

**SPEAKERS PANEL (PLANNING)**

**Day:** Wednesday  
**Date:** 15 November 2017  
**Time:** 10.00 am  
**Place:** Lesser Hall 2 - Dukinfield Town Hall

Item No.	AGENDA	Page No
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest from Members of the Council.	
3.	<b>MINUTES</b> The Minutes of the meeting of the Speakers Panel (Planning) held on 6 September 2017, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	<b>APPEAL DECISION NOTICES</b>	
a)	<b>5 MARKET PLACE, HYDE. SK14 2LX</b>	7 - 14
5.	<b>SECTION 119 HIGHWAYS ACT 1980 - DIVERSION OF FOOTPATH DENTON 53</b> Report of the Assistant Director, Environmental Services, attached.	15 - 18
6.	<b>PLANNING APPLICATIONS</b> To consider the schedule of applications.	
a)	<b>17/00375/FUL - 23 BOYDS WALK, DUKINFIELD</b>	19 - 36
b)	<b>17/00489/OUT - FORMER MOSSLEY HOLLINS HIGH SCHOOL, HUDDERSFIELD ROAD, STALYBRIDGE</b>	37 - 60
c)	<b>17/00427/FUL - 31 - 33 MARKET STREET HOLLINGWORTH</b>	61 - 74
d)	<b>17/00534/REM - FORMER SAMUEL LAYCOCK SCHOOL, MERESIDE, STALYBRIDGE</b>	75 - 96
7.	<b>URGENT ITEMS</b> To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	

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## **SPEAKERS PANEL (PLANNING)**

**6 September 2017**

**Commenced: 10.00am**

**Terminated: 11.50am**

**Present:** Councillor McNally (Chair)  
Councillors Dickinson, P Fitzpatrick, Kinsey, D Lane, Sweeton,  
Travis, Ward and Wild

**Apologies for absence:** Councillors Glover, S Quinn and Ricci

### **8. DECLARATIONS OF INTEREST**

There were no declarations of interest submitted by Members.

### **9. MINUTES**

The Minutes of the proceedings of the meeting held on 26 July 2017 having been circulated, were taken as read and signed by the Chair as a correct record, with the following amendment to Minute 7:

#### **RESOLVED**

- (i) That approval be given to the variation of a Section 106 Agreement entered into following the grant of planning permission subject to condition and prior signing of the said Section 106 agreement in respect of Application 15/00631/FUL, as follows:

*‘to refund the Bond on the date upon which the first dwelling is built and substantially completed in accordance with the definition set out in the agreement, as the site will no longer be available form employment purposes.’ Substantially completed being defined as:*

- (a) *Completed so that the relevant works can be used for the purpose and operate in the manner for which they were designed; and*  
(b) *Fitted out so that they are available for occupation.*

- (ii) That the delegation of such matters be drafted into Section 106 agreements of a similar nature / circumstance going forward to dispense for the need for a formal Panel decision.

### **10. OBJECTIONS TO PROPOSED OFF STREET PARKING PLACES AMENDMENT (NO 1) ORDER 2017 ASHTON-UNDER-LYNE: AREA OF LAND ON EAST SIDE OF SWAN STREET, 23M SOUTH OF FLETCHER STREET**

The Assistant Executive Director (Environmental Services) submitted a report which explained that the Council had received a request to incorporate within the car park order an informal small parcel of Council owned land, currently used for unrestricted parking which was located adjacent to the Old Cross Street car park. The parcel of land measured 12m x 7m and was positioned 23m south of Fletcher Street on the east side of Swan Street, Ashton-under-Lyne.

Following the closing date of the advertised order, two objections were received, however one had subsequently been withdrawn. The objection was that the proposal would remove the availability of convenient, free parking and leave no other viable alternative and would result in undue hardship having to park outside an alternative address not covered by parking restrictions or

financially by paying for a parking permit in the adjacent car park. The objector had suggested that previously available unrestricted parking on Swan Street was hardly used and therefore this new proposal was unfair. Should the proposal go ahead, the objector suggested that the residents affected should be given a free pass to park in Old Cross Street.

The officer response stated that this location was perhaps unique in that it was extremely unusual that unrestricted free parking was available so close to a town centre. It was understood that the taxi rank was requested to avoid congestion building up on Swan Street and that it was still required for this purpose. Although free passes would not be considered for this location, monthly payments for a permit would be looked on favourably in this location.

