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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 21 June 2017
Time: 10.00 am
Place: The Conference Room, Guardsman Tony Downes House,
Manchester Road, Droylsden

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Council.	
3.	MINUTES The Minutes of the meeting of the Speakers Panel (Planning) held on 24 May 2017, having been circulated, to be signed by the Chair as a correct record.	1 - 4
4.	PLANNING APPLICATIONS To consider the schedule of applications.	
a)	17/00096/FUL - STAMFORD STREET METHODIST CHURCH, STAMFORD STREET CENTRAL, ASHTON-UNDER-LYNE	5 - 14
b)	16/00897/OUT - CARRFIELD MILLS, NEWTON STREET, HYDE	15 - 36
c)	16/01163/OUT - LAND OFF EGMONT STREET, MOSSLEY	37 - 52
d)	16/01126/OUT - SCOUT GREEN DEPOT, 27 MANCHESTER ROAD, MOSSLEY	53 - 70
e)	17/00266/FUL - WHARF MILL, DUKINFIELD ROAD, HYDE	71 - 94
f)	17/00289/FUL - 16 ARNOLD AVENUE, HYDE	95 - 106
5.	URGENT ITEMS To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

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SPEAKERS PANEL (PLANNING)

24 May 2017

Commenced: 10.00am

Terminated: 12.30pm

Present: Councillor McNally (Chair)

Councillors: Dickinson, P. Fitzpatrick, Ricci, Sweeton, Ward and Wild

Apologies for absence: Councillor D Lane

45. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members.

46. MINUTES

The Minutes of the proceedings of the meeting held on 26 April 2017 having been circulated, were taken as read and signed by the Chair as a correct record.

47. PLANNING APPLICATIONS

The Panel gave consideration to the schedule of applications submitted and it was:-

RESOLVED

That the applications for planning permission be determined as detailed below:-

Name and Application No.	16/00533/FUL Mr P Eade
Proposed Development:	Retrospective planning permission for 2 no semi detached houses to regularise height difference with neighbouring property and alternative roof design. 87 Town Lane, Denton.
Speaker(s)/Late Representations:	Councillor Warrington – spoke against the application Mrs Helen Russell – spoke against the application John Barnes – Architect – spoke in support of the application
Decision:	The decision was to go against officer recommendation to approve. Members listened to the arguments for and against the application. It was accepted in the report that the originally submitted drawings were found to have been inaccurate and had shown the roof of the neighbouring property to be higher than was the case and the roof to the houses had in any event been enlarged by increasing the height of the mansard section

	<p>of the roof. What had been built was contrary to the original planning permission granted.</p> <p>Objections from speakers who attended included height excessive/design at odds with the surroundings; detrimental to the visual amenity/not in keeping with street scene/overshadowing/overlooking.</p> <p>The Applicant's agent spoke on behalf of the applicant who was not present and discussed how this situation had arisen and put the case forward for the revised design. The agent agreed there were height problems but considered the application before the panel sufficiently compensated for this.</p> <p>Members considered the objections were justified in planning terms and refused the application for part retrospective planning permission for the following reason.</p> <p>"The proposed development by virtue of the proposed large twin gables and roof volume constitutes poor design and would fail to respect the character and appearance of existing residential properties in the area. The proposed development is therefore contrary to policies H10 'Detailed Design of Housing Development' and C1 'Townscape and Urban Form' and Section 7 of the NPPF which attaches great importance to the design of the built environment"</p>
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Name and Application No	<p>16/00766/REM</p> <p>Bowden Homes</p>
Proposed Development:	<p>Erection of 35 houses – Reserved matters including access, layout, scale, appearance and landscaping.</p> <p>Former site of Carr Hill Mills, Manchester Road, Mossley</p>
Additional Information:	<p>The Head of Planning explained that, over the course of the application, additional and amended plans had been sought to clarify issues of flood prevention and site levels, this had resulted in conditions which referred to plan and drawing numbers needing to be updated to take into account the most recent submissions.</p> <p>To address this matter amended condition wording was proposed which ensured the conditions reflected the most recent submissions.</p>
Decision:	<p>Approved subject to the conditions as set out in the report, but subject to amended wording for conditions 4, 6 and 17 of the permission, as follows:</p> <p>4 – Prior to first occupation of any residential unit, the vehicular access from Three Counties Road (as shown on the layout plan 650. 15-p100 rev K) shall be fully constructed and be available for use in accordance with the approved plans.</p> <p>6. - Prior to first occupation of each residential unit, the hereby approved car parking for that plot indicated on approved</p>

	<p>plan (650.15-P100 rev K) shall be fully constructed, drained, marked out and be available for use and thereafter kept unobstructed and available for its intended purpose.</p> <p>17 – The development hereby permitted shall be carried out in accordance with the following approved plans: 650.15-P100, 650.15-P100 rev K, 650.15-P105, 650.15-P104, 650.15-P103 rev A, Extended Phase one Habitat Survey (20/5/16) 650.15-P10, 650.15-P11, 650.15-P12, 650.15-P13, 650.15-P16, 650.15-P17, 650.15-P18, 650.15-P19, 650.15-P20, 650.15-P21, Tree Report PM/25/05/16 (25/5/16) PM/12/07/16 (12/7/16), Sewer diversion 15125568-001 Rev P3, Groundsure Report EMS-337976_454993, Phase 1 Desktop report (2568) and trial pit logs, Topographical Survey 1609/Tpop, Flood Risk Assessment MD0793/rep/001 Rev B and JBA Technical notes 2017s5794-S-N001-1 (4th April 2017) and Ref 2017s5794-S-N002-1 (24th April 2017)</p>
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Name and Application No:	16/00972/FUL Stainless Restoration Ltd
Proposed Development:	Erection of 1 industrial building to create 3749m2 of B2 General Industrial floor space. Land North West of Shepley Industrial Estate, Shepley Road, Audenshaw
Speaker(s)/Late Representations:	Frank Morris – applicant – spoke in support of the application.
Decision:	Approved subject to conditions as set out in the report.

Name and Application No:	17/00131/OUT The Diocese of Chester
Proposed Development:	Detached dwelling – outline with all detailed matters reserved. Holy Trinity Church Hall, 16A Higham Lane, Hyde.
Speaker(s)/Late Representations:	Ian Philips – spoke against the application. Edward Landor – Agent – spoke in support of the application.
Decision:	Approved subject to the conditions as set out in the report.

CHAIR

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Application Number 17/00096/FUL

Proposal	Variation of planning condition 2 attached to application 12/00731/FUL
Site Location	Stamford Street Methodist Church, Stamford Street Central, Ashton Under Lyne
Applicant	Bryal Developments Ltd
Recommendation	Grant planning permission subject to conditions and prior signing of S106 legal agreement
Reason for report	A speakers panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

REPORT**1. APPLICATION DESCRIPTION**

- 1.1 The proposal in this application is to vary planning condition 2 on an existing planning consent for conversion of a Listed Methodist Chapel to 12 apartments to enable double glazing to be used.

2. SITE & SURROUNDINGS

- a. The application site is located in the middle of the southern side of Stamford Street Central on the corner of Warrington Street.

3. PLANNING HISTORY

- 3.1 12/00731/FUL - Conversion to 12 duplex apartments. Installation of a new access door opening, roof lights, roof and wall vents, and the construction of a new railing fence, Permitted September 2012

12/00732/LBC – Conversion to 12 duplex apartments. Installation of a new access door opening, roof lights, roof and wall vents, and the construction of a new railing fence, Permitted September 2012

13/00077/PLCOND – Discharge of conditions 3, 5 & 7 of application 12/00731/FUL. Pending Consideration

13/00078/PLCOND – Discharge of Conditions 2, 6, 9 & 10 of application 12/00732/LBC. Pending Consideration

14/00315/LBC – Re-siting of WW1 Memorial Plaque in adjacent Methodist Hall

16/00434/LBC – Submitted as amendment to existing Listed Building Consent reference 12/00732/LBC for the conversion to 12 duplex apartments, installation of a new access door opening, roof lights, roof and wall vents, and the construction of a new railing fence. Permitted June 2016

17/00006/PLCOND – Discharge of Conditions on 16/00434/LBC. Permitted March 2017

17/00095/LBC - Variation of conditions 4 and 10 attached to application Listed Building consent 16/00434/LBC. Pending Consideration

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation Within Settlement Boundary

4.2 Tameside UDP

4.2.1 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
1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 Part 2 Policies

H2: Unallocated Sites.
H7: Mixed Use and Density.
OL10: Landscape Quality and Character
S2: New retail Developments in Town Centres
T1: Highway Improvement and Traffic Management.
T11: Travel Plans.
C1: Townscape and Urban Form
C2: Conservation Areas
C4: Control of Development in or Adjoining Conservation Areas
C5: Alternative Uses, Alterations and Additions for Listed Buildings
MW11: Contaminated Land.
U3: Water Services for Developments

4.3 Other Policies

4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
The Greater Manchester Joint Waste Development Plan Document April 2012
The Greater Manchester Joint Minerals Development Plan Document April 2013
Residential Design Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.4 National Planning Policy Framework (NPPF)

4.4.1 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 12 Conserving and Enhancing the Historic Environment

4.5 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 As this is a variation of conditions application none has been carried out.

6. RESPONSES FROM CONSULTEES

6.1 N/A

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 N/A

8. ASSESSMENT

8.1 The principal issues in determining this application are whether the conditions that are requested to be varied still meet the 6 tests set out in the NPPF and NPPG. In addition it needs to be considered whether the unilateral obligation which secured contributions towards education, open space and transport infrastructure meets the tests for such contributions set out in the CIL regulations.

9. PRINCIPLE OF DEVELOPMENT

9.1 Planning and Listed Building consent has already been granted for the development proposed. The current application proposes to vary condition 2 of the existing planning permission reference 12/00731/FUL which states;

‘All new or replacement windows shall be single glazed double hung sashes using cords, weights and pulleys and shall replicate the original windows in all respects, including moulding profiles of glazing bars, cover beads and sills and timber sections. All windows shall be set back from the face of the building within the window reveals by a minimum of 100mm.’

9.2 The applicant wishes to use double glazing within the replacement windows which is currently prevented by the wording of Condition 2. Whilst the glass proposed to be used is thicker than in traditional sash windows this is only discernable upon close inspection. As the windows being replaced were modern and not original historic fabric the proposal to use double glazing would not be harmful to the architectural or historic interest of the building and is considered acceptable and this condition can be re – worded to allow the use of double glazing as requested.

9.3 As this application would result in a new Planning consent the wording of a number of the other conditions will also need to be varied to reflect matters which have been discharged subsequent to the original consent being granted.

10. S106 CONTRIBUTIONS

10.1 Whilst there is no requirement for the developer to provide affordable housing Homes and Communities Agency funding has been secured to help bring the site forward. A condition of this funding is that the development shall be occupied as affordable rent for at least the first 10 years and as such would make a significant contribution to the provision of affordable housing for at least the first 10 years.

10.2 The previous approval was accompanied by a unilateral undertaking containing contributions towards education, green open space and ‘integrated transport’. The applicant has submitted a revised unilateral undertaking in relation to the current application which again offers contributions towards education, green open space and integrated transport.

- 10.3 Whilst Highways have stated that the sum of £5840.59 apportioned to 'integrated transport' could be used towards improved crossing facilities on Stamford St. they have conceded that the development would be acceptable without this contribution and as such it can not be considered to pass the test of 'necessity' and can not be sought.
- 10.4 The Council's Greenspace development officer has accepted that a reduced sum can be requested in light of the proposal for the development to provide affordable housing and has requested a sum of £5000 towards Ashton Memorial Gardens.
- 10.5 Education have confirmed that the sum of £6112.18 would be required to increase capacity at St Damian's for Year 7 in 2018

11. CONCLUSION

- 11.1 The variation of condition 2 to allow for double glazed windows is considered acceptable for the reasons set out above. Variation of other conditions is required to reflect details already submitted under discharge of conditions applications related to the previous application.

RECOMMENDATION

To permit planning permission subject to;

A) Prior signing of S106 legal agreement to secure £6112.18 towards Education and £5000 towards Green Open Space.

B) the conditions set out below:-

1. All new or replacement windows shall be double hung sashes and shall replicate the original windows in all respects, including moulding, profiles of glazing bars, cover beads and sills and timber sections except in so far as any adjustment may be necessary to accommodate 15mm double glazed glass as per the approved sample window. All windows shall be set back from the face of the building within the window reveals by a minimum of 100mm unless otherwise agreed in writing with the Local Planning Authority.
2. All new external doors shall be constructed in timber in accordance with submitted samples and shall be constructed in accordance with drawing number 1279_P700 Rev P1.
3. All extractor vents, heater flues, meter boxes, airbricks, soil and vent pipes and rainwater goods shall be carried out in accordance with the details submitted with application reference 17/00006/PLCOND unless otherwise agreed in writing with the local planning authority.
4. The railings and gates approved shall be erected in accordance with the details submitted with application reference 17/00006/PLCOND unless otherwise agreed in writing with the local planning authority.
5. No part of the development hereby permitted shall be occupied until 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, the 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 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, unless otherwise agreed by the Local Planning Authority.

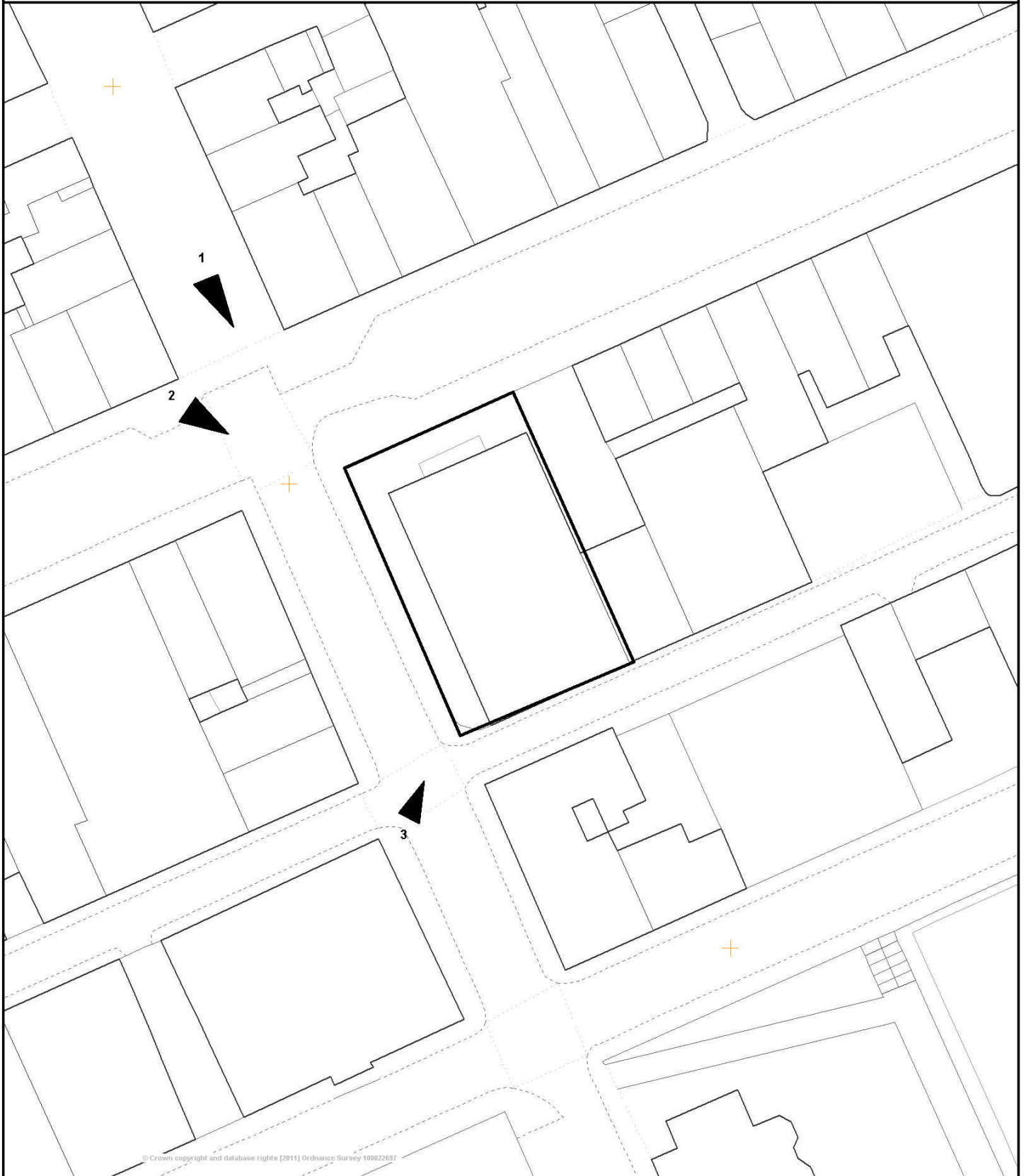
6. The development hereby approved shall not be occupied until full details of the hard and soft landscaping of the building's curtilage including the retention of existing features have been submitted to, and approved in writing by, the local planning authority. All existing features shall remain in-situ until such an approval has been issued and the development shall be implemented in accordance with the approved details within 6 months of the first occupation of the development.
7. The approved bin and cycle storage facilities illustrated on drawing ref 1270_P_100 rev. P3 shall be provided prior to the occupation of the building and thereafter kept available for their intended purpose at all times.
8. During 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.
9. The development shall be carried out in accordance with the following approved drawings:

1279-P-200-P1; 1279-P-301-P1; 1279-P-302-P1; 1279-P-300-P1; 1279-P-500-P1 - 1279-P-501-P1; 1279-P-0700-P1; 1279-P-1000-P1; 1279-P-1001-P1; 1279-P-001-P1; 1279-P-102-P1; 1279-P-101-P1; 1279-P-103-P1; 1279-P-104-P1; 1279-P-105-P1

Reasons for conditions:

1. In order to ensure that the Listed Building retains as much of the vernacular and traditional character and appearance as possible
2. In order to ensure that the Listed Building retains as much of the vernacular and traditional character and appearance as possible
3. In order to ensure that the Listed Building retains as much of the vernacular and traditional character and appearance as possible
4. In order to ensure that the Listed Building retains as much of the vernacular and traditional character and appearance as possible

5. In order to ensure that the Listed Building retains as much of the vernacular and traditional character and appearance as possible
6. To safeguard against the potential risks of contamination on site
7. To safeguard the character and appearance of the area.
8. To ensure the provision of adequate space for bin storage
9. To define the permission



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Scale 1/500 Date 12/6/2017

Centre = 393951 E 398950 N

Application Number: 17/00096/FUL

Photo 1



Photo 2



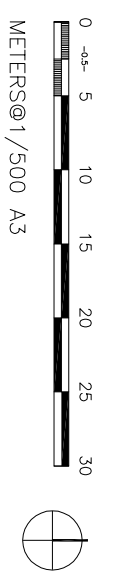
Photo 3



All dimensions shall be verified by the Contractor on site prior to work commencing and relevant orders being placed. Any discrepancies to be brought to the attention of the Contract Administrator for resolution prior to proceeding.



DATE	REV	COMMENTS
12.07.12	P1	ISSUED FOR PLANNING PURPOSES



ARCHITECTS

dv

Unit 4
 Botanic Estate
 198 Edge Lane
 Fairfield
 Liverpool
 L7 9PL

Tel: 0151 228 4866
 Fax: 0151 228 8665

PROJECT: Stamford Street, Ashton Apartments
 DRAWING: Site Plan

DATE: MAY 12
 SCALE: A3@1/500

DRAWN BY: TJS
 DRAWING NO: 1279_P_001

CHECKED BY: P1

Application Number 16/00897/OUT

Proposal	Residential development comprising up to 127 dwellings (C3), access, public open space, landscaping and associated recreation facilities, together with the provision of related infrastructure. Outline - all matters reserved for subsequent approval apart from vehicular access into the site.
Site Location	Carrfield Mills, Newton Street, Hyde, SK14 4NR
Applicant	Carrfield Mill LLP
Recommendation	Grant planning permission subject to conditions and prior signing of a section 106 agreement
Reason for report	A speakers panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

REPORT

1. APPLICATION DESCRIPTION

- 1.1 This application seeks consent to redevelop the former site of Carrfield Mill, locally known as Christy Towels. The former mill buildings have been demolished and the site has largely been cleared.
- 1.2 The application site measures 2.75ha and is an irregular shape set in a valley with steeply sloping sides down to the Godley Brook which runs east - west through the site at its lowest point.
- 1.3 The land has been vacant for a number of years and constitutes previously developed (brownfield) land.
- 1.4 The applicants have submitted an illustrative site plan which shows how the site could be redeveloped for housing. The application is in outline with only access included for consideration at this time. The applicants propose a single vehicle access from Newton Street, with an additional 2 pedestrian access points shown on the illustrative site plan, serving a possible 127 dwellings that the illustrative details show would be comprised of a mix of houses and apartments.
- 1.5 The following documents have been submitted in support of the application;

Parameters Plan
Employment Land Report and Market Overview
Tree Constraints Plan
Arboricultural Impact Assessment
Proposed Access & Ghost Island Layout
Transport Assessment
Statement of Community Involvement
Flood Risk Assessment and Drainage Management Strategy
Desk Study and Ground Investigation Report
Ecological Assessment
Design and Access Statement

2. SITE & SURROUNDINGS

- 2.1 The application site is 2.7 hectares in area and is located to the east of Newton Street approximately 500m north of the centre of Hyde.

- 2.2 The site is comprised of the grounds of the former Carrfield Mill and now lies vacant with the buildings having been demolished. Recent residential development on another part of the Carrfield Mills site permitted in 2003 under application reference 03/00970/OUT and followed with a reserved matters application 05/00970/REM is present to the north of the site fronting Zorbit Mews and Carrfield.
- 2.3 The site is within 650m of the nearest primary school, and 400m of the nearest doctors surgery.
- 2.4 The nearest bus stop to the site is immediately outside of the site on Newton Street with 3 bus services running every hour at peak times to Ashton, Stalybridge, Hyde and Oldham. A further bus service runs 6 times an hour during peak times from the nearby Dukinfield Road to Ashton, Dukinfield, Hyde and Stockport. The nearest railway stations are located at Hyde (Central) and Flowery Fields approximately 0.5km and 1km from the site respectively which operate regular services providing links to Manchester Piccadilly, Rose Hill, Marple and Hadfield.

3. PLANNING HISTORY

- 3.1 03/00970/OUT Residential Development plus the provision of replacement staff car park – Outline permitted September 2003 (relates to the northern part of the site already developed).

05/00412/REM Residential Development comprising of 260 no units including houses, flats and associated parking plus the provision of replacement staff car parking. Permitted March 2006

12/00822/NDM Notification of demolition of buildings (excluding office building). Permitted September 2012

14/00830/NDM Proposed demolition of office building. Permitted September 2014

4. RELEVANT PLANNING POLICIES

- 4.1 Tameside Unitary Development Plan (UDP) Allocation
Established Employment Area / Unallocated

4.2 Tameside UDP

4.2.1 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
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 Part 2 Policies

- E3 Established Employment Areas
- H2: Unallocated Sites.
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N3 : Nature and Conservation Factors
- N4: Trees and Woodland.

N5: Trees Within Development Sites.
N6: Protection and Enhancement of Waterside Areas
N7: Protected Species
MW11: Contaminated Land.
U3: Water Services for Developments
U4: Flood Prevention

4.3 Other Policies

- 4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
The Greater Manchester Joint Waste Development Plan Document April 2012
The Greater Manchester Joint Minerals Development Plan Document April 2013
Residential Design Supplementary Planning Document
Employment Land Supplementary Planning Document
Developer Contributions Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.4 National Planning Policy Framework (NPPF)

- 4.4.1 Section 1 Building a Strong Competitive Economy
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities

4.5 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 As part of the planning application process 10 notification letters were sent out to neighbouring properties on 18th October 2016 a notice was also posted at the site and displayed in a local newspaper on 27th October 2016.

6. RESPONSES FROM CONSULTEES

- 6.1 United Utilities: No objection to the proposed development subject to conditions.
- 6.2 Greater Manchester Ecological Unit: Sufficient information and assessment has been provided in relation to biodiversity and in this regard the application can be forwarded for determination. There has been no substantive change in the quality of the site's biodiversity or planning policy to question the principal of development for the site. Recommend conditions to ensure that the detailed design incorporates suitable profiles and features that will benefit biodiversity. This includes the brook, retained pond and lighting along the brook corridor and woodland edges. A number of conditions are also recommended to ensure that the scheme is implemented to avoid inadvertent infringement of wildlife legislation should the scheme be implemented.
- 6.3 Environmental Health: No objections subject to conditions controlling hours of construction and provision of adequate facilities for storage and collection of waste / recycling.

- 6.4 Highways: No objections subject to conditions

- 6.5 Environment Agency: No objection subject to conditions.
- 6.6 Coal Authority: No objections subject to conditions
- 6.7 National Grid For Gas: Any comments to be reported verbally
- 6.8 Police Architectural Design Officer: Any comments to be reported verbally
- 6.9 Environmental Health Contaminated Land: No objections subject to conditions

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 In response to the original notifications 15 representations have been received from neighbours, comments summarized as follows;

- Site leveled before building
- Helpful if landscaping was substantial and high
- Cramped
- Too close to existing buildings
- Overshadowing
- Loss of outlook
- Wildlife on site
- Height of flats
- Number of dwellings
- Traffic
- Loss of privacy
- Subsidence
- Fear of crime / anti-social behavior
- Noise / disruption from construction
-

8. ASSESSMENT

8.1 The principal issues in determining this application are;

- Principle of Development and Loss of Employment Land
- Layout, Design and Landscaping
- Amenity
- Highway Safety and Accessibility
- Ground Conditions
- Ecology
- Drainage & Flood Risk
- Planning Obligations

9. PRINCIPLE OF DEVELOPMENT AND LOSS OF EMPLOYMENT LAND

9.1 In policy terms the site is shown on the UDP proposals map as falling within an established employment area E3. Policy E3 establishes 4 criteria against which proposals for the development of 'established employment areas' for residential or mixed use development must be considered;

- (a) the quantity and type of employment sites and premises available in the area,
- (b) evidence of demand for employment sites and premises in the area,
- (c) the suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact and sensitivity of surrounding land uses,

(d) the opportunity which may be presented for new forms of employment as part of a mixed use scheme.

Policy E3 states that redevelopment of sites will not be permitted unless, after assessment of these factors, it is considered that the Borough's housing requirements and the regeneration benefits of the development outweigh the potential of the site in its present form for further employment use.

- 9.2 The supporting documents submitted with the application indicate an employment land supply in excess of 29 years, although the Council's Strategic Planning team indicate that this is more realistically 19.4 using the same method of calculation and little weight is attached to the applicant's evidence in this matter. Whilst the requirement for the site does not turn on this matter alone it is indicative that the Council has an adequate supply of employment land and the loss of the site would not be critical in this respect.
- 9.3 The applicants have undergone a significant marketing exercise for over 18 months to try and sell the site for employment purposes but this has resulted in no offers. Challenging topography, costly remediation, existing neighbouring residential development and difficult access are all given as reasons why it is considered that no offers were made for the site. The Council is satisfied that the marketing evidence indicates a lack of demand.
- 9.4 As outlined above the site is in a derelict condition and would require substantial investment before it could be used for an employment purpose. The applicant claims that the unusual development costs in bringing the site forward for employment would render it unviable for employment uses. A viability assessment for the site indicates a negative land value of - £1,405,448 based on an employment scheme, i.e. the applicant would have to gift the land and a further £1,405,448 to any prospective developer to make an employment use viable on the site.
- 9.5 Given the lack of interest in the land for commercial purposes the applicant argues that the potential for a mixed use is limited however, this is not explored to any great degree.
- 9.6 In considering the above factors in relation to Policy E3 the marketing demonstrates that there is no demand for the site for employment development and the viability assessment demonstrates that the site is not viable for employment development. Given the presence of other nearby residential development to the north and the topography of the site it is considered that employment development of the site is unlikely to be forthcoming and the proposal is acceptable under the terms of Policy E3.
- 9.7 UDP policy H2 confirms that the Council will generally permit the redevelopment of previously developed land for residential use and whilst it does not convey that approval will be granted the site also appears in the Council's Strategic Housing Availability Assessment (SHLAA). It is clear that there would be significant material benefits from the proposal in terms of redeveloping and remediating a brownfield site. The proposals would also make a significant contribution to the Council's 5 year housing land supply.
- 9.8 On balance the development is considered to be sustainable and the principal of development can be accepted.

- 10.1 Whilst the layout of the site is a reserved matter the application is accompanied by an indicative drawing showing how the site could be laid out with a density of 45 dwellings per hectare. This shows a single point of access onto Newton Street.
- 10.2 There are a number of mature trees on the southern boundary of the site which are indicated to be retained and a 'green corridor' maintained along the course of the Godley Brook which would be opened up as part of the development.
- 10.3 Concerns have been raised by neighbours and the Council's design officer regarding the detailed layout of the site and the potential relationship between the proposed and neighbouring buildings. The Council's design officer also expresses doubt as to whether the indicative 127 dwellings can be achieved. Whilst these concerns can be appreciated and the figure of 127 dwellings appears to be ambitious the site is located in close proximity to Hyde town centre where a higher density of development may be acceptable. The submitted layout clearly needs additional work, however, this is ultimately a reserved matter and can be regarded as an upper limit for development on site.
- 10.4 Officers are satisfied that residential development can be accommodated on the site in some form, although this may not be in the manner on the submitted indicative drawings. As such there is nothing to indicate that the site cannot be acceptably developed under policies H7 and OL10.

