

**Application Number** 20/00264/FUL

<b>Proposal</b>	Demolition of existing bungalow and redevelopment of site to support 5no. detached dwellings and associated works (AMENDMENTS TO INITIAL SUBMISSION)
<b>Site</b>	10 Slate Lane, Audenshaw, Tameside, M34 5GW
<b>Applicant</b>	Mr Steve Dobie
<b>Recommendation</b>	Members resolve to grant planning permission subject to recommended conditions.
<b>Reason for Report</b>	A Speakers Panel decision is required as the application has been called in at the request of Councillor Teresa Smith.

## **1.0 APPLICATION DESCRIPTION**

- 1.1 The application seeks full planning permission for a residential development comprising of 5 x 4 bedroom detached dwellings and associated works following the demolition of no. 10 Slate lane, Audenshaw.
- 1.2 The application was originally submitted for 6 dwellings in Spring 2020. To address officer comments amendments were submitted May 2021. The amendments are summarised by the applicant as follows:
- Reduction from 6 dwellings to 5.
  - Reduction in the scale of plot 5, including the massing of the side elevation.
  - Rooms on ground floor level facing the street to increase overlooking and interaction with streetscene.
  - Redesign of elevations for increased vertical emphasis.
  - High quality detailing to brickwork / fenestration and window recesses.
  - Tree planting incorporated to the site frontage and landscaping to the side of plot 5.
  - Incorporation of a cobbled hard-strip in front of the dwellings to separate parking from the highway, with adequate visibility splays provided. The previous highways objection has been addressed.
  - Two external parking spaces per dwelling plus a garage.
- 1.3 Four of the proposed units would stand at 3 storeys in height and one of the dwellings being 2 storeys. The dwellings would be constructed from brick with a tiled roof. The elevations exhibit a contemporary appearance which is reflective of other properties constructed by the applicant on Slate Lane.
- 1.4 The application has been supported by the following reports;
- Full Plans Package
  - Planning Supporting statement (updated cover letter)
  - Ecological Assessment
  - Arboricultural Statement

## **2.0 SITE & SURROUNDINGS**

- 2.1 The application relates to land occupied by no. 10 Slate Lane which is a detached bungalow set within a generous curtilage. Slate Lane is a residential street within Audenshaw which

runs Parallel to the Ashton Canal, the street is of mixed character supporting dwellings of different scales, ages and design. There is evidence of infill development having taken place over the years and this also includes developments undertaken by the applicant (Loxley Homes).

- 2.2 The bungalow (no. 10) is constructed from a buff brick with a hipped roof design, there are open views through the site towards the Ashton Canal. Neighbouring properties include a Bungalow (no.12) which faces into the site at a slightly elevated level, trees located on the boundary offer some screening between the two properties. The other neighbouring property (no.8) is a large stone built 2 storey detached. Levels within the site are generally flat and the rear of the properties garden abuts the Ashton Canal. Historically there was a large degree of tree cover within the site but tree clearance works has seen the majority of these removed.
- 2.3 Slate Lane is not adopted and is recorded as an ancient highway, it is not served with any dedicated footways. It is part of the Manchester Cycle Network with signage in place confirming this. Opposite to the site there is rear vehicle access to garages which serve properties on Watergate, a residential street that runs parallel to Slate Lane.
- 2.4 There are a number of amenities within the local area and Snipe Retail Park is located immediately to the east and Ryecroft Hall to the north.

### **3.0 PLANNING HISTORY**

- 3.1 No previous applications

### **4.0 RELEVANT PLANNING POLICIES**

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation:** Site is unallocated, adjacent Ashton Canal is identified as a site of Biological importance.
- 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;
  - 1.6: Securing Urban Regeneration;
  - 1.11: Conserving Built Heritage and Retaining Local Identity;
  - 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
- H7: Mixed Use and Density
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space.
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T10: Parking

T11: Travel Plans.  
C1: Townscape and Urban Form  
N4: Trees and Woodland  
N5: Trees within Development Sites  
N7: Protected Species  
MW11: Contaminated Land  
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  
Trees and Landscaping on Development Sites SPD adopted in March 2007.  
Tameside Open Space Review 2018

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

Section 2 Achieving sustainable development  
Section 6 Delivering a sufficient supply of homes  
Section 8 Promoting healthy and safe communities  
Section 9 Promoting sustainable travel  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 14 Meeting the challenge of climate change, flooding and coastal change  
Section 15 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.

