

Application Number:	22/01132/FUL
Proposal:	Demolition of existing garage and construction of 3no. new dwellings and 1no. new double garage.
Site:	80 Currier Lane, Ashton-under-Lyne, OL6 6TB
Applicant:	Mr Dewsnap
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	Speakers Panel decision is required in accordance with the Council's constitution because a ward Councillor and one member of the public have requested a Speaker's Panel decision.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to a backland area to the rear of properties fronting Currier Lane, Ashton-under-Lyne. The site is roughly triangular in shape, and, with the exception of some garage structures within the north eastern corner, the site is undeveloped. It covers approximately 1486.90 square metres. Access is taken from an unadopted service track which runs between nos 76 and 80 Currier Lane which also serves as access to garages located within the rear gardens of nos 82 to 90 Currier Lane.
- 1.2 To the rear of the site there are two large detached properties which are also accessed via a private road (The Churches). The site is level but the access falls from the southern boundary down to Currier Lane. This effectively means that the site is elevated in relation to the Currier Lane properties. There are mature trees and hedgerows located on the western and northern boundary to The Churches.
- 1.3 The wider area is principally residential in character with examples of large detached and traditional terrace stock, infill plots have been accepted elsewhere within the area. Generally dwellings are set within landscaped gardens giving a leafy suburban character.

2. PROPOSAL

- 2.1 The application seeks planning permission for the development of 3no. 2 storey 4 bedroom dwellings and 1no. new double garage.
- 2.2 The dwellings will measure approximately 8.7m in length, with a maximum length of 9.6m incorporating the two storey pitched roof front element. A width of 10.5m is proposed containing a hipped roof with a ridge height of 7.4m and an eaves height of 4.8metres. The proposed dwellings, will be two-storeys with a two storey projecting bay, a single storey rear element, measuring 1.8m in length with a height of 3metres containing a flat roof. Solar panels are proposed to the side and rear of all properties.
- 2.3 The dwellings would be constructed with reclaimed red brick, with buff brick proposed to the two storey bay projection, black tiled roof and the windows and door frames will be built from black ash UPVC. Feather edge fencing treated green is proposed to the rear boundaries and a 0.9m fence is proposed to the front gardens.

- 2.4 The development would be accessed from Currier Lane from the existing access track. Access improvements are proposed to the existing track which would include a passing place for two vehicles and improved visibility splays onto Currier Lane.
- 2.5 To facilitate access improvements the land which is within the ownership of nos 76 and 80 Currier Lane is included. These areas have been included within the application boundary, the requisite notice has been served on these land owners and the relevant certificate of ownership has been signed and submitted.
- 2.6 A replacement double garage is proposed to serve number 76 Currier Lane, as the existing will be demolished as part of the proposals. The proposed garage would measure 6.5 metres in length with a width of 6.5 metres containing a dual pitched roof with a height of 5 metres at ridge and an eaves height of 2.6 metres.
- 2.7 Parking to each individual property is proposed in the form of a driveway capable of accommodating two vehicles and an internal garage to each property. Each house would have front and rear landscaped gardens.
- 2.8 The application is supported with the following documents :
- Planning Statement dated July 2022
 - Drainage Strategy dated October 2022
 - Phase I GeoEnvironmental Desk Study dated November 2022
 - Transport Statement dated April 2022
 - Arboricultural Impact Assessment and Method Statement Prepared by DWA Ecology dated October 2022
 - Landscape Design Strategy dated December 2022
 - Material Schedule dated October 2022
 - Outline SuDs Maintenance Strategy
 - Structural Layout and Details dated October 2022
- 2.9 Following the submission of amended plans, changes have been made to the proposal as detailed below :
- Chimney added to the houses to reflect the style of the surrounding properties;
 - Change in colour of brick to the front projecting bay;
 - Band coursing in the different/contrasting brick colours;
 - The size of the every house has been reduced by 11.5 square meters;
 - Roof has been simplified i.e. removal of pitched roofs/gables to the rear and pitched roof to the right hand side of the properties;
 - More trees have been added to the boundary shared with no.1 The Churches;
 - Note on the plan to confirm the retention of the existing boundary hedge between the site and The Churches; and
 - Note on the plan to confirm that the new garage is a replacement garage for Number 76 Currier Lane. The use of this is to be limited to that incidental to the enjoyment of the existing dwelling at number 76 Currier Lane.

3. PLANNING HISTORY

- 3.1 18/01078/FUL - Erection of 2no. 4 bedroom, two storey, detached dwellings and associated works – Approved 20/03/2019.
- 3.2 18/00559/FUL - Erection of 4no. detached two storey dwellings including associated access and landscaping works – Withdrawn 06/08/2018.

4. PLANNING POLICY

National Planning Policy Framework (NPPF)

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects 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 NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies:**

- 1.3: Creating a Cleaner and Greener Environment.
- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.10: Protecting and Enhancing the Natural Environment
- 1.11 Conserving Built Heritage and Retaining Local Identity
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.6 **Part 2 Policies:**

- C1: Townscape and Urban Form
- H2: Unallocated Sites
- H4: Type, Size and Affordability of Dwellings.
- H7: Mixed Use and Density
- H10: Detailed Design of Housing Developments.
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- MW11: Contaminated Land
- Policy U3: Water Services for Developments
- U4: Flood Prevention
- T1: Highway Improvement and Traffic Management.
- T10: Parking.
- MW11: Contaminated Land

Supplementary Planning Documents

- 4.7 Residential Design Supplementary Planning Document
The Greater Manchester Joint Waste Development Plan Document April 2012
The Greater Manchester Joint Minerals Development Plan Document April 2013
Trees and Landscaping on Development Sites SPD adopted in March 2007

Places for Everyone

- 4.8 The Places for Everyone Joint Development Plan Document was published in August 2021. It was submitted to the Secretary of State in February 2022 and inspectors are appointed to carry out an independent examination. It is a joint plan covering nine of the ten Greater Manchester districts, including Tameside, and is intended to provide the overarching framework to strategically manage growth across the boroughs.
- 4.9 Paragraph 48 in the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to: the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight may be given); the extent to which there are unresolved objections (the less significant, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).
- 4.10 Whilst Places for Everyone has been published and submitted, a number of representations have been received objecting to policies, and so in accordance with paragraph 48 of the NPPF, only very limited weight can be given to those policies at this time.

