

**Application Number** 17/00774/FUL

<b>Proposal</b>	Demolition of 10 and 12 Slateacre Road and construction of 10 dwellings, with associated access and infrastructure.
<b>Site</b>	Land on the south western side of and including 10 and 12 Slateacre Road, Hyde
<b>Applicant</b>	Spring and Company, Stockport
<b>Recommendation</b>	Grant planning permission, subject to the completion of a Section 106 agreement, and subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes major development and includes the requirement of a Section 106 legal agreement.

**1. APPLICATION DESCRIPTION**

- 1.1 The applicant seeks full planning permission for the demolition of the existing dwellings at 10 and 12 Slateacre Road, Hyde, and the erection of 10no. dwellings on the site.
- 1.2 Officers raised concerns with the applicant about the originally submitted scheme which proposed 12no. dwellings since it was considered to result in a cramped form of development. As a result, the application has been amended to reduce the number of dwellings proposed, and the application now proposes the erection of 10no. dwellings.
- 1.3 The applicant has provided the following documents in support of the planning application:
  - Flood Risk and Drainage Assessment;
  - Ecology Reports;
  - Design and Access Statement;
  - Planning Statement;
  - Arboricultural Impact Assessment;
  - Proposed landscaping scheme; and,
  - Preliminary ground investigation.

**2. SITE & SURROUNDINGS**

- 2.1 The application site contains the pair of semi-detached dwellings at 10-12 Slateacre Road and the land to the south west of those properties. Land levels drop steeply into the site and there is relatively dense tree planting on its south eastern and south western boundaries. A culverted watercourse runs parallel with the south western boundary of the site.

**3. PLANNING HISTORY**

- 3.1 12/01007/FUL - Demolition 10 and 12 Slateacre Road and erection of nine residential dwellings, together with the provision of a new access, landscaping and other related infrastructure – Approved, with conditions, 19 December 2012.
- 3.2 11/00771/FUL - Demolition of 10 and 12 Slateacre Road and erection of 11no. residential dwellings, together with the provision of a access, landscaping and other related infrastructure – Refused on 15 February 2015 and the subsequent appeal was dismissed.

The key reason for refusal related to the impact of the proposed development on mature trees within the site.

#### **4. RELEVANT PLANNING POLICIES**

4.1 National Planning Policy Framework (NPPF)

4.2 Planning Practice Guidance (PPG)

4.3 **Tameside Unitary Development Plan (UDP) Allocation**  
Unallocated, within the settlement of Gee Cross.

#### **4.4 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

1.12: Ensuring an Accessible, Safe and Healthy Environment

#### **4.5 Part 2 Policies**

H2: Unallocated Sites.

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H10: Detailed Design of Housing Developments

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

C1: Townscape and Urban Form

N3: Nature Conservation Factors

N4: Trees and Woodland.

N5: Trees Within Development Sites.

N6: Protection and Enhancement of Waterside Areas

N7: Protected Species

MW11: Contaminated Land

MW14 Air Quality

U3: Water Services for Developments

U4 Flood Prevention

U5 Energy Efficiency

#### **4.6 Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016;

Residential Design Supplementary Planning Document; and,

Trees and Landscaping on Development Sites SPD adopted in March 2007.