11. AMENITY

- 11.1 In terms of amenity the layout and scale of the development are reserved matters, however, the general impact of the development can be considered and some conclusions can be drawn from the indicative layout drawing provided.
- 11.2 The Council's Residential Design SPD sets out minimum distances between habitable rooms and blank walls of 21m and 14m respectively, these distance are moderated where steep slopes exist or where development is at an angle. The site flanks neighbouring dwellings on the northern and eastern sides and the submitted indicative layout within the site complies with the requirements of the Residential Design SPD in respect of the 14 and 21m distances both within the site and to neighbouring dwellings. Further consideration of any layout will need to be made once the final design of the layout and the height of the buildings and relative levels are known at reserved matters stage.
- 11.3 Whilst neighbours express concerns about the potential impact of the development there is no right to a view and the applicant has demonstrated that the site can be developed in accordance with the Council's Residential Design SPD. Officers are thus satisfied that the site is capable of accommodating residential development in a manner which would not be unduly detrimental to the amenities of occupants of neighbouring dwellings subject to conditions. This matter will, however, require further detailed consideration at reserved matters stage.

12. HIGHWAY SAFETY AND ACCESSIBILITY

- 12.1 The application is supported by a transport statement which sets out the sustainable transport options for the site and analyses the likely impact in terms of traffic generation.
- 12.2 As outlined above the application site is in a sustainable transport location with good access to local services as well as bus and rail services.
- 12.3 The submitted transport assessment outlines that a number of Primary Schools, Hyde Community College, Hyde Central Railway Station and a park are all located

within an 800m walking distance of the site. In addition to this the centre of Hyde, including Clarendon Shopping Centre and extensive retail opportunities including a post office, pharmacists and banks as well as doctors, dentists and leisure offers are within a 2km cycling distance of the site.

- 12.4 A single vehicular access is proposed to the site which will be taken off Newton Street together with 2 further points of access for pedestrians. The Council's Highway Engineers have no objections to the proposals subject to conditions. The necessary off site highway works would be secured by a section 278 agreement. There are no apparent issues in terms of network capacity and adequate visibility can be achieved to the proposed access.
- 12.5 Officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

13. GROUND CONDITIONS

- 13.1 Council's Environmental Health Contaminated Land officer has no objections to the development subject to standard contaminated land conditions.
- 13.2 As noted above there is a significant variance in levels across the application site, by as much as 8m. The change in levels is most pronounced adjacent to the neighbouring housing estate to the north and to either side of the Godley Brook, which forms the lowest level of the site.
- 13.3 Indicative cross sections have been submitted which show how levels could be graded across the site and these drawings indicate the use of terraced 'steps' in various areas which may not be appropriate in design terms. The detailed design of the scheme is not, however, for consideration at this time and whilst there may be a concern regarding the design of any retaining structures required to achieve the changes in level as shown in the illustrative details there does not appear to be an unusual challenge in this respect for the development of the site which would affect the principle of development.
- 13.4 Whilst the site is in an area at risk from former coal workings there is no objection to the proposals from the Coal Authority subject to conditions and the development is acceptable in accordance with policy MW11: Contaminated Land.

14. ECOLOGY

- 14.1 The application is supported by an ecological appraisal which concludes that the site supports a stream and a series of ponds, which includes the Godley Brook that runs east – west through the lowest section of the site.
- 14.2 The submitted supporting information identifies that the site is of ecological value to smooth newts as well as to foraging bats.
- 14.3 Whilst any scheme of development on the site will need to be sensitively designed to protect or mitigate for the most important habitats within the site the proposals represent a significant opportunity to bring forward ecological benefits including removing the Godley Brook from the culvert through which it runs for part of the site. The detailed design at reserved matters stage will need to respond to this and conditions can be used to secure the removal of the Godley Brook from the culvert as part of the development.
- 14.4 GMEU acknowledge that there will be significant ecological benefits associated with the proposals and have no objections to the proposals subject to conditions.

14.5 The proposals would not have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species.

15. DRAINAGE, FLOOD RISK

15.1 The application site contains land within Environment Agency flood zones 1, 2 and 3. The Godley Brook course flows through the site east – west and the brook course and land immediately either side, being comprised of the course of the river and its active flood plain, is located within flood zone 3. Levels rise to the north and south of the brook and this land is located within flood zone 2, with the upper parts of the site being located within flood zone 3 with the lowest risk of flooding. For this reason and as a major development proposal the application is accompanied by a flood risk assessment.

15.2 The submitted flood risk assessment identifies that the development should have a finished floor level set no lower than 300mm above the top water level accounting for climate change. The submitted flood risk assessment identifies that overall flood risk should decrease following the development due to the reduction in permeable areas on site and runoff rates being decreased by approximately 30%.

15.3 The applicant has carried out an analysis of potential sites has revealed that there are no reasonably available sites in lower flood risk areas, either locally or borough-wide, which could accommodate the type and scale of development proposed on a comparative basis. The Sequential Test has therefore been passed.

15.4 Both the Environment Agency and United Utilities state they have no objection to the proposed development subject to conditions.

15.5 In the absence of any technical objection the proposal is considered to accord with policy U3.

16. DEVELOPER OBLIGATIONS

16.1 The Council's section 106 calculator has given figures of £89,310.78 towards green open space and £156,743.46 towards education. No contributions are sought towards transport infrastructure as the submitted transport assessment indicates the proposed development would generate less traffic than the previous use of the site.

16.2 In order for contributions to be justified they must be necessary to make the development acceptable in planning terms, directly related to the development, and is not fair and reasonable in scale and kind

16.3 Education have confirmed that the education contribution would be required for remodelling work that is necessary to increase the published admission number at Hyde Community College from 210 to 240 pupils.

16.4 The Council's open spaces officer has confirmed that contributions would be used towards qualitative improvements of the play equipment, entrances and benches within Hyde Park

- 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 Whilst part of the application site is designated for employment use it has been demonstrated that its re – use for housing would be acceptable under the terms of policy E3 of the UDP.
- 17.3 The redevelopment of the site would bring about a number of benefits including;
- Re – use of a brownfield site
 - Visual amenity improvements
 - Contribution to housing need in the borough
 - Short term employment
 - Economic contributions by future occupants
- 17.4 In terms of dis-benefits in addition to the loss of an employment site the development would involve some short term noise and disruption during construction. Some low level impact upon outlook and privacy may also be anticipated but this would need to be in compliance with the Council’s policies and guidance.
- 17.5 On balance it is therefore considered that the benefits of the scheme clearly outweigh any dis-benefits and planning permission should therefore be granted.

RECOMMENDATION

To grant planning permission subject to;

- A) Prior signing of a section 106 agreement or unilateral undertaking to secure contributions towards education and green open space and;
- B) subject to the conditions set out below:-

- 1. Application for approval of reserved matters for any phase of the development must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. Before any phase of the development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, and landscaping of the development.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

- 3. The approved plans are;

Reason: To define the permission

4. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Betts Hydro Consulting Engineers (Ref HYD107-FORMER CARRFIELD MILL, HYDE dated 28/03/17) and the following mitigation measures detailed within the FRA:

1. The finished floor levels are set at least at 92.81mAOD as per section 4.7.
2. Surface water runoff rates and volumes are reduced by 30% compared to pre-development rates and volumes if existing connection into Wilson brook are proven, otherwise limited to Greenfield runoff rates and volumes to discharge directly into Wilson brook. Details of exceedance event up to a 1% AEP plus climate change allowance shall be provided.

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

Reason: To reduce the impact of flooding on the proposed development and future occupants. And to prevent the increased risk of flooding and reduce the impact of flooding on the proposed development and future occupants.

5. No phase of the development shall be commenced until 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 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, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

6. Prior to the commencement of any phase of the development, a surface and foul 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 relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority.

Surface and foul water shall be drained on separate systems. 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 and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.

The phase of the development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

7. Prior to occupation of any phase of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The relevant phase of development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

8. No phase of the development hereby approved shall not be occupied/brought in to use until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.

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

9. Prior to the occupation of any phase of the development a clear view shall be provided at the junction of site access road with Newton St. Its area shall measure 2.4 metres along the centre of the site access road and 43 metres in both directions along the edge of the roadway in Newton St. It must be kept clear of anything higher than 0.6 m above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety

10. The gradient of driveways shall not be steeper than 1 in 15.

Reason: In the interests of highway safety

11. No phase of the development shall commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, for that phase has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works for that phase.

Reason: In the interests of highway safety

12. A clear view shall be provided on each side of each driveway access where meeting the back of footway. Its area shall measure 2.4 metres along the edge of the drive and 2.4 metres along the back of footway. It must be kept clear of anything higher than 600mm above the access.

Reason: In the interests of highway safety

13. No development hereby approved shall be brought into use unless and until adequate facilities for the storage and collection of refuse and recyclable materials for that phase have been physically provided in accordance with details having been previously submitted to and approved in writing by the local planning authority. The approved scheme shall be retained thereafter.

Reason: To ensure the provision of adequate storage for waste and recycling facilities.

14. During demolition and 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 amenities of neighbouring and nearby residential dwellings.

15. No phase of development shall take place until a scheme for the provision, implementation and

management of:

- A naturalised channel including removal of hard bed and banks where possible.
- an 4 metre wide buffer zone to the north and 8m to the south of the Wilson Brook/Godley Brook and;

Has been submitted to and agreed in writing by the local planning authority.

Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping.

The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- plans showing the new channel profile and cross sections
- details of any proposed planting scheme.
- details demonstrating how the buffer zone will be protected during

development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

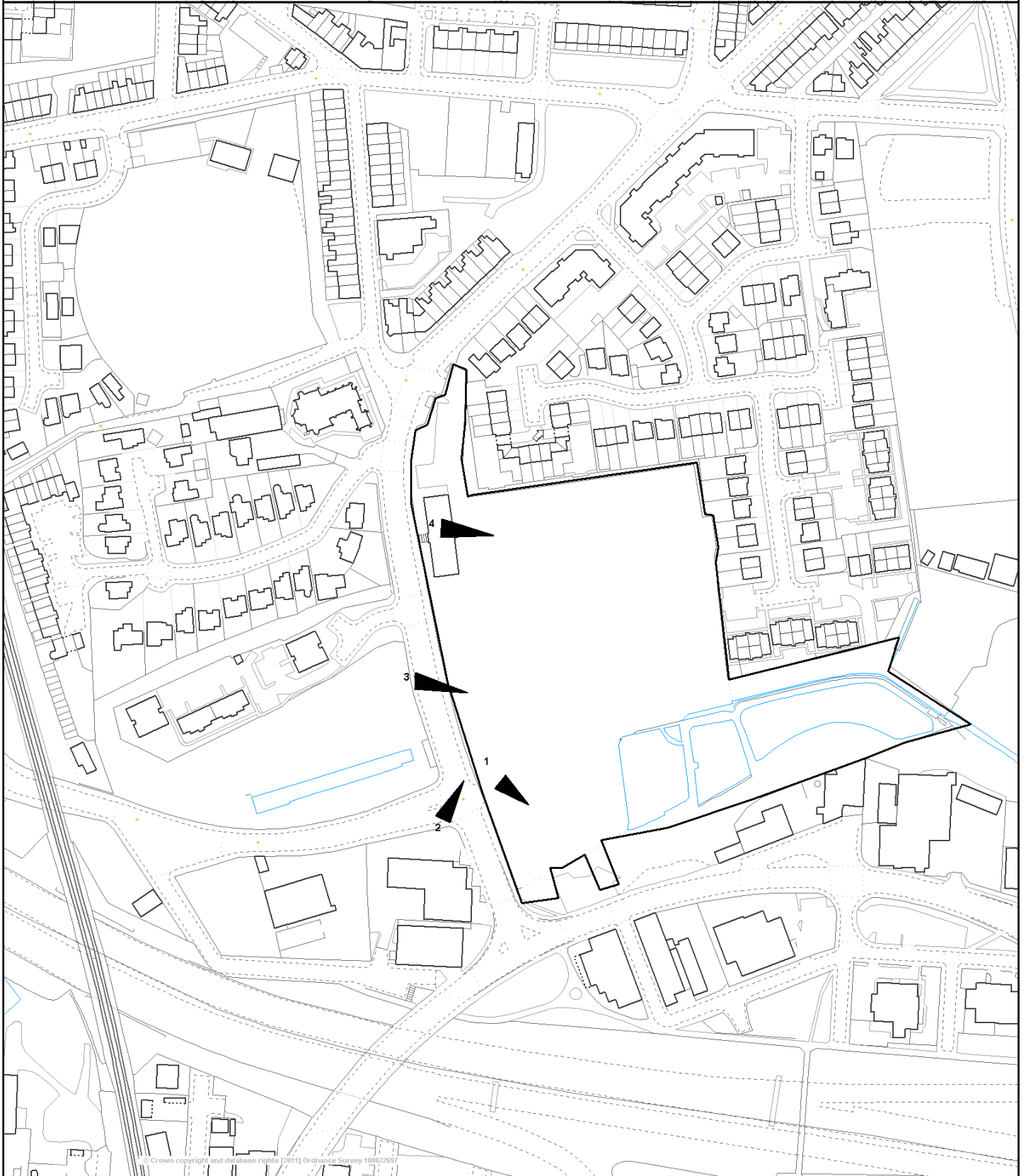
- details of any proposed footpaths, fencing, lighting etc.
- a timetable for the implementation of the above measures

Reason: To protect and enhance ecological features on the site.

16. The clearance of the site shall avoid the bird breeding season (March – August inclusive) and should also include clearance of any remaining bare ground along with trees, shrubs and undergrowth. The bare ground on the site may attract ground nesting little ringed plover (Schedule 1 – W&CA) which is a specialist of bare ground and occurs not infrequently on derelict sites within Greater Manchester. This should be conditioned.

Reason: To safeguard protected species

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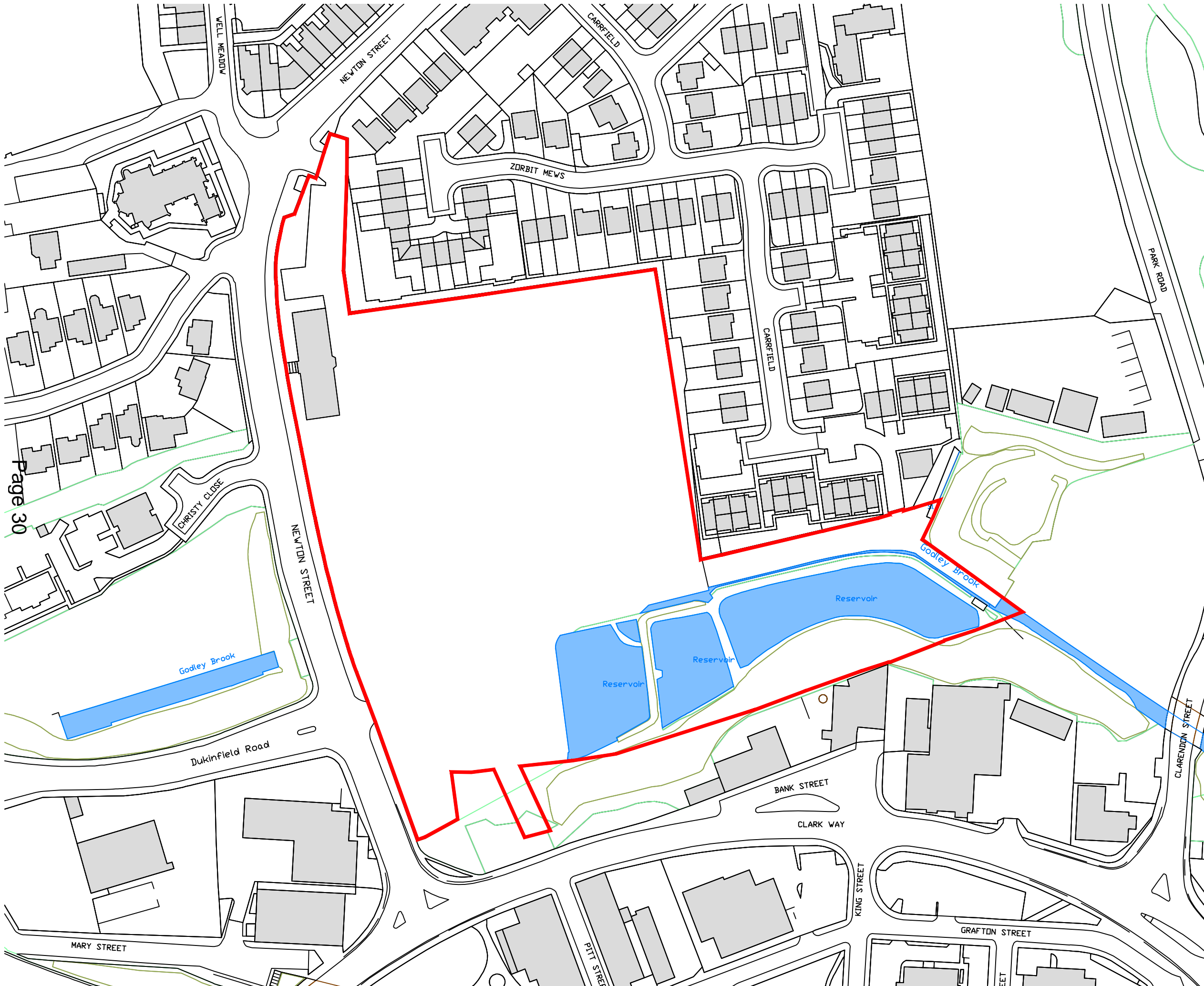


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Scale 1/2500 Date 12/6/2017

Centre = 394594 E 395419 N



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Notes:

- This drawing is copyright.
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- This drawing is to be read in conjunction with all other relevant drawings.
- All discrepancies on this drawing are to be reported to the architect.
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North Sign / Key Plan

The following external model files are included within this drawing:

- 6821_MD_SP(90)01

0mm					60mm
A	14/07/16	Eastern boundary edge straighten to align with title plan	TW	GP	
Rev	Date	Revision Notes	Dn	Rv	
Client / Contractor					
 Intelligence Buildings Infrastructure www.ibigroup.com					
Project Carrfield Mill, Hyde					
Drawing Title Application Boundary Plan					
Job Number 6821	Drawing Originated Date 05/07/2016	PAS 1192 Status Code -			
Scale@A3 1:1250	Purpose PRELIMINARY				
Drawing Number 6821_SP(90)01					Revision A

Application Number: 16/00897/OUT

Photo 1



Photo 2

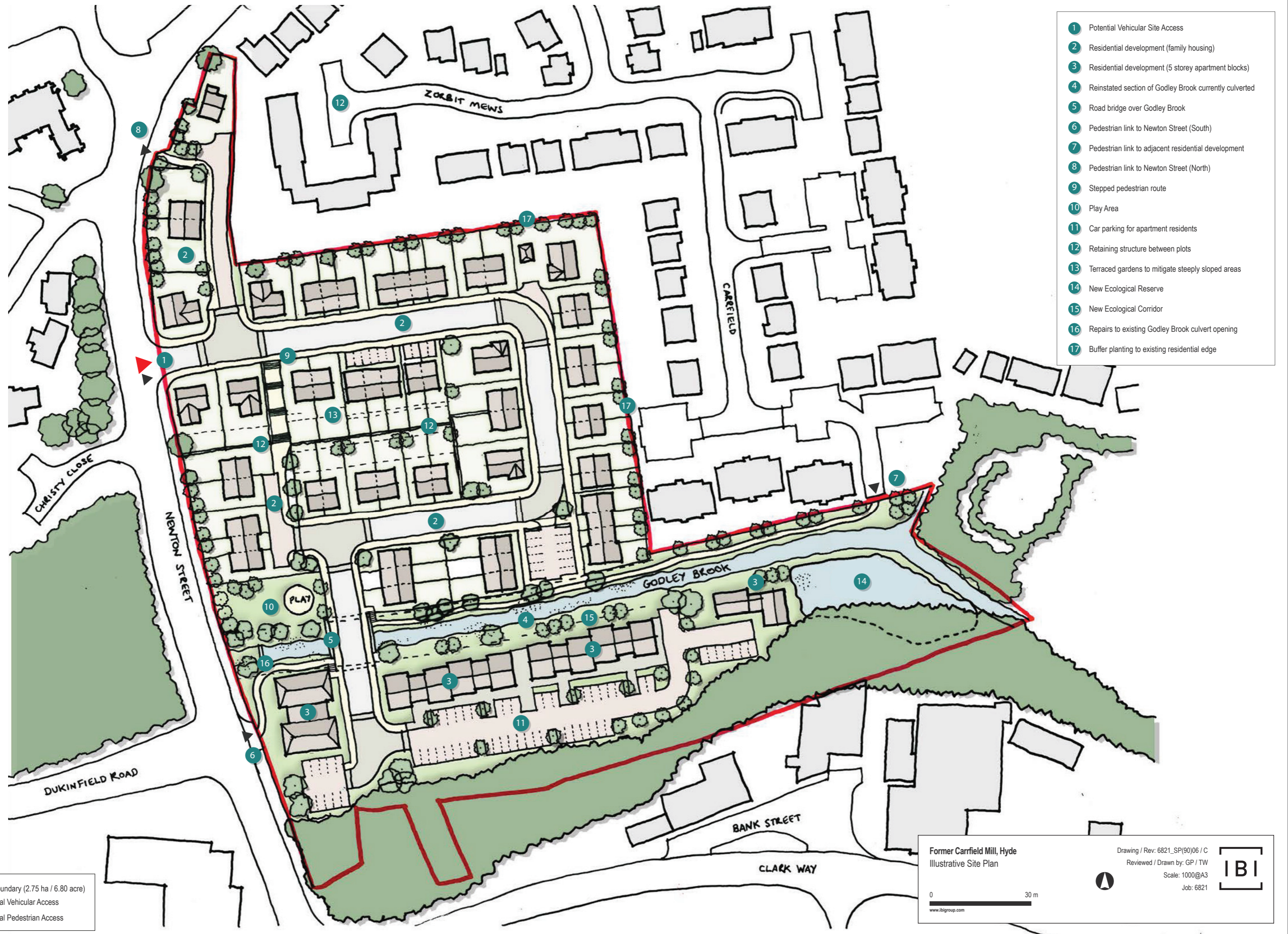


Photo 3



Photo 4





- 1 Potential Vehicular Site Access
- 2 Residential development (family housing)
- 3 Residential development (5 storey apartment blocks)
- 4 Reinstated section of Godley Brook currently culverted
- 5 Road bridge over Godley Brook
- 6 Pedestrian link to Newton Street (South)
- 7 Pedestrian link to adjacent residential development
- 8 Pedestrian link to Newton Street (North)
- 9 Stepped pedestrian route
- 10 Play Area
- 11 Car parking for apartment residents
- 12 Retaining structure between plots
- 13 Terraced gardens to mitigate steeply sloped areas
- 14 New Ecological Reserve
- 15 New Ecological Corridor
- 16 Repairs to existing Godley Brook culvert opening
- 17 Buffer planting to existing residential edge

- Site Boundary (2.75 ha / 6.80 acre)
- ▶ Potential Vehicular Access
- ▶ Potential Pedestrian Access

Former Carrfield Mill, Hyde
Illustrative Site Plan

Drawing / Rev: 6821_SP(90)06 / C
Reviewed / Drawn by: GP / TW
Scale: 1000@A3
Job: 6821

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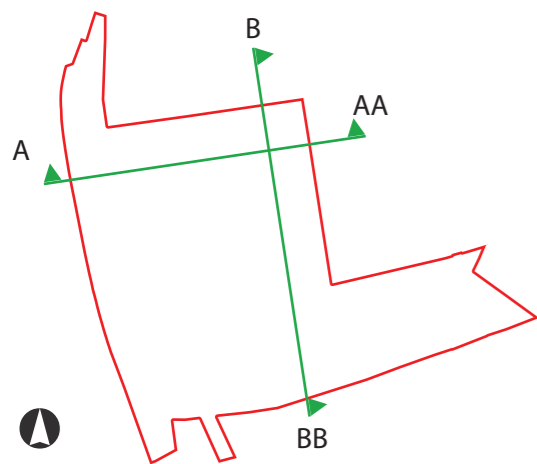
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Section A-AA



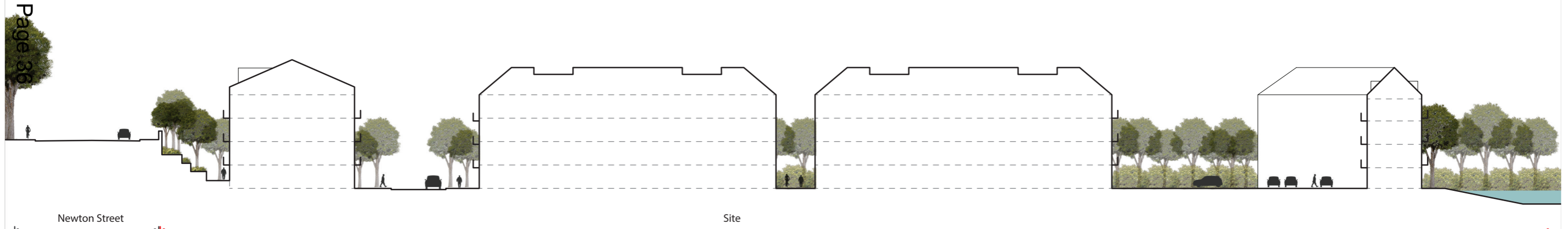
Section B-BB



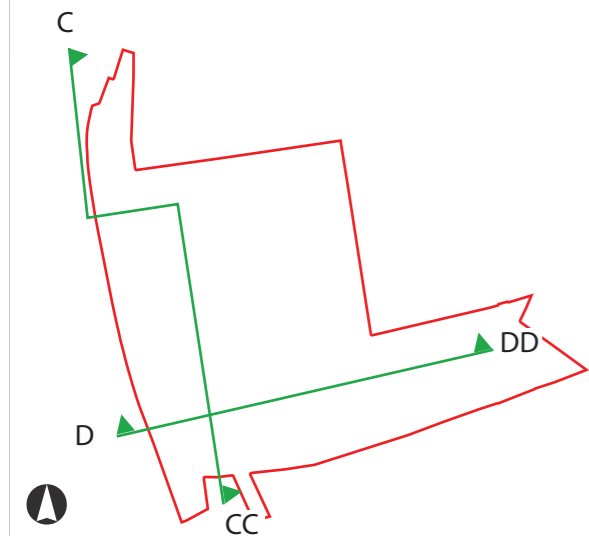
<p>Former Carrfield Mill, Hyde Illustrative Site Sections A & B</p>	<p>Drawing / Rev: 6821_SE(90)01 / - Reviewed / Drawn by: GP / TW Scale: 1:500@A3 Job: 6821</p>	
<p>0 40 m</p> <p><small>www.ibigroup.com</small></p>		



Section C-CC



Section D-DD



Former Carrfield Mill, Hyde
 Illustrative Site Sections C & D
 Drawing / Rev: 6821_SE(90)02 / -
 Reviewed / Drawn by: GP / TW
 Scale: 1:500@A3
 Job: 6821

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Application Number 16/01163/OUT

Proposal	Outline Application attached to 0.63Ha of land (some matters reserved) for proposed residential development including access from Cheshire Street
Site Location	Land off Egmont Street Mossley Ashton-Under-Lyne
Applicant	B & H Precision Tooling Ltd
Recommendation	Grant planning permission subject to conditions and prior signing of S106 legal agreement
Reason for report	A speakers panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

REPORT

1. APPLICATION DESCRIPTION

- 1.1 This application follows a previous planning permission granted under application reference 13/00169/OUT which has now lapsed. Whilst the current application is not an application to renew that consent it is effectively made on the same basis and the previous permission.
- 1.2 The application site measures 0.63ha and comprises land and buildings which are currently occupied by Palletman and B & H Precision Tooling, who are in the process of relocating to another premises in Reddish, Greater Manchester. The site lies between the Huddersfield Narrow Canal and the former railway embankment on Cheshire Street. It also includes the current access to Palletman from Cheshire Street and a small area of land, which is in unknown ownership, adjacent to B & H Precision Tooling.
- 1.3 At present B & H Precision Tooling occupy a number of buildings of different ages with access from Egmont Street. Access is via a track which adjoins the canal towpath. On the other side of the main factory building a narrow path separates it from a detached dwelling. The company is well established in Mossley and currently operates from this site and another on the Glover Industrial Estate on the opposite side of Egmont Street. Palletman presently occupies the narrow wedge of land to the south and is accessed via Cheshire Street. The access is also used as an informal right of way to the canal towpath by the general public.
- 1.4 The applicants have submitted an indicative layout which shows how the site could be redeveloped for housing. The application is in outline with only access included for consideration at this time. The applicants propose a single vehicle access from Egmont Street serving a possible 42 houses and apartments (32no. four storey 1 & 2 bed apartments; 9no. 3 & 4 bed town houses & 1no. 3 bed detached house). The proposed dwellings would be located between the canal and the proposed access road to maximise the canal side position. The existing access from Cheshire Street would be closed to vehicles, but the footpath link to the canal would be retained together with an emergency access.
- 1.5 The following documents have been submitted in support of the application;

Planning Statement with Design and Access Statement
Crime Impact Statement
Flood Risk Assessment

2 SITE & SURROUNDINGS

- 2.1 The application site is 0.68 hectares in area and is located to the south east of Egmont Street and to the west of Cheshire Street in Mossley.
- 2.2 The site is comprised of the grounds of the former Bottoms foundry and is now in use as by both an engineering and pallet business.
- 2.3 The site is within 400m of the nearest primary school, and 350m of the nearest doctors surgery.
- 2.4 The nearest bus stop to the site is 130m away on Egmont Street with a bus service running approximately every 20 minutes at peak times between Ashton and Oldham. The nearest railway station is at Mossley approximately 0.5km from the site which operates regular services providing links to Manchester, Ashton, Huddersfield, Wigan and Leeds. As such the site has good access to public transport and it is considered to be a sustainable location for residential development.