Other Considerations

- 4.11 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.
- 4.12 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

- 5.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement, the application has been advertised by a site notice and neighbour letters.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 Three letters of representation have been received citing objections to the application on the following grounds:

Development Too Big

The original planning application Ref. No: 18/00559/FUL was for 4 four bedroom detached houses and was refused in August 2018 after the council deemed the plans to constitute overdevelopment of the site. This was due to the limited access to the site and the disruption

up to 8 additional vehicles would have on access to Currier Lane, along with acknowledging 4 detached houses simply couldn't fit on the plot. The new planning application Ref. No: 22/01132/FUL covers the same footprint as the initial application but with 3 detached four bedroom houses, and a detached double garage. This again would mean at least 8 additional vehicles would be using the access road, as many if not more than the original application that was refused. Surely the additional two structures on the new application would mean the same overdevelopment that the first one was refused for.

Loss of Sun/Daylight/Overshadowing

The re-orientation of the plans now show the additional 4 bed roomed house at the Northern end of the 3, less than 7m from the gable end of 1 The Churches, this will have a huge impact on the natural light currently offered throughout the day. It is obvious from the new plans and the cramped nature of the designs that houses presented in this orientation simply do not work on this site, and the Council should follow their original decision and refuse the additional structures in this application.

The upstairs window on the gable end directly overlooks the bedroom and gardens of No 82 & no.84. This is intrusive and invades privacy.

Out of Character

It does not appear to be in keeping with the majority of housing in this area. Finally, the proposal of a double story garage, I feel a single story will be more in keeping with the residential surrounding properties.

Traffic/Parking Matters

Since these planning applications have been submitted Currier Lane has now been made one of Tameside Council's first 'active neighbourhoods' to create a series of cycle and pedestrian only access as part of the Council's 'Safe Streets Save Lives' initiative. Surely allowing a development that would contribute to significantly higher traffic volume on an already congested road goes against this initiative. The impact of this initiative has meant that one end of Currier Lane is now cut off, and this has had an impact on the amount of vehicles using the lower (Ashton) end of the lane as this is now the only exit to the west. This new development would add even more traffic to an already congested road. Although refuse collection services are to be catered for on Currier Lane, there is still an issue for larger delivery vehicles gaining access.

Access and maintenance of the access road both during and after construction has taken place. Access to the rear of my property and the parking of my car behind my garden gate. Access for the emergency services should they be required to enter the rear of my property.

Visual Amenity

There is the proposal to build a double story garage including an office which is wholly unnecessary in a domestic dwelling area. A single story garage would suffice.

I appreciate the views from my lounge, bedroom and garden during the various seasons and will be deeply saddened by the removal of these both aesthetically and from a wildlife point of view.

Damage to Wildlife

The area identified for development is rich in wildlife, and the removal of nine mature trees, one group of trees and two mature hedgerows will have a devastating impact on all the birds and animals that currently thrive in the area. Along with numerous species of birds that

depend on the trees and hedgerows for nesting and survival, the area has an established colony of bats that are prevalent in the Spring and Summer months in the area. In light of this, the comments provided in Teresa Hughes's response to Planning, where she states that it is "highly unlikely" in her professional opinion that bats are roosting in the existing garage structure, requires not only a second opinion but a detailed survey of the existing structures on the site. The survey was completed nearly five years ago, and the aerial imagery used that her assumption was made on are well out of date now.

Loss of Trees and Shrubbery

The removal of nine mature trees, one group of trees and two mature hedgerows recommended in the Arboricultural Impact Assessment and Method Statement will have a major impact on the mature woodland and hedgerows in the area. Our properties are adjacent to the site and border the north and west boundaries, and the loss of mature trees and shrubbery will have a major impact on the privacy we all currently enjoy. Also, the survey completed as part of the previously mentioned statement was completed in April 2018, the area, trees and shrubbery have matured significantly in that time and as a minimum should be re-visited. We would agree with the recommendations of Tony Hill the Council's Arboricultural and Countryside Estates Officer, in that the proposal to plant just four new trees does not properly mitigate for the losses.

Deforestation of existing trees. There should also be provision for more trees and shrubs to avoid this becoming a "concrete jungle".

Right of Access

Both nos 82 and 84 have a right of access along the rear of the properties and we would wish to know how it is intended to maintain this access road e.g. by tarmacadam or other means.

- 6.2 One letter of representation was received from a ward Councillor citing the following objections to the application:

Over Development

We understand the original application requested four houses and this was rejected in favour of two. Subsequently the developer has resubmitted a new application for three houses and the large double garage. Plot 3 is very close to 1 The Churches and the 14.35 m dimension on the Site Plan appears misleading as it actually appears to be more like 6 to 7 m from rear corner to rear corner. Having studied the site plan this appears to be excessive and is likely to be defined as overdevelopment and likely to have a detrimental impact on the privacy and quiet enjoyment on the neighbouring properties at the rear

Vehicular Access

A two property development is likely to lead to four to six vehicles constantly trafficking this access road whereas a three property development is likely to attract at least eight to 10 vehicles along and around the access road which again appears to be excessive.

Access Road

The access track is tight and narrow with a really awkward tight turning circle for larger vehicles from Currier Lane. Moreover the access track is assumed to be unadopted and is tight and narrow and given the increased volume generated by this development (particularly construction traffic) is likely to lead an accelerated deterioration in its condition.

- 6.3 Following the submission of amended plans neighbouring properties were re-consulted on the application of which the consultation period expired on the 15 February 2022, one further comment was received citing the following objections to the application:

- Conflict with Land Use Policy;

- Development too big/over development of the plot;
- Loss of sun/day lighting/overshadowing;
- Noise/hours of operation;
- Out of character;
- Sets a precedent;
- Traffic/parking matters; and
- Visual amenity.

