of fencing. In the case of the Eucalyptus there is also a need to ensure any excavation/construction works/re-soiling within the fenced-off area is undertaken with hand-tools/retains any roots encountered of more than 25mm diameter & minimises the time they are exposed, and avoids any change in ground level.

## **9. SUMMARY REASON FOR APPROVAL**

The proposed development is considered to be acceptable in principle for a previously-developed site within the Urban Boundary and, subject to the conditions, it is not considered likely to result in unacceptable harm to visual and neighbour amenity or flood risk/public health/highway safety. It is therefore considered to accord with Policies AVP1 /1 / 2 / 3 / 8 / 9 / 16 / 19 / 23 / 24 of the Council’s adopted Core Strategy DPD (2011).

## **10. RECOMMENDATION**

That the application be approved.

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason : To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with Drawing No alan sanderson 12-05-16 and (to the extent it does not conflict with the foregoing drawing) the originally submitted ‘Landscaping and Boundary Treatment’ drawing, unless otherwise required by the conditions below.  
Reason: For the avoidance of doubt.
3. The dwellings hereby permitted shall not have finished floor levels other than 231.00m and 232.10m above Ordnance Datum (AOD), unless a variation is first agreed in writing by the local planning authority.  
Reason : To reduce the risk of flooding to the proposed development and future users, in accordance with the advice of the Environment Agency and Policy 19 of the Council’s adopted Core Strategy.
4. The development shall be carried out in accordance with the recommendations of the submitted Geoenvironmental Assessment & Remediation Strategy (prepared by LK Consult Ltd & dated 17/7/15), which indicates a need for clean soil in

garden areas, gas & vapour protection and protection of water pipes. Prior to first occupation of any dwelling a Verification Report detailing the actions taken in this regard (including validation works) shall be submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure development of the site proceeds in a safe and satisfactory form, having regard to the submitted Report and to accord with Policies 1 and 24 of the Council's adopted Core Strategy.

5. Foul and surface water shall be drained on separate systems.

Reason : To secure proper drainage and to manage the risk of flooding and pollution, in accordance with the advice of United Utilities and Policy 19 of the Council's adopted Core Strategy.

6. Prior to first occupation of each of the dwellings hereby permitted it shall be provided with foul-water drainage arrangements that accord with the submitted 'Proposed Levels & Drainage' drawing (received 29/2/16). Furthermore, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and according with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national standards, shall be provided prior to first occupation of each of the dwellings hereby permitted.

Reason : To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with the advice of United Utilities and Policy 19 of the Council's adopted Core Strategy.

7. Prior to first occupation of any dwelling the footway along the frontage of the site should be re-surfaced for the full width, and the street lighting column and surface water road gully outside plot 1 to be altered/re-positioned, as first agreed with LCC Highways, and in accordance with its specifications and standards for adopted highways.

Reason : In the interests of highway safety, in accordance with the advice of LCC Highways and Policy 24 of the Council's adopted Core Strategy.

8. Prior to first occupation of any of the dwellings hereby permitted the parking area to serve it shall be provided with a hard, permeable surface. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, or any order amending or revoking & re-enacting that order, the parking areas provided shall thereafter be kept freely available for the parking of cars.

Reason : In the interests of highway safety, in accordance with Policy 24 of the Council's adopted Core Strategy.

9. The houses hereby permitted shall have their roofs covered with natural blue slates that accord in size and appearance with the photo on Page 6 of the submitted Planning Statement. The houses hereby permitted shall have external walls constructed of coursed natural stone that accords in colour and surface-finish with the photo on Page 6, and in size with the photo on Page 7, of the submitted Planning Statement.

Reason : In the interests of visual and neighbour amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

10. The scheme of Landscaping/Boundary Treatment to be submitted shall provide details of :

- a) measures to be taken during the development phase for the protection of trees/shrubs on the site to be retained;
- b) retaining structures/walls/fences/gates/hard-paved areas;
- c) the types and numbers of trees and shrubs to be planted and their size and distribution; &
- d) any changes of ground level or landform.