3. PLANNING HISTORY

- 3.1 16/00613/D106 - Application to modify Planning s106 agreement to remove obligation to re-locate B&H Precision tooling within Tameside. Approved 07/10/2016.

13/00169/OUT - Proposed Residential Development – Outline Permitted 14th January 2014

07/00050/OUT – Outline residential Development – Permitted 16th July 2008

06/00076/OUT - Proposed Residential Development – Refused 6th March 2006 due to loss of employment land contrary to Policy E3 and release of the site for housing would compromise opportunities for comprehensive redevelopment and could lead to conflict between residential and employment uses.

4. RELEVANT PLANNING POLICIES

- 4.1 Tameside Unitary Development Plan (UDP) Allocation
Established Employment Area / Unallocated

4.2 Tameside UDP

4.2.1 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
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 Part 2 Policies

- E3 Established Employment Areas
- H2: Unallocated Sites.
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T11: Travel Plans.
- C1: Townscape and Urban Form

N3 : Nature and Conservation Factors
N4: Trees and Woodland.
N5: Trees Within Development Sites.
N6: Protection and Enhancement of Waterside Areas
N7: Protected Species
MW11: Contaminated Land.
U3: Water Services for Developments
U4: Flood Prevention

4.3 Other Policies

- 4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
Residential Design Supplementary Planning Document
Employment Land Supplementary Planning Document
Developer Contributions Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.4 National Planning Policy Framework (NPPF)

- 4.4.1 Section 1 Building a Strong Competitive Economy
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring good design
Section 8 Promoting healthy communities

4.5 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 As part of the planning application process 34 notification letters were sent out to neighbouring properties on 7th March 2017 a notice was also posted at the site on 18th April 2017 and displayed in a local newspaper on 16th March 2016.

6. RESPONSES FROM CONSULTEES

- 6.1 United Utilities: No objection to the proposed development subject to conditions.
6.2 Greater Manchester Ecological Unit: No comments submitted
6.3 Environmental Health: No objections subject to conditions controlling hours of construction, provision of adequate facilities for storage and collection of waste / recycling and acoustic assessment and mitigating measures.
6.4 Highways: No objections subject to conditions.
6.5 Environment Agency: No objection subject to conditions.
6.6 Transport for Greater Manchester: No comments to make.
6.7 Canal and River Trust: No comments received
6.8 National Grid For Gas: No comments received
6.9 Police Architectural Design Officer: No comments received
6.10 Environmental Health Contaminated Land: No objections subject to conditions

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the original notifications no letters have been received from neighbours.

8. ASSESSMENT

- 8.1 The principal issues in determining this application are whether there has been any material change in circumstances since the granting of the previous application in January 2014 which would lead to a different decision being reached in this case.
- 8.2 In light of the above it will be considered whether there has been a material change in circumstances in respect of each of the following matters;
- Principle of Development and Loss of Employment Land
 - Layout, Design and Landscaping
 - Amenity
 - Highway Safety and Accessibility
 - Ground Conditions
 - Ecology
 - Drainage & Flood Risk
 - Planning Obligations

9. PRINCIPLE OF DEVELOPMENT AND LOSS OF EMPLOYMENT LAND

- 9.1 In policy terms the southern third of the site is shown on the UDP proposals map as falling within established employment area E3. Policy E3 establishes 4 criteria for the development of 'established employment areas' for residential or mixed use development and states that redevelopment of sites will not be permitted unless, after assessment of these factors, it is considered that the Borough's housing requirements and the regeneration benefits of the development outweigh the potential of the site in its present form for further employment use.
- 9.2 The principle of development was previously judged against policy E3 and it was accepted that the premises are not attractive to modern users.

Redevelopment of the site for employment purposes would be possible, but the awkward shape and access constraints limit its potential, hence why the applicants are vacating the site. These arguments were accepted as valid in the context of the previous application and there are not considered to be any policy or other changes in the intervening period that would indicate that a further consent should not be granted.

- 9.3 The principle of development is thus considered acceptable as it would deliver sustainable development.

10. LAYOUT, DESIGN AND LANDSCAPING

- 10.1 Whilst the layout of the site is a reserved matter the application is accompanied by an indicative drawing showing how the site could be laid out. This layout is the same as was previously accepted and shows a mixture of detached, and terraced dwellings together with flats fronting a single access road onto Egmont Street.
- 10.2 Existing trees are shown to be largely retained to the boundaries of the site and further benefits are likely to arise from the redevelopment of the site including the regeneration of the site and removal of unsightly and now dilapidated industrial

buildings. Redevelopment of the site would also provide an opportunity to secure a high quality frontage to the canal.

- 10.3 The indicative layout needs work to achieve a successful development and does not pick up on matters of details such as where bin storage would be located. Layout is, however, ultimately a reserved matter and it is clear from the submitted details that some form of residential development could be accommodated on this site and that nothing has changed that would make the development unacceptable under policies H7 and OL10.

11. AMENITY

- 11.1 In terms of amenity the layout and scale of the development are reserved matters, however the general impact of the development can be considered and some conclusions can be drawn from the indicative layout drawing provided.
- 11.2 The Council's Residential Design SPD sets out minimum distances between habitable rooms and blank walls of 21m and 14m respectively, these distance are moderated where steep slopes exist or where development is at an angle. The submitted indicative layout within the site complies with the requirements of the Residential Design SPD.
- 11.3 The site is in relative isolation from neighbouring dwellings, being situated between the embankment to the former railway and the Huddersfield narrow canal. The indicative drawing submitted shows a distance of approximately 21m from the nearest part of the proposed flats to the blank flank wall of the nearest neighbour at 60 Egmont Street, which would comply with the Council's residential design SPD. The site is relatively level and there is no indication that any changes in the existing site levels are proposed.
- 11.4 Officers are thus satisfied that the site is capable of accommodating residential development in a manner which would not be unduly detrimental to the amenities of occupants of neighbouring dwellings subject to conditions. This matter will, however, require further detailed consideration at reserved matters stage.

12. HIGHWAY SAFETY AND ACCESSIBILITY

- 12.1 The application is supported by a transport statement which sets out the sustainable transport options for the site and analyses the likely impact in terms of traffic generation.
- 12.2 As outlined above the application site is in a sustainable transport location with good access to local services as well as bus and rail services.
- 12.3 Vehicular access to the site will be taken off Egmont Road with emergency and pedestrian access off Cheshire Street.
- 12.4 As with the previous application no objections have been received from the Council's Highway Engineers subject to conditions.
- 12.5 Officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

13. GROUND CONDITIONS, NOISE AND RELATIONSHIP TO INDUSTRY

- 13.1 As with the previous application the Council's Environmental Health Contaminated Land officer has no objections to the development subject to standard contaminated land conditions.
- 13.2 The site is not in an area at risk from former coal workings and the development is acceptable in accordance with policy MW11: Contaminated Land.
- 13.3 The Council's environmental health officer has commented on the need to take into account noise from a wood recycling plant to the south in designing the scheme and a condition is suggested which would require a noise report and mitigation measures at reserved matters stage.

14. ECOLOGY

- 14.1 The application site is located alongside the Huddersfield Narrow Canal SSSI, but this conservation status and the value of the land have not changed since the time of the previous application.
- 14.2 Opportunities for biodiversity enhancement are limited but could be included in the proposed landscaped areas as well as incorporating wildlife friendly features such as bat boxes into the proposed buildings.
- 14.2 The proposals would not have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species.

15. DRAINAGE, FLOOD RISK

- 15.1 As at the time of the previous application the application site is located in Environment Agency flood zone 1, the area with the lowest probability of fluvial (river) flooding. As a major development proposal the application is accompanied by a flood risk assessment.
- 15.2 The submitted flood risk assessment identifies a low risk of surface water flooding from overland flows off Cheshire Street and Crownhill but anticipates this would flow over the proposed parking areas towards the canal as would occur at present. There is no record of historic sewer flooding or groundwater flooding.
- 15.3 Both the Environment Agency and United Utilities state they have no objection to the proposed development subject to conditions.
- 15.4 In the absence of any technical objection the proposal is considered to accord with policy U3.

16. DEVELOPER OBLIGATIONS

- 16.1 The previous consent was subject to a section 106 agreement which required the applicant to relocate the engineering business within Tameside and subject to a £30,000 contribution towards resurfacing the canal towpath adjacent to the development. No other contributions, including any contributions towards education or green open space were secured.
- 16.2 The requirement to relocate the engineering business within Tameside was removed from the obligation by agreement as they were unable to find suitable premises within Tameside. It is also questionable whether this obligation would have met the test of reasonableness within the CIL regulations.

16.3 A £30,000 contribution towards re – surfacing the canal towpath was secured on the previous consent at the request of the Canal and River Trust. Contributions of £25,537.26 towards Open Green Space and £30,978.77 towards Education will also be sought.

17. PLANNING BALANCE AND 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 Whilst part of the application site is designated for employment uses it has previously been accepted that its re – use for housing would be acceptable under the terms of policy E3 of the UDP.

17.3 The redevelopment of the site would bring about a number of benefits including;

- Re – use of a brownfield site
- Visual amenity improvements
- Contribution to housing need in the borough
- Short term employment
- Economic contributions by future occupants
- Opportunity to enhance the canal frontage

17.4 In terms of dis-benefits the development would involve some short term noise and disruption during construction but this is not unusual with new residential development.

17.5 On balance it is therefore considered that the benefits of the scheme clearly outweigh any dis-benefits and planning permission should therefore be granted.

RECOMMENDATION

To grant planning permission subject to;

- A) The prior signing of S106 legal agreement to secure contributions towards re – surfacing the canal towpath, Green Open Space and Education;
- B) the conditions set out below:-

1. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, and landscaping of the development.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. The approved plans are;

3134/01 – 1:1250 Site Location Plan
3134/03 – 1:500 site access plan

Reason: To define the permission

4. The plans and particulars to be submitted with the reserved matters shall include details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellings. Existing site levels are not to be lowered below 135.2m AOD. This measure will ensure that any raised water levels in the adjacent canal (caused by overflow from excess flows in the neighbouring River Tame during times of flood) will not in turn flood on to the application site. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

5. Development shall not commence until 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 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, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

6. Prior to the commencement of any development, a foul and 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 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 and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

7. The development shall not commence until details of the road works and traffic management measures necessary to secure satisfactory access to the site have been submitted to and approved in writing by the Local Planning Authority. The approved works and measures shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of highway safety

8. A clear view shall be provided at the junction of site access with Egmont St. Its area shall measure 2.4 metres along the centre of access road and 43 metres in each direction along the edge of the roadway in Egmont St. It must be kept clear of anything higher than 0.6 metres above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety

9. The gradient of driveways shall not be steeper than 1 in 15.

Reason: In the interests of highway safety

10. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works

Reason: In the interests of highway safety

11. An acoustic assessment carried out in accordance with BS4241 shall be submitted with any reserved matters application to assess the impact of industrial, commercial and traffic noise on the development, in line with the National Planning Policy Framework. Any remedial measures to address noise required by the Local Planning Authority in accordance with BS8233 shall be fully implemented and maintained thereafter.

Reason: To ensure adequate amenities for the occupants of the proposed development.

12. The development hereby approved shall not be brought into use unless and until adequate facilities for the storage and collection of refuse and recyclable materials have been physically provided in accordance with details having been previously

submitted to and approved in writing by the local planning authority. The approved scheme shall be retained thereafter.

Reason: To ensure the provision of adequate storage for waste and recycling facilities.

13. During demolition and 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 amenities of neighbouring and nearby residential dwellings.

14. No development shall commence until a comprehensive method statement for the prevention of any disturbance to the canal or to the canal banks has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the commencement of development.

Reason: In the interests of the protection of the water environment of the Huddersfield Narrow Canal.

15. Prior to the submission of Reserved Matters and the carrying out of any subsequent approved development, all trees within the site with a trunk diameter; measured over the bark at a point 1.5 mts above ground level; exceeding 75mm, shall be retained and protected unless otherwise directed by written approval of the Local Planning Authority.

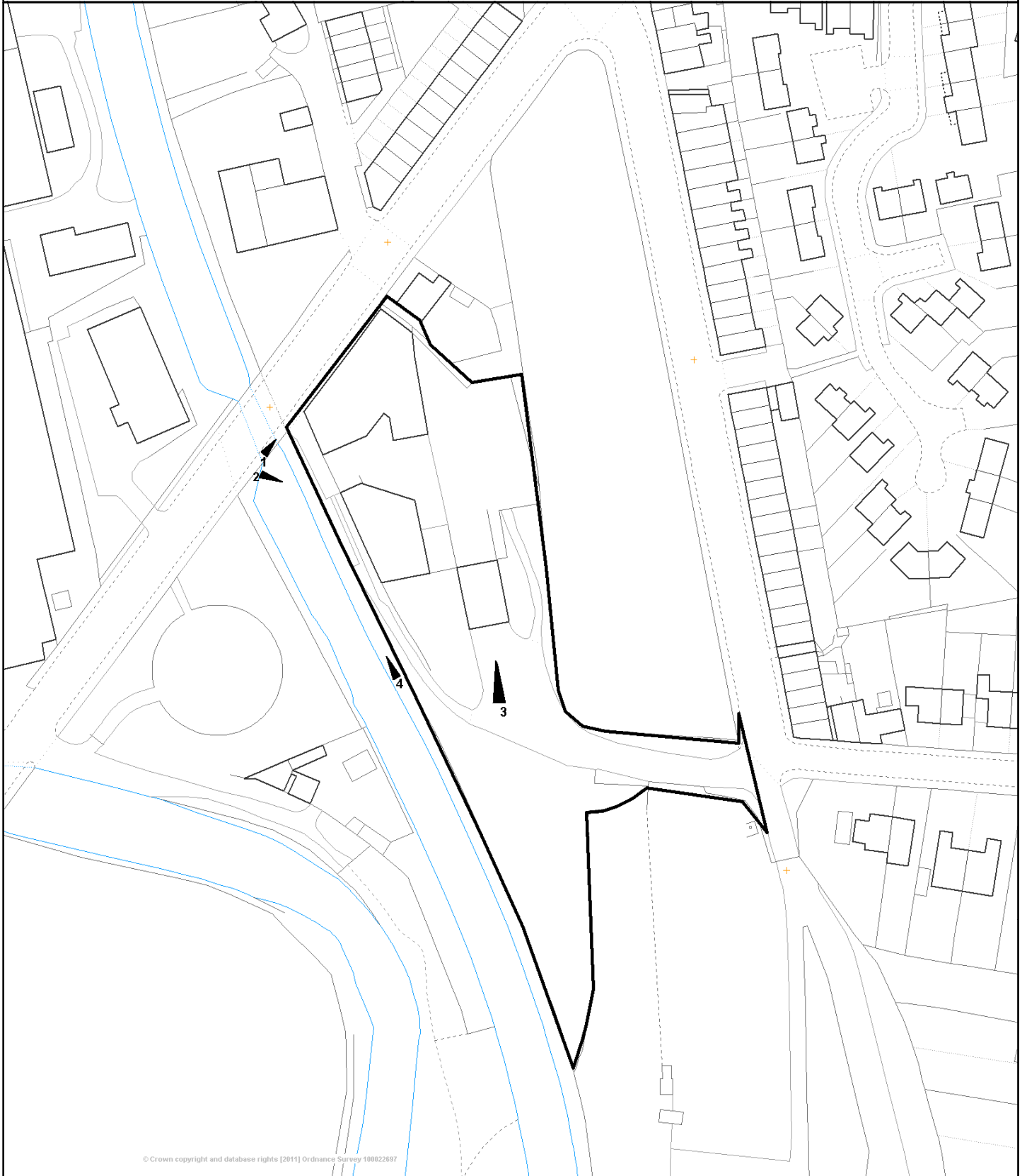
Reason: To safeguard trees

16. The application for approval of reserved matters shall make provision within the housing layout for a footpath connection from Cheshire Street to the Huddersfield Narrow Canal towing path.

Reason: In order to safeguard the existing well used pedestrian route between Cheshire Street and the canal for the amenity and convenience of local residents.

17. Prior to the commencement of development, full details of measures to protect the Huddersfield Narrow Canal from any risk of pollution or other adverse effects during demolition and construction shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details unless otherwise agreed in writing by the local planning authority.

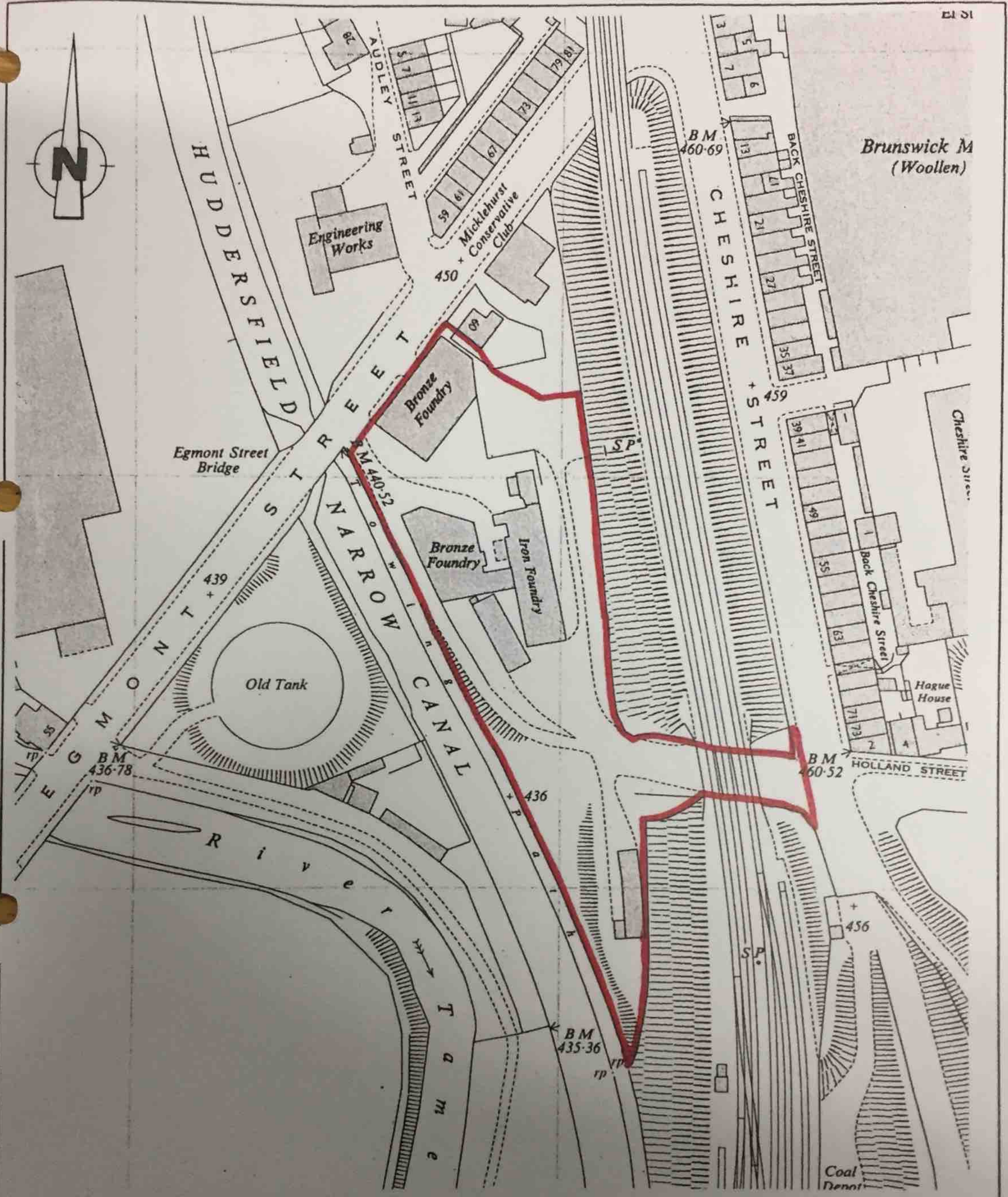
Reason: In the interests of the protection of the water environment of the Huddersfield Narrow Canal.



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Scale 1/1250 Date 12/6/2017

Centre = 397702 E 401768 N



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 Fax No. 0161 339 1509
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 E-Mail architecture@cordingleys.co.uk

Cordingleys

Scale 1 : 1250

Client **B&H PRECISION TOOLING & PALLET MAN.**

Project **Egmont Street / Cheshire Street,
Mossley,
Lancashire.
APPLICATION SITE PLAN.**

Drawn By **IMB.**
Checked By **SD.**

Date **Jan 2007.**
Drwg. No. **3134/01**

Application Number: 16/01126/OUT

Photo 1

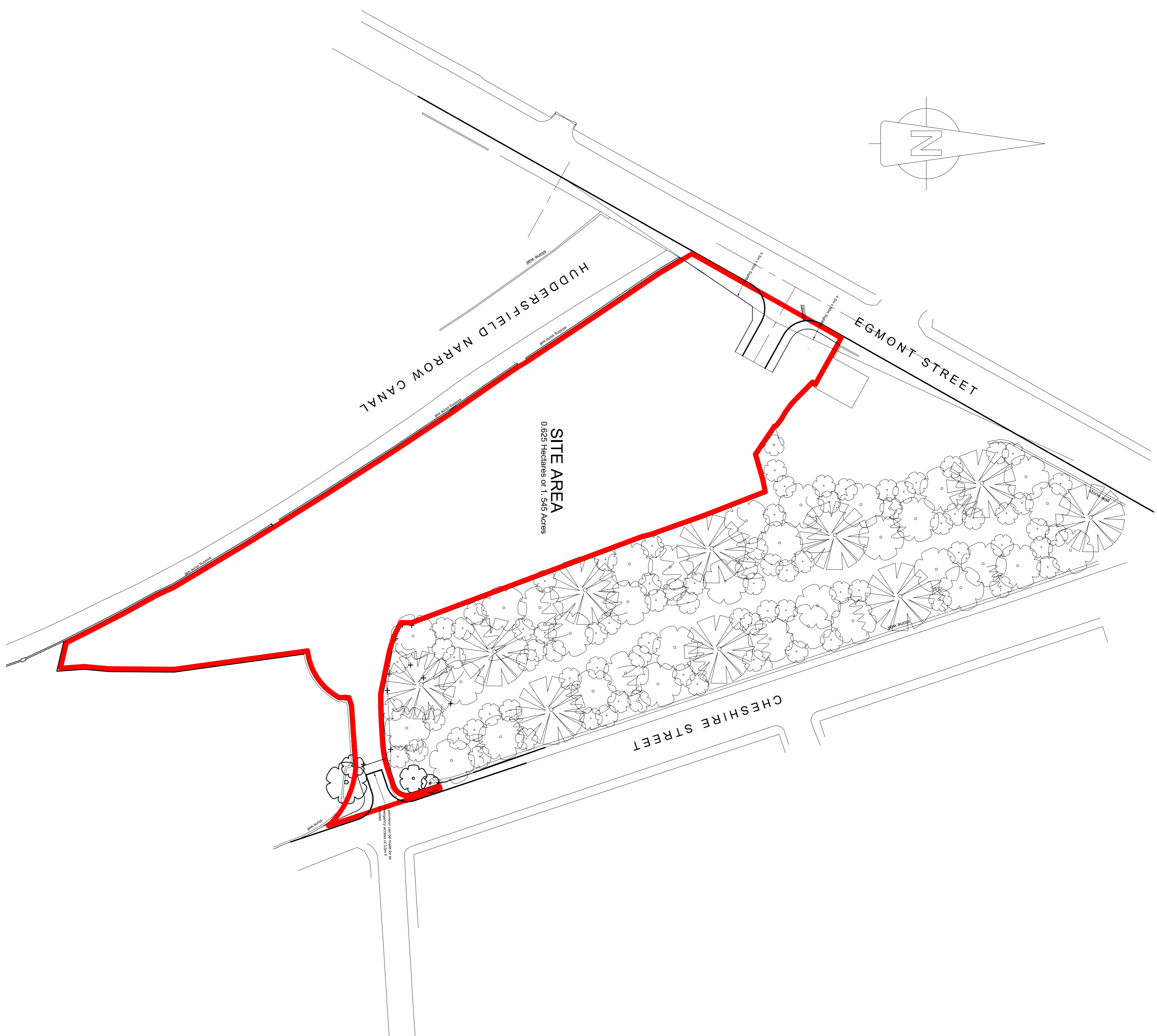


Photo 3

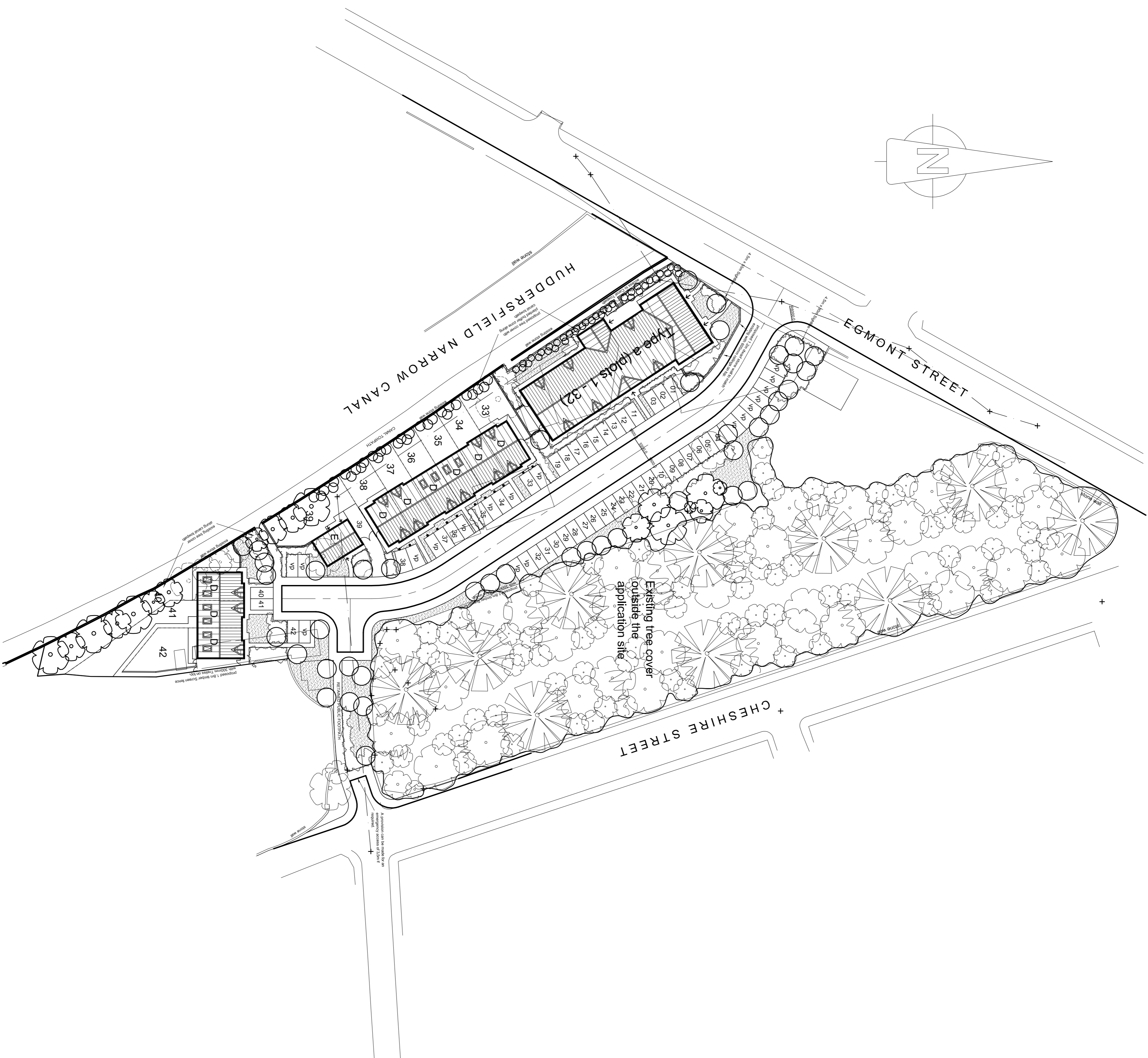


Photo 4





Revision	
Client B&H Precision Tooling & Palletman.	
Project Egmont Street / Cheshire Street, Mossley.	
PROPOSED SITE ACCESS.	
<p>Chartered Surveyors & Estate Agents Established 1788 48 Wellington Road Aston-under-Lyne OL5 6DQ</p>	
<p>Cordingleys Professional Services F: 0161 330 1200 E: info@cordingleys.co.uk www.cordingleys.co.uk</p>	
Drawn by JKA	Date Nov 2006
Checked by GH	
Scale 1 : 500 @ A1	Dwg. No. 3134/03



TYPE	
A	1 & 2 Bed Apartments (four storey)
D	3/4 Bed (dual aspect) Town Houses 2/2 Storey (room in the roof) 22 Sq.m. (950 Sq.ft)
E	3 Bed Detached house 59 Sq.m. (635 Sq.ft)

All types are indicative only and actual number will depend on developers designs and types.
Site Area : 0.625 Hectares or 1.545 Acres.

INDICATIVE SITE LAYOUT

Rev B - References to No. of units removed, Jan 2017.

Client
B&H Precision Tooling & Palletman.