The comments received reiterated the points raised in section 6.1 above.

A petition has also been received with 29 names and addresses objecting to the application based on the reasons outlined below:

- Road Safety – “Active Neighbourhood” created as part of the Council’s ‘Safe Streets Save Lives’ initiative, planning application approval would increase vehicles using Currier Lane.
- Site Access – New access would add vehicle numbers entering an already busy road.
- Loss of trees – Removal of nine mature trees, one small group of trees and two mature hedgerows.
- Impact on wildlife – Birds and small animals affected by building works and removal of natural habitat.
- Over development – Plot size does not support four new detached buildings (three detached houses, and one double garage).

7. RESPONSES FROM CONSULTTEES

- 7.1 Arboricultural Officer – The trees proposed for removal are of low to moderate value and could potentially be mitigated for by replacement planting. The current proposed plan indicates four new trees, but to properly mitigate for the losses this number should be increased and a detailed landscape plan and specification submitted. The trees to be retained should be protected to BS5837 and the recommendations in the submitted method statement during all works.

Following the submission of an amended proposed site plan and a landscaping design strategy updated comments were received from the Arboricultural Officer.

The revised site plan indicates the planting of seven new trees, two more than indicated in the Landscape Design Strategy. Seven trees would be adequate mitigation for the tree removals required to facilitate the development. The trees are an appropriate mix of species in the context of a residential development.

The revised landscape proposal is acceptable from an arboricultural perspective, with the condition that all recommendations in the submitted Landscape Design Strategy are implemented during and post development. The trees to be retained should be protected to the recommendations in BS5837 during all works.

- 7.2 Local Highways Authority – Recommend approval subject to recommended conditions as the information and proposed plans supplied for the development would in the LHA opinion would not have on highways grounds an unacceptable impact on highway safety, or that the residual cumulative impact on the road network would be severe.
- 7.3 Greater Manchester Ecology Unit (GMEU) – Having used aerial imagery and considered the Planning Statement it is clear that the garage is in a poor state of repair with open roofs and flimsy construction. There is an exceptionally low likelihood of bats roosting in the structures and that no additional survey work is required, in this particular instance. No objections subject to recommended conditions and informatives in relation to biodiversity enhancements and protected species.

- 7.4 Contaminated Land – No objections subject to recommended conditions.
- 7.5 Environmental Health – No objections subject to recommended condition for construction hours.
- 7.6 United Utilities – No objections but recommend a condition is applied requiring that the site is drained in accordance with the drainage hierarchy.

8. ANALYSIS

PRINCIPLE OF DEVELOPMENT

- 8.1 Policy H2 of the UDP states *“Unless other considerations take precedence in a particular case, the Council will permit the redevelopment of previously developed land for residential use and the conversion of existing buildings to such use, where these are not specifically allocated for this purpose in the plan. Residential development on greenfield land which is not specifically allocated for this purpose in the plan will not be permitted unless an adequate five year supply is no longer available through outstanding commitments and remaining allocated sites, inclusive of an appropriate allowance for brownfield windfalls.”*
- 8.2 The site is located within an established residential area and is unallocated on the UDP Proposals Map.
- 8.3 The site remains predominantly undeveloped where the existing scale of development is not substantial enough that it would constitute previously developed land. However, in land use terms the proposals would be directly compatible with the overriding established character of surrounding uses.
- 8.4 The principle of residential development in this location has already been accepted with the granting of planning permission under reference 18/01078/FUL.
- 8.5 The value of the site remaining vacant in its current form would be of little benefit and the development proposed would bring the site into beneficial use, provided that the constraints are appropriately addressed.
- 8.6 It is worth noting that the site is in a sustainable location recognising the services, amenities and public transport options which are on-hand within the Ashton area. The site is within walking distance of Ashton town centre. The proposals would make a positive contribution to housing supply in line with the principles of national planning guidance.

9. DESIGN, CHARACTER OF THE AREA AND VISUAL AMENITY

- 9.1 National Planning Policy Framework paragraph 124 states *“Planning policies and decisions should support development that makes efficient use of land, taking into account:*
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
 - b) local market conditions and viability;*
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
 - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
 - e) the importance of securing well-designed, attractive and healthy places.*
- 9.2 Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); and,*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.”*

9.3 Paragraph 134 of the National Planning Policy Framework states that *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.*

9.4 UDP policy C1 states *“In considering proposals for built development, the Council will expect the distinct settlement pattern, open space features, topography, townscape and landscape character of specific areas of the Borough to be understood, and the nature of the surrounding fabric to be respected. The relationship between buildings and their setting should be given particular attention in the design of any proposal for development”.*

9.5 UDP policy H4 states *“The overall provision of new housing in the Borough should incorporate a range of dwelling types, sizes and affordability to meet the needs of all sections of the community and to help create better balanced communities for the future.”*

9.6 UDP policy H7 states *“The Council will encourage and permit the development of:*
 (a) *schemes which contain mixed uses incorporating housing, either on parts of a site or within individual buildings, such as flats above commercial uses, and*
 (b) *schemes which make efficient use of land through housing densities of between 30 and 50 dwellings per hectare net, or greater in locations highly accessible by public transport, and*
 (c) *schemes which include limited provision of off-street car parking taking account of the needs of the potential occupiers and the availability of alternative means of transport.*

9.7 UDP policy H10 states *“The layout, design and external appearance of proposed housing developments, which are acceptable in relation to other relevant policies in this plan, will be required to be of high quality and to meet the following more detailed criteria:*

- (a) *a design which meets the needs of the potential occupiers, provides an attractive, convenient and safe environment for the local community, and complements or enhances the character and appearance of the surrounding area, and*
- (b) *suitable arrangements for parking, access to and from the highway, and delivery, refuse and emergency vehicles, including access by pedestrians, cyclists and disabled people, and for convenient access to public transport where appropriate, with no unacceptable impact on the surrounding highway network, and*
- (c) *suitable landscaping and fencing, including retention of existing features such as trees and hedges where practical, which enhance the appearance of the development, ensure privacy and security where necessary, enable discrete storage of wheelie bins and minimise the visual impact on surrounding areas.*

The Council will encourage and permit new and innovative design solutions wherever this can be achieved without adverse effects on existing character.