### 5.0 **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 as follows:

- Neighbour notification letters on 2 occasions.
- Display of site notice.

### 6.0 **RESPONSES FROM CONSULTEES (SUMMARISED)**

6.1 Arboricultural Officer – No objections. Comment that trees identified as T1, T2 and G1 are to be retained within the plans and the proposal will not affect any other significant vegetation on site. Shrub group S1 is low value and removal will not have a negative impact on the amenity value of the area. Recommend that retained trees should be protected according to the methods recommended in the Arboricultural Method Statement and BS5837 during all works.

6.2 Canal & Rivers Trust – No objections. Identify that based on the layout the properties would appear to be a sufficient distance so as not to impact upon the structure integrity of the canal infrastructure. Recommend a condition to ensure the protection of the canal.

- 6.3 Contaminated Land – No objections. Recommend condition for further investigation and remediation if deemed necessary.
- 6.4 Environment Health Officer – No objections subject to conditions relating to working hours and details of refuse storage arrangements.
- 6.5 Greater Manchester Ecology Unit – No objection. Reviewed the preliminary bat survey which included an adequate survey of the building. Satisfied that the building has negligible potential to support roosting bats. The site is located adjacent to Ashton Canal, which is selected as a Site of Biological Importance. The report identifies that safeguards will be required to protect the canal from any adverse impacts of the proposed development. Recommend that a condition is used to ensure a CEMP is produced to ensure no negative impacts on the SBI. Biodiversity opportunities should be provided through the planning process, in line with the NPPF. These could include the provision of bat or bird boxes within the new houses, or use of native or wildlife friendly planting within the landscaping of the scheme.
- 6.6 Highway Authority – Comments to be presented in detail later in the report but recommend a conditional approval. The development would not in the LHA's opinion have an unacceptable impact on highway safety or capacity of the highway network.
- 6.7 Lead local Flood Authority – No objections. Site is not prone to flood risk and identify that further investigation is required to identify whether surface water can be addressed via infiltration.
- 6.8 United Utilities – Identify that there are high pressure mains in the vicinity the exact location of which is unknown. Recommend that this is identified before the determination of the application but also suggest that pre-commencement conditions would ensure that infrastructure is protected. Conditions would also ensure that the site is drained in accordance with the drainage hierarchy.

## **7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 In response to the consultation undertaken there have been 23 letters of objection from separate addresses (some residents have commented on two occasions to reflect amendments) in addition also received two petitions one of 60 signatures (May 2020) and one for 49 (June 2021):
- 7.2 Objection from Councillor Smith on behalf of Councillors Ryan and Martin. Requested that the application is presented at Speakers Panel.
- 7.3 The following concerns have been raised within the individual objection letters, these are summarised as follows:
- Of all the objections you will receive, this development will have the biggest impact on 12 Slate Lane the front elevation i.e. living room and main bedroom which is downstairs, face what will be the gable end of Plot 5. Windows in this gable end which will impose considerably on our privacy.
  - Not in keeping with the area;
  - Overdevelopment of the site
  - Spoil the street scene
  - Highways safety Slate being too narrow and heavily used by users of Manchester Cycle Network ;
  - Adverse impact on the amenity of the occupiers of neighbouring properties;