Having considered the content of the report including the objection, officer response and arrangements that could be put in place to offer a flexible monthly car park permit, and the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 set out in the report it was –

**RESOLVED**

**That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to seal the Tameside Metropolitan Borough (Off Street Parking Places Amendment No 1) Order 2017.**

**11. 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:-**

<b>Name and Application No</b>	<b>17/00524/FUL</b> <b>Gritstone Crossfit Ltd</b>
<b>Proposed Development:</b>	<b>Change of use from industrial unit to a gymnasium – retrospective.</b> <b>Unit 7A, Albion Trading Estate, Mossley Road, Ashton-under-Lyne.</b>
<b>Speaker(s)/Late Representations:</b>	<b>A statement was submitted against the application.</b> <b>Mr Hill – spoke in support of the application</b>
<b>Additional Information:</b>	<b>The Head of Planning explained that the application sought retrospective, full planning consent for the change of use from an industrial unit to a gymnasium. The application was for a change of use only with no physical external alterations proposed to the building. Because of the potential for significant impact on residential amenity through noise the development was not acceptable and it was considered it was not possible to make it acceptable through the use of conditions. The proposal thereby failed to comply with policies 1.12, S8 and S9 of the UDP and for this reason the recommendation was refusal.</b> <b>The Head of Planning read out in full a statement from an objector notified as part of the planning application process. The objections related in the main to disturbance caused by vibration and heavy gym equipment, and noise when the</b>



	<p>shutter doors were open including music being played, particularly in the morning and late in the evening.</p> <p>The applicant addressed the Panel and advised that he had opened the business two and a half years ago. At that time he had been advised that full permission was in place as it had previously operated as a gymnasium for over three years.</p> <p>The business was currently operating 3 to 4 hours each day providing a health and fitness facility for local residents. He had supplied a Noise Management Plan suggesting a number of means by which noise disturbance could be ameliorated.</p> <p>The Head of Environmental Services advised that noise recording had been made at the objector's house. These recordings registered audible music and also voices from the gymnasium. Whilst the noise levels registered did not constitute noise nuisance at that property, if any residents in the houses directly opposite the gymnasium were to complain there was a definite possibility that they could suffer statutory nuisance from noise.</p> <p>The applicant responded to questions from members of the Panel relating to operating hours, the possibility of the roller shutter doors remaining closed during operating hours, and the Noise Management Plan.</p>
<b>Decision:</b>	<p>The decision was to go against officer recommendation to refuse planning permission and authorise enforcement in respect on unlawful use. Members considered that the concerns raised were not significant enough to justify refusal given the location of the site and the details of the submitted application.</p> <p>The application was approved subject to the following conditions:</p> <p>(1) The use permitted shall not be outside the hours of 06.45 to 21.30 Monday to Friday and 08.00 to 15.00 Saturdays and Sundays.</p> <p>(2) The development shall be carried out in accordance with the following plans: the Local Plan and the Noise Management Plan dated 24 May 2017 received with the application.</p>

<b>Name and Application No:</b>	<p>17/0044/FUL</p> <p>New Charter Housing</p>
<b>Proposed Development:</b>	<p>Creation of a car park.</p> <p>Grass verge at Platting Grove, Ashton-under-Lyne.</p>
<b>Speaker(s)/Late Representations:</b>	<p>Paul Hadfield – New Charter Housing – spoke in support of the application.</p>
<b>Decision:</b>	<p>Approved subject to the conditions as set out in the report.</p>

<b>Name and Application No:</b>	<b>17/00241/FUL</b>
<b>Proposed Development:</b>	<b>Erection of a new industrial building (2,950 square metres) comprising 3 no. units for Use Class B1 (Business) and B8 (Storage/Distribution) purposes together with the laying out of associated car parking spaces</b> <b>Land at the site of Denton Hall, Oakden Drive, Denton</b>
<b>Speaker(s)/Late Representations:</b>	<b>No speakers.</b>
<b>Decision:</b>	<b>Approved subject to conditions as set out in the report.</b>

<b>Name and Application No.</b>	<b>16/00533/FUL</b> <b>Mr P Eade</b>
<b>Proposed Development:</b>	<b>Retrospective planning permission for 2 no semi-detached houses to regularise height difference with neighbouring property and alternative roof design (following grant of planning permission 14/00721/FUL).</b> <b>87 Town Lane, Denton.</b>
<b>Speaker(s)/Late Representations:</b>	<b>Councillor Warrington – spoke against the application</b> <b>Helen Russell – spoke against the application</b> <b>John Barnes – Architect – spoke in support of the application</b> <b>P Eade – applicant – spoke in support of the application</b>
<b>Additional Information:</b>	<p>The Head of Planning introduced the report providing background to the application. Members recalled a previous application reported to Speakers Panel in May 2017. This application was refused due to Members' concerns regarding the incorporation of twin gables and the roof design together with roof volume which they considered constituted poor design which failed to respect the character and appearance of existing residential properties in the area.</p> <p>The current proposal had sought to address these concerns by revising the scheme to incorporate a twin gabled roof to the rear elevation giving a more balanced appearance to the roof.</p> <p>The objectors who attended commented that they appreciated the applicant had submitted a new application and noted the revisions to the roof design. However, they remained concerned that current proposals would be the same overall ridge height as the previously approved scheme and would remain much taller than neighbouring properties. In addition, they raised concerns regarding the layout and car parking provision.</p> <p>The Applicant's agent spoke on behalf of the applicant and discussed how this situation had arisen and put the case forward for the revised design. The agent stated that the current proposal was for the overall ridge height of the roof to remain as previously approved but with an amended design to</p>