- 9.8 Policy RD2 in the Residential Design SPD covers general character considerations and is clear in their expectations of achieving high quality development that enhances a locality and contributes to place making taking into account the historic environment, proportions and existing building styles.
- 9.9 Policy RD3 in the Residential Design SPD covers efficient use of land. National policy highlights the need to make efficient and effective use of land by encouraging residential schemes which utilise previously developed land and existing buildings, allied with a minimum density of 30 dwellings per hectare. The Council supports such policies, allied with appropriate alignment with existing character in terms of scale and mass, aligning with use policies, ensuring any historical status is respected and schemes do not result in over-development.
- 9.10 Policy RD22 of the Residential Design SPD - Infill & Backland Sites states that "Plot and boundary widths should align with the surrounding street. The scale and mass of dwellings should align with their surroundings. Architectural styles and materials should generally align with the existing. Development must follow an existing building line and orientation, particularly at road frontage. Ensuring privacy distances are achieved. Proposals should not land lock other potential development sites. Retaining and providing appropriate outdoor amenity space, parking & access."
- 9.11 The form, design, scale and appearance of the proposed dwellings are appropriate to the locality noting that the proposals are for two storey properties akin to the detached properties within the area, which also reads as a backland development to the rear of Currier Lane. Site section plans have been submitted which show the proposed relationship between the proposed dwellings and the existing dwellings to the north (no.1 & no.2 The Churches). The section plans show the ridge height is no higher than the neighbouring properties. A hipped roof is proposed to reduce the overall mass of the buildings and the ridge height of the proposed dwellings are approximately 0.5 metres higher than the ridge height of the dwellings previously approved (18/01078/FUL).
- 9.12 Amendments have been secured as reference in paragraph 2.9 of this report to reflect design changes, which include chimneys added to the houses to reflect the style of the surrounding properties, brick band coursing in the different/contrasting brick colours and the roof of the proposals have been simplified. The amendments will add architectural interest to the elevations especially the side elevation of plot 1 facing the access and the rear of Currier Lane. It is considered that the changes add contrast, detailing and will enhance the appearance of the dwellings.
- 9.13 At the front, the houses would have a garage door, a front door with glazing at first floor level and a two storey projecting bay is proposed. Windows are proposed to the side elevation facing the access and the rear of Currier Lane.
- 9.14 The proposal would involve the erection of three dwellings on a site area of 0.14 hectares, which equates to 21.4 dwellings per hectare. Given the character of surrounding development, this would make efficient and effective use of the land, notwithstanding that RD3 of the SPD recommends a minimum density of 30 dwellings per hectare.
- 9.15 Spaciousness and openness will be provided due to the generously sized gardens and open space to the sides, rear and front of the properties. This will contribute significantly to the visual quality of the area, and its pleasant sub-urban nature.
- 9.16 The scale of the development lends itself as a practical infill plot which can support three good sized family dwellings. The majority of existing trees can be retained, which taken with proposed landscaping would also uplift the setting of the properties and uplift the overall appearance of the locality as a whole. The proposed levels of soft landscaping would break up front parking areas to the overall enhancement of the setting of the properties.

- 9.17 The layout, bulk, massing and scale of the dwellings are acceptable. The dwellings respond to the existing vernacular and building style in the area. The size and siting of the proposal would result in a development that would not compete with surrounding properties nor appear dominant, therefore the properties will be viewed in conjunction with the aforementioned buildings.
- 9.18 The proposed dwellings would not dominate the area and comprise of an efficient and effective use of land within the context of the site. As such the scale and massing of the proposed development is considered acceptable in this context and the proposed buildings do not represent an overdevelopment of the plot as referenced above. As a result the dwellings would not appear a dominant and inappropriate addition, the proposal integrates sympathetically with the scale, mass and layout of the existing buildings. As such, the proposal is in keeping with the wider character and appearance of the surrounding area.
- 9.19 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The properties present would have an independent appearance with features that are prominent on surrounding properties. The proposal will provide good quality family housing. It is therefore, considered that the proposal adheres to the objectives of UDP policies H4, H7 and H10 which stress the importance of residential development being of an appropriate design, scale, density and layout.
- 9.20 The scale and design of the proposed garage is appropriate to the locality taking into account the size and heights of the garages to The Churches development to the north and the existing garage on the site, which is four metres high. Garages are a common feature to the rear of properties along this stretch of Currier Lane and therefore it is considered that the proposed garage would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would preserve the character and appearance of the surrounding area.
- 9.21 The proposal is therefore considered to be acceptable in terms of design and is considered to be in accordance with the NPPF and policies C1, H4, H7 and H10 of the UDP, the SPD; and, Sections 2,11 and 12 of the NPPF.

10. RESIDENTIAL AMENITY

- 10.1 Paragraph 130(f) of the National Planning Policy Framework states that *“Planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 10.2 UDP Policy H10 states *“any proposed housing development will be required to be of high quality and to meet the following criteria: - (d) no unacceptable impact on the amenity of neighbouring properties through noise, loss of privacy, overshadowing, or traffic, and (e) minimisation of the opportunities for crime and anti-social behaviour.”*
- 10.3 Policy RD5 of the Residential Design SPD states *“Minimum Privacy Distances must be achieved”*.
- 10.4 Policy RD11 of the Residential Design SPD states *“Houses - all houses should have private amenity space of a size and function suitable for its intended occupants. Houses of 3 or more bedrooms will be considered family homes and should have an outdoor space that reflects this.”*