- Failure of the development to have regard to bio-diversity and to secure net ecological benefit;
- Adverse impact on the character and appearance of the area having regard to the scale and form of the development;
- Threat to highway safety by virtue of the level of proposed car parking and the nature of the highway in the vicinity of the application site.
- Parking capacity;
- Scale of the development is too large;
- Noise disturbance;
- Overlooking and loss of privacy;
- Design is overbearing;
- Discrepancies within the planning statement;
- The site is not Brownfield;
- House prices in the area are in region of £200,000, the new development won't fall within the affordable housing definition;
- Loss of trees and wildlife habitat;
- Can't move on Slate during Bin Day when bins obstruct the highway;
- Continuous overdevelopment of Slate lane and its loss of character;
- Concerns about extents of neighbour notification;
- Concerns about the submission of the application during Pandemic;
- Impact of the development on no. 12 Slate which has windows / room overlooking the site the spacing distance is not sufficient;
- Too many houses within the area;
- Loxley have no regard to local residents and have already destroyed the site with the removal of vegetation;
- Concerns about disruption to the Ashton canal;
- Concerns over capacity of local infrastructure;
- Street Scene plans are not accurate and conceal surrounding properties;
- Slate lane has only recently been resurfaced. Associated HGV's movements will damage this;
- Traffic within Audenshaw is horrendous and this will only get worse when Robinsons Jam site is developed;
- Dwellings would not be reflective of the scale and plot width of established properties to the detriment of the street scene;
- Architectural style is at odds with the prevailing character;
- Inadequate parking at the 'Boatyard' development will cause similar problems;
- Increased traffic pollution;
- Development is contrary to policies of the UDP;
- Impact upon heritage – Slate Lane consists predominately of 1930's bungalows which overlook the canal;
- Appearance is unsightly;
- Properties are too large / high and will overlook a number of neighbours;
- Amendments have not addressed previous concerns;
- Dwellings will read as a continuous block of development due to the narrow space between them; and
- Devaluation of properties.

#### 7.4 One letter of support received summarised as follows:

- As a neighbour to the site believe the properties will further enhance the setting of Slate Lane;
- Properties are designed to a high standards;
- Loxley have a proven record of delivering good quality development;
- Development will support local construction jobs;
- Development will contribute to housing need;

## **8.0 ANALYSIS**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document.
- 8.3 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision making this means:-
- Approving development proposals that accord with the development plan without delay; and
  - Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
    - o Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
    - o Specific policies in the Framework indicate development should be restricted.

## **9.0 PRINCIPLE OF DEVELOPMENT**

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.
- 9.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.
- 9.3 The land is not allocated on the saved UDP proposals map. The surrounding area has an established residential use and in this regard infill residential development would be compatible with surrounding uses. Residential curtilage is excluded from the definition of previously developed land as identified in the annex of the National Planning Policy framework (NPPF) regardless of a LPA's position on the supply of housing. UDP policy H2 applies to non-allocated sites and permits the redevelopment of previously developed land, its weight is reduced given the definition of Previously Developed Land within the NPPF, policy H9 provides a framework for infill development.
- 9.4 The site is located within an established residential environment. The host property is a single detached which occupies a large curtilage. Within Slate Lane itself there are numerous examples of infill developments which have occurred over the intervening years. The applicant site and neighbouring property are examples of the few remaining bungalows which border the Ashton Canal to the rear, the wider character of the street scene has, and appears to continue, to evolve.
- 9.5 UDP Policy H9 'Backland and Garden Development' states that new residential development within the curtilage of existing dwelling will only be permitted where:

- a) Arrangements can be provided for access and parking for both the existing and proposed dwellings, and
- b) Garden areas can be retained, and
- c) Privacy can be maintained between existing and proposed dwellings; and
- d) No serious detriment will occur to the character of the area enjoyed by other areas.

9.6 Policy RD22: 'Infill & Backland Sites' of the Tameside Residential Design Guide is also of relevance. This advises that:

- Plot and boundary widths should align with the surrounding street.
- 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

9.7 In instances where the principle of residential development is considered to be acceptable it is also important that any such development adheres to the requirements of policy H10 and (Detailed Design Of housing Developments) and the adopted Residential Design SPD particularly with reference to design, scale and the relationship to the street scene and existing properties. It is on the latter points that the application raises issues.