Reason : In the interests of visual and neighbour amenity, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

11. The development shall be undertaken in accordance with the submitted scheme of 'Landscaping and Boundary Treatment', to the extent that it accords with Drawing No alan sanderson 12-05-16 and the following :

- a) during the development phase the submitted Statement setting out 'Measures for the protection of the Sycamore tree' shall relate also to the Eucalyptus tree that oversails the north-west corner of the site; for the protection of trees/shrubs on the site to be retained;
- b) any excavation/construction works or re-soiling within the 'exclusion zone relating to the Eucalyptus' shall be undertaken with hand-tools/retain any roots encountered of more than 25mm diameter & minimise the time they are exposed, and avoid any change in ground level; &
- c) any proposed walls/retaining walls shall be constructed with coursed natural stone that matches in size, colour and surface-finish that used to constructed the houses.

Reason : In the interests of visual and neighbour amenity, and to protect and enhance heritage/wildlife assets, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

12. All measures within the approved scheme of Landscaping/Boundary Treatment for the protection of existing trees during the development phase shall be adhered to. All hard-surfaced areas/retaining structures/walls/fences/gates forming part of the approved scheme of Landscaping/Boundary Treatment shall be completed prior to first occupation of any of the houses hereby permitted, unless otherwise agreed in writing with the Local Planning Authority. All new planting forming part of the approved scheme of Landscaping/ Boundary Treatment shall be carried out in the first planting season thereafter, unless otherwise agreed in writing with the Local Planning Authority. Any trees or shrubs in the approved scheme which within a period of 2 years of first occupation of the final dwelling die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar siting, size and species, unless the Local Planning Authority gives written consent to any variation.

Reason : In the interests of visual and neighbour amenity, and to protect and enhance heritage/wildlife assets, in accordance with Policies 1 and 24 of the Council's adopted Core Strategy.

13. Any ground/construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am & 7:00 pm Monday to Friday and 8:00 am & 1:00 pm on Saturdays. No construction works shall take place on Sundays or Bank Holidays. The shell-&-auger method shall be used to form any piled-foundation.

Reason : To safeguard the amenities of nearby residents, in accordance with the Policies 1 and 24 of the Council's adopted Core Strategy.