- 10.5 Policy RD12 of the Residential Design SPD states *“The size, shape, gradient and surface treatment should be appropriate to create functional, attractive spaces. Gardens should be easily reached from the dwelling it serves. Rear gardens should generally be designed as private spaces. Front gardens should not restrict natural surveillance over property frontage or street.”*
- 10.6 Policy RD18 of the Residential Design SPD recommends minimum floor areas that residential developments should achieve. Internal space is interpreted by reference to the nearest equivalent new national technical standard which is given in the Government's Technical Housing Standards – nationally described space standard document (THS).
- Living Conditions for Existing Occupiers
- 10.7 Policy RD5 of the Tameside Residential Design SPD states that *“There should be 10 metres between a habitable room window to a single storey blank wall, there also should be a separation distance of 14 metres from a habitable room window to blank two storey wall. A distance of 21 metres should be retained between an elevation containing habitable room windows and a corresponding neighbouring elevation that also contains a habitable room window.”*
- 10.8 Each neighbouring property will be assessed in turn. It is noted that permission was granted in 2011 for the construction of three detached dwellings (11/00144/REM) to the north of the site. Two of those dwellings have been constructed which now form no.1 The Churches and no.4 The Churches. The proposed plot 3 is closest dwelling to no.1 The Churches, which is located at an angle to the proposed dwelling and is located to the north. There is a separation distance of approximately 9.3m at its closest point from the side elevation to the side elevation of the gable end to no.1 The Churches. It is noted that there are no windows to the side elevation of The Churches and there is one window proposed at ground floor to side elevation of the proposed dwelling which will be a toilet and will be obscure glazed, as secured by condition. No.1 The Churches comprises of an ‘L’ shaped layout which means that to the rear element of the building there are habitable room windows facing the proposed site. There is a separation distance of 14.3 metres at its closest point from the side elevation of the proposed dwelling (Plot 3) and the side elevation of no.1 The Churches, noting due to the ‘L’ shaped design and layout the habitable room windows are setback within the property. As referenced above there should be a separation distance of 14 metres between a two storey blank gable and a habitable room, this assessment has been undertaken on the principle that the toilet window proposed at ground floor will be obscure glazed.
- 10.9 Notwithstanding this the ground floor kitchen/dining room to no.1 The Churches is served by five bi-fold/patio floor to ceiling height doors and there are also windows to this room within the northern side elevation and east facing rear elevation. At first floor, there are two windows to the master bedroom and again this room is served by windows to the eastern facing rear elevation. The windows impacted by this development are not the only source of light to the aforementioned habitable rooms and in any event as explained above the minimum separation distance contained within policy RD5 of the SPD has been met. Whilst the dwellings would be closer to the neighbouring property than the previously approved dwellings (18/01078/FUL), it is considered that there would be no significant loss of amenity currently enjoyed by the occupier of no.1 The Churches that would warrant refusal of the application noting the separation distance between the proposal and the neighbouring property.
- 10.10 No.2 The Churches is located at its closest point approximately 21 metres away from the two storey rear elevation of plot 2 and approximately 24metres away from the two storey rear elevation of plot 1. A minimum distance of 21 metres should be retained between an elevation containing habitable room windows and a corresponding neighbouring elevation that also contains a habitable room window. Therefore it is considered that the proposal will not have an adverse impact on the residential amenity of no.2 The Churches. The proposed single storey rear element to plot 2 will be sited approximately 17.4metres away at its closest

point to the single storey rear element at no.2 The Churches and the separation distance from the single storey rear element to plot 1 to no.2 The Churches is approximately 20metres at its closest point. The impact of the proposed single storey rear element is considered acceptable noting that there will be limited inter-visibility due to the proposed boundary treatment and proposed hedging along the rear boundary.

- 10.11 The side elevation of plot 1 contains a first floor en-suite window and two ground floor lounge windows either side of the chimney breast. The proposed property will be sited approximately 23 metres away from the rear elevation of no.80 & no.82 Currier Lane and approximately 24 metres away from the two storey rear elevation of no.84 Currier Lane. The proposal will meet the minimum separation distance standard and is therefore considered acceptable.
- 10.12 Plot 1 will be sited approximately 20 metres away from the rear conservatory at no.84 Currier Lane which is considered acceptable in this instance noting that there is a garage to the rear boundary of no.84 which will block the views to this conservatory from the proposed lounge windows.
- 10.13 Plot 1 will be sited approximately 28 metres away at its closest point from no.76 Currier Lane. As such, the proposed impact on this neighbor is considered acceptable.
- 10.14 The proposed garage will replace an existing garage on site and the impact on the neighbouring properties will be no worse than the existing situation due to the separation distances.
- 10.15 Living Conditions for Future Occupants

The DCLG technical standards recommend a minimum internal floor area of 124sqm for 4bed (8p) accommodation. 153 sqm of internal floor area will be provided to each dwelling, which meets the requirements of the THS.

- 10.16 Private amenity space is an essential part of the character and quality of the environment of residential properties. Commensurate with the size and type of dwelling, and the domestic activities it is intended to accommodate, residential properties usually require in-curtilage, private open space. In this instance the domestic activities will require private amenity space, sufficient in both size and appropriateness, to accommodate bin storage, clothes-drying and, sitting-out.
- 10.17 An existing rear paved area and garden area would provide a private outdoor space for future occupiers of the proposals. Unit 1 will have a private outdoor space of 115.54 square metres, unit 2 will have a private outdoor space of 111.58 square metres, unit 3 will have a private outdoor space of 118.51 square metres. The private outdoor spaces proposed are considered acceptable in both size and appropriateness, to accommodate bin storage, clothes-drying and, sitting-out.
- 10.18 In terms of the residential environment that would be created the proposal is therefore considered compliant with policy H10 of the UDP; policies RD11 & RD12 of the SPD; and, Section 12 of the NPPF.