## **10.0 DESIGN AND CHARACTER**

10.1 The existing property is a single detached bungalow which occupies a level frontage to the highway, it occupies a marginally lower position to the neighbouring property no. 12 Slate Lane. The front garden extends to the side and rear and previously supported a number of mature trees the majority of which have now been removed, these trees were not subject to any Protection Order but it is understood that they contributed to the character of the locality. Concerns about the loss of these trees are understandable however, these works can't be apportioned weight in the decision making process.

10.2 Amendments have been made to the layout following concerns raised by officers and consultees. The subsequent layout has seen a reduction in units and has also sought to address parking in a more proactive manner and improvement the relationship to the neighbouring property.

10.3 It is clear from the representations that there are strong concerns relevant to the design scale and mass of the proposals. Slate Lane has varied architectural styles and sizes, the developer has also undertaken 3 storey development previously (the boatyard) so there is an established precedent for this scale of the development within the street. The age of properties changes significantly with modern housing sat alongside much older housing stock, this adds a significant degree of interest to the character of the street scene and character as a whole. The range of properties is seen across a variety of plot widths, the prevailing and consistent feature is that properties tend to occupy a relatively consistent building line which engages with the street scene.

10.4 The proposal would provide an active frontage to Slate Lane and parking would be provided for 2 vehicles at each property. The applicant has provided an assessment against the criteria within the Tameside Residential Design SPD, and the conclusions are not disputed, such is the variation of bespoke house styles within the vicinity, there is flexibility to accommodate alternative styles and scales of development. In responding to the local context the scale, materials and fenestration of the dwellings would exhibit a contemporary form.

There would be clear correlations between the proposals at the nearby 'Boatyard' development, but the proposals have better parking provision and amenity space. All of the properties are served with a private front to rear access which allow for the storage of bins outside of the public domain. Had there not been a precedent for 3 storey accommodation within Slate Lane the design concerns raised by residents on the scale/height/mass would carry more weight, however, such is the established bespoke and varied character of dwelling within Slate Lane, it is not possible for Development Management to attribute harm arising from the proposed design and its compatibility with the area.

- 10.5 The existing bungalow which occupies the site is of little architectural interest and has no significant heritage value. The garden area serves no strategic open space function which would otherwise warrant consideration against policy H5. The development would add to the range of modern housing found on Slate Lane, and it is considered that the dwellings would assimilate successfully into the established street scene. Having full consideration to the overall design merits of the proposal, and the layout of the scheme, it is considered that the development would not detract adversely from the area. The development represents another transition in the redevelopment of Slate Lane. It is considered that the design has sufficient regard to the objectives of UDP policies H9, H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **11.0 DESIGN AND RESIDENTIAL AMENITY**

- 11.1 The adopted Residential Design Guide (RDG) requires 21 metres to be retained between corresponding elevations of properties of the same height that contain habitable rooms, reducing to 14 metres where properties face each other across a highway. A separation distance of 14 metres is also required to be retained where an elevation with a habitable room and a corresponding blank elevation directly face each other. An additional 3 metres should be added to these distances for each additional storey where buildings are taller than 2 storeys in height.
- 11.2 The neighbouring property to the east (no. 12 Slate Lane) is a bungalow and is the existing dwelling most directly affected by the built form of the proposals. The proposed dwellings would be sited to the west (plot 5 being the nearest) of the property, it would be stepped back to reduce dominance, and also occupy a marginally lower position. At present no.12 Slate Lane has an outlook across the roof of the applicant bungalow from its habitable rooms, correspondence received on the application confirm these to be a living room and bedroom.
- 11.3 The plans indicate that plot 5 would be positioned from approximately the midpoint of no.12, an existing side garden would be retained which could support structured planting. Existing trees located on the boundary provide a degree of screening and these would be retained. The separation distance from the front elevation of no.12 to the side gable of plot 5 would be 14.6m which slightly exceeds the minimum distance recommended within the Tameside Residential Design Guide. It is noted that windows are proposed on the side gables, these includes high level and 'porthole' style ones at ground floor and with larger ones at first floor level. On the provision that all these windows are obscurely glazed (a matter to be conditioned) then it cannot be demonstrated against policy standards that any harmful overlooking could occur into any of the habitable room windows of that dwelling (no.12).
- 11.4 It is noted that the adjacent neighbouring property no.8A has some ground and first floor windows within their eastern Gable. These windows would appear to be secondary and are not offered any protection as per the guidance on infill development.
- 11.5 Properties are located in a manner which would front onto Slate Lane. With reference to concerns about the height and scale then there precedent within the street of large development which includes 3 storey dwelling akin to those being proposed. The separation