Project
**Egmont Street / Cheshire Street,
Mossley.**

INDICATIVE SITE LAYOUT.

Chartered Surveyors
Cordingleys
48 Wellington Rd
Ashton-Under-Lyne OL6 8DD
Tel. No. 0161 330 0432
Fax No. 0161 339 1365
E-Mail: architecture@cordingleys.co.uk

Scale
1:500 @ A1

Drawn by: JGA Date: Nov 2006
Checked by: GH

Dwg. No. 3134/04B

Application Number 16/01126/OUT

Proposal	Outline planning application for the demolition of buildings and erection of up to 41 dwellings and 6 Live/Work units with associated car parking and access arrangements (to include re building of bridge over the River Tame)
Site Location	Scout Green Depot, 27 Manchester Road, Mossley, Tameside
Applicant	Scout Green Ltd
Recommendation	Grant planning permission subject to conditions and prior signing of S106 legal agreement

REPORT

1. APPLICATION DESCRIPTION

- 1.1 This planning application seeks outline permission for residential development with only access included for approval at this stage.
- 1.2 As the application is in outline all details of appearance, layout, scale and landscaping are reserved for later applications, however, an indicative layout drawing has been submitted with the application which shows 41 dwellings on the site together with 6 live / work units and access from the Manchester Road over the existing bridge.
- 1.3 The application site consists of a former Council Depot situated in a valley adjacent to the river Tame. Vehicular access is shown to use the existing access via the Manchester Road and over the existing bridge over the River Tame. Whilst submitted in outline the proposed scheme would necessitate to the re building of the bridge over the River Tame, details of the design of which would need to be submitted at reserved matters stage.
- 1.4 The following documents have been submitted in support of the application;

Arboricultural Survey Report
Contaminated Land Desk Study Risk Assessments
Ecological Site Audit & follow up surveys for bats, otters & voles
Flood Risk Assessment
Planning Statement
Noise Impact Assessment
Transport Statement

2. SITE & SURROUNDINGS

- a. The application site is 0.9 hectares in area and is located to the east of Manchester Road in Mossley. The River Tame traverses the site as does a public right of way.
- b. The site is comprised of the former Scout Green Council depot on which a number of buildings and significant areas of hardstanding remain. The site also includes land to the side and rear of existing houses fronting onto the Manchester Road and the access itself as well as a bridge over the River Tame.
- c. The site is within 800m of the Post Office, Mossley Convenience Store, Raja Bros convenience store and Mossley Medical Practice.
- d. Within 2km are a number of schools and colleges, such as Micklehurst All Saints

Primary School, Mossley Hollins High School, Livingstone Primary and Nursery School, St Georges C of E Primary School and Milton St Johns C of E Primary and Nursery School.

3. PLANNING HISTORY

3.1 None relevant

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation
Protected green space

4.2 Tameside UDP

4.2.1 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
1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 Part 2 Policies

H2: Unallocated Sites.
H7: Mixed Use and Density.
OL4: Protected Green Space.
OL10: Landscape Quality and Character
T1: Highway Improvement and Traffic Management.
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

4.3 Other Policies

4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
The Greater Manchester Joint Waste Development Plan Document April 2012
The Greater Manchester Joint Minerals Development Plan Document April 2013
Residential Design Supplementary Planning Document
Trees and Landscaping on Development Sites SPD adopted in March 2007.
Tameside Playing Pitch Strategy

4.4 National Planning Policy Framework (NPPF)

4.4.1 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

4.5 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 As part of the planning application process 5 notification letters were sent out to neighbouring properties on 31st January 2017 a notice was also posted at the site and displayed in a local newspaper on 9th February 2017.

6. RESPONSES FROM CONSULTEES

- 6.1 Arboricultural Officer: All the significant trees are located around the boundary and should not be affected by the outline proposals. The root protection zones of trees on the boundary should be protected to BS5837 during any development.
- 6.2 United Utilities: No objection to the proposed development subject to conditions requiring details of foul and surface water drainage are attached to any approval.
- 6.3 Greater Manchester Ecological Unit: Comments as follows;
No objections subject to conditions regarding discharge of surface water to the Huddersfield Narrow Canal, precautionary measures regarding mammals, tree protection, artificial lighting, invasive species and informatives regarding bats and biodiversity enhancement.
- 6.4 Highways: No objections subject to conditions, note that a s106 contribution will be required towards the future maintenance of the bridge.
- 6.5 Greater Manchester Police: Recommend a full crime impact statement is submitted.
- 6.6 Environmental Health: No objections subject to conditions to control hours of site works and to secure appropriate storage for bins.
- 6.7 Transport for Greater Manchester: Express concerns that the site is not particularly well served by public transport, suggest a condition requiring a Full Residential Travel Plan be attached to any planning consent.
- 6.8 Environment Agency: No objections subject to conditions in respect of drainage, flood risk and Environmental Management.
- 6.9 Transco: No response received.
- 6.10 Mossley Town / Parish Council:
The proposed development will adversely impact on an attractive natural area in the town which is highly valued by residents.
The number of units proposed and densities are excessive and will result in detriment to amenity.
In the event of any residential development being permitted on the site, it should be sustainable and sensitive to the site.
- 6.11 Natural England: No objections subject to conditions to secure a Construction Environmental Management Plan (CEMP) and water drainage plan.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 In response to the original notifications 2 representations have been received from 3 households 1 in objection and 1 in support.

The grounds given for objecting are:

- Site classed as Protected Green Space

The grounds given for supporting the application are:

To change the use of the land from commercial to residential gives me peace of mind as the land will not be used as a Builders yard or commercial vehicle parking area or some other commercial use which would disturb the peace and quite

8. ASSESSMENT

8.1 The principal issues in determining this application are:

- o Principle of Development and effect on protected Green Space
- o Layout, Design and Landscaping
- o Amenity
- o Highway Safety and Accessibility
- o Ground Conditions
- o Ecology
- o Trees
- o Drainage, Flood Risk
- o Minerals
- o Planning Obligations

9. PRINCIPLE OF DEVELOPMENT AND EFFECT ON PROTECTED GREEN SPACE

9.1 In policy terms the land is comprised of Protected Green Space. Whilst designated as protected green space the land is comprised of both previously developed land upon which the depot buildings stood. UDP policy H2 confirms that the Council will generally permit the redevelopment of previously developed land for residential use. In this case, the site is no longer in active use as a Council depot and currently lies vacant, and can therefore be deemed as previously developed and available.

9.2 Being allocated as protected green space, the site lies within a broader area of open space which broadly follows the River Tame and includes the King George fields beyond the site to the north.

9.3 Policy (OL4) seeks to retain areas of protected green space but does, however, allow for sites to be released for built development in light of certain considerations. One such consideration (d) is if it can be demonstrated, by means of a suitable supply and demand study taking account of possible future as well as current requirements, that the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation. This wording is broadly equivalent to the provision within paragraph 74 of the NPPF.

9.4 In the case of this site it has never been used as a playing field and the reasons for including it as protected green space are unclear. The Council has recently undertaken a Playing Pitch Strategy and Action Plan report which does not identify

the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+).

- 9.5 The Council's playing pitch strategy also confirms that the site is no longer required and as the site does not appear to have ever accommodated a formal pitch and in any event has been disused for over 5 years no consultation with Sport England is required or indeed appropriate.
- 9.6 As such the proposal is considered acceptable in terms of Policy OL4 and with the NPPF (Section 8).

10. LAYOUT, DESIGN AND LANDSCAPING

- 10.1 Whilst the layout of the site is a reserved matter the application is accompanied by an indicative drawing showing how the site could be laid out. The layout shows a mixture of semi – detached and terraced dwellings fronting a central 'circular' access road with a small row of 3 dwellings fronting the Manchester Road.
- 10.2 The overall density of development is approximately 52 units per hectare, whilst this is a dense form of development it is noted that the development sits within the valley and that thick tree belts already exist outside of the site which would screen views from the all sides.
- 10.3 Further benefits are likely to arise from the redevelopment of the site including the regeneration of the site and removal of existing dilapidated buildings, redevelopment of the site could also provide an opportunity to secure a high quality frontage to the canal.
- 10.4 Ultimately to be considered as a reserved matter, officers are satisfied the indicative layout successfully demonstrates that up to houses could be accommodated on this site and that policies H7 and OL10 can be satisfied.

11. AMENITY

- 11.1 In terms of amenity the layout and scale of the development are reserved matters, however, the general impact of the development can be considered and some conclusions can be drawn from the indicative layout drawing provided.
- 11.2 The Council's Residential Design SPD sets out minimum distances between habitable rooms and blank walls of 21m and 14m respectively, these distance are moderated where steep slopes exist or where development is at an angle. The submitted indicative layout within the site complies with the requirements of the Residential Design SPD.
- 11.3 The submitted indicative layout does not show any breaches of the above standards in respect of neighbouring dwellings and whilst the distance between some of the dwellings on the indicative plans is below these standards this is confined within the site and can be optimised at reserved matters stage.
- 11.4 Officers are thus satisfied that the site is capable of accommodating residential development in a manner which would not be unduly detrimental to the amenities of occupants of neighbouring dwellings subject to conditions. This matter will, however, require further detailed consideration at reserved matters stage.

12. HIGHWAY SAFETY AND ACCESSIBILITY

- 12.1 The application is supported by a transport statement which sets out the sustainable transport options for the site and analyses the likely impact in terms of traffic generation.
- 12.2 As outlined above the application site is in a sustainable location with good access to local services.
- 12.3 Vehicular access to the site will continue to be taken off Manchester Road via the existing access arrangements which previously served much larger Council vehicles. It is proposed to replace the bridge as part of the proposals, however, the detailed design of the bridge is not included in this application and would need to form part of any reserved matters application. The footpath which runs through the site alongside the River Tame would be unaffected.
- 12.4 The use of the existing access allows for 2 groups of trees either side of the access to be retained as part of the proposals.
- 12.5 As a Council depot the previous use would have generated vehicle movements, a fact reflected in the submitted transport statement (TS). Whilst the proposed use would result in increased vehicle movements in the morning peak and evening peak from 4 movements in the AM peak and 3 in the PM peak to 27 and 25 respectively there is no evidence to suggest that this increase in vehicle movements is likely to put any of the nearby affected junctions over capacity and there is thus no evidence to suggest that the proposal would result in a 'severe' impact that would indicate that development should be refused.
- 12.6 Whilst TFGM refer to the site as not being in a sustainable transport location it is within easy walking and cycling distance of shops, doctors, schools, bus stops and a train station and officers do not agree that the site is not in a sustainable location. The suggestion from TFGM that a sustainable travel plan is needed is not considered reasonable for a relatively small scale scheme of 41 dwellings.
- 12.7 The Council's Highways Engineer does not object to the proposals and officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

13. GROUND CONDITIONS

- 13.1 The application is supported by a contaminated land risk assessment which identifies that there is made up ground in the vicinity from former landfill activities and may be at risk from ground (landfill) gas but that there is no requirement for protection from radon gas. There is also reference to the former industrial uses of the site and surrounding area including its last use a Council depot. The report concludes that there is a moderate risk arising from contamination of the site and that a phase 2 ground investigation is required to determine the extent of contamination and identify appropriate mitigation measures.
- 13.2 Comments from the Council's Contaminated Land officer are awaited, however, the EA have not objected to the proposals on the basis of contamination subject to conditions.
- 13.3 The site is not in an area at risk from former coal workings and subject to conditions any likely contamination of the ground does not appear to be a constraint on development. The proposal is therefore considered acceptable in accordance with policy MW11: Contaminated Land.

14. ECOLOGY

- 14.1 The application site is located in a heavily wooded area between the Huddersfield Canal SSSI to the immediate south east of the site and the River Tame to the west. Mossley SBI is located 20m to the west of the site.
- 14.2 The application is accompanied by a baseline ecology audit including phase 1 habitat survey and follow up surveys in respect of otters, bats and voles. The submitted ecological reports do not consider that the proposal is likely to have a significant effect on the Mossley SBI.
- 14.3 The site is assessed as having low potential for otters, bats and water vole and these species do not pose a constraint on development.
- 14.3 Further to comments from GMEU regarding the potential for bats within the bridge that accesses the site further bats surveys have been undertaken which confirm that bats are not present in the bridge. GMEU have no objections to the proposals subject to conditions and informatives. Natural England have also been consulted and have no objections subject to conditions which secure a construction environment management plan and details of surface water drainage.
- 14.4 Subject to conditions the proposal is considered to have acceptable ecological impacts and is compliant with UDP policy N7 and section 11 of the NPPF.

15. TREES

- 15.1 The application site has a number of trees of varying maturity predominantly located to the perimeter of the site, however, these are not proposed to be removed and are not considered to be a constraint upon development.
- 15.2 The tree survey revealed a total of 40 items (29 individual trees and 11 groups of trees). Of these, 2 trees were identified as retention category 'A', 20 trees and 7 groups were identified as retention category 'B', 6 trees and 3 groups as retention category 'C' and 1 trees and 1 group as category 'U'.
- 15.3 The Council's tree officer has been consulted and has no objections to the proposals stating that all the significant trees are located around the boundary and should not be affected by the outline proposals. It is thus considered that the development accords with the requirements of policies N4 and N5.

16. DRAINAGE, FLOOD RISK

- 16.1 With the exception of a small area to the north west corner which is flood zone 2 the application site is located in Environment Agency flood zone 1, the area with the lowest probability of fluvial (river) flooding. The application is accompanied by a flood risk assessment. The inclusion of an area of flood zone 2 within the site would ordinarily require the submission of a sequential test report to demonstrate that there are no other reasonably available areas at a lower risk of flood which could bring forward the proposed development. In the case of this application the applicant removed the part of the site within flood zone 2 from the developable area.
- 16.2 The submitted flood risk assessment identifies a high risk of surface water flooding with an overland flow path to the River Tame crossing the site. Due to levels on site flow is anticipated to dissipate into the River Tame and it is not anticipated that a significant depth of surface flooding could develop and any risk of accumulation could be mitigated for when the site is re-graded for development. Conditions are attached which require details of a surface water drainage strategy to be agreed.

16.3 United Utilities state they have no objection to the proposed development subject to conditions requiring details of foul and surface water drainage and there is no record of sewer flooding on the site.

16.4 In the absence of any technical objection the proposal is considered to accord with policy U3.

17. DEVELOPER OBLIGATIONS

17.1 The development exceeds the thresholds to trigger a requirement for S106 contributions towards Education of £38,157.24 to £56,933.21 depending upon the final format of the development & number of units.

17.2 Education have confirmed that the sum requested would be used towards an extension to St George's Church of England Primary School in Mossley to accommodate additional pupils.

17.3 Highways have also confirmed that a s106 agreement will be required in respect of the construction and maintenance of the access to the site, right turn facilities and the proposed replacement and on going maintenance of the bridge.

17.4 The development would also trigger a requirement for a contribution towards off site public open space of between £38,157.24 to £56,933.21. The Council's Greenspace Development Manager has confirmed the contributions would be required towards improvements to Egmont Street link path and infrastructure through Scout Green, replacement of teen play kit at Egmont Street Playing Fields and associated safety surfacing together with replacement of junior play kit at Egmont Street Playing Fields and associated safety surfacing.

18. PLANNING BALANCE AND CONCLUSION

18.1 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.

18.2 The application site does not have a particular designation for residential use and as such a decision as to whether or not it is suitable for development must be made balancing the social, economic and environmental benefits and dis-benefits of the proposal.

18.3 The redevelopment of the site would bring about a number of benefits including;

- Re – use of a redundant site
- Visual amenity improvements
- Contribution to housing need in the borough
- Short term employment
- Economic contributions by future occupants

18.4 In terms of dis-benefits the development would involve some short term noise and disruption during construction and a small increase to traffic using the junction with the Manchester Road and local roads generally.

- 18.5 On balance it is therefore considered that the benefits of the scheme clearly outweigh any dis-benefits and planning permission should therefore be granted.

RECOMMENDATION

That the application approved subject to completion of;

- A) Prior signing of a S106 Agreement to secure contributions to Education, Public Open Space and off Site highway works / contributions towards the ongoing maintenance of the bridge.

- B) Subject to the conditions set out below:-

1. Application for approval of reserved matters must be made not later than the expiry of three years beginning with the date of this permission and the development must be begun not later than the expiry of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any development is commenced approval shall first be obtained from the local planning authority with respect to the reserved matters, namely the layout, scale, appearance, and landscaping of the development.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

3. The plans and particulars to be submitted with the reserved matters shall include full details of both hard and soft landscape works, inclusive of existing vegetation cover and ancillary built structures. These details shall include:-

a) hard - existing and proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures [eg: furniture, play equipment, refuse or other storage units, signs, lighting etc], proposed and existing functional services above and below ground [eg; drainage, power, communications cables, pipelines etc indicating lines, manholes, supports etc];

b) soft - planting plans, written specifications [including cultivation and other operations associated with plant and grass establishment], schedule of plants [noting species, plant sizes and proposed numbers/densities where appropriate], implementation programme).

Reason: To safeguard the appearance of the area

4. The plans and particulars to be submitted with the reserved matters shall include details of the existing and proposed ground levels for the whole site, and the proposed finished floor levels of the dwellings.

Reason: To safeguard the character and appearance of the area

5. The development hereby permitted shall be carried out in accordance with the following approved plans, drawing ref: 353-201-P-B 'Site Plan' in so far as it relates to the location of the site, the developable area and the access only.

Reason: To Define the Permission

6. Development shall not commence until 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 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, unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard human health as parts of the site may be contaminated. This information is required prior to commencement to ensure any contamination is properly dealt with.

7. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways

8. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site as shown on the 'tree constraints plan at Appendix 6 of the submitted arboricultural report have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard Trees in the interests of amenity and biodiversity.

9. The development hereby permitted shall not be commenced until such time as a detailed scheme to treat and dispose of foul water and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. Where infiltration techniques are to be used for surface water disposal, if land contamination is encountered there may be a requirement for appropriate levels of treatment to be applied. The site surface may need to be impermeable and there may need to be a suitable series of treatment such as an appropriate class of interceptor to prevent the pollution of groundwater.

Reason: To ensure there are no unacceptable discharges to ground or surface waters. There should be no infiltration of surface water on contaminated land.

10. The development shall not commence until details of the wheel cleaning facilities, temporary access, vehicle parking and turning facilities to be provided during the construction period, has been submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented and retained in operation through the duration of the building works.

Reason: In the interests of highway safety. Details are required prior to commencement to ensure the provision of adequate facilities to undertake the development and to prevent loose material from being deposited on the highway during the demolition / construction phase.

11. Prior to commencement of work on site, the proposed car parking provision shall be submitted to and approved in writing by the LPA. The car parking spaces shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and available for their intended purposes. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.

Reason: To ensure the provision of adequate car parking within the development. This information is required prior to commencement to ensure that parking is effectively incorporated into the development.

13. No part of the development be illuminated by any artificial means until details of a lighting scheme to provide street lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of the character and appearance of the area and to safeguard wildlife from excessive illumination.

14. During demolition and 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 amenities of nearby residential dwellings.

15. The development hereby approved shall not be occupied until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.

Reason: In the interests of Highway safety

16. The parts of the site to be used by vehicles shall be constructed, drained and surfaced in a manner having been previously submitted to and agreed by the Local Planning Authority. These areas shall be used for the approved purpose only.

Reason: In the interests of highway safety to minimise the number of standing and turning vehicles on adjoining roads.

17. A clear view shall be provided at the junction of the new site access with Manchester Rd. Its area shall measure 2.4 metres along the centre of the access road and 59 metres in each direction along the edge of the carriageway in Manchester Rd. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of Highway Safety to allow users of site access road and Manchester Rd to see each other approaching.

18. The gradient of driveways shall not be steeper than 1 in 15.

Reason: In the interests of highway safety

19. A clear view shall be provided on both sides of any driveway or vehicular access it meets the back of footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the back of footway. It must be clear of anything higher than 600mm above the access, except for vertical iron railings to a design that includes rails of not greater than 15mm diameter spaced at not less than 100mm intervals.

Reason: In the interests of Highway safety to allow users of driveways and highway to see each other approaching.

20. The development hereby approved shall not be occupied/brought in to use until the road works and traffic management measures necessary to secure satisfactory access to the site have been completed in accordance with details having been agreed in writing previously with the local planning authority.

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

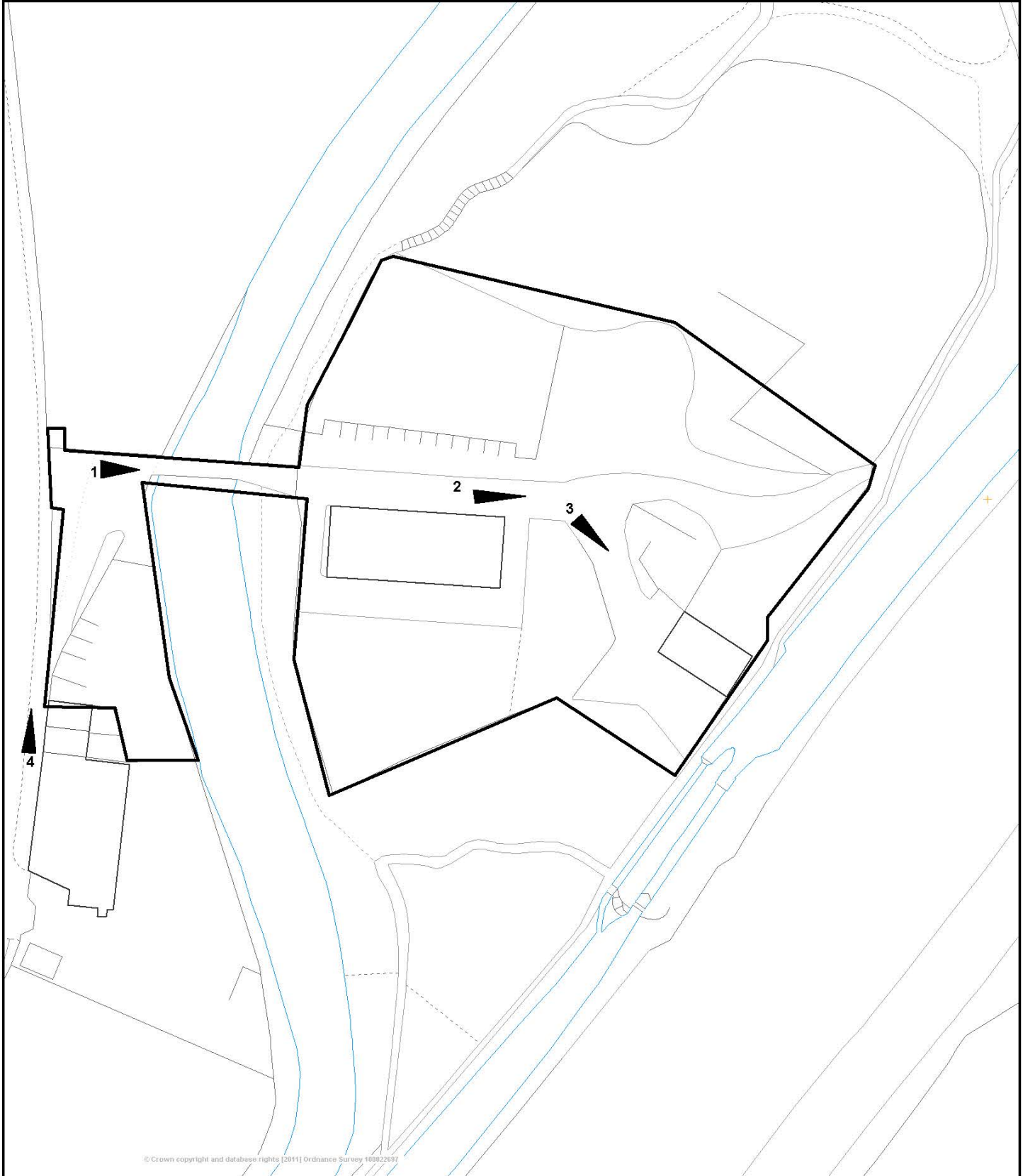
21. The Part of the site within EA flood zone 2 shall not form part of the developable area and shall be left as an open green space / amenity area only.

Reason: To safeguard against flooding.

22. No development shall be commenced unless and until a Construction Environmental Management Plan (CEMP) setting out a variety of control measures for managing the potential environmental effects of construction works on the adjacent designated site, including control and management of dust, surface water runoff, waste and pollution control has been submitted to and approved in writing by the Local Planning Authority for approval. The development shall thereafter take place in accordance with the approved details.

Reason: To safeguard features of ecological interest including the adjacent Huddersfield Narrow Canal

Planning Application



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Scale 1/1000 Date 12/6/2017

Centre = 397525 E 401320 N

Application Number: 16/01126/OUT

Photo 1



Photo 2

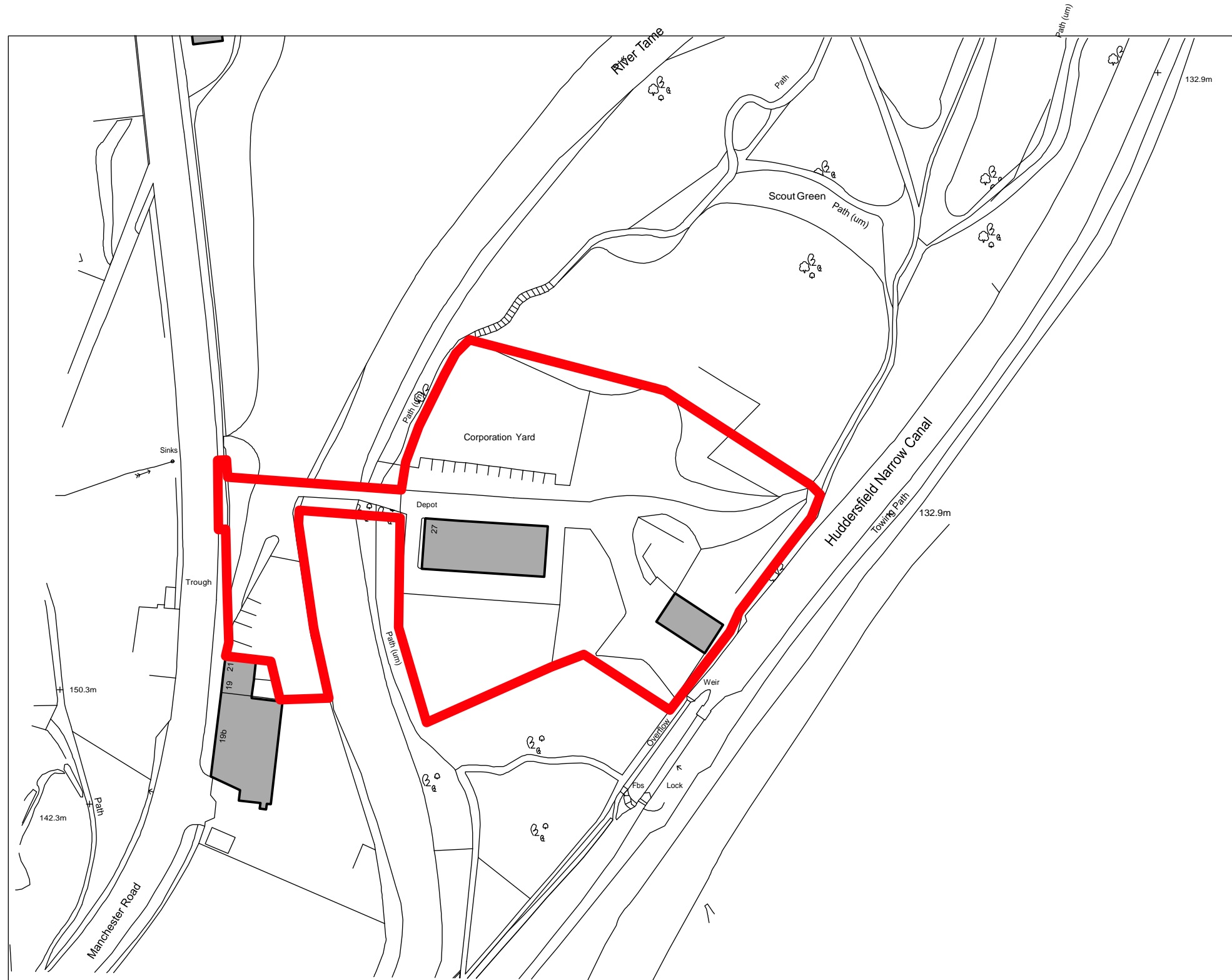


Photo 3



Photo 4





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Status Key
 S: Survey
 F: Feasibility
 P: Planning
 D: Detailed Detail
 T: Tender
 C: Construction
 B: As Built

Rev.	Date:	By:	Note:

architecture:m

RIBA

a: 3rd Floor
 26-28 Hilton House
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t: +44 [0] 161 237 3324
 e: mail@architecturem.co.uk

p: **Manchester Road, Mo**
 d: **Site Plan**



d: 23.04.14
 s: 1:1250@a3
 db: MP

n: project: drawing: status: rev:
353 • 01 • P • -

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 Status Key
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Rev:	Date:	By:	Note:
A	23.03.15	AEK	Site 2 design added. New house type added.

House Type	No. of bedrooms	No. of houses
A	3	19
B	4	9
C	5	16
Total		44

 Site of Ownership
 Site of Development

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 26-28 Hilton House
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**Manchester Road
 Proposed Site Plan**

d: 23.03.15
 s: 1:500@a3
 db: AEK

n: project: drawing: status: rev:
353 • 201 • P • B



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Application Number 17/00266/FUL

Proposal	29 dwelling houses with associated car parking, access, internal roads, private gardens, public open space and landscaping.
Site Location	Wharf Mill, Dukinfield Road, Hyde
Applicant	Bellway Homes Ltd & Toray Textiles Europe Ltd
Recommendation	Grant planning permission subject to conditions and prior signing of S106 legal agreement
Reason for report	A speakers panel decision is required because the application proposes a major development, as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015.