11. HIGHWAY MATTERS

- 11.1 *Policy T1 of the UDP states "The Council will carry out new highway construction, highway improvement and traffic management schemes with the aims listed below. The access arrangements for development schemes must also be designed with these aims, wherever appropriate.*

(a) improving safety for all road users,

- (b) encouraging the use of non car modes,*
- (c) providing safe and convenient facilities for pedestrians and cyclists,*
- (d) improving road and community safety especially in residential areas,*
- (e) improving safety and the environment in town and local centres, assisting their viability and encouraging new investment,*
- (f) assisting sustainable development,*
- (g) safe management of congestion problems,*
- (h) improving the efficiency and attractiveness of public transport and the convenience and safety of passengers,*
- (i) providing for the needs of people with mobility difficulties,*
- (j) providing for the safe use of powered two wheelers,*
- (k) providing for the sustainable movement of freight,*
- (l) conserving and enhancing the valued characteristics of an area through the use of appropriate design and materials.*

- 11.2 *Policy T10 of the UDP states “Proposals will be brought forward, following local consultation, for secure off-street parking where needed in residential areas and where suitable sites are available. New developments will be subject to maximum levels of parking provision, in accordance with standards to be established in association with the other Greater Manchester authorities and in line with national and regional guidance.”*
- 11.3 Paragraph 111 states that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 11.4 The site would be accessed from the existing access single width track located off Currier Lane. The track is unadopted and also serves as a rear access to a number of properties. The LHA are satisfied that the existing access/egress from the development onto Currier Lane is satisfactory and meets the LHA requirements; and the visibility splays comply with Manual for Streets/LHA requirements. All types of vehicles can safely manoeuvre within the site using the turning heads and leave the development in a forward gear. The LHA required a vehicle holding area within the private access road to allow vehicles entering the development off Currier Lane to safely pass and not have to reverse back onto Currier Lane. This has now been provided in the form of two passing places which is now to the satisfaction of the LHA.
- 11.5 Policy RD8 states that there should be a maximum of three car parking spaces for 4+ bedroom dwellings, this is also reiterated within policy T10 of the Council's UDP. The submitted plan shows parking provision for 2 no. off street parking space within the redline boundary along with an internal garage for each of the dwellings, which is in line with TMBC SPD requirements.
- 11.6 To promote sustainable modes of transport, cycle storage is required to be secured by condition, however it is noted the garage could be utilised to store bicycles.
- 11.7 The LHA are satisfied that the additional traffic generated by the proposed residential development would be accommodated on the local highway network without any significant detrimental impact. Subject to the recommended conditions, the proposed impact on highway safety is considered acceptable and there are no objections from the highways engineers.

12. ECOLOGY, TREES AND LANDSCAPING

- 12.1 *Paragraph 133 of the NPPF states that “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that*

opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.”

- 12.2 Paragraph 174 of NPPF states that *“Planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”*

- 12.3 *Policy N4 states that “The Council will not permit the felling of protected trees and woodlands, or other trees of amenity value, unless:*
- a) the removal of a tree has been considered appropriate in connection with an approved development, or*
 - b) good arboricultural practice requires that the tree should be felled, or*
 - c) the condition or safety of structures is conclusively proven to be adversely affected by the presence or growth of a tree, or*
 - d) a serious risk to public safety is presented by the tree.*
- Where a tree is removed, the Council will require appropriate replacement planting.*

- 12.4 *Policy N5 state that “Where the quality and location of existing trees, whether individually, in groups or in woodlands, are of significant value to the appearance and amenity of a site, the Council will not permit development proposals which would:*
- (a) result in unnecessary loss of, or damage to, such existing trees, or*
 - (b) not allow for successful retention of such existing trees, or*
 - (c) not make adequate provision for replacement planting.*

Where a development proposal affects a site containing trees or woodlands, the Council will require a full arboricultural impact assessment, survey and method statement to be undertaken and submitted with the planning application, to enable the value of the trees and the effect of the proposal on the trees to be properly assessed and proposals made for the best of the trees to be accommodated within the scheme.

- 12.5 There are several protected trees located within the curtilage of no. 76 Currier Lane. An Arboricultural Impact Assessment and Method Statement has been submitted along with tree protection measures. The development proposals will necessitate the removal of nine trees and one group of trees. These include four Category B trees, three Category C trees, one Category C group and two Category U trees. All of the highest 'category A' trees would be retained within the site but a protected (Category B) Sycamore and a protected (Category B) Poplar would require removal to facilitate junction improvements to the visibility splay of the access road and to accommodate the proposed garage. The previous permission would have resulted in the removal of these trees. It is noted that the canopy covers telephone lines that serves several immediate properties so significant pruning works are likely to be required at some point.

- 12.6 A revised site plan was submitted following an initial consultation response from the Council's Arboricultural Officer. The amended proposed site plan indicates the planting of seven new trees, two more than indicated in the submitted Landscape Design Strategy. This would be adequate mitigation for the tree removals required to facilitate the development. The trees are an appropriate mix of species in the context of a residential development. As such, the revised landscape proposal is acceptable from an arboricultural perspective, subject to a relevant condition stating that all recommendations in the submitted Landscape Design Strategy are implemented during and post development and that the trees to be retained should be protected to the recommendations in BS5837 during all works.
- 12.7 It is noted that no ecological information has submitted as part of the application, however Government Guidance (Defra Circular 06/2005) indicates that surveys should not be left to conditions, but should only be requested where there is a reasonable likelihood of protected species being found. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.
- 12.8 Having considered the Planning Statement and following a site visit from the planning officer, it is clear that the garage is in a poor state of repair with open roofs and flimsy construction. GMEU are of the opinion that there is an exceptionally low likelihood of bats roosting in the structures and that no additional survey work is required, in this particular instance.
- 12.9 Bats and their roosts are protected by law, and can and do turn up in unexpected places. An informative could be attached to the permission making the applicant aware of the legal protection that protected species such as bats receive, and that the granting of planning permission does not negate the need to abide by the laws that are in place to protect biodiversity.
- 12.10 As referenced above, paragraph 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. It is expected that the scheme will provide biodiversity enhancements and provide a net gain for biodiversity at the site, in line with the requirements of the National Planning Policy Framework. These conditions are considered to be necessary to encourages enhancements and net gains for biodiversity to be delivered through the planning system. As a result the impact on ecology and trees is acceptable.