distance (across a highway) would meet policy objectives with regard to relationship to the rear of Watergate Properties located opposite to the site some 30 meters away (approx.).

- 11.6 Having regard to the siting of the properties and their distance to existing properties it is considered that the proposals would not result in an adverse impact on the residential amenity of any neighbouring properties which would be contrary to policies of the development plan.
- 11.7 In terms of the amenity of future occupiers of the development, the overall accommodation would meet relevant Technical Housing Standards. There is also good levels of storage accommodated within the design and the dwellings would have the benefit of a well-proportioned rear garden with a southern aspect to the Ashton canal.
- 11.8 Following the above assessment, it is considered that the amended proposed development would not result in an adverse impact on the residential amenity of any of the neighbouring properties, within the context of the existing situation on site, or the residential amenity of the future occupiers of the development.

## **12.0 HIGHWAY SAFETY**

- 12.1 The concerns expressed by objectors to the application in relation to the impact of congestion on the local highway network and additional pressure for on street car parking provision are noted. It is acknowledged that Slate Lane is a Historic highway and not served by dedicated footways, it also serves as part of the designated cycleway. There are pinch points along the highway and on street parking can be at a premium.
- 12.2 The development represents an uplift of 4 properties at the site within an already established residential street. Vehicle journeys generated from the proposed site are considered negligible, and will not in the LHA's opinion have a significant impact on the local highway, or that the residual cumulative impacts on the road network would be severe.
- 12.3 The scheme proposes 2 car parking spaces to the front of the 5 dwellings with an internal garage measuring 2.7m x 5.5m to be accessed directly from Slate Lane. The level of parking provisions meets the standards of the Residential Design Guide and consultation with the Highways Authority confirms acceptance. In addition the LHA are satisfied that the access/egress from the dwellings to the off street car parking spaces onto Slate Lane, each of the spaces complying with gradients and visibility requirements to allow safe and convenient access and egress from vehicles.
- 12.4 It is also the case that the site is within close proximity of regular public transport services and is also located on the cycling network. Secure cycle storage can be accommodated within the garages and provision also made for electric vehicle charging. These factors contribute to the overall sustainable credentials of the development.
- 12.5 To address concerns about any damage to the Slate Lane carriageway from construction traffic it is recommended a highways condition survey can be conditioned to ensure that the developer undertakes any repairs attributed to construction damage.
- 12.6 In conclusion the LHA recommend approval for the application, following their assessment they are of the opinion the Development would not have an unacceptable impact on highway safety and the proposals comply with the Development Plan. On the basis of this assessment Development Management are satisfied that a refusal on highway grounds could not be justified.

- 12.7 On the basis of the above assessment, it is considered that the proposals would not result in a detrimental impact on highway safety. Subject to the recommended conditions the development would comply with policy T1 of the Development Plan.