## Site Location Plan and red edge

**Address and proposal: Proposed two dwellings at Millfold, Facit,  
Whitworth.**

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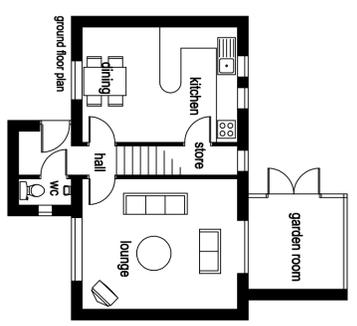
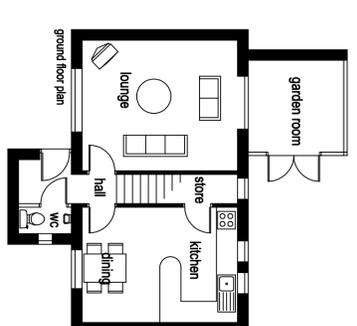
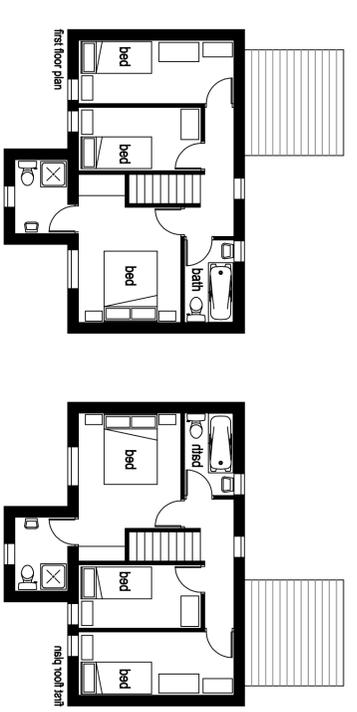
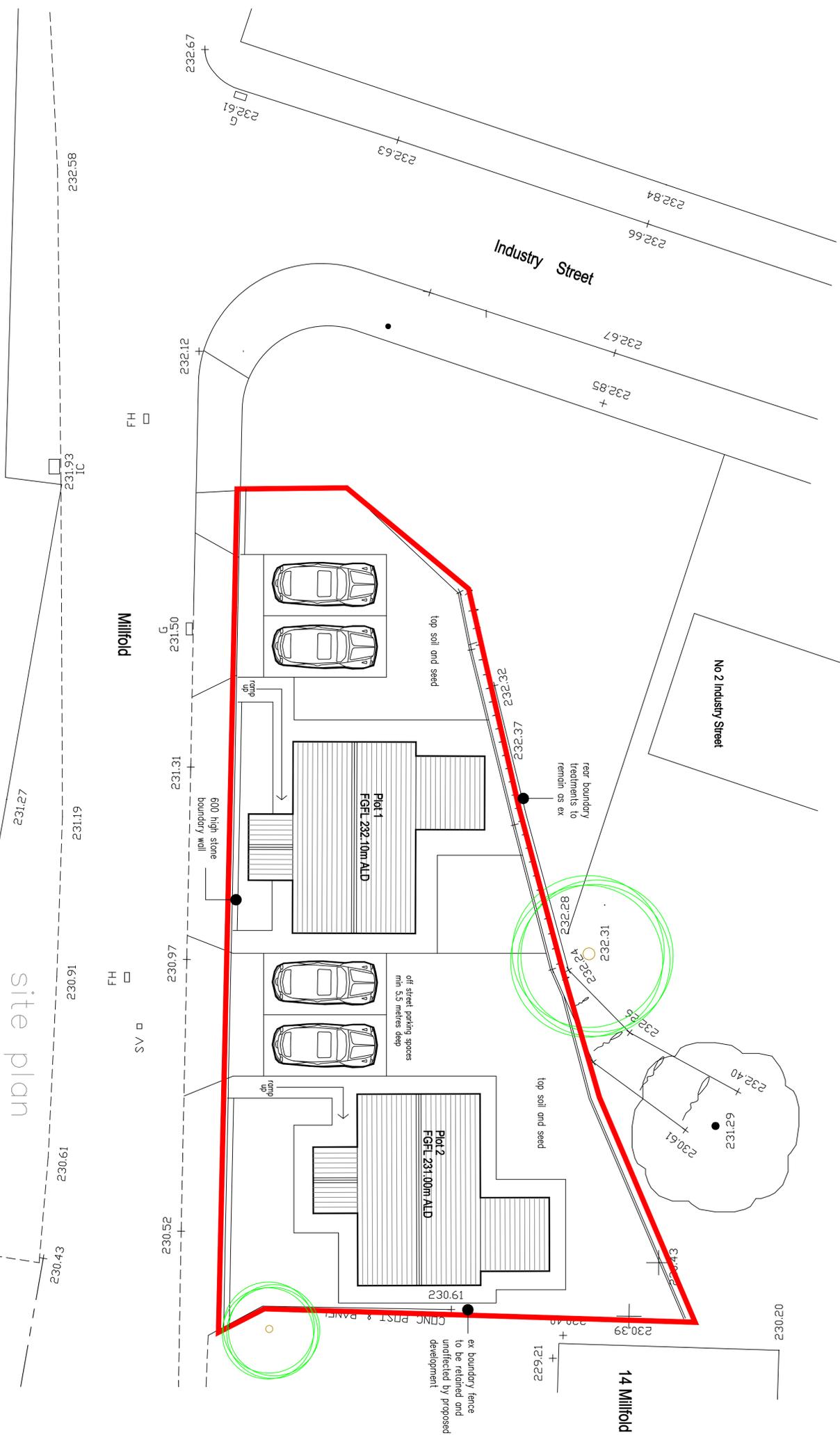
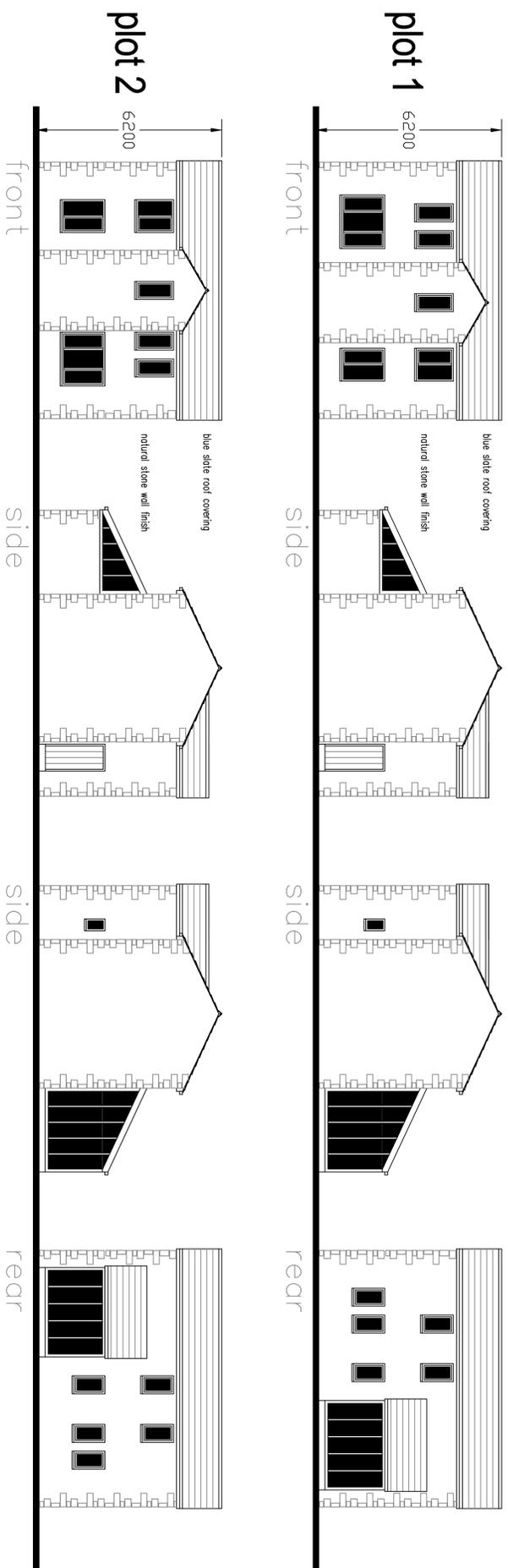