13 DRAINAGE AND FLOOD RISK

- 13.1 Paragraph 167 of the NPPF states *"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment."*
- 13.2 Policy U4 of the councils UDP states *"When considering proposals for development the Council will apply a risk based approach to the assessment of possible flooding.*

In a sequential test taking into account the nature and scale of the development proposed, priority will be given to development in areas of little or no risk of flooding, over areas of low to medium risk, over areas of high risk. Within high risk areas, priority will be given to previously developed land, over undeveloped land, over functional flood plains.

The Council will consider, among other things, whether the development would be at direct risk of flooding, likely to increase the risk of flooding elsewhere, likely to obstruct the flow of flood waters, or likely to interfere with the integrity of existing flood defences.

Where, exceptionally, development is permitted in areas liable to flooding, appropriate flood protection and mitigation measures will be required as part of the development. Where practical, areas adjacent to watercourses will be preserved or created to allow access for maintenance purposes.”

- 13.3 The site is located within flood zone 1 such that there is a low probability of flooding.
- 13.4 United Utilities have raised no objection subject to a condition requiring site drainage to be in accordance with the surface water drainage strategy, which has been submitted based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions.
- 13.5 The surface water drainage scheme is in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and demonstrates that foul water and surface water will be drained from the site via separate mechanisms and details have been submitted for existing and proposed surface water run-off rates. The strategy also includes details of on-going management and maintenance arrangements.
- 13.6 Following the above assessment, the proposals would not result in a detrimental impact on flood risk or drainage capacity and complies with relevant planning policy.

14. GROUND CONDITIONS

- 14.1 The site falls outside of the Coal Authority’s defined Development High Risk Area. As such, a Coal Mining Risk Assessment is not required.
- 14.2 Historical mapping from the middle of the nineteenth century sets out that the site was open farmland although, a small building occupies part of the centre of the proposed development area. Directly adjacent to the east, a cemetery is displayed on mapping from this period onwards. No significant alterations are shown to the site until in the early twentieth century, some small enclosures are noted. These were possibly allotments although, no use is described on the historical mapping. In the 1950s/1960s, a building was located on the site and it appeared that a lockup garage was located adjacent to it. Off site to the west, Queen Street Nursey School was displayed and further residential developments are shown off site to the south. The site currently appears to be gardens/scrubland with a car parking area, garages and a gravel road.
- 14.3 The submission identifies that there is potential for the presence of contamination associated with the following:
- Areas of made ground from on and off-site developments;
 - Ground gas associated made ground on the site; and
 - Asbestos related to the demolition of former buildings on the site.
- 14.4 In addition, any fuels/chemicals stored in lockup garages could have spilt and leaked into soils and groundwater in the area of the garages. EEG identified that potential off-site sources of pollution include the adjacent cemetery.
- 14.5 The submission states that an intrusive investigation to clarify the contamination risk is required and this will include taking soil samples for contamination testing and to confirm whether there are still any potential risks. However, it is recommend that depending on the

depth and nature of the made ground, gas monitoring and risk assessment may also be required.

- 14.6 Based on the information provided, the Council's Contaminated Land team have no objections to the proposed development subject to the recommended conditions.

15. OTHER MATTERS

- 15.1 The Council's Environmental Health team have reviewed the proposal and raised no objection subject to the recommended condition of construction/conversion works within appropriate hours (to protect the amenity of the area/nearby residential units). As such, the proposal is considered appropriate in relation to environmental amenity concerns.

16. PLANNING BALANCE AND CONCLUSION

- 16.1 The Council cannot demonstrate a five-year supply of deliverable housing sites in a recently adopted plan or in any annual position statement, as is required by paragraph 75 of the NPPF. In turn, the test in the fourth bullet point of paragraph 11 applies, so that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 16.2 As referenced within the body of the report, the site is located within an established residential area and is unallocated on the UDP Proposals Map. The principle of residential development in this location has already been accepted as planning permission has been granted previously. The principle of housing in this location is acceptable.
- 16.3 The proposals represent an opportunity to maximise the residential occupation of the existing plot within an established residential area and would be an effective and efficient use of the land to meet the need for homes and provide good quality family orientated accommodation.
- 16.4 The design and scale of the development is appropriate for this location and surrounding area. The applicant has responded positively to suggestions of design improvement, and it is considered that the development would be appropriate and visually the properties achieve an appropriate design.
- 16.5 The proposal is not considered to be detrimental to residential amenity for existing and future occupiers, given the separation distance between existing and proposed housing.
- 16.6 The site is located within a sustainable location with good access to services and transport and the development would not cause undue impacts to highway safety, and would be considered acceptable subject to the imposition of conditions.
- 16.7 There are no objections to the proposals from the statutory consultees in relation to the proposed development subject to the recommended conditions.
- 16.8 Overall, the proposal complies with the development plan and the NPPF, for the reasons set out in the report, and therefore paragraph requires the application be approved without delay. There are no significant or demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. As such, it is recommended that planning permission is granted subject to recommended conditions, in accordance with policies outlined in the UDP and the National Planning Policy Framework.

RECOMMENDATION

Grant planning permission 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: 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 plans and specifications as approved unless required by any other conditions in this permission:

Plans

Location Plan - Dwg no: 1702.PL01

Existing Site Plan and Sections - Dwg no: 1702.PL02

Proposed Site Plan and Sections, Proposed Fence Details - Dwg no : 1702.PL03B Rev : C

Proposed Floor and Elevation Plans - Dwg no: 1702.PL04B Rev: B

Proposed Garage Plans - Dwg no: 1702.PL05 Rev: A

Structural Layout and Details - Dwg no: 20229471 C1 01 Rev: A0

Reports

Arboricultural Impact Assessment and Method Statement Prepared by DWA Ecology dated October 2022

Drainage Strategy Prepared By BDI Structural Solutions dated October 2022

Phase I GeoEnvironmental Desk Study prepared by Earth Environmental & Geotechnical dated November 2022

Planning Statement Prepared By High Peak Architects LTD dated July 2022

Transport Statement Prepared by Mosodi dated April 2022

Landscape Design Strategy Prepared by DWA Ecology dated December 2022

Material Schedule - Ref: 1702.Db.04 dated October 2022

Outline SuDs Maintenance Strategy prepared by BDI Structural Solutions

For the avoidance of doubt and to ensure that the development complies with the following saved Policies of the adopted Tameside Unitary Development Plan :

Policy C1: Townscape and Urban Form

Policy H2: Unallocated Sites

Policy H4: Type, Size and Affordability of Dwellings.