### **13.0 TREES AND ECOLOGY**

- 13.1 Policy N5 seeks to protect trees of a recognised quality which are located within development sites. The tree population consists of 2 individual species and single group which can be retained within the development. There will also be additional tree planting between plots on the frontage. The Tree officer supports the retention of the trees and confirms that the loss of onsite shrub can be tolerated. The detailed planting of landscaping mitigation can be adequately secured by condition, likewise conditions relating to the timing of works can minimise the ecological impacts of the development.
- 13.2 Section 11 of the NPPF advocates biodiversity enhancement. The biodiversity value of the site could be enhanced as part of the landscaping proposals to be approved by condition. GMEU advise that this should include the fixture of bat and bird boxes to all of the dwellings. A Construction Environment Management Plan will ensure that sufficient mitigation is in place to protect the Ashton Canal.

### **14.0 DRAINAGE**

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network the apparatus for which is located within the surrounding highway to the site.
- 14.2 The site would be positively drained and the attenuation of surface water would ensure that greenfield run-off rates can be achieved. Comments from United Utilities are noted, with regard to their infrastructure and the applicant is aware of this. Conditions can ensure further investigation and the site will be drained on separate systems in accordance with the Drainage Hierarchy.
- 14.3 Subject to the safeguarding of the recommended conditions requiring drainage details to be submitted no objections are raised from a drainage perspective.

### **15.0 CONTAMINATION & LAND STABILITY**

- 15.1 The proposals have been reviewed by the contaminated land officer who recommends relevant investigations of the ground conditions are undertaken prior to development, this can be suitably conditioned.

### **16.0 NOISE/DISTURBANCE**

- 16.1 In response to representations the main source of noise is likely to be that associated with the construction period. This can be controlled via best practice measures via a construction management plan. Consultation with Environmental Health confirms that residents should not be subject to any undue disturbance.

### **17.0 CONCLUSION**

- 17.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.
- 17.2 The site is located within a highly sustainable location as demonstrated by its accessible location and its relationship to services. The redevelopment would be compatible with the established residential environment and that of previous developments within the area. The development would add to and contribute to housing in a period of under supply with is afforded significant weight to the planning assessment.
- 17.3 The design of the dwellings is considered to be of a sufficient quality with a good level of detailing to the elevations. The properties will engage positively with Slate Lane and the existing housing stock. The high quality properties would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF.
- 17.4 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent an efficient redevelopment of the site in a manner which is consistent with previous developments within the area, the proposal would make an efficient use of the site and contribute to housing supply.

## **RECOMMENDATION:**

That Members resolve that they would be MINDED TO GRANT planning permission for the development subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.  
Plans:

PL 03/20/041A Proposed Plans and Elevations REV H (plots 1-4)

PL 03/20/041B REV H Proposed Plan and Elevation (plot 5)

PL03/20/041C REV B Proposed Street scene

PL 03/20/041D REV F Proposed Site Plan

Reports:

Arboricultural Statement Ref CW/10003-AS January 2021

Ecological Statement ref SL/20-001

Supporting Planning Statement Ref 19-588 March 2020 & Cover Letter 03/06/21

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance

- 3) 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.

Reason: 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 178 of the National Planning Policy Framework.

- 4) 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:
  - a. A preliminary risk assessment and methodology for an investigation to determine the potential for the site to be affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority;
  - b. 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.
  - c. Any additional or unforeseen coal mining legacy issues 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.
  - d. 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.

Reason: To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from land stability issues associated with coal mining legacy, as per paragraph 178 of the National Planning Policy Framework.

- 5) Notwithstanding any description of materials listed in the application or detailed on the approved plans, 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 (including retaining 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.

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

- 6) As indicated on the approved plan (DWG PL 03/20/041D REV F), prior to the first occupation of the development hereby approved an electric vehicle charging design shall be approved in writing by the Local Planning Authority which complies to the requirements listed below:-  
The specification of the charging points installed shall:
- i. be designed and installed in accordance with the appropriate parts of BS EN 61851 (or any subsequent replacement standard in effect at the date of the installation);
  - ii. have a minimum rated output of 7 kW, measured or calculated at a nominal supply voltage of 230VAC;
  - iii. be fitted with a universal socket (known as an untethered electric vehicle charge point);
  - iv. be fitted with a charging equipment status indicator using lights, LEDs or display; and
  - v. a minimum of Mode 3 or equivalent.