REPORT

1. APPLICATION DESCRIPTION

- 1.1 This application seeks full planning consent to redevelop part of the former site of Wharf Mill. The former mill buildings have been demolished and the site has been cleared, the area to the south of the site is being developed for housing.
- 1.2 The application site measures 0.91ha in area and is broadly rectangular in shape.
- 1.3 The land has been vacant for a number of years and constitutes previously developed (brownfield) land.
- 1.4 The applicants have submitted full details of how they intend to develop the site, which would be accessed through the existing housing development to the south which has its own junction onto Dukinfield Road. The submitted site plan shows 29 dwellings comprised of a mix of detached 4 bed, semi detached and terraced 3 bed houses.
- 1.5 The following documents have been submitted in support of the application;

Application forms and certificates
Detailed scheme drawings including planning layout with mine shaft locations shown in relation to proposed dwellings.
This Planning Statement
Design and Access Statement
Ecological Appraisal and update
Crime Impact Statement, prepared
Flood Risk Assessment and Drainage Strategy
Phase I and Phase II Geo-Environmental Site Assessment
Remediation & Enabling Works Strategy
Ground Gas Addendum Report
Environmental Noise Study
Air Quality Assessment
Transport Statement
Arboricultural Impact Assessment

2 SITE & SURROUNDINGS

- 2.5 The application site is 0.9 hectares in area and is located to the east of Dukinfield Road approximately 500m north of the centre of Hyde.
- 2.6 The site is comprised of the grounds of the former Wharf Mill and now lies vacant

with the buildings having been demolished. Ongoing residential development is present to the south of the site.

- 2.7 The site is within 650m of the nearest primary school, and 800m of the nearest doctors surgery.
- 2.8 The nearest bus stop to the site is immediately outside of the site approximately 250m from the centre of the development. Services run 6 times an hour during peak times to Ashton, Dukinfield, Hyde and Stockport. A further bus service runs from the nearby Newton Street with 3 bus services running every hour at peak times to Ashton, Stalybridge, Hyde and Oldham. The nearest railway stations are located at Hyde (Central) and Flowery Fields both located approximately 0.7km from the site and which operate regular services providing links to Manchester Piccadilly, Rose Hill, Marple and Hadfield. As such the site has good access to public transport and it is considered to be a sustainable location for residential development.

3. PLANNING HISTORY

- 3.1 09/00002/OUT, demolition of the existing premises on the site, and erection of a mixed residential and employment development. Refused April 2009 for the following reason:

“The proposed development introduces without adequate justification a non-employment use on a site designated as an Established Employment Area which is contrary to both Policy E3 of the Unitary Development Plan and also the Employment Land Supplementary Development Document.

A subsequent appeal was dismissed

09/01070/OUT, demolition of the existing premises on the site, and erection of a mixed residential and employment development (resubmission of 09/00002/OUT). Approved subject to a section 106 agreement requiring a bond to be paid to the Council prior to the occupation of any residential units or the completion of two industrial units on the site together with contributions towards education and open space.

15/00631/FUL, hybrid application was submitted seeking full planning permission for the erection of 66 no. dwellings with associated car parking, access, internal roads and landscaped open space on the central and southern part of the site, and outline planning permission for employment uses (Use Classes B1/B2/B8) with all matters reserved, except for access on the northern part of the site. Permitted October 2015 subject to a S106 Agreement which secured financial contributions towards the off-site provision of open space and educational facilities. It also required the provision of 6,000 sq ft (c. 557 sq m) of commercial floorspace on the northern part of the site, or the payment of a financial bond, prior to the occupation of the first residential dwelling on the site. The bond was paid to TMBC by TTEL on 20 January 2017.

4. RELEVANT PLANNING POLICIES

- 4.1 Tameside Unitary Development Plan (UDP) Allocation
Established Employment Area / Unallocated

4.2 Tameside UDP

4.2.1 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
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.2.2 **Part 2 Policies**

- E3 Established Employment Areas
- H2: Unallocated Sites.
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T11: Travel Plans.
- C1: Townscape and Urban Form
- N3 : Nature and Conservation Factors
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land.
- U3: Water Services for Developments
- U4: Flood Prevention

4.3 **Other Policies**

- 4.3.1 Greater Manchester Spatial Framework – Publication Draft October 2016
- The Greater Manchester Joint Waste Development Plan Document April 2012
- The Greater Manchester Joint Minerals Development Plan Document April 2013
- Residential Design Supplementary Planning Document
- Employment Land Supplementary Planning Document
- Developer Contributions Supplementary Planning Document
- Trees and Landscaping on Development Sites SPD adopted in March 2007.

4.4 **National Planning Policy Framework (NPPF)**

- 4.4.1 Section 1 Building a Strong Competitive Economy
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 8 Promoting healthy communities

4.5 **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 As part of the planning application process 18 notification letters were sent out to neighbouring properties on 25th April 2017 a notice was also posted at the site and displayed in a local newspaper on 27th April 2017.

6. **RESPONSES FROM CONSULTEES**

- 6.1 Greater Manchester Ecological Unit: The application site is not of substantive ecological value. No objections to the above application on nature conservation grounds.

Site is adjacent to the Peak Forest Canal Site of Biological importance (SBI). The Canal has been designated because it supports important populations of aquatic plants. Appropriate precautions should be taken throughout the course of any approved construction period to ensure that the pollution of the Canal waters is prevented to avoid any harm to aquatic plants.

Recommend that a Construction Method Statement prepared for the site should include details of measures to be taken to avoid the risk of polluting the Canal.

- 6.2 Environmental Health: Any comments to be reported verbally
- 6.3 Highways: No objections subject to conditions
- 6.4 Coal Authority: The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.
- 6.5 Police Architectural Design Officer: No response received
- 6.6 Environmental Health Contaminated Land: No objections subject to conditions
- 6.7 Sustainable Travel Officer: Footpath HYD/6 runs along the northern boundary of this site and along what looks like it may form an emergency access into the housing site. It will need to be considered during the planning decisions

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 In response to the original notifications no representations have been received from neighbours.

8. ASSESSMENT

- 8.1 The principal issues in determining this application are;
 - o Principle of Development and Loss of Employment Land
 - o Layout, Design and Landscaping
 - o Amenity
 - o Highway Safety and Accessibility
 - o Ground Conditions
 - o Ecology
 - o Drainage & Flood Risk
 - o Planning Obligations

9. PRINCIPLE OF DEVELOPMENT AND LOSS OF EMPLOYMENT LAND

- 9.1 In policy terms the site is shown on the UDP proposals map as falling within an established employment area E3. Policy E3 establishes 4 criteria against which proposals for the development of 'established employment areas' for residential or mixed use development must be considered;

(a) the quantity and type of employment sites and premises available in the area,
(b) evidence of demand for employment sites and premises in the area,
(c) the suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses,
(d) the opportunity which may be presented for new forms of employment as part of a mixed use scheme.

Policy E3 states that redevelopment of sites will not be permitted unless, after assessment of these factors, it is considered that the Borough's housing requirements and the regeneration benefits of the development outweigh the potential of the site in its present form for further employment use.

- 9.2 The applicant contends that policy E3 is 'significantly out of date', this is not accepted by officers as E3 has saved status and the NPPF is clear that policies within local plans which were adopted before the publication of the NPPF can be given weight according to their degree of conformity with national policy. Many of the sites covered by E3 have been subject to review and the need to maximise the delivery of housing on brownfield sites within the urban area of the Borough has led the Council to include the site as a potential housing site rather than an employment site within the 2016 Housing and Employment Land Supply Updates. It is considered that beyond those sites that are now in the identified Housing Supply, the weight to be given to the remaining employment supply and all other Policy E3 Established Employment Areas should be significant, however, it is acknowledged that the Council has already recognised the potential of the site subject of this application for housing development.
- 9.3 The applicants have undertaken significant marketing of the site for employment purposes but this had resulted in no offers or even serious interest in the site from potential occupiers or developers. The site is also physically constrained with the only available site access between two end of terrace properties, 53 and 55 Duckinfield Road, being a particular constraint. Although inclusion in the land supply update does not imply any certainty that planning permission will be granted.
- 9.5 In considering the above factors in relation to Policy E3 the marketing demonstrate that there is no demand for the site for employment development. Given the presence of other nearby residential development to the south and the constrained access to the site it is considered that employment development of the site is unlikely to be forthcoming and the proposal is acceptable under the terms of Policy E3.
- 9.6 UDP policy H2 confirms that the Council will generally permit the redevelopment of previously developed land for residential use. It is clear that there would be further material benefits from the proposal in terms of redeveloping a brownfield site and boosting the supply of housing.

10. LAYOUT, DESIGN AND LANDSCAPING

- 10.1 The submitted layout drawing shows the development laid out with an 'L' shaped access road as a continuation of the existing access to phase 1 of the development to the south. A significant area of green open space (0.13ha) is proposed adjacent to the boundary with the housing development to the south in an area where several mine shafts are present.
- 10.2 A number of mature trees are shown in a group to the north eastern corner of the site, however, these were not the subject of a tree preservation order and the site has been cleared and these trees have been removed.
- 10.3 A landscaping scheme has been submitted which shows the planting of replacement trees within the site boundaries and this can be conditioned as part of any approval.
- 10.4 Subject to conditions to require appropriate landscaping to be carried out the proposal is considered acceptable under policies H7 and OL10.

11. AMENITY

- 11.1 The Council's Residential Design SPD sets out minimum distances between habitable rooms and blank walls of 21m and 14m respectively, these distances are moderated where steep slopes exist or where development is at an angle and is reduced from 14m to 21m across street frontages.
- 11.2 The layout of the site is severely constrained by the presence of mine shafts within the site and flanks a construction site on the southern side where a previously permitted scheme is being built out.
- 11.3 The scheme is broadly compliant with the Council's Residential Design SPD with two exceptions. The first is where the rear facing principal windows to the neighbouring property at 49 Duckinfield Road would face the flanking two storey side wall of the dwelling proposed on plot 28 at a distance of 11.15m where the SPD calls for 14m. As the level of plot 28 would be set approximately 2m lower than 49 Duckinfield Road this neighbour would effectively flank plot 28 as if it were a single storey structure where a distance of 10m can be considered appropriate. As such it is considered that the proposed development would not have an unacceptable impact upon the amenities of the neighbouring property such as to warrant refusal of the scheme.
- 11.4 The second breach relates to the distance between the rear of plot 4 and the 2 storey side flanking wall of plot 6 which is at a distance of approximately 11.75m where the SPD recommends 14m. Whilst this is short of the recommended distance by 2.25m this situation would not lead to particular harm to the amenities of either plot and is not considered to be grounds on which to resist the application.
- 11.5 As such the proposal is considered acceptable in terms of its impact upon the amenities of the occupants of the proposed and neighbouring dwellings and thus complies with UDP policy H10.

12. HIGHWAY SAFETY AND ACCESSIBILITY

- 12.1 The application is supported by a transport statement which sets out the sustainable transport options for the site and analyses the likely impact in terms of traffic generation.
- 12.2 As outlined above the application site is in a sustainable transport location with good access to local services as well as bus and rail services.
- 12.3 It is proposed to take vehicular access for the scheme through the existing residential scheme to the south which has a signalized junction with the Duckinfield Road.
- 12.4 The Council's Highway Engineers have no objections to the proposals subject to conditions and whilst the presence of a public footpath is noted by the Council's sustainable travel officer it is located outside of the site and is not likely to be affected by the proposals.
- 12.5 Officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

13. GROUND CONDITIONS

- 13.1 Council's Environmental Health Contaminated Land officer has no objections to the development subject to standard contaminated land conditions.
- 13.2 The application site falls within the defined Development High Risk Area and the applicants supporting information identifies that there are 4 mine shafts present on the site. The Coal Authority has made representations in relation to the application stating that their records indicate the presence of one recorded mine entry (shaft) within the planning boundary and that thick coal seams are likely to outcrop at or close to the surface.
- 13.3 The applicant has submitted a Summary Brief for Further Ground Investigation and Mitigation (16 June 2016, prepared by Coopers Ltd). The Brief confirms that further ground investigations and grouting will be required to address shallow mine workings. However, and whilst the Brief also correctly identifies the recorded mine shaft within the site and is able to confirm its precise location. Whilst the Coal Authority initially had concerns about the presence of the mine shafts on the site they have withdrawn any objection and suggest that a condition is imposed to secure a scheme of investigations and treatment works.
- 13.4 Subject to the suggested condition the development appears to have acceptably dealt with any risk from mining subsidence.

14. ECOLOGY

- 14.1 The application site borders the Peak Forest Canal Site of Biological importance (SBI), however, it is acknowledged that the application site itself is not of substantive ecological value.
- 14.2 GMEU comment that appropriate precautions should be taken throughout the course of any approved construction period to ensure that the pollution of the Canal waters is prevented to avoid any harm to aquatic plants and the recommended Construction Method Statement can be conditioned.
- 14.3 Subject to conditions to safeguard the canal the proposals would not have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species.

15. DRAINAGE, FLOOD RISK

- 15.1 The application site is located in Environment Agency flood zone 1, the area with the lowest risk of flood.
- 15.2 The previous application for the development of the whole site approved under application reference 15/00631/FUL included a flood risk assessment which agreed a maximum surface water discharge rate from the site of 80 litres per second.
- 15.3 The submitted flood risk assessment (FRA) addendum indicates that the overall amount of impermeable area on the site will decrease as a result of the development changing from commercial to residential and due to the amount of Green Open Space included as part of the proposals and the applicant states that overall flows between phase 1 and 2 remain as permitted.
- 15.4 As such the proposal is considered to accord with policy U3.

16. DEVELOPER OBLIGATIONS

- 16.1 The Council's section 106 calculator has given figures of £ £20,393.80 towards green open space, £36,507.09 towards education.
- 16.2 Education have confirmed that the education contribution would be required for remodelling work that is necessary to increase the published admission number at Hyde Community College from 210 to 240 pupils.
- 16.3 The open space sum would be used towards schemes at Hyde Park, however, the figure cited may be reduced in light of the amount of public open space provided on site.
- 16.4 The previous s106 agreement attached to the outline consent will also need to be varied to reflect the grant of this consent.

17. PLANNING BALANCE AND 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 Whilst part of the application site is designated for employment use it has been demonstrated that its re – use for housing would be acceptable under the terms of policy E3 of the UDP.
- 17.3 The redevelopment of the site would bring about a number of benefits including;
- Re – use of a brownfield site
 - Visual amenity improvements
 - Contribution to housing need in the borough
 - Short term employment
 - Economic contributions by future occupants
- 17.4 In terms of dis-benefits the development would involve some short term noise and disruption during construction. Some low level impact upon outlook and privacy may also be anticipated but this is not unusual with new residential development.
- 17.5 On balance it is therefore considered that the benefits of the scheme clearly outweigh any dis-benefits and planning permission should therefore be granted.

RECOMMENDATION

To grant planning permission subject to;

- A) a section 106 agreement or unilateral undertaking to secure contributions towards education, green open space and;
- B) subject to the conditions set out below:-
1. The development hereby approved must be begun within three years of the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are;

1:500 Planning Layout Phase 2 - BH/MAN/ENG revision E

1:100 All house types - BHM023P2/HT

1:500 Fencing Layout - BH/MAN/ENG/FL02 revision A

1:500 Waste Management Plan Phase 2 - BH/MAN/ENG/WM02 revision A

1:250 Planting Plan – LDS405-01

1:1250 Location Plan BHM023 LP02 revision A

Reason: To define the permission

3. No development above slab level shall be carried out unless and until details of the facing materials to be used in the construction of the dwellings hereby approved have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the character and appearance of the area.

4. Development shall not commence until 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 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, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that risks from land contamination is understood prior to works on site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

5. Prior to the commencement of any development, a surface and foul 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.

Surface and foul water shall be drained on separate systems. 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 and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

6. Prior to occupation, the car parking indicated on the approved plan shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.

REASON: To ensure adequate car parking arrangements. In accordance with Residential Development SPD.

7. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveways have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

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

8. The gradient of driveways shall not be steeper than 1 in 15.

Reason: In the interests of highway safety

9. The development shall not commence until a scheme detailing the proposed means of capping/infilling any existing mine shafts having any potential impact on the proposed adopted highway, has been submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the construction of the relevant sections of roadway/footway.

Reason: To secure the future stability of highways within the site.

10. A clear view shall be provided on each side of each driveway access where meeting the back of footway. Its area shall measure 2.4 metres along the edge of the drive and 2.4 metres along the back of footway. It must be kept clear of anything higher than 600mm above the access.

Reason: In the interests of highway safety

11. Prior to the occupation of any plot within the development the boundary treatments shown on the approved 1:500 Fencing Layout drawing number - BH/MAN/ENG/FL02 revision A relevant to that plot shall be carried out.

Reason: To safeguard the amenity and privacy of the occupants of the proposed and neighbouring dwellings.

12. Within 6 months of the completion of the development the scheme of hard and soft Landscaping shall be carried out in accordance with the Planting Plan drawing LDS405-01. Any losses or failures of plants which form part of the approved scheme shall be replanted in the first available planting season for the first 5 years following the implementation of the landscaping scheme.

Reason: to safeguard the character and appearance of the area.

13. The development hereby approved shall not be brought into use unless and until the facilities for the storage and collection of refuse and recyclable materials as shown on the 1:500 Waste Management Plan Phase 2 - BH/MAN/ENG/WM02 revision A have been physically provide. The approved storage spaces shall be retained thereafter.

Reason: To ensure the provision of adequate storage for waste and recycling facilities.

14. During demolition and 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 amenities of neighbouring and nearby residential dwellings.

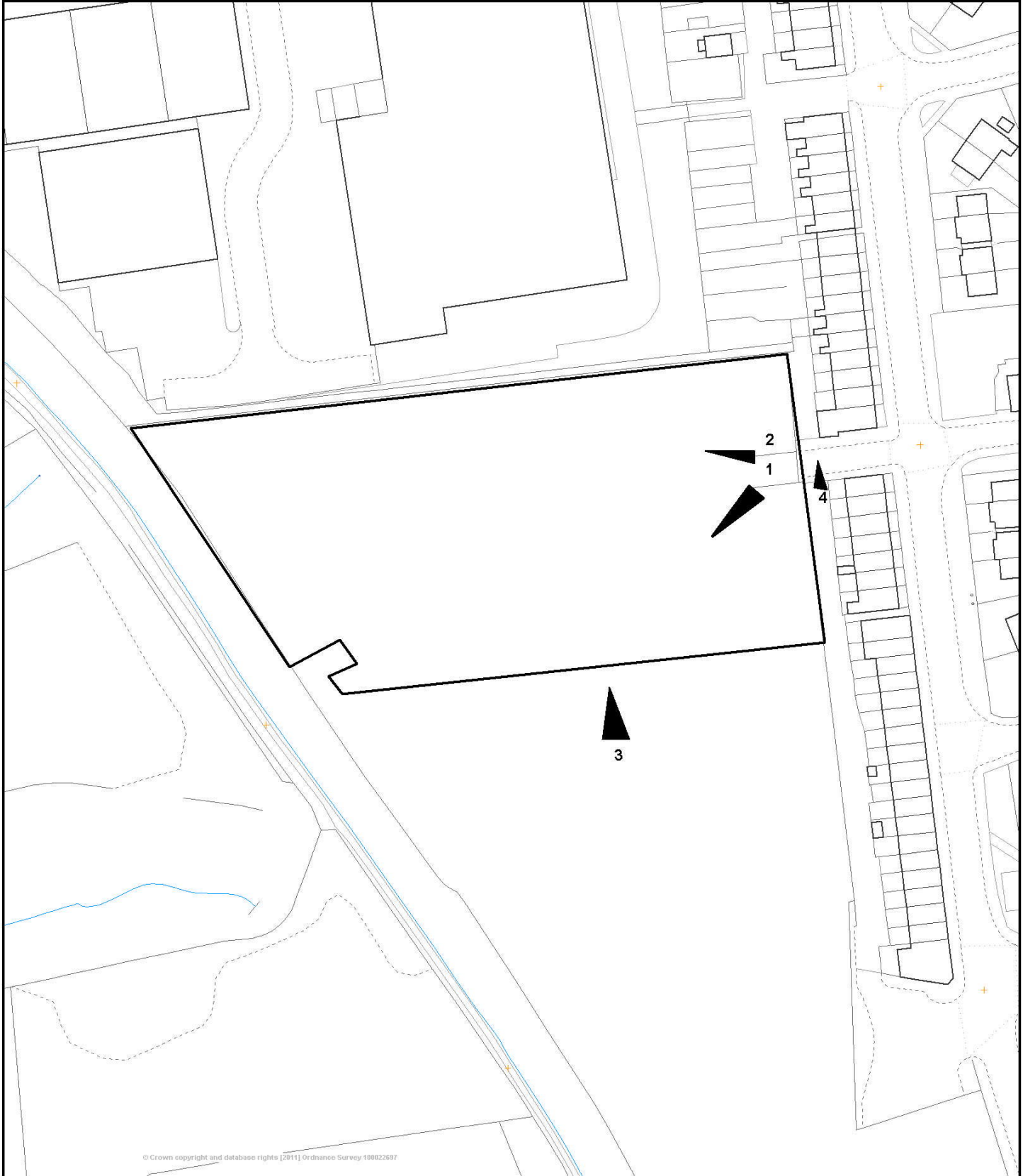
15. No development shall be commenced unless and until a Construction Environmental Management Plan (CEMP) setting out a variety of control measures for managing the potential environmental effects of construction works on the adjacent designated site, including control and management of dust, surface water runoff, waste and pollution control has been submitted to and approved in writing by the Local Planning Authority for approval. The development shall thereafter take place in accordance with the approved details.

Reason: To safeguard features of ecological interest

16. Prior to the commencement of development a scheme of intrusive site investigations for the mine entry shall be submitted for approval. The scheme of intrusive investigations shall subsequently be carried out in accordance with the approved details and a report of the findings and a scheme of remedial treatment of all mine entries submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved remedial works.

Reason: To safeguard against unstable land

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Scale 1/1250 Date 12/6/2017

Centre = 394152 E 395697 N

Application Number: 17/00266/FUL

Photo 1



Photo 2



Photo 3



Photo 4





Disclaimer:
 Do not scale from this drawing
 All contractors must visit the site and be responsible for taking and checking dimensions.
 All construction information should be taken from figured dimensions only.
 Any discrepancies between drawings, specifications and site conditions must be brought to the attention of the supervising officer.

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Key
 Development Boundary



Page 86

LOCATION PLAN

Scale: 1:1250

1

WIP



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 The Steam Mill,
 Steam Mill Street,
 Chester,
 CH3 5AN
 01244 886644
 info@astlepd.co.uk
 www.astlepd.co.uk

Client

 Project
**DUKINFIELD PHASE 2
 HYDE**

A	29-03-17	ISSUED FOR PLANNING	RH	MP
Rev.	Date	Description	By	Chd
Drawing Title		LOCATION PLAN		
Drawn by	RH	Checked by	MP	Date 20-03-2017
Status	PLANNING		Scale @ A3	1:1250
Job no.	BHM023	Dwg.no.	LP02	Rev. A

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PHASE 2

ACCOMMODATION SCHEDULE - BHM

Code	Name	Bed & Type	Storey	Unit No's	Unit Ft	Ft	Total
40A115	Oakwood	4 Bed Detached	2	6	1151	6906	
3WE103	Weston	3 Bed Detached	2	1	1025	1025	
3BE098	Bennett	3 Bed Detached	2	1	978	978	
3LA079	Lambeth	3 Bed Det	2	1	794	794	
3RO077	Rochester	3 Bed Semi	2	10	794	7940	
3CH073	Chatsworth	3 Bed Semi	2	1	775	775	
3CH073	Chatsworth	3 Bed Semi	2	6	733	4398	
3CH073	Chatsworth	3 Bed Mews	2	3	733	2199	
Grand Total:				29 Units		25015 Ft²	

Gross Site Area: 0.91 ha 2.25 ac

Site Statistics:

SSR	0.04 ha	0.10 ac
POS	0.13 ha	0.32 ac
Extended Gardens	0.05 ha	0.12 ac
Easement	0.02 ha	0.05 ac

Nett Site Area: 0.67 ha 1.66 ac

Gross Density: 31.87 Un/ha 12.90 Un/ac

Nett Density: 43.28 Un/ha 17.52 Un/ac

Gross Footage: 2553.82 m²/ha 1124.41 Un/ac

Nett Footage: 3466.61 m²/ha 15109.27 ft²/ac

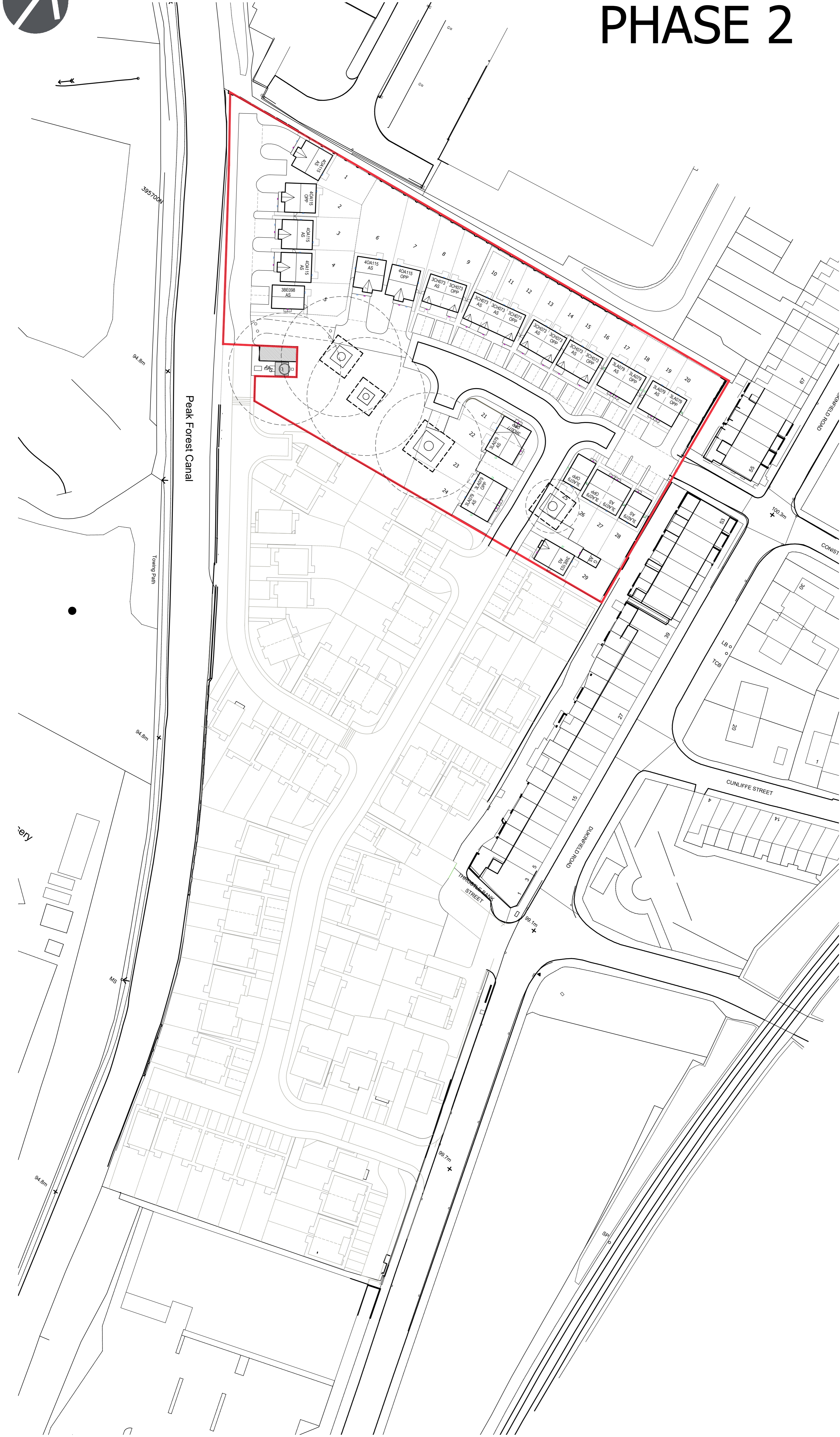
Note: All Areas Approx. Abbreviations: ac = Acres | ha = Hectares | ft² = square Feet | m² = square | Un = units Metres | SSR = Single Sided Road | POS = Public Open Space | Det = Detached | Apt = Apartment

	House Type Code
	2 - Bed Number
	20 - House Type Abbreviation
	100 - Area sq ft
	Plot Handing

Key

Development Boundary

Mineshaft and standoff



E	08-06-17	MINE SHAFTS SHOWN	RM	MP
D	05-06-17	AMENDED TO CLIENT COMMENTS	RM	MP
C	25-05-17	ROAD AMENDED TO HIGHWAYS COMMENTS	RM	MP
B	05-05-17	MINE SHAFTS SHOWN	RM	MP
A	29-03-17	ISSUED FOR PLANNING	RM	MP
Rev.	Date	Amendment	By	CHK

(Manchester)
 (a member of Bellway Plc Group of Companies)
 Bellway Homes Ltd
 304 Bridgewater Place, Birchwood Park
 Warrington, WA3 6XG
 Tel: 01925 846700 Fax: 01925 846718