#### **4.7 National Planning Policy Framework (NPPF)**

Section 1 Delivering sustainable development

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

#### **4.8 Planning Practice Guidance (PPG)**

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

## **5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued 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. This is in addition to a site notice and press notice.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Borough Tree Officer: Raises no objections to the proposals. The proposals would result in the removal of 2no. Category B trees and a number of Category C species. The proposed replacement landscaping scheme submitted provides for adequate mitigating planting to compensate for these losses. All tree protection measures, for retained and adjacent third party trees, as documented in the Arboricultural Report should be in place to BS5837 recommendations prior to any works taking place.
- 6.2 United Utilities: No objection to the proposed development subject to conditions requiring details of foul and surface water drainage (including management of maintenance of sustainable drainage systems to be installed) are attached to any approval.
- 6.3 Greater Manchester Ecological Unit: Following the submission of updated survey information GMEU raises no objections to the proposals subject to the imposition of conditions relating to the implementation of the Mitigation Strategy to mitigate any adverse impact on badgers, limiting the period during which trees and vegetation can be removed from the site, and a method statement detailing how Himalayan Balsam will be removed from the site.
- 6.4 Borough Contaminated Land Officer: Recommends that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy.
- 6.5 Borough Environment Health Officer: Raises no objections to the proposed development subject to the imposition of conditions limiting the hours of works and deliveries during the construction process.
- 6.6 Local Highway Authority: Raises no objections to the proposals subject to the imposition of conditions requiring the laying out of the car parking spaces prior to the first occupation of the development, details of measures necessary within the highway to ensure that the proposed access is constructed satisfactorily, the submission of a Construction Environment Management Plan and requiring the provision of 2.4 x 43 metre visibility splays at the junction of the site access and Slateacre Road. .
- 6.7 Lead Local Flood Risk Authority (LLFRA) – Raise no objections to the Flood Risk Assessment since it will likely improve the situation at this location as the 6l/s is minimal run-off from the development.
- 6.8 Environment Agency – No objections received.
- 6.9 Greater Manchester Police (Design Out Crime Officer): No objections to the proposals subject to a condition requiring details to be submitted indicating how the scheme will achieve the standards of Secured by Design.

## 7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 17 letters of objection have been received from neighbouring residents, raising the following concerns (summarised):

- The applicant indicates that the access road to the development has been designed to be narrow as a traffic calming measure. This road needs to be wide enough to allow cars to be able pass each other, otherwise the development will make congestion on Slateacre Road worse, a problem emphasised during winter weather.
- This application has been refused previously and when finally approved it was with the condition that the large tree remain untouched.
- Both Joel Lane and Slateacre Road are not suitable to cope with the heavy traffic which the demolition and building work will require. Joel Lane is already problematic due to heavy traffic from Romiley and Marple and the amount of traffic/heavy plant machinery will be hazardous, noisy and will be completely unsafe. Traffic associated with the development would also exacerbate existing congestion at the junction between Arnold Avenue and Slateacre Road.
- Noise from the proposed housing construction is of concern and this would also carry on after the build with additional cars, people in the area and air pollution from cars, central heating boilers, kitchen extracts etc.
- Parking around the area is already problematic. Additional housing would increase the problem further.
- Already trees have been taken down on the land this was done at the beginning in September 2017. The Trees were very old and one of the trees was supposed to have been preserved and has been mentioned on previous planning applications as remaining. This tree has been taken down wilfully. Since the trees have been cut down there has been increased water flowing down from the land to neighbouring properties.
- The proposed build is showing housing with windows which are directly overlooking neighbour's properties and gardens and this will interfere with privacy, and restricted sun light into the gardens.
- Wildlife will be greatly affected to the extent that it will be driven out. There are active badger sets, fox dens, bird-life and pond-life all of which give the residents a sense of well-being.
- The planning has now increased from 9 houses to 12 houses at least another 6 cars. There would appear to be inadequate provision for parking within the development, particularly given the size of the proposed dwellings.
- All the residents surrounding the proposed development have opposed this and these residents all pay council tax to live here and also pay your wages. We moved to this area because of the surroundings and do not want to lose this at any cost.
- The proposals will result in existing properties having 2 sides adjacent to roads which will reduce levels of security and increase levels of noise and pollution.
- It is not clear how the boundaries with the neighbouring properties at the front of the site will be treated following the demolition of the existing semi-detached dwellings. The proposals will result in roadways running past 2 elevations of the properties adjacent to the access to the development, resulting in noise and disturbance that would be detrimental to the residential amenity of those properties.