Scale: 1 to 1250



June 2015

Prepared by Hartley Planning and Development Associates Ltd



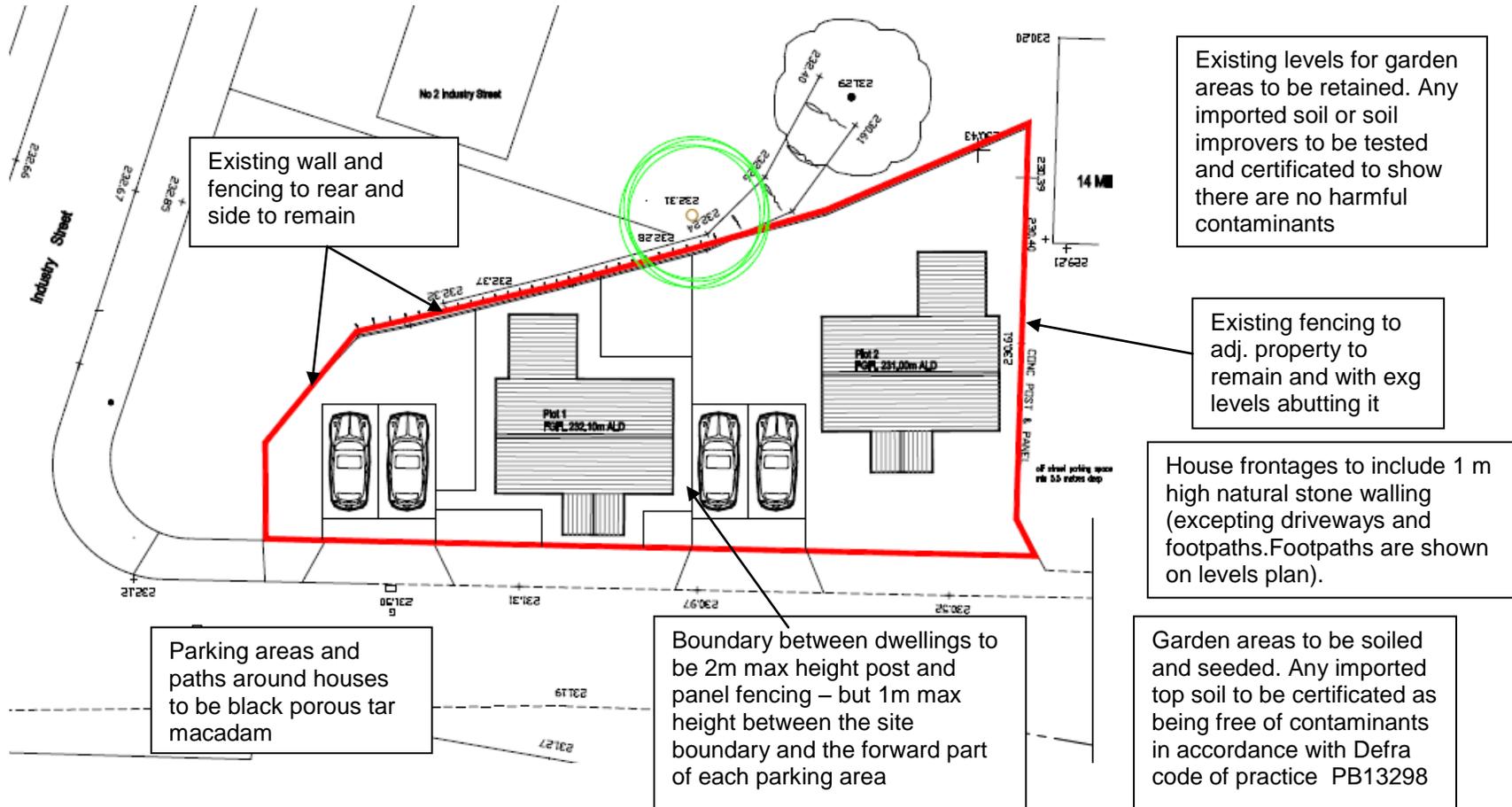
amended 25-11-15  
 Plot 2 handed to avoid  
 development under  
 tree canopy  
 amended 03-02-16  
 FGFL plot 1  
 lifted by 600mm

proposed residential development  
 comprising 2no 3 bed detached  
 houses on land adjacent at

**Millfold**  
**Whitworth**

scale 1:100 1:200 @ A1  
 0m 5m 10m 1:100  
 drawing number alan sanderson 12-05-16

**Landscaping and boundary treatment  
Proposed two dwellings at Millfold, Whitworth**



### **Measures for the protection of the sycamore tree (shown on the above plan)**

While the tree is not protected by an Order and is outside the application site boundary its canopy does nonetheless extend over the boundary.

The following measures will be put in place prior to the development of construction on site or before the delivery of materials in order to afford it protection:-

#### **Access**

- Care will be taken to ensure that wide or tall loads or plant do not come into contact with the tree or its canopy.
- Any such activity close to the tree shall be conducted under the supervision of a banksman, to ensure that adequate clearance is at all times maintained.
  
- Protective “heras” fencing will be provided 1m min. beyond the canopy or 12 times the diameter of the trunk when measured 1.5m high, whichever is the greater
- The fencing is to be strong enough to resist impacts and will be at least 1.2 metres high, All fencing will be in place prior to any development work. Such fencing will be erected before any materials or machinery is brought onto site. Once erected the fence will not be moved or altered in any way.
- If the fencing is damaged in any way it will be re-instated to its original condition before construction work can re-commence.
- Notices will be erected on the fencing stating **Protected Area – No Operations within Fenced Area.**
- Protective fencing shall be maintained in situ until all equipment, machinery and surplus materials have been removed from the site.

**The fencing will create an Exclusion Zone where the following will apply:-**

Within the Exclusion Zones the following will not be permitted

- Storage of building and construction materials, debris and rubbish.
- Storage of DERV, oil, petrol tanks, paints or solvents;
- Site offices and amenity blocks and toilets.
- Mixing of cement and other materials
- Parking of vehicles and plant and machinery Storage of top soil
- Fires within 5 metres of any exclusion zone.
- No excavation by any other means without arboricultural site monitoring
- No hand digging without a written Method Statement No lowering of levels for any purpose (except removal of grass sward using hand tools)
- No construction of a sealed hard surface