Project
DUKINFIELD ROAD HYDE

Subject
PLANNING LAYOUT PHASE 2

Scale	Date	Drawn	Checked
1:500	6.8.2017	MP	MP
Drawing No.	Revision		
BH/MAN/ENG/			E

Note
 All specifications, materials and workmanship to be in accordance with current NHBC and Building Regulations. Main drainage to comply with Sewers for Adoption current edition. Highways to be in accordance with Local Authority specification. Do not scale from this drawing. All dimensions to be verified with the drawing office.
 Original Sheet Size A1 Do Not Scale From This Drawing



File Name: Y:\Bellway Homes\BELLWAY HOMES MANCHESTER - BHM\BHM023 - DUNKINFIELD ROAD - HYDE\CURRENT DRAWINGS\DUNKINFIELD ROAD HYDE - PLANNING LAYOUT PHASE 2 REV E 25-05-2017 NZ.dwg

Dukinfield Road

Hyde

Housetype Range

Detailed Planning Application

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March 2017

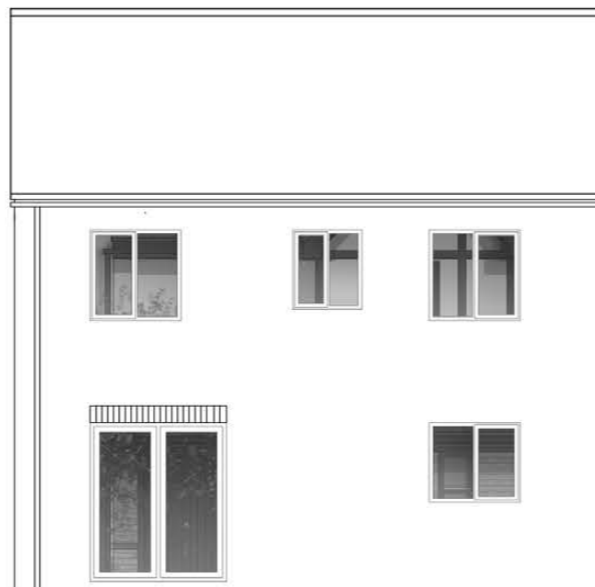
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Bellway

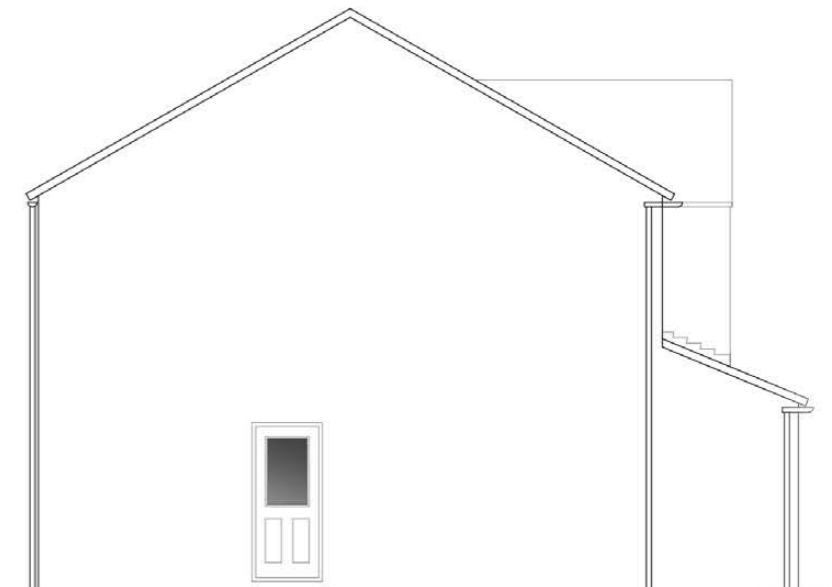
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FRONT ELEVATION

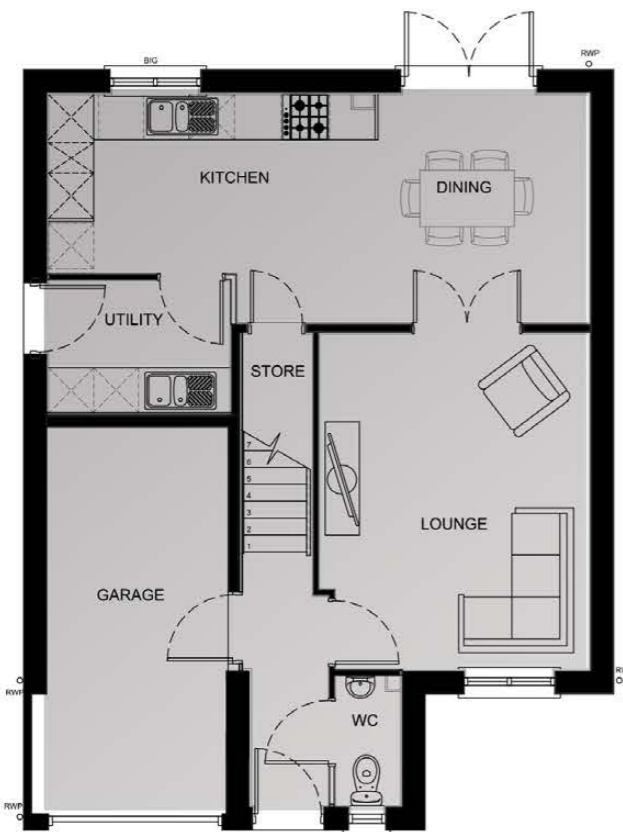


REAR ELEVATION

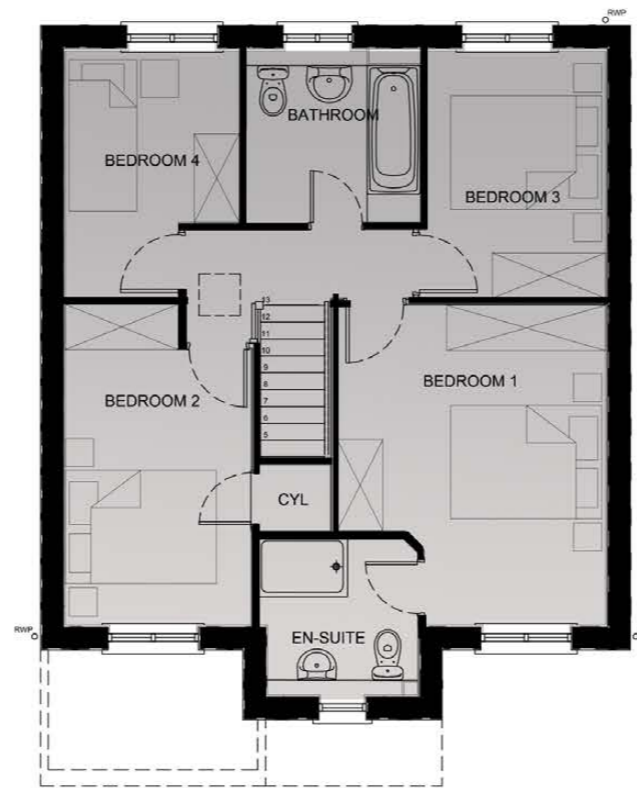


SIDE ELEVATION

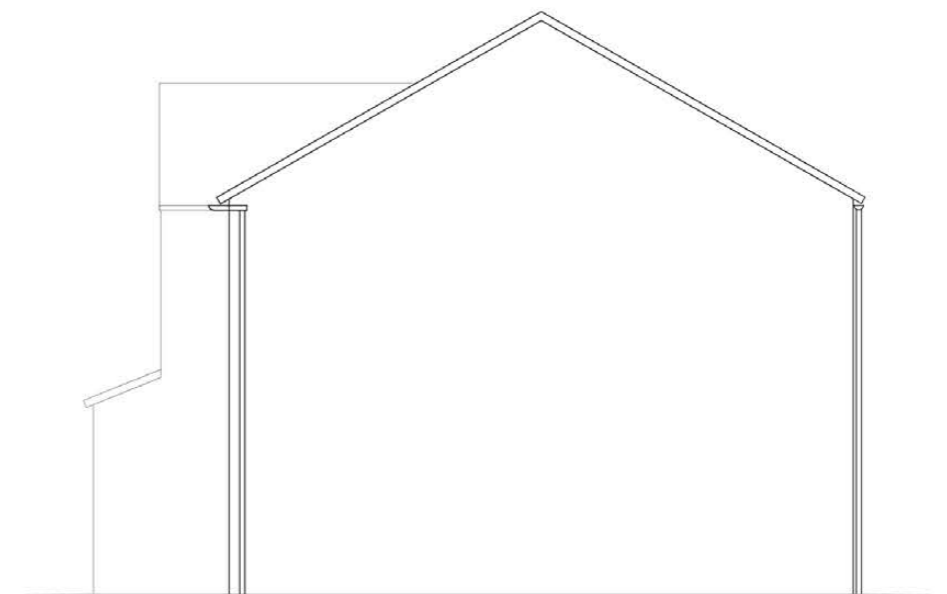
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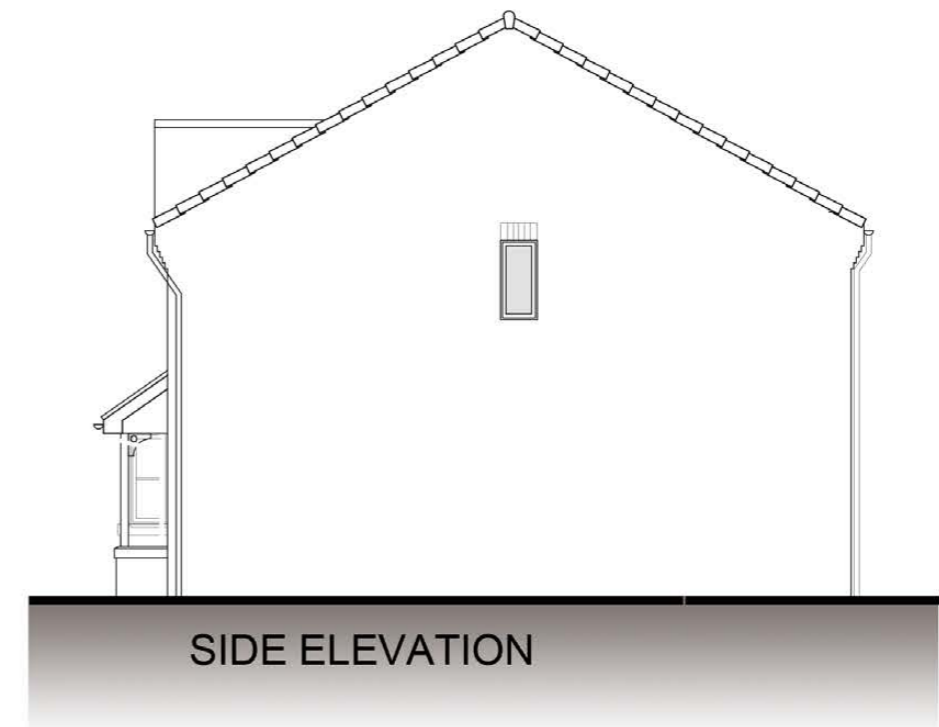
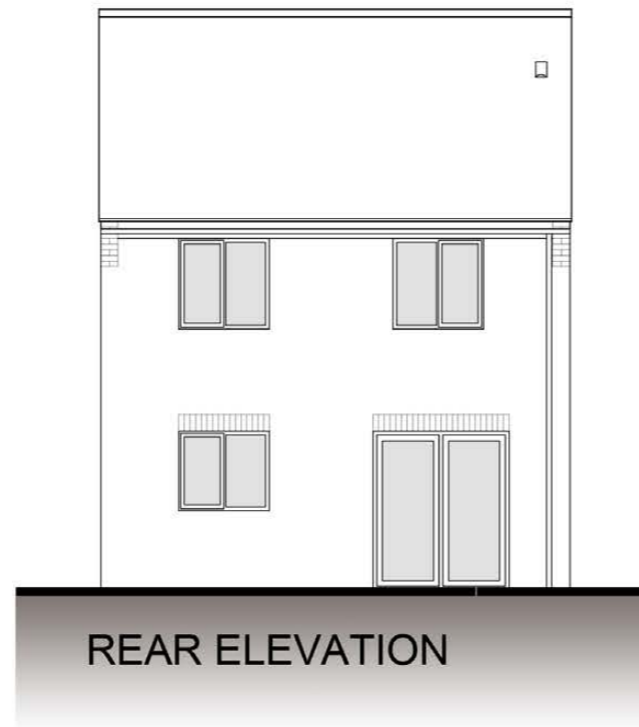
GROUND FLOOR PLAN



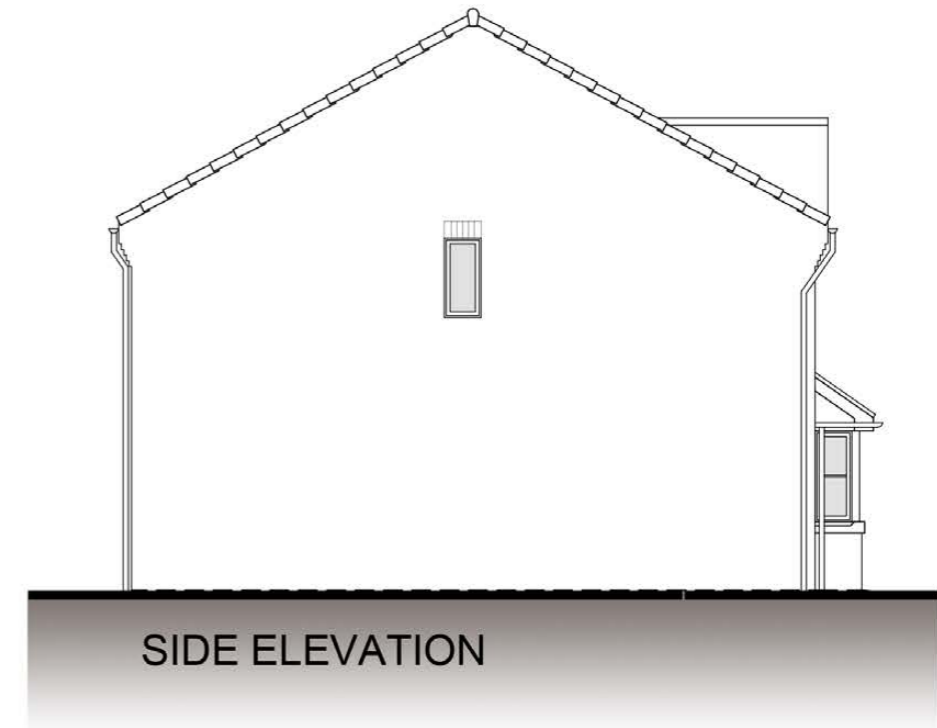
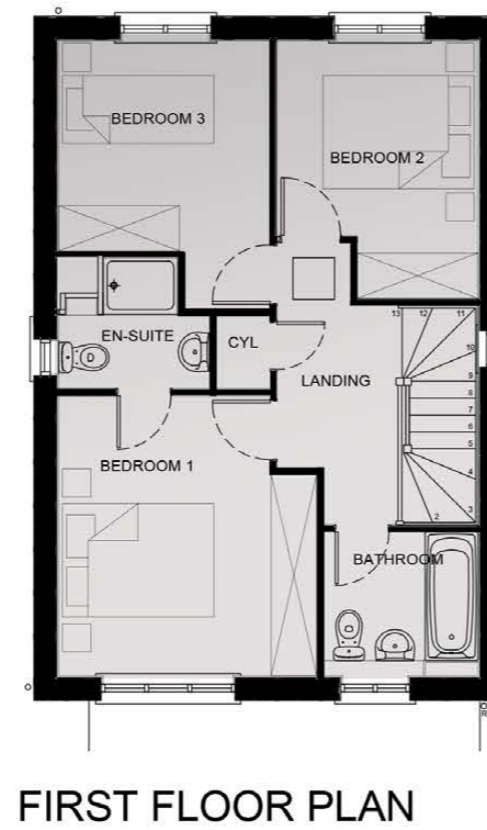
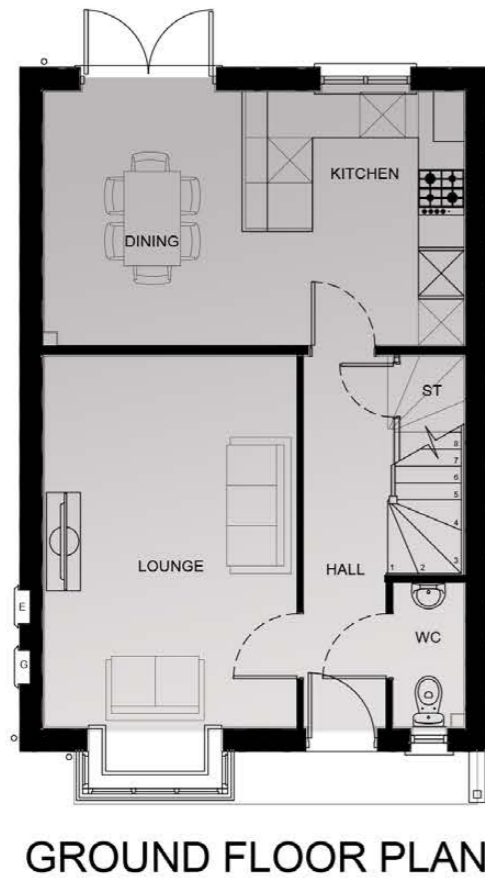
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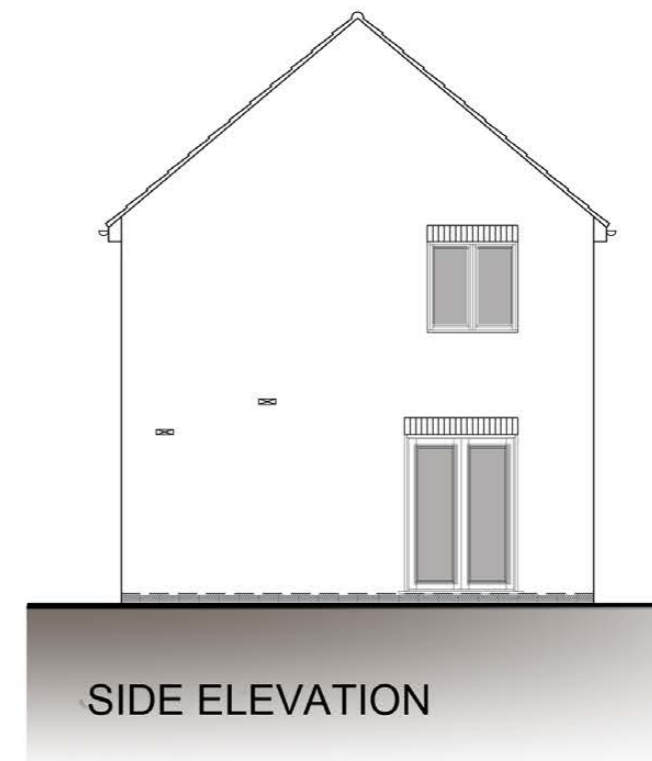
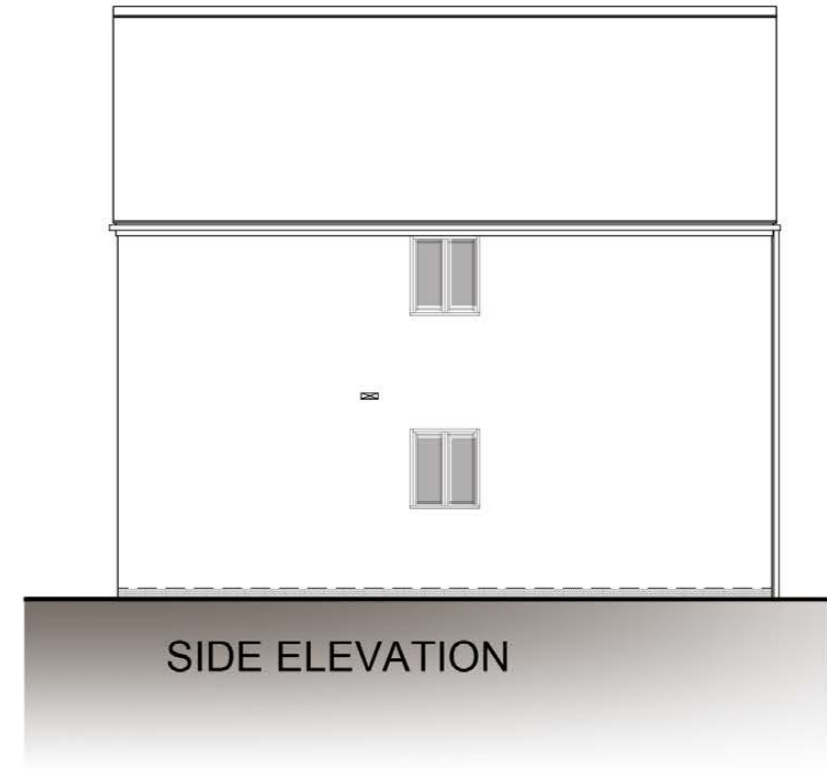
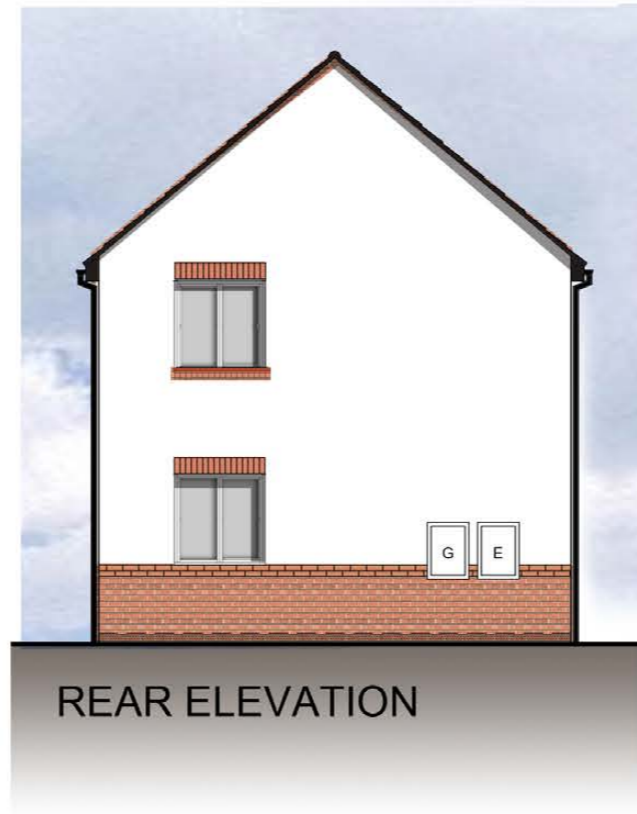


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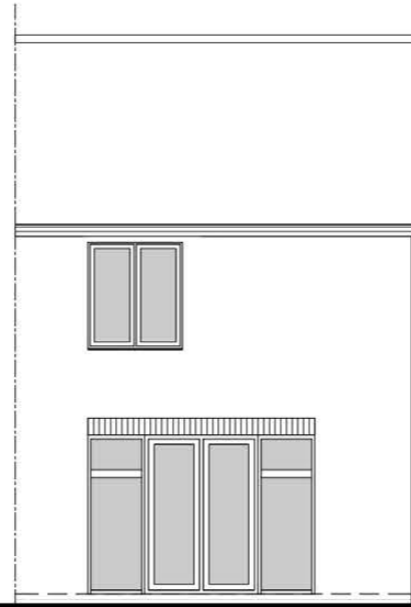
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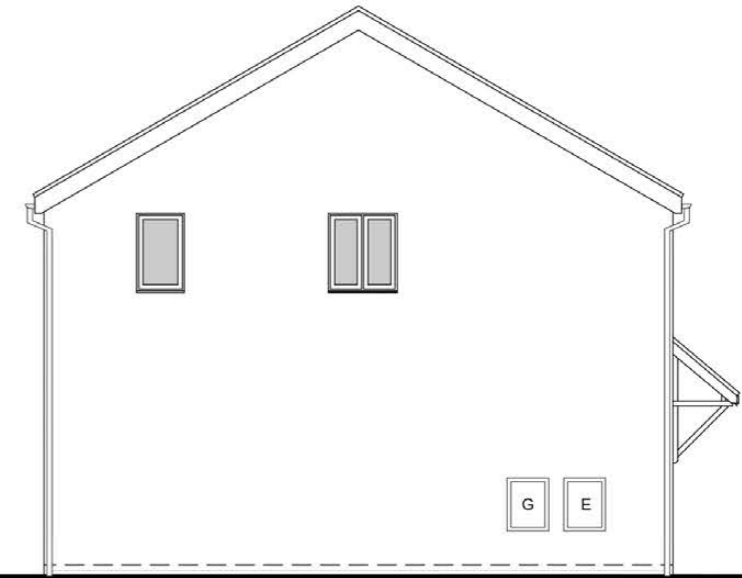




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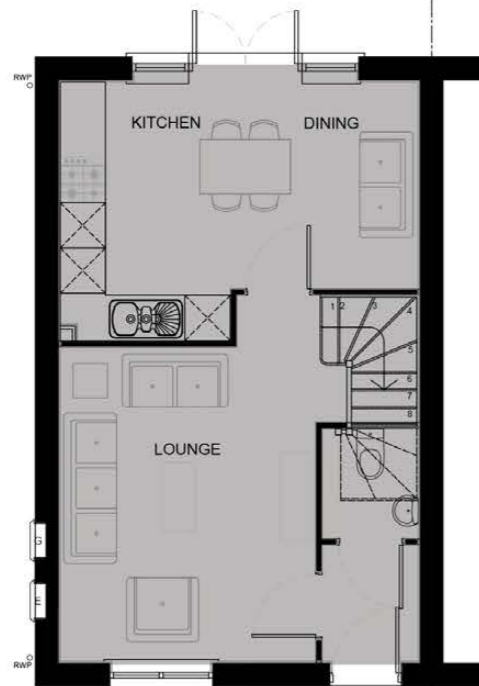


REAR ELEVATION



SIDE ELEVATION

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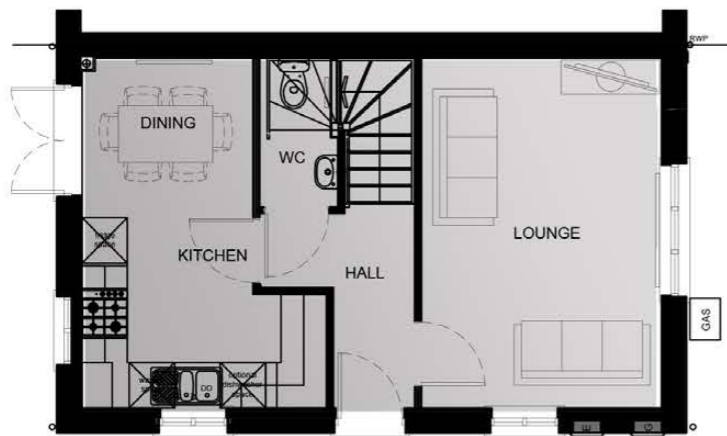
GROUND FLOOR PLAN



FIRST FLOOR PLAN



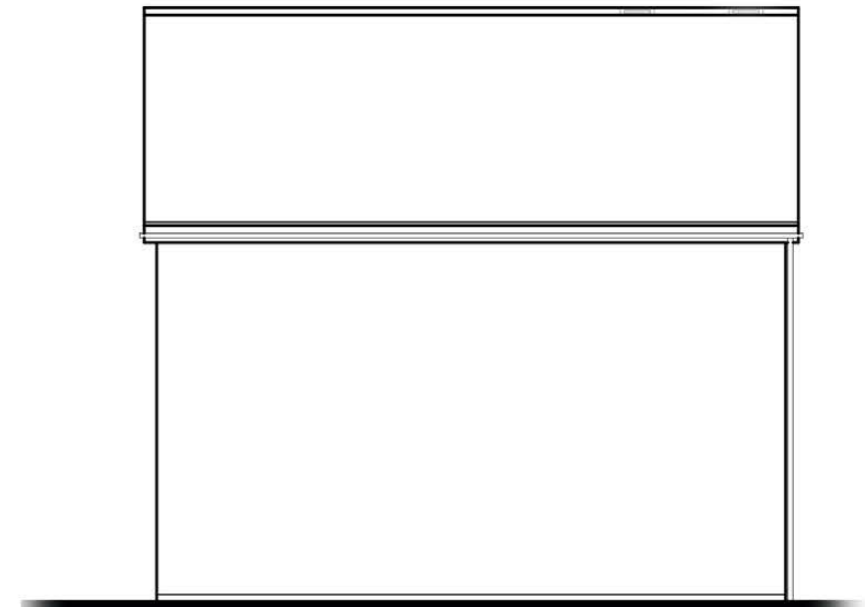
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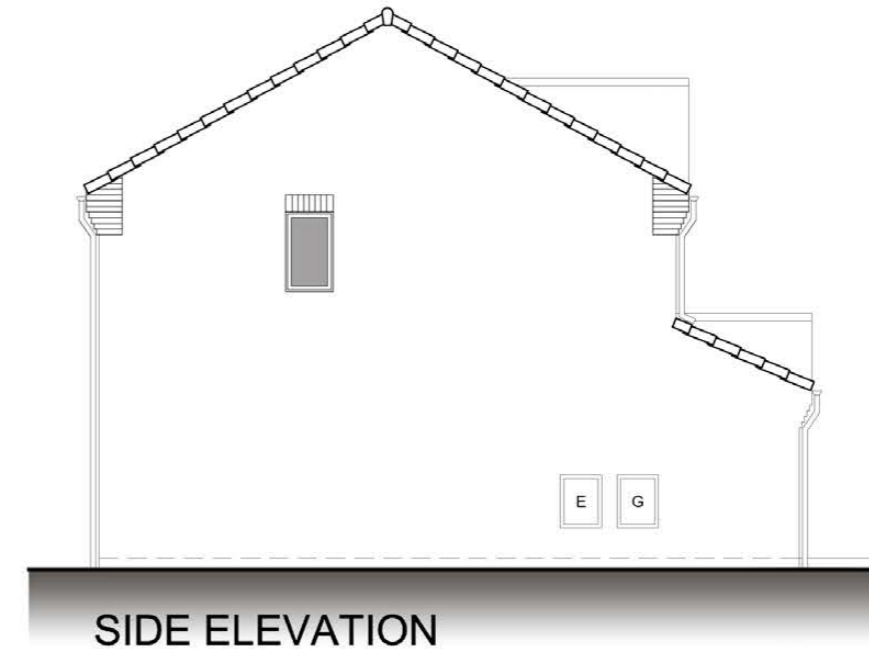
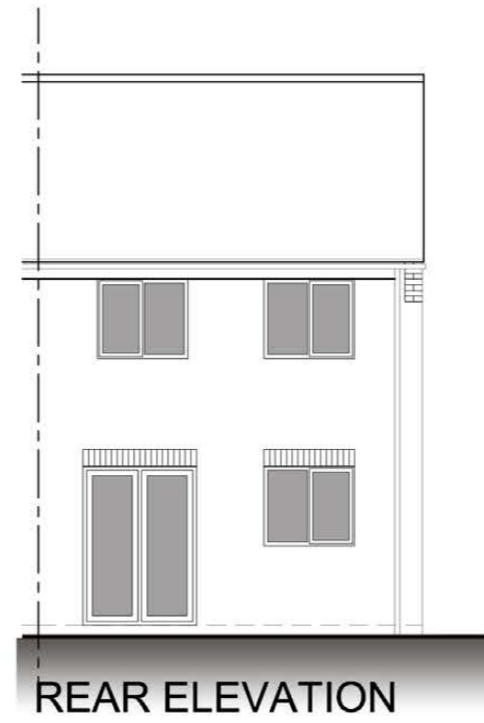


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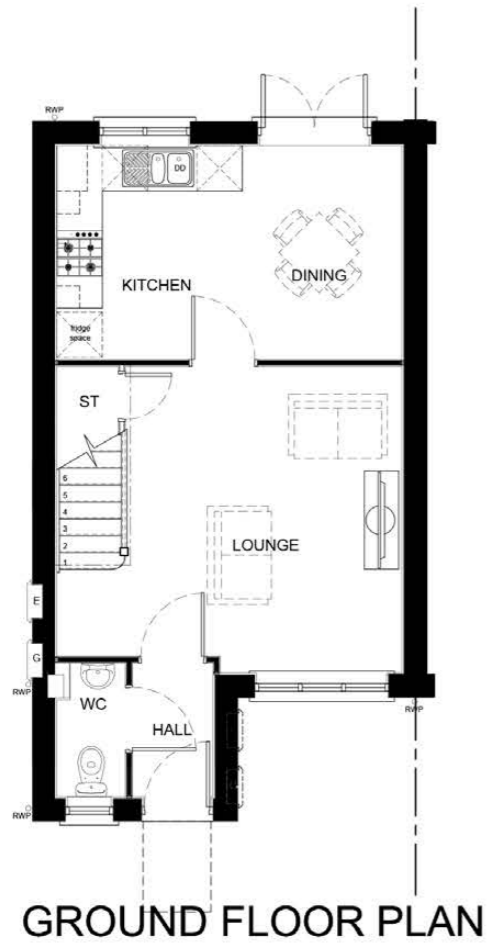


FIRST FLOOR PLAN





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Application Number 17/00289/FUL

Proposal Front and rear dormer and single storey side extension.