Policy H7: Mixed Use and Density

Policy H10: Detailed Design of Housing Developments.

Policy T1: Highway Improvement and Traffic Management.

Policy T10: Parking.

Policy N4: Trees and Woodland

Policy N5: Trees within Development Sites

Policy N7: Protected Species

Policy MW11: Contaminated Land

Policy U3: Water Services for Developments

Policy U4: Flood Prevention

Policy U5: Energy Efficiency and the National Planning Policy Framework (NPPF).

- 3) The materials of external construction shall be identical in appearance to those specified on the submitted material schedule submitted on 31 January 2023. Development shall be carried out in accordance with the approved details. Unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development reflects the character of the surrounding area.

- 4) Prior to bringing the development into use, the car parking, servicing and turning facilities indicated on the approved plan shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and shall be retained as such thereafter. Vehicles must be able to enter and leave the site in forward gear at all times.

Reason: To ensure adequate car parking arrangements.

- 5) Prior to occupation of the proposed development, the drainage scheme shall be completed in accordance with the submitted Drainage Strategy (Prepared by BDI Structural Solutions dated October 2022) and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with paragraph 167 of the National Planning Policy Framework.

- 6) No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
 - Arrangements for temporary construction access;
 - Contractor and construction worker car parking;
 - Turning facilities during the remediation and construction phases; and
 - Details of on-site storage facilities.

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.

Reason: To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.

- 7) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure adequate cycle storage.

- 8) No work shall take place in respect to the upgrade of the access road off Currier Lane to the development, as indicated on the approved site plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
 - Surface details of all carriageways and footways.
 - Details of the areas of the upgrade of the access road to be constructed to an acceptable standard and the specification of the construction of these areas.
 - Private street lighting proposals

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details and the development shall be retained as such thereafter.

Reason: To secure the provision of satisfactory access to the site and in the interests of road safety and personal safety.

- 9) A clear view shall be provided on from the site access where it meets the footway on Currier Lane. Its area shall measure 2.4 metres along the edge of the site access and 2 metres along the footway. It must be kept clear of anything higher than 600mm above the access, on land which you control.

Reason: To allow users of the site access and Currier Lane to see each other approaching.

- 10) No construction shall commence until the detailed drainage design, has been assessed and accepted in writing by United Utilities.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with paragraph 167 of the National Planning Policy Framework.

- 11) The recommendations as identified within the submitted Arboricultural Impact Assessment and Arboricultural Method Statement (Prepared by DWA Ecology dated October 2022) and the Landscape Design Strategy (Prepared by DWA Ecology dated December 2022) shall be implemented in accordance with the above details and retained thereafter for the lifetime of the development.

Reason: To protect visual amenity and the character of the area and to ensure a satisfactory environment having regard to UDP Policies N4 and N5.

- 12) No development above ground level shall commence until details of biodiversity enhancement measures to be installed as part of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of the dwelling and shall be retained as such thereafter.

Reason: To ensure that biodiversity enhancements are secured to mitigate the environmental impacts of the scheme in accordance with paragraph 174 of the National Planning Policy Framework.

- 13) No removal of or works to any hedgerows, trees, shrubs or brambles shall take place during the main bird breeding season between 1 March and 31 August July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.

- 14) No development shall take place until all existing trees on the site except those shown to be removed as indicated within the submitted Arboricultural Impact Assessment and Arboricultural Method Statement (Prepared by DWA Ecology dated October 2022) and the Landscape Design Strategy (Prepared by DWA Ecology dated December 2022), have been fenced off in accordance with BS 5837:2012 "Trees in relation to construction - Recommendations". The fencing shall be retained during the period of construction and

no work, excavation, tipping or stacking of materials shall take place within any such fence during the construction period.

Reason: To ensure adequate protection of trees to be retained during the construction phase of the development in accordance with UDP Policies N4 and N5.

- 15) Notwithstanding the provisions of the Schedule 2, Part 1 of the of the Town and Country Planning (General Permitted Development Order 2015) as amended, no development involving enlargements such as side/rear extensions, alterations to roofs, dormer windows or the construction of buildings surrounding the house (the 'curtilage') as permitted by Classes A to F and H of Part 1 of Schedule 2 of the Order shall be carried out.

Reason: In order that any proposals for future extensions/alterations can be assessed in the interests of the impact on neighbour amenity, in order to ensure compliance with Policies C1 'Townscape and Urban Form' and H10 'Detailed Design of Housing Developments' of the Tameside Unitary Development Plan.

- 16) The proposed dwellings shall not be occupied until the proposed northern facing side elevation window as shown on (Dwg no: 1702.PL04B Rev: B) and the proposed south facing first floor side elevation window as shown on (Dwg no: 1702.PL04B Rev: B) have been fitted with obscure glass of or equivalent to "Pilkington" Level 4 or 5. The obscure glazing shall subsequently be retained at all times thereafter.

Reason: To protect and safeguard the privacy and amenities of occupants of nearby properties/dwelling houses in accordance with UDP policy H10.

- 17) Prior to occupation of the dwellings, full details of the proposed refuse and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments and C1: Townscape and Urban Form.

- 18) During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

Reason: In order to protect the amenities of nearby residents in accordance with Unitary Development Plan policies 1.12 and H10.

- 19) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

1. A Preliminary Risk Assessment which has identified: - All previous and current uses of the site and surrounding area. - All potential contaminants associated with those uses. - A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.

2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be

approved in writing by the LPA prior to any investigation works commencing at the site.

3. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil/water analysis and ground gas/groundwater monitoring data.
4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.

20) Upon completion of any approved remediation scheme(s), and prior to occupation, a verification/completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then the Local Planning Authority shall be informed and no further development (unless otherwise agreed in writing with the LPA), shall be undertaken at the site until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 184 of the National Planning Policy Framework.