Reason: To ensure that the scheme includes measures to mitigate the air quality impact of additional vehicular traffic that will be generated by the development.

- 7) Notwithstanding the details shown on the approved plans, no development other than site clearance and compound set-up shall commence until scaled plans detailing the existing and proposed ground levels on the site, the levels of the proposed access arrangements and the finished floor and ridge levels of the dwellings (with (including sections and with reference to a fixed datum point) 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.

Reason: To ensure that the appearance of the development respects the character of the surrounding area and preserves the residential amenity of neighbouring properties.

- 8) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 9) The car parking spaces to serve each dwelling as part of the development hereby approved (Drw.Number PL 03/20/041D REV F) shall be laid out as shown on the approved site plan prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents

displacement of materials or surface water onto the highway and shall be retained as such thereafter.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 10) Prior to the first occupation of any part of the development hereby approved, details of the boundary treatments to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied and shall indicate that the southern boundary of the site shall be treated with a natural stone wall. The boundary treatments shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings.

Reason: To ensure that the appearance of the development respects the character of the surrounding area and preserves the residential amenity of neighbouring properties.

- 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 (drop off area for materials);
- Contractor and construction worker car parking;
- Turning facilities during the remediation and construction phases;
- Details of on-site storage facilities;
- Deliveries to be made out of peak times (local school opening/closing hours);
- Phasing plan for construction.

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.

- 12) No development shall commence until a survey of the site for invasive species (including but not limited to Japanese Knotweed and Himalayan Balsam) has been undertaken by a suitably qualified professional and submitted to and approved in writing by the Local Planning Authority. The survey shall be accompanied by a remediation strategy for any invasive species recorded on the site. The development shall be carried out in accordance with the approved remediation strategy.

Reason: To ensure that any invasive species on the site are appropriately managed during the construction phase of the development

- 13) Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by 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 the means of enclosure. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

Reason: To ensure that the development makes adequate provision for the storage and collection of refuse, in order to preserve the character of the surrounding area and the residential amenity of neighbouring properties.

14) Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:

- A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting;
- The location and construction material of all hard surfacing.

The landscaping scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby approved.

Reason: To ensure that the development is served by a landscaping scheme that preserves the character of the surrounding area.

15) The approved soft landscaping scheme to serve the development 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 five 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.

Reason: To ensure that the soft landscaping scheme is appropriately maintained.

16) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- iii. A timetable for its implementation.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.

17) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan to protect the Site of Biological Importance has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the scheme incorporates measures to enhance biodiversity and the environmental sustainability of the development.

- 18) No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has 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 any of the dwellings and shall be retained as such thereafter.

Reason: To ensure that the scheme incorporates measures to enhance biodiversity and the environmental sustainability of the development

- 19) 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: To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

- 20) Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development Order 2015) (or any order revoking and re-enacting that Order with or without modification), no extensions shall be erected on any of the dwellings without the prior granting of planning permission by the Local Planning Authority.

Reason: To ensure that the appearance of the development respects the character of the surrounding area and preserves the residential amenity of neighbouring properties.

- 21) All windows in the ground and first floor of plot 5's eastern elevation facing no.12 Slate Lane hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.

- 22) Notwithstanding the plans hereby approved, no development shall take place within 15m from the edge of the Ashton Canal until cross sections have first been submitted to and approved in writing by the Local Planning Authority. The cross sections shall show the foundation details of the proposed dwellings and raised decking/terraced seating area, relative levels and written dimensions showing the distance to the edge of the canal/water level. The development shall be carried out in full accordance with the approved cross sections.

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land

stability contained in Paragraphs 170 and 178 of the National Planning Policy Framework 2019.