Site 16 Arnold Avenue, Hyde

Applicant Mrs Ruth Welsh

Recommendation Grant planning permission subject to conditions

REPORT

1. REASON FOR SPEAKERS PANEL DECISION

- 1.1 A Speakers Panel decision is required because, in accordance with the Speakers Panel Terms of Reference, the application is made on behalf of a member of the Council.

2. APPLICATION DESCRIPTION

- 2.1 The application proposes dormers on the front and rear of the house and a small, single-storey extension on the side of the house.
- 2.2 At the front the dormer with a dual-pitch roof would be located centrally, in the horizontal plane of the roof and be set-back by 0.6m from the eaves. At the rear the flat-roofed dormer would project across the majority of the roof and be set-back by 0.3m from the eaves. The external walls of both dormers would be finished with hung slates to match the finish to the existing roof. Both dormers would rise to the ridge height of the existing roof.
- 2.3 The proposed side extension would have a mono-pitched roof, rising to a height of approximately 4.5m where it adjoins the house, from a height of approximately 3.2m at the eaves. The extension would be set-back approximately 2m from the front of the house and be set-back approximately 1.7m from an existing extension that projects across the whole of the width of the original house. The external finishes to the extension would be brickwork walls and a tiled roof to match those of the existing house.

3. SITE AND SURROUNDINGS

- 3.1 Number 16 Arnold Avenue is a 2-storey, end-terrace house that, in common with the other houses in the terrace, is separated by a narrow, no-through road from the front garden. The ends of the front gardens of the houses in the terrace abut a retaining wall and over-look Arnold Hill Reservoir which is at a lower level.
- 3.2 Vehicular access to the house is taken from the rear along a private lane that runs behind the terrace terminating at the rear garden of no. 16 and separating the other houses in the terrace from their back gardens. There is an area of open land behind the back gardens of the houses.
- 3.3 At the side a passageway leading from the front to the back separates the house from the bottom of the rear garden of a neighbouring house in Gee Cross Fold.

There is a 2.4m tall solid timber fence along the boundary and a shed abutting the fence in the neighbour's garden.

- 3.4 There are flat-roofed dormers on a number of houses in the terrace, including on both the front and rear of the adjoining house.

4. PLANNING HISTORY

- 4.1 None relevant

5. RELEVANT PLANNING POLICIES

- 5.1 Tameside Unitary Development Plan (UDP) Allocation
5.1.1 Unallocated.

5.2 Tameside UDP

5.2.1 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
1.12: Ensuring an Accessible, Safe and Healthy Environment.

5.2.2 Part 2 Policies

- H10: Detailed Design of Housing Developments.
MW11: Contaminated Land.

5.3 Other Policies

- 5.3.1 Residential Design Supplementary Planning Document.

5.4 National Planning Policy Framework (NPPF)

Section 7 Requiring good design

5.5 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.

6. PUBLICITY CARRIED OUT

- 6.1 As part of the planning application process notification letters were sent out on 24th April 2017 to 7 neighbouring properties in Arnold Avenue, Gee Cross Fold and Brabyns Road. Following the submitted plans being amended letters were sent to the same addresses again on 11th May 2015.

7. RESPONSES FROM CONSULTEES

- 7.1 The Head of Environmental Services – Highways has raised no objections to the proposal.

8. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 8.1 An objection has been received from the occupier of a neighbouring bungalow at 8 Gee Cross Fold. The reasons given for objecting are that:
- the dormers occupy more than a third of the roofspace; and
 - over-looking from the dormer in to gardens and particularly the objector's kitchen window.

9. ANALYSIS

- 9.1 The principal issues in deciding this application are:-
- 1) The principle of the development,
 - 2) Design and appearance,
 - 3) Residential amenity

10. THE PRINCIPLE OF THE DEVELOPMENT

- 10.1 The application site lies within a residential area and is unallocated on the UDP Proposals map. Accordingly there are no objections in principle to the proposed dormers and extension in broad land use terms.

11. DESIGN AND APPEARANCE

- 11.1 The proposed dormers would not be obtrusively visible due to the topography of the surrounding area, with the land sloping from east to west, and the fact that there are no residential properties immediately in front of, or behind, the house.
- 11.2 According to policy RED6 of the SPD dormers on the front of a house can be considered if they:
- will not detract from character of the street/surrounding area;
 - will not set an unwanted precedent;
 - complement the existing roof scape; and,
 - align with the architectural style of the house and surroundings
- 11.3 Flat roofed dormers are not encouraged. Roofs should be pitched with ridge lines not projecting above those of the existing house.
- 11.4 Dormers should not:
- take up more than 1/3 of roofspace at house frontage and 2/3 at rear;
 - be set-back from the eaves/gutter line by a minimum of 1 metre;
 - line up vertically with fenestration below; and
 - materials should align with the existing roof.
- 11.5 In this location the proposed front dormer would not detract from the character of the terrace nor set an unwanted precedent. In fact the design of the dormer would set a positive precedent for any future proposals given the styles of dormers already present in the terrace. Having a pitched roof rising to the height of the ridge of the roof of the existing house, the dormer would not occupy more than 1/3 of the roofspace. Although being set-back from the eaves by less than the normal 1m requirement the dormer would be set-back sufficiently from the eaves to appear as a

dormer. The policy requires normally that dormers line up vertically with windows below but the central location in the roofspace is equally acceptable. The tile-hung walls of the dormer would align with the existing roof. The positive design of the dormer, together with its small scale, means that it is considered to be acceptable.

- 11.6 Taken in isolation the proposed rear dormer would constitute permitted development for which planning permission is not required. This is a significant material consideration. Having regard to this and notwithstanding that the dormer is flat roofed and occupies more than 2/3 of the roofspace, given that the proposed external finishes would align with those of the existing roof and that in this location the dormer would not be especially visible, the proposal is considered to be acceptable.
- 11.7 According to Section 7 of the NPPF, good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Having appropriate external finishes and rising to the same height as the existing roof in both instances, the scale of the dormers would be in-keeping with the existing house without undue detriment to the streetscene.
- 11.8 In relation to the proposed side extension and the fact that the external finishes would match those of the existing house, it is considered that it would be unobtrusive and clearly subordinate to the existing house.
- 11.9 It is considered that the design of the proposed dormers and extension complies with the relevant requirements of UDP policy H106, the Residential Design SPD and Section 7 of the NPPF.

12. RESIDENTIAL AMENITY

- 12.1 There being no residential properties immediately in front of, or behind, the house there would be no undue over-looking from either the front or rear dormer. There would be a distance of approximately 25m between the front dormer and the kitchen window in the side of number 8 Gee Cross Fold. The houses in Arnold Avenue are at a higher level than the bungalows in Gee Cross Fold and so, given the difference in levels and the oblique angle of over-looking, application of policy designed to prevent undue over-looking of neighbouring properties would require that a distance of 20m be maintained. The greatest impact of the proposed extension would be on the occupiers of the neighbouring bungalow at 6 Gee Cross Fold. There would be no windows in the side of the extension and in such instances policy designed to prevent undue over-shadowing of windows in neighbouring properties requires normally that a distance of 10m be maintained between windows in the neighbouring property and an extension. At the nearest point there would be a distance of more than 11m between the extension and the neighbouring bungalow. Moreover, the existing boundary fence between the two properties would mitigate any impact of the proposed extension and so the impact on existing residential amenity is considered acceptable and in compliance with both the UDP policy H10 and SPD policy RED2.

13. OTHER ISSUES

- 13.1 The extension at the side would prevent passage along the side of the house. This would not however interfere with bin storage and collection arrangements, which, along with vehicular access, is confined to the rear.

14. CONCLUSION

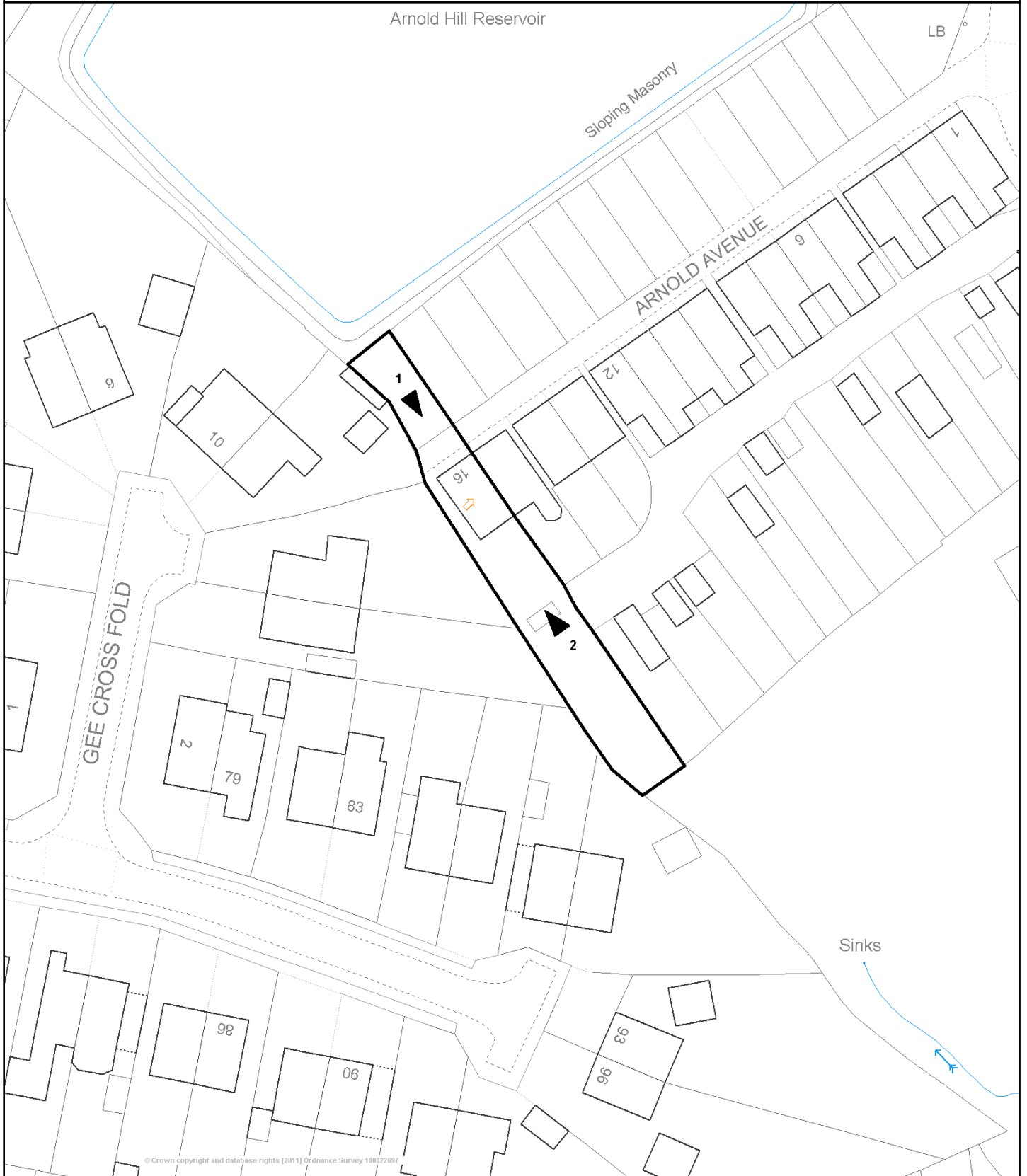
- 14.1 .The proposed dormers and extension achieve the required quality in terms of design and appearance without impinging unduly on any existing residential amenities and so are considered to be acceptable additions to the house and so the recommendation is for approval.

RECOMMENDATION

Grant planning permission subject to 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 materials to be used in the construction of the external surfaces of the dormers and extension hereby approved shall match exactly in colour and texture the corresponding materials in the existing house unless otherwise agreed in writing with the local planning authority, in which case samples of the materials to be used shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of any development. The development shall then be implemented in accordance with the approved details.
- 3) Prior to the commencement of the development of the side extension hereby approved, the steps required to investigate the potential risk posed by landfill/ground/mine gas, and or protect the development from such gas, shall be agreed in writing with the local planning authority. The investigation and any remedial work shall be undertaken to the satisfaction of the local planning authority. Occupation of the extension shall not begin until this condition has been discharged in writing, following the satisfactory supply of information and completion of any works required by the local planning authority. The applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0161 342 2691), as soon as is practicable should contamination be encountered during the development of the site.
- 4) The development hereby permitted shall be carried out in accordance with the approved plans ref. 01 rev. B, received on 09/05/2017.

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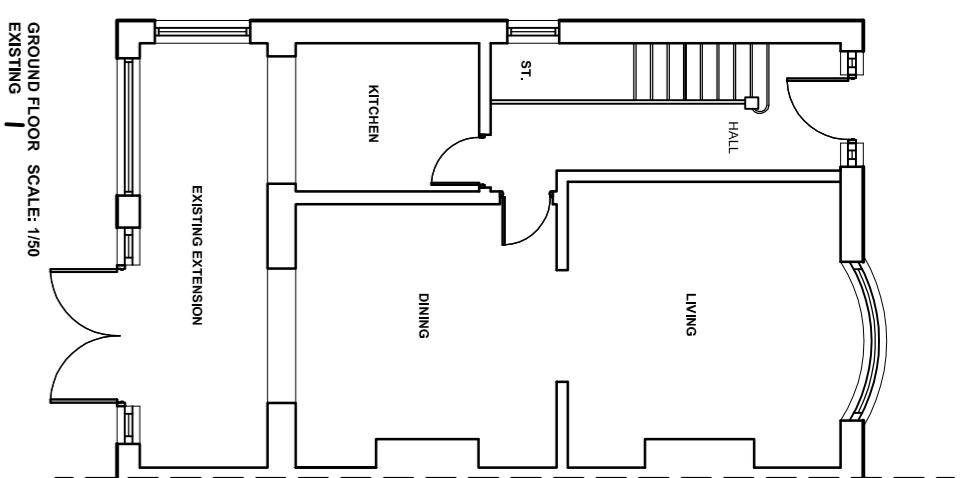


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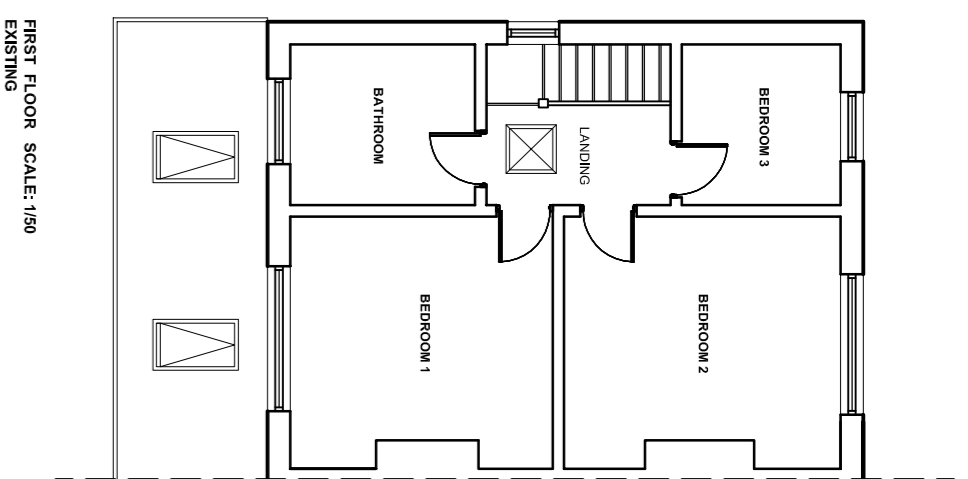
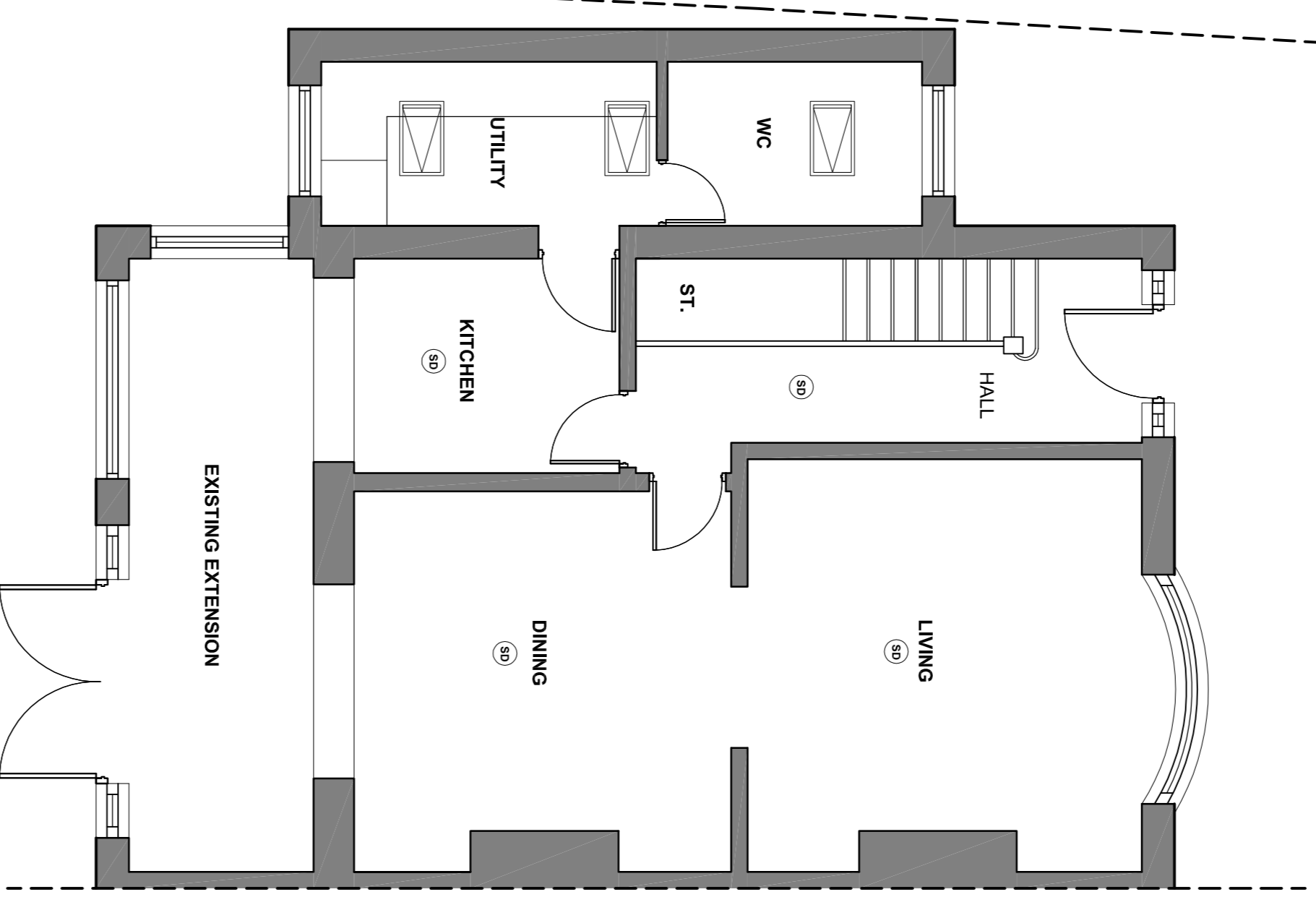
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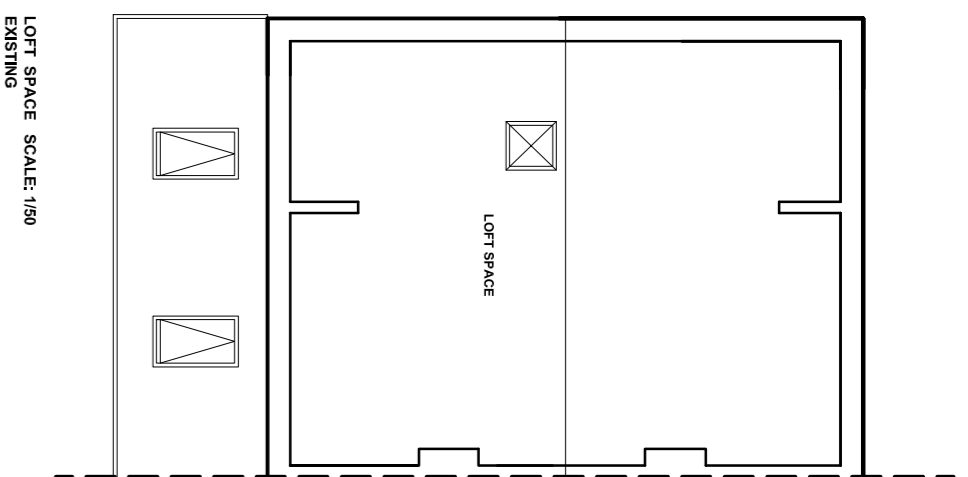
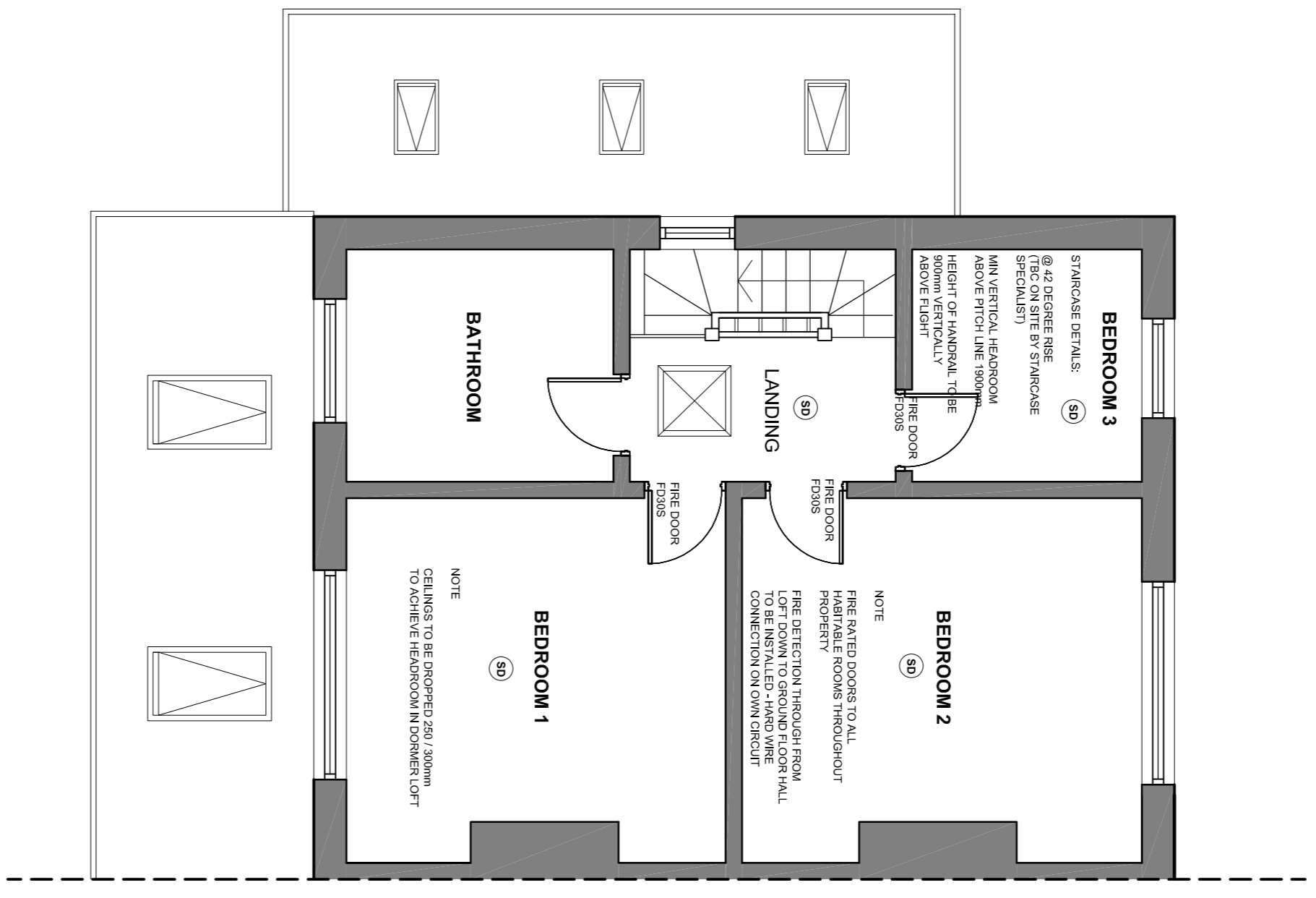
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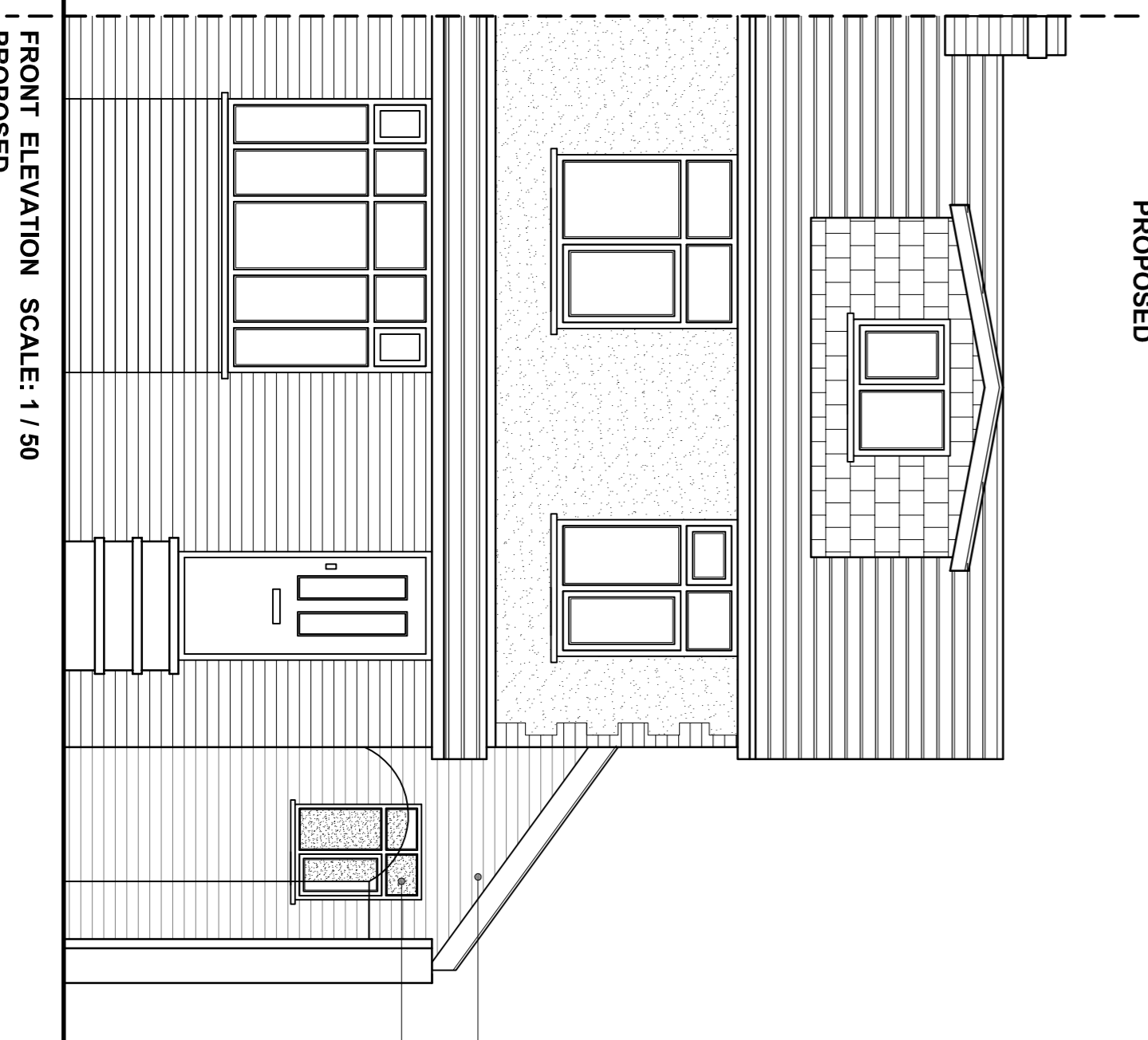
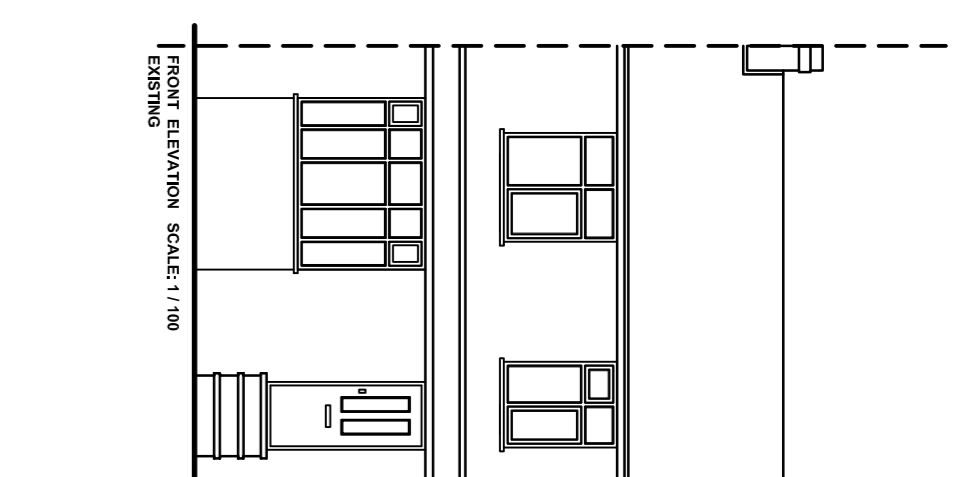
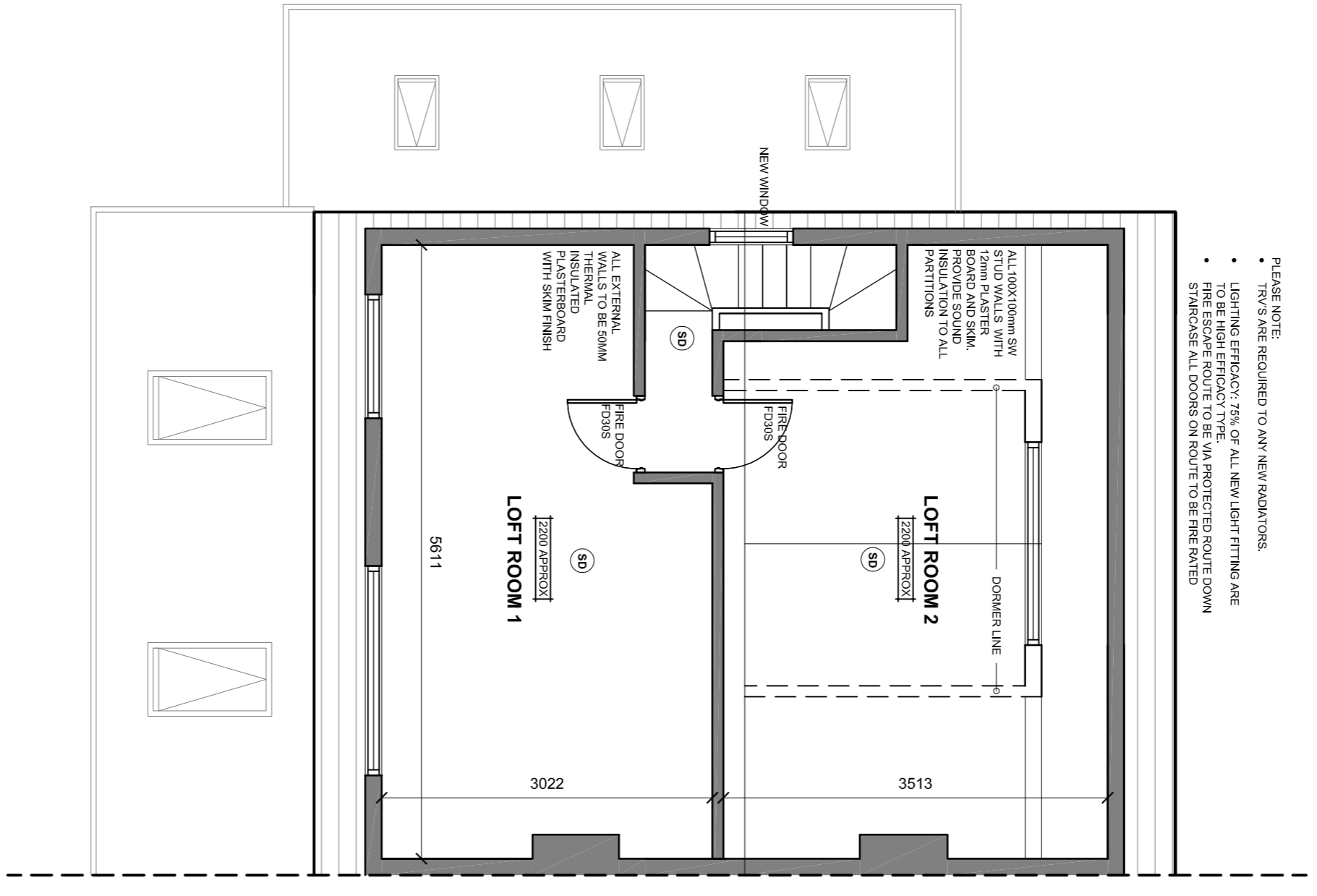
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PROPOSED