- The proposed dwellings would be 3 storeys in height and as a result will allow unreasonable overlooking to occur into neighbouring properties.
- 12no. units would represent a density of development that would not respect the character of the area and would exceed the number of units.
- The designated parking is in direct conflict with RD7 and the Supplementary Planning Document (Residential Design) in that it dominates front gardens.
- The removal of trees has led to an increase in the volume of standing water on the site, increasing the flood risk potential of any future development of the land.
- Development of the site will also place additional pressure on the culverted watercourse, which feeds a reservoir adjacent to the properties on Arnold Avenue – further exacerbating flood risk.
- The ecology report submitted with the application indicates that there is no significant risk to Great Crested Newts. However, the protected species have been witnessed in a pond adjacent to the site and were present in the stream on the site prior to the work to culvert the watercourse.
- The number of dwellings should be reduced and more landscaping and visitor parking should be provided within the central part of the development to improve the layout

Cllr Ruth Welsh has objected to the application and has raised the following concerns:

- The land is home to various wildlife, mainly Badgers which we see regularly, whose habitats may be disturbed or destroyed by the works.
- There is a culvert that runs through the land and also diverts under the rear of no. 16 Arnold Avenue to empty in to the reservoir at the front of Arnold Avenue. This culvert has previously caused flooding to both nos. 15 and 16 Arnold Avenue as it could not cope with surface water built up during heavy rainfall. There are concerns that with the change to the natural drainage caused by the work this could happen again. Furthermore, with the plans to open up the culvert for the use of surface water drainage, there are concerns about the quality of the culvert when it heads under existing properties towards the reservoir.
- The parking and traffic on Slateacre Road are already an issue with a high number of vehicles already parked on the road around the planned entrance to the properties. This proposal will only serve to further exacerbate the problem.

## **8. ANALYSIS**

8.1 The issue to be assessed in the determination of this planning application are:

- 1) The principle of development;
- 2) The impact of the design and scale of the development on the character of the site and the surrounding area;
- 3) The impact upon the residential amenity of neighbouring properties;
- 4) The impact on highway safety;
- 5) The impact on flood risk;
- 6) The impact on ecology; and,
- 7) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 There are primary (Gee Cross Holy Trinity) and secondary (Alder Community High School) schools within 1 mile of the application site, as are the facilities in Gee Cross, including a food store. There are regular bus services to Ashton via Hyde town centre from Knott lane, which is approximately 0.6 miles of the site, with the no. 330 running at regular intervals throughout the day. It is therefore considered that there are reasonable alternatives to the private car to access services, facilities and employment in larger settlements within Borough (and beyond) from the application site. Within this context and given the need to boost the supply of housing within the Borough, it is considered that the principle of development on this site is sustainable, subject to all other material considerations being satisfied.

## **10. CHARACTER OF THE SURROUNDING AREA**

- 10.1 The revised scheme has reduced the density of the developed part of the scheme, which has resulted in plot sizes that are considered to be more appropriate to the character of the surrounding area. The design approach of creating a tree lined access at the road level, positioning a pair of units that face the access to the site and arranging the units around a central courtyard results in a coherent layout which presents a positive solution to the significant change in land levels on the site.
- 10.2 The roof design of the units at plots 1 and 2 would give vertical emphasis to the entrance to the development, responding to the relatively steep drops from Slateacre Road down into the site, whilst also limiting the impact on neighbouring properties through the hipped design. The units at plots 9 and 10 would similarly provide vertical emphasis to the further point of the development from the access through the inclusion of accommodation in the roofspace, served by appropriately proportioned dormer windows on the front elevation of those units. The overall bulk of these units would reduce as the rear elevation would be two storeys above ground level, reflecting the increase in land levels through these plots. Units 3-8 would be 2 storeys in height on the frontage, which would assist in softening the sense of enclosure in the courtyard arrangement. Units 3-6 would respond to the drop in levels on the site and would be 3 storeys in height at the rear.
- 10.3 The arrangement of the properties around a courtyard does limit the opportunities for parking provision to be made at the side of the dwellings. However, the land levels on the site would limit the possibility of achieving this on a number of plots without the creation of relatively substantial retaining walls even if this space were to be created. Given this factor, the fact that the proposed parking spaces would be broken up by areas of structural landscaping and that the courtyard arrangement is integral to the design of the tree lined access approach given the change in levels from Slateacre Road, it is considered that the proposed parking solution is acceptable in this case.
- 10.4 Whilst bin storage is shown to the front of number of units, the plans indicate that these areas would be enclosed by brick treatment to the outward facing elevations with soft landscaping incorporated to reduce the visual impact. Subject to the construction materials of these enclosures being of a high quality, this is considered to be acceptable, given the constraints provided by the land levels on the affected plots (as discussed in relation to parking above). These details can be controlled by condition.
- 10.5 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the site or the surrounding area.