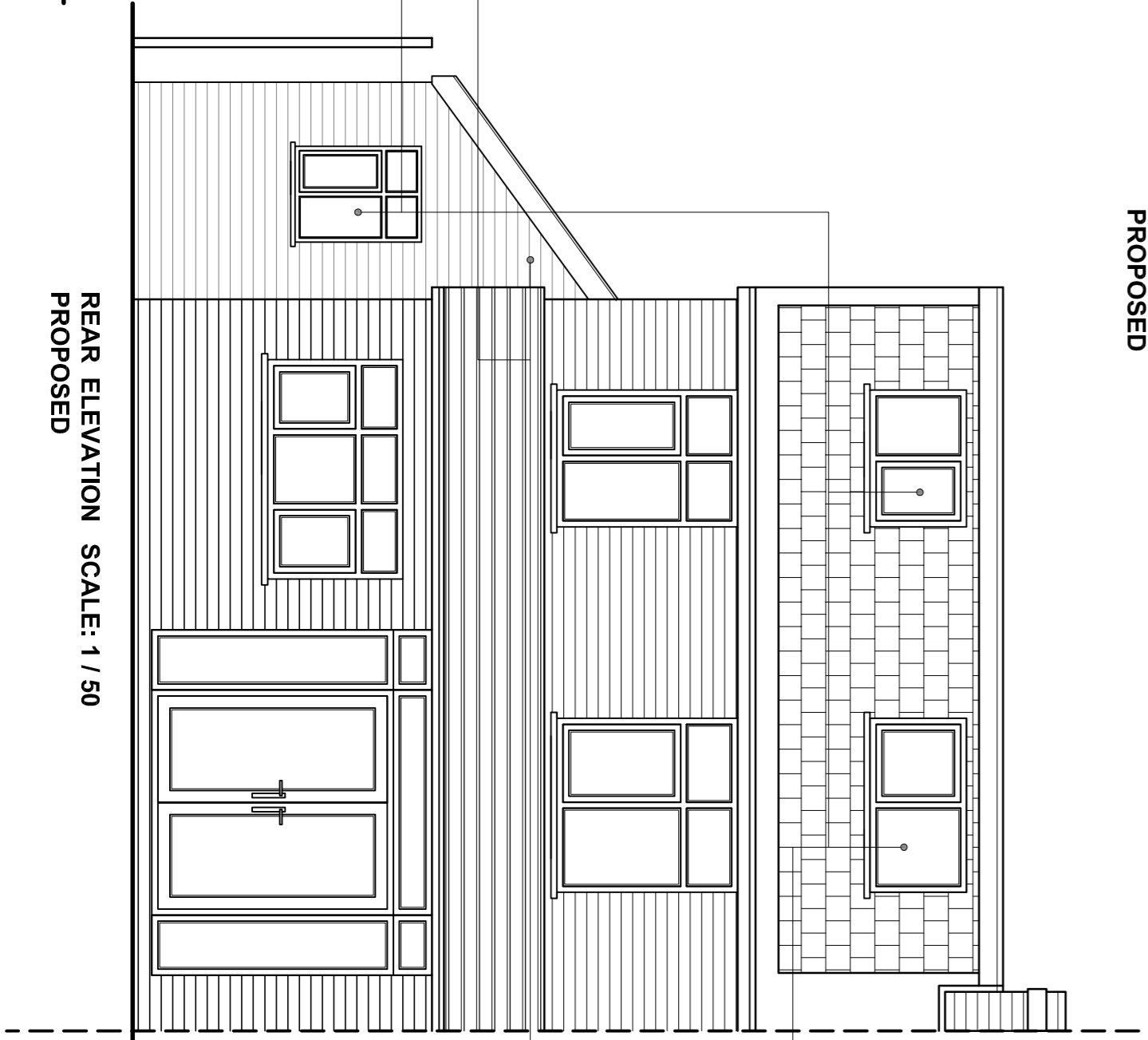
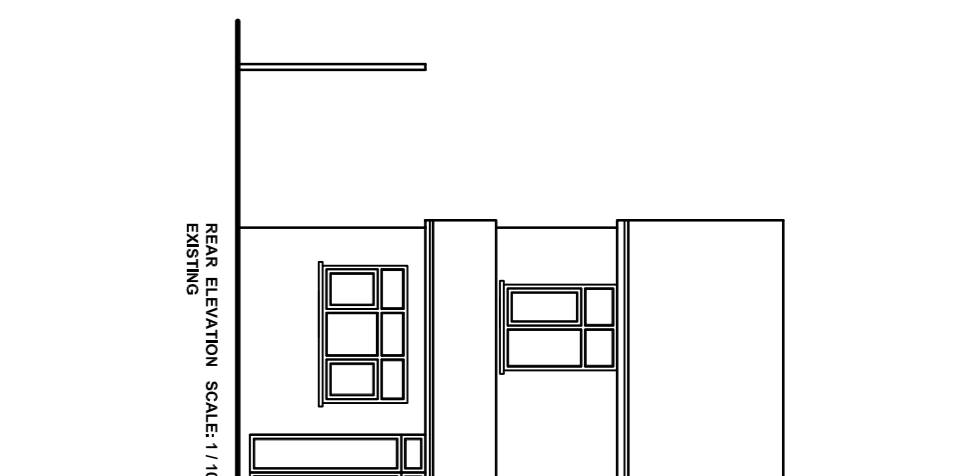
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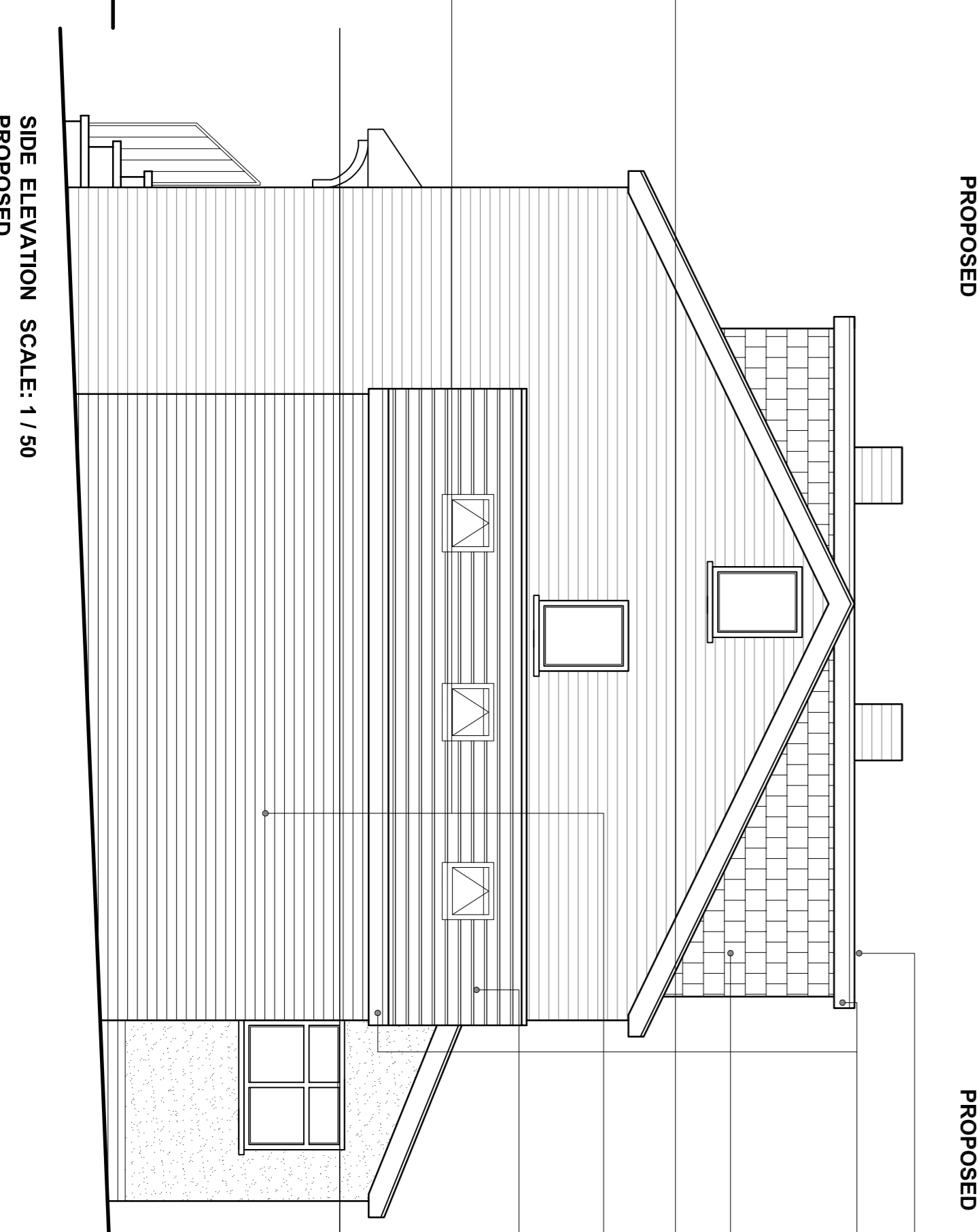
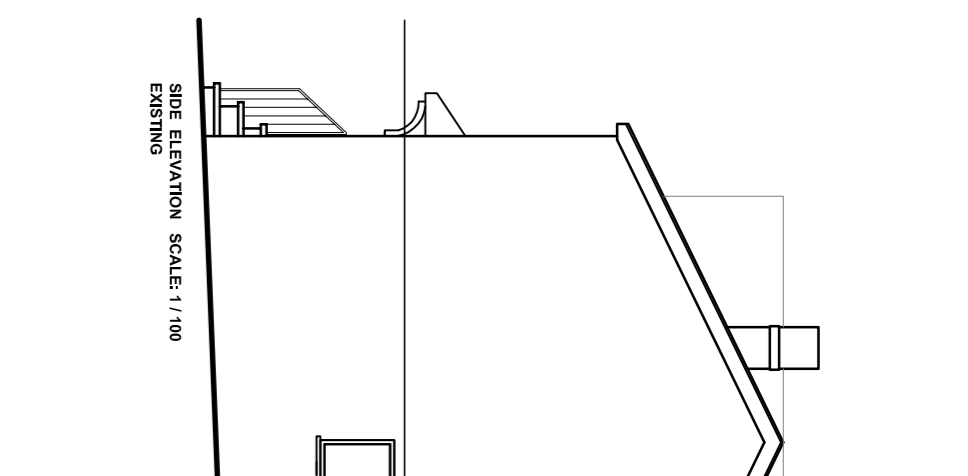
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PROPOSED



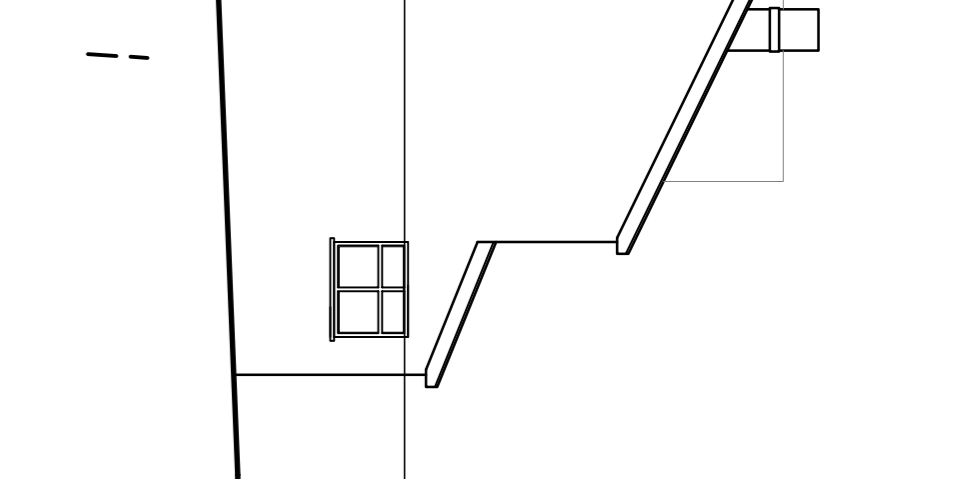
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PROPOSED



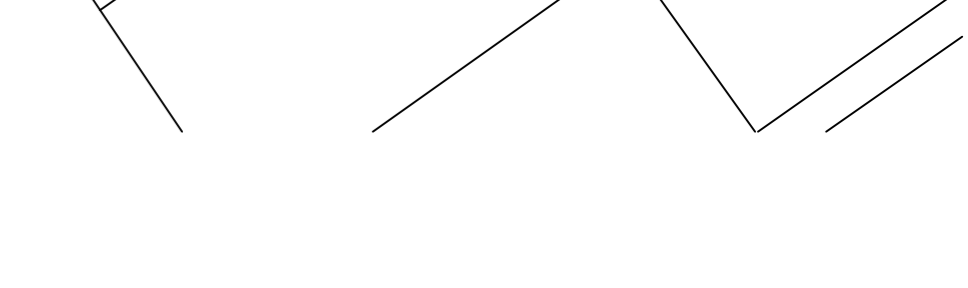
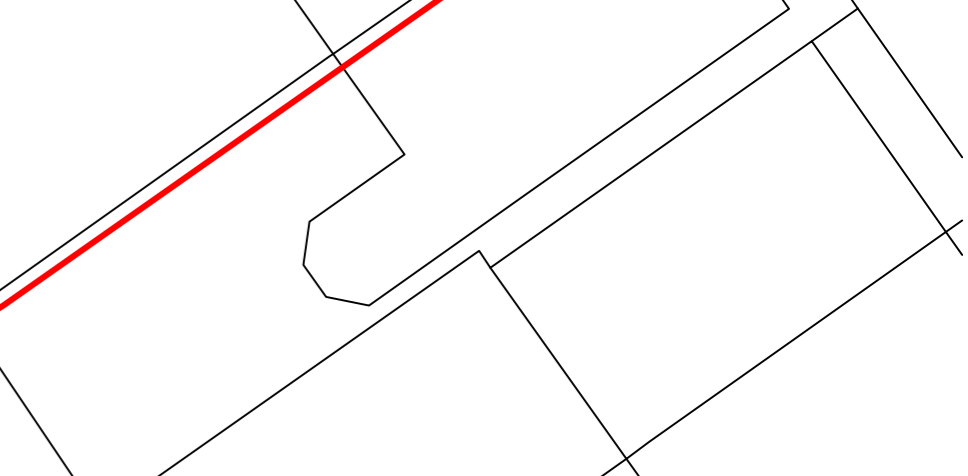
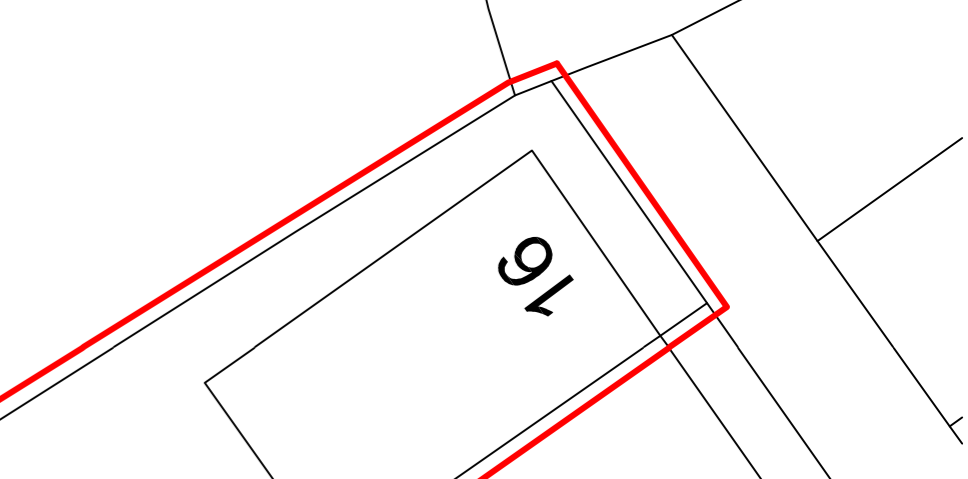
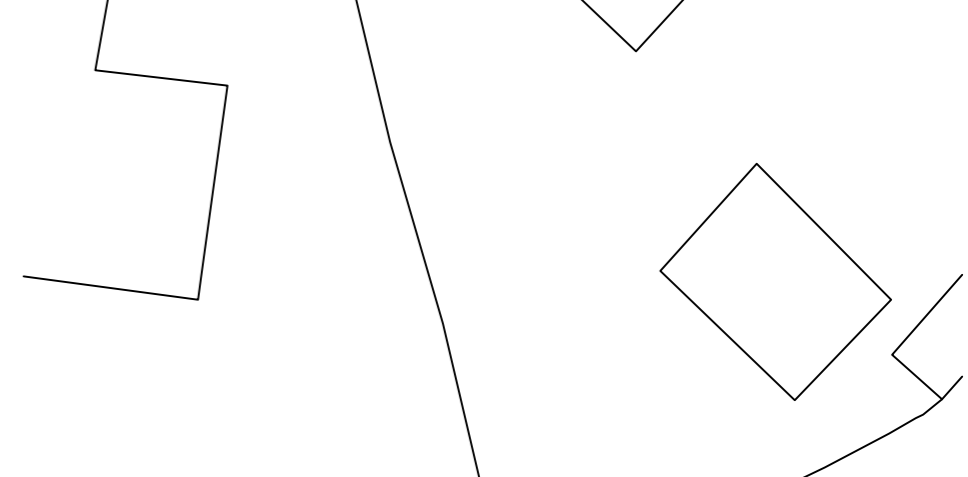
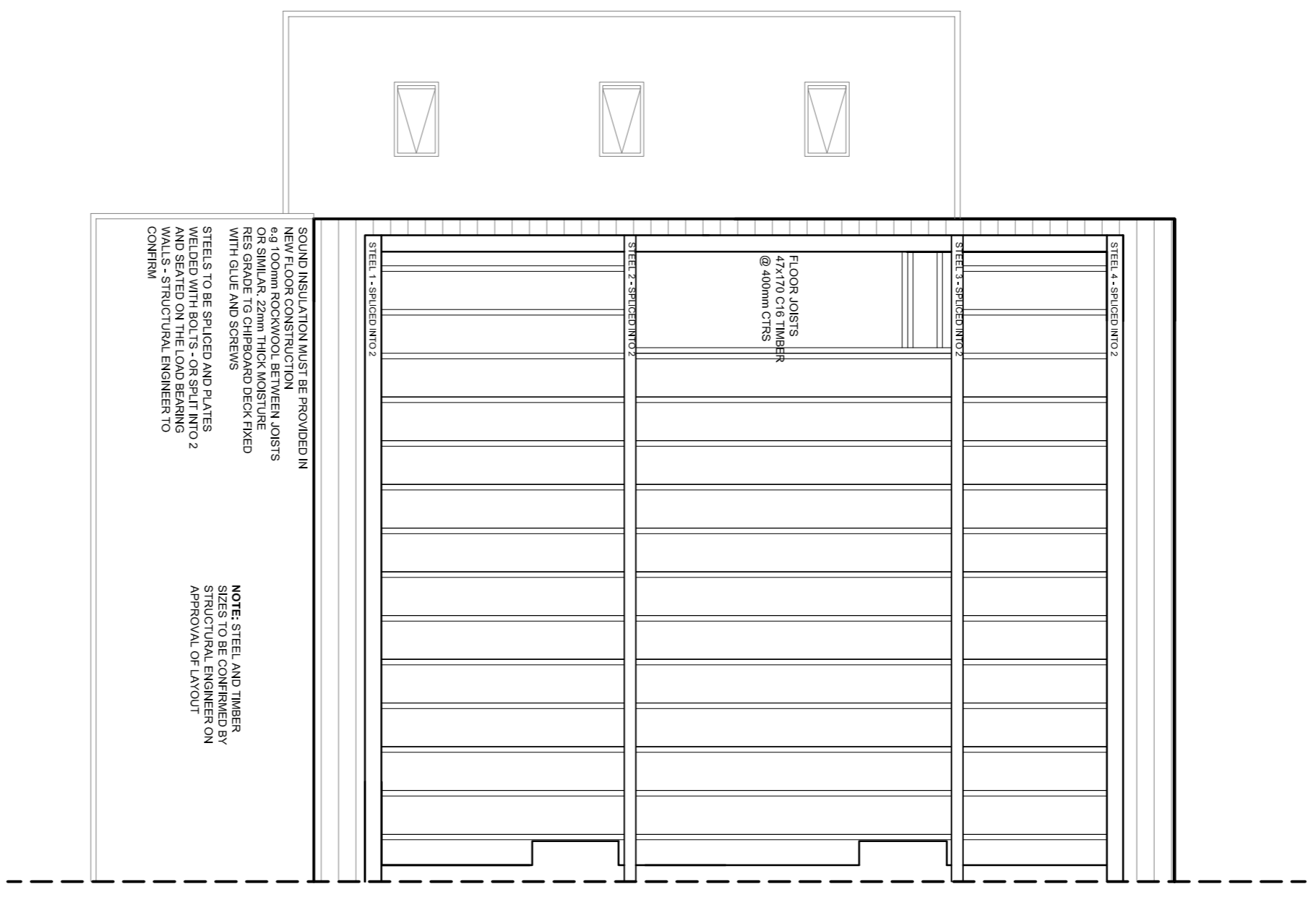
REAR ELEVATION SCALE: 1/50
PROPOSED



SIDE ELEVATION SCALE: 1/50
PROPOSED



JOIST LAYOUT SCALE: 1/50
PROPOSED



LOCATION PLAN SCALE 1:1250

cheshire
W.A.U.DESIGN
planning and construction

16 ARNOLD AVE
GEE CROSS
HYDE
STOCKPORT

Dwg No: 01
Drawn: NW
Date: MAY 17
Rev: B

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Application Number: 17/00289/FUL

Photo 1



Photo 2



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