## **11. RESIDENTIAL AMENITY**

- 11.1 The windows in the side elevation of plot 10 facing the common boundary with plots 20-24 Slateacre Road would be secondary windows serving a kitchen and a living room. The second floor window in that gable would serve a landing. On that basis, all of these windows could reasonably be obscurely glazed without impact on the residential amenity of the future occupants of the development, in order to prevent unreasonable overlooking into the neighbouring properties. The gable elevations of plots 1 and 3 would face the common boundary with the long rear gardens of the properties on Arnold Avenue to the north west of the site. The substantial separation distance to be retained to the rear elevations of those properties would be sufficient to prevent unreasonable overlooking but all of the proposed windows on the gable of the proposed dwellings would either be secondary or would not swerve habitable rooms. As an additional safeguard, a condition can therefore reasonably be attached to any permission granted to ensure that these windows are obscurely glazed to prevent overlooking across the common boundaries with those neighbouring properties.
- 11.2 The rear elevation of plot 4 would be approximately 20 metres from the side elevation of the property at 91 Brabyns Road to the south west of the site. The relationship between the corresponding elevations would be sufficiently oblique to prevent unreasonable overlooking and given that units 3 and 4 would be located north east of the neighbouring property, taking account of the separation distance to be retained, it is considered that the proposals would not result in unreasonable overshadowing of that neighbouring property.
- 11.3 The separation distance between the rear elevation of the unit at plot 5 and 91 Brabyns Road would be approximately 25 metres, meeting the design guide requirement in relation to 3 storey development, ensuring that there would not be any unreasonable overlooking from the habitable rooms of that dwelling into the neighbouring property.
- 11.4 The separation distance between the rear elevation of plot 4 and no. 93 Brabyns Road would be approximately 30 metres and the relationship between the corresponding elevations would be oblique. Whilst less oblique, the separation distance between plots 5 and 6 and that neighbouring property would be approximately 33 metres. Given these factors, it is considered that the scheme would not result in any unreasonable overlooking or overshadowing of 93 Brabyns Road.
- 11.5 Given the separation distance provided by the long gardens to the rear of the properties on Highcroft to the south and south west, it is considered that the proposals would not result in unreasonable overlooking into or overshadowing of those neighbouring properties.
- 11.6 All of the openings in the side elevations across the proposed house types could reasonably be obscurely glazed to prevent unreasonable overlooking between the units, as they are secondary or serve non-habitable rooms. This requirement can be secured by condition. The reduction of the scheme from 12 dwellings to the 10 now proposed has allowed increased separation to be achieved between units 2 and 3, improving the relationship between the units and avoiding a cramped appearance across the scheme.
- 11.7 Following the above assessment, it is considered that the proposed development would not have an adverse impact on the amenity of neighbouring residents, subject to a condition securing the details of the means of enclosure of the balconies on the rear elevation of the building. The proposals would therefore accord with policy H10 of the UDP, the Residential Design Guide and the NPPF in this regard.

## **12. HIGHWAY SAFETY**

- 12.1 The amended scheme proposes 19no. car parking spaces across the development. The level of parking provision would fall one space below the maximum standards set out in

Policy T10 in the Unitary Development Plan and Policy RD7 in the Residential Design Guide, which indicate that 2 spaces should be provided for each dwelling given the size of the units proposed. These are maximum standards and the NPPF states that any local standards should only be imposed where there is clear evidence that measures are required to manage the impact of traffic on the highway network. In this case, the Local Highway Authority has not raised any objections to the amended proposals, subject to conditions.

- 12.2 Whilst the concern of local residents is noted, this scheme would result in a net gain of 8 dwellings on the site. There would be an increase in traffic on the local highway network but this is a residential area where regular car movements occur and are expected. Additional traffic movements during peak periods would not be of a volume sufficient to result in a severe adverse impact on the capacity of the highway network and therefore planning permission should not be refused on this basis, in accordance with paragraph 32 of the NPPF.
- 12.3 A condition to require the laying out of the parking bays prior to the occupation of any of the dwellings is considered to be necessary. In addition, conditions requiring the Construction Environment Management Plan and a detailed drawing of the proposed access arrangements, indicating the required visibility slays on either side of the junction with the adopted highway can be added to the decision notice. The specific details of the works to be undertaken within the adopted highway would be required by the Local Highway Authority under a Section 278 Agreement (or equivalent) and therefore a condition to this effect does not need to be added to the planning permission.

### **13. FLOOD RISK/DRAINAGE**

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have raised no objections to the proposals subject to the imposition of conditions requiring the foul and surface water drainage mechanisms to be separated and details of a sustainable surface water drainage strategy being approved and implemented. The applicant has confirmed on the application form that foul water would be drained from the development via a connection to the existing main sewer.
- 13.2 The scheme proposes to divert and open up the watercourse running through the site which is currently culverted. The diverted route would take the watercourse closer to the south western boundary of the site, to the rear of the proposed dwellings in that part of the site. A new manhole would be installed at the point where the watercourse meets the north western boundary of the site. A system of attenuation pipes with a volume of 44 cubic metres would be installed below ground level with connections to each of the properties. The attenuation pipes would then connect to a hydro-brake manhole system, which would limit the surface water run off rate to from the system into the watercourse to 6.6 litres per second. The LLFRA considers that this would achieve the requirement of the NPPF that the surface water run off rate would not exceed the existing greenfield level following development of the site.
- 13.3 This drainage system would represent an improvement in the ability to manage the watercourse running through the site, with the existing watercourse exposed only at the edges of the site. The storage attenuation would help to mitigate the impact of increased surface water run-off and ensure that flood risk beyond the boundaries of the site would not increase as a result of the development. Details of the construction works to be undertaken to divert the culvert can be secured by condition. Details of the on-going management and maintenance arrangements for the drainage mechanisms to be installed shall be included can be secured by the section 106 Agreement.
- 13.4 Details of the ground level changes involved in the diversion of the watercourse and details of the appearance of the exposed elements of the drainage system can also be secured by



condition. On that basis, the Environment Agency and the Lead Local Flood Risk Authority have no objections to the proposals.

- 13.5 Following the above assessment, it is considered that the proposed development would not result in a harmful impact in relation to flood risk, subject to the above details being secured by condition.

#### **14. ECOLOGY**

- 14.1 It is considered that providing the recommendations in the Badger Mitigation Strategy are implemented in full the development could proceed without causing harm to local Badger populations. A condition requiring full implementation of the measures is recommended and can be attached to the decision notice. The applicant should be reminded that before sett exclusion can begin a License must first be obtained from Natural England – this is in addition to any grant of planning permission. Exclusion from setts can only be undertaken in the period July-November to avoid harming dependent young Badgers.
- 14.2 It is recommended that no vegetation clearance required to facilitate the scheme should take place during the optimum period for bird nesting (March to July inclusive). All nesting birds their ages and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended). This requirement can be secured by condition.
- 14.3 It is recommended that measures be taken to eradicate the invasive plant Himalayan Balsam from the site. Under the terms of the wildlife and Countryside Act 1981 it is an offence to cause this plant to spread. The development has potential to cause spread.

#### **15. OTHER MATTERS**

- 15.1 In relation to the impact on trees, removal of 2 Category B trees, which are considered to contribute positively to the character of the area. However, the Borough Tree Officer considers that the proposed landscaping scheme would result in suitable mitigation. The replacement planting scheme would include 36 trees, with a mix including hornbeam, birch and alder. This comprehensive scheme is also considered to mitigate the loss of trees that were removed from the site prior to the submission of the planning application. The implementation of suitable protection measures around trees to be retained during the construction phase of the development can be secured by condition.
- 15.2 The concerns of local residents in this regard are noted and the impact on trees on the site was the reason for the dismissing of an appeal of a previous proposal for development (prior to the approval of the 2012 application for 9 dwellings) of the land. Nevertheless, none of the trees that have been removed (or any of those that remain) were the subject of Tree Preservation Orders and the site is not located in a Conservation Area. As a result, the Local Planning Authority had no powers available to prevent the loss of those trees removed.
- 15.3 The Borough's Environmental Health Officer has raised no objections to the proposals, subject to the imposition of a condition limiting the hours of operation and deliveries during the construction phase of the development.
- 15.4 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing the further investigation work by condition. A condition requiring this additional work to be undertaken and that any necessary mitigation measures are agreed and implemented prior to the commencement of development is considered to be reasonable given the extent of excavation works required to lay foundations due to the changes in land levels on the site.

- 15.5 In relation to financial contributions required to mitigate the impact of the development, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. The contribution from this development is £12,867.16, based on the Council's Developer Contributions formula, which shall be secured via a Section 106 Agreement.
- 15.6 A scheme for improvements to Werneth Low is a project that has been identified as being suitable. In particular, it is proposed to use the contribution to upgrade the path across Hacking Knife Meadow. The contribution is considered to meet the CIL regulations in that it is necessary to make the development in planning terms (given the limited amenity space to be provided on site), directly related to the development (as the close proximity ensures that residents are likely to use this space given the limited nature of the on-site provision) and proportionate in that the sum is based on the size of the development.
- 15.7 The scheme proposes less than 25 dwellings and therefore no affordable housing or education contributions are required, in accordance with the adopted policies of the Unitary Development Plan.

## **16. CONCLUSION**

- 16.1 The principle of development on the site is considered to be acceptable given the predominantly residential character of the surrounding area and the relatively close proximity of the services and facilities in Gee Cross, including schools and public transport to larger settlements in the Borough.
- 16.2 Following amendments to reduce the number of dwellings and revise the layout of the proposed development, it is considered that the scheme would respect the character of the street scene and would not be of a scale or design that would result in an unreasonable impact on the residential amenity of neighbouring properties. The level of parking provision is considered to be acceptable given that the site is within reasonable walking distance of some services and facilities and public transport links.
- 16.3 There are no objections to the proposals from the statutory consultees in relation to highway safety, flood risk/drainage, the impact on trees or ecology. A financial contribution to the provision of green space within the surrounding area can be secured via a Section 106 agreement.
- 16.4 The application is therefore considered to accord with the relevant national and local planning policies listed earlier in this report.

## **17. RECOMMENDATION**

Grant planning permission, subject to the completion of a Section 106 Agreement to secure the following contribution:

Green Space - £12,867.16 to be used to upgrade the path across Hacking Knife Meadow, Werneth Low;

and the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing number 5565.01, Rev. A – Landscape Proposal;  
Drawing number 169/120, Rev. P – Proposed Site Plan;  
Drawing number 169/130, Rev. G – Site Sections;  
Drawing number 169/145 – Typical Front Garden;  
Drawing number 169/220, Rev. F – Plot 9 + 10 House Type 1;  
Drawing number 169/221, Rev. G – Plots 9 + 10 House Type 1 Elevations.  
Drawing number 169/222, Rev. J – House Type 3 + 4;  
Drawing number 169/223, Rev. H – House Type 4 Elevations;  
Drawing number 169/224, Rev. D – House Types 4 +5;  
Drawing number 169/225 Rev. E – House Types 4 + 5 Elevations;  
Drawing number 169/226 – House Type 5; and,  
Drawing number 169/227 – House Type 5 Elevations.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (drawing number 169/120, Rev. P), prior to their occupation and shall be retained free from obstruction for their intended use at all times thereafter.
5. Boundary treatments to be installed in accordance with the details as shown on drawing number 169/120, Rev. P prior to the first occupation of any of the dwellings hereby approved. Such boundary treatments shall be retained at all times thereafter.
6. Soft landscaping to be installed in accordance with the details as shown on approved plan 5565.01 Rev.A. prior to the first occupation of any of the dwellings hereby approved.
7. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
8. Notwithstanding the details shown on the approved plans, no development shall commence until scaled plans detailing the construction of the access, including vehicular swept paths and visibility splays of 2.4 metres x 43 metres on both sides of the access to serve the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
9. No development shall commence until details of tree protection measures to meet the requirements of BS5837:2012 have been installed around the Weeping Willow tree to be retained in the south western corner of the site and details of the method of construction to be employed within the Root Protection Area of the trees to be retained have been submitted to and approved in writing by the Local Planning Authority. The protection measures shall be installed in accordance with the approved details prior to the commencement of development and shall be retained in situ for the duration of the

construction works. The construction works shall be carried out in accordance with the approved details.

10. 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.
11. 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:
  - Wheel wash facilities for construction vehicles;
  - Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases;
  - Details of on-site storage facilities;

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

12. None of the dwellings hereby approved shall be occupied until the screened bin storage areas have been erected in accordance with the details on drawing number 169/145), in the locations indicated on the approved site plan (drawing number 169/120, Rev. P) for each plot within the development and shall be retained at all times thereafter.
13. Surface water drainage system to be installed as detailed in the approved drainage strategy.
14. Details of the ground level changes involved in the diversion of the watercourse and details of the appearance of the exposed elements of the drainage system
15. None of the dwellings hereby approved shall be occupied until details indicating that the development shall achieve Secured By Design status have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and the development shall be retained as such thereafter.
16. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.
17. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.

iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time.

18. The development shall be accrued out in accordance with mitigation measures listed in the Badger Sett Monitoring Report (received 15 November 2017) submitted with the planning application.

19. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

- scaled plans (including cross sections of the diverted watercourse) indicating the existing and proposed finished ground levels in the part of the site where the diverted watercourse is to be located
- details of the external appearance and a specification (including mechanical operation and capacity) of the drainage infrastructure to be installed on the north western boundary of the site
- a method statement detailing the construction works to be undertaken in the creation of the diverted culvert.

The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

20. All first and second floor windows within the side elevations of the dwellings hereby approved shall be fitted with obscured glazing (to meet the requirements of Pilkington Level 3 as a minimum) and shall be fixed shut below a height of 1.7 metres above the internal floor level of the rooms that they serve. These windows, and any subsequent replacements, shall be retained in obscure glazing at all times thereafter.

21. No development shall commence unless and until a Method Statement is submitted to and approved in writing by the Local Planning Authority detailing how Himalayan Balsam will be removed from the site. The development shall thereafter proceed in strict accordance with the approved Method Statement.

**Reasons for conditions:**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

3. To ensure that the appearance of the development reflects the character of the surrounding area.
4. To ensure that the development is served by adequate parking provision.
5. To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.
6. To ensure that sufficient hard and soft landscaping are implemented to ensure that the overall development respects the character of the surrounding area.
7. To ensure that the approved landscaping scheme is adequately maintained.
8. In the interests of highway safety.
9. To ensure adequate protection of the trees to be retained on the site as part of the development.
10. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF ..
11. 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.
12. To provide adequate secure bin storage to serve the development and to safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.
13. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
14. To ensure that the design of the sustainable drainage system does not have an adverse impact on the character of the site or the amenity of neighbouring properties.
15. To ensure that the development is designed to minimise opportunities for crime.
16. In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.
17. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land as per paragraph 121 of the National Planning Policy Framework.
18. To ensure that harm to protected species as a result of the development is adequately mitigated.
19. To ensure that the diversion of the watercourse does not involve engineering works that would have a detrimental impact on the character of the surrounding area and would adequately mitigate flood risk

20. To ensure that the residential amenity of neighbouring properties and the future occupants of the development hereby approved is adequately preserved.

21. To ensure that Himalayan Balsam is removed from the site appropriately.

**Informatives:**

- 1) Section 106 Agreement to secure contribution towards off site green space provision.
- 2) Detailing the applicant's obligations in relation to avoiding harm to Protected species during the construction process.