	<p>create twin, front and rear facing gables, to reduce the apparent bulk and mass of the roof and better reflect the character of the local area.</p> <p>Members listened to the arguments for and against the application and sought further information on the proposed measurements of the amended design particularly as the originally submitted drawings were found to be inaccurate and had shown the roof of the neighbouring property to be much higher than was actually the case.</p> <p>In determining the application, Members considered the changes to the scheme and whether there was an improvement to the visual appearance of the building over the previously approved scheme.</p> <p>Whilst matters of highways safety and car parking issues were raised by neighbours, it was not considered that any new issues of highway safety were raised by the proposals and the previous application was not refused on the basis of any such concern.</p>
<b>Decision:</b>	<b>Approved subject to the conditions as set out in the report.</b>

## **12. URGENT ITEMS**

The Chair advised that there were no urgent items of business of consideration by the Panel.

**CHAIR**

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## Appeal Decision

Site visit made on 7 August 2017

**by Gareth Wildgoose BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18<sup>TH</sup> August 2017**

**Appeal Ref: APP/G4240/W/17/3171363**  
**5 Market Place, Hyde, Tameside SK14 2LX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Thornbraid Ltd against the decision of Tameside Metropolitan Borough Council.
- The application Ref 16/00825/FUL, dated 30 August 2016, was refused by notice dated 9 December 2016.
- The development proposed is change of use from a range of flexible uses A1, A2, A3, A4 and A5 to A1, A2, A3, A4, A5 and Betting Shop (Sui Generis).

### Decision

1. The appeal is allowed and planning permission is granted for change of use from a range of flexible uses A1, A2, A3, A4 and A5 to A1, A2, A3, A4, A5 and Betting Shop (Sui Generis) at 5 Market Place, Hyde, Tameside SK14 2LX in accordance with the terms of the application, Ref 16/00825/FUL, dated 30 August 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Ground Floor Layout Plan, received on 30/08/16.
  - 3) Before any use hereby permitted takes place, a scheme for the storage and disposal of refuse (including segregated waste recycling and disposal of food waste) shall have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The implemented scheme shall be retained as approved thereafter.
  - 4) Before any hot food preparation equipment is used on the premises, a scheme to control the emission and dispersal of fumes, vapours and odours from the premises shall have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The implemented equipment, measures and specifications shall be retained and maintained as approved thereafter.
  - 5) Before any fixed plant and/or machinery is used on the premises, it shall have been acoustically insulated/designed in accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority. The implemented measures and specifications shall be retained and maintained as approved thereafter.

### **Application for costs**

2. An application for costs was made by Thornbraid Ltd against Tameside Metropolitan Borough Council. This application is the subject of a separate Decision.

### **Main Issue**

3. The main issue is the effect upon the viability and vitality of Hyde Town Centre.

### **Reasons**

4. The appeal site consists of a three storey building located at the junction of Market Place and Clarendon Street within Hyde Town Centre with frontages onto both streets. The ground floor unit is currently vacant, having most recently operated as a shop (A1 use), whilst the upper floors are currently in use by solicitors (A2 use). The premises are located within the primary shopping area of Hyde Town Centre as defined by the Proposals Map of the Tameside Unitary Development Plan (UDP), adopted November 2004. The primary shopping area consists of an indoor precinct and a market square with a mix of retail and complementary town centre uses in the surrounding area and intermittent presence of vacant units. At the time of my visit, the outdoor market was in operation and the primary shopping area, together with the adjoining through route along Clarendon Street to the bus station, had significant levels of footfall and nearby car parks were in demand.
5. The UDP is broadly consistent with the National Planning Policy Framework (the Framework) in so far as it defines the extent of the primary shopping area and makes clear what uses will be permitted. Consequently, the appeal should be determined in accordance with the development plan, unless material considerations indicate otherwise. A Tameside Retail Study published in 2010 informed a draft Hyde Town Centre Supplementary Planning Document (SPD) published and subject to public consultation in 2011, which identified the site as outside of a revised primary shopping area. However, the SPD is afforded little weight as it was not adopted and the primary shopping area in the development plan remains unaltered. I determine the appeal on that basis.
6. Saved Policy 1.7 of the UDP, amongst other things, seeks to support, protect and enhance the role of town centres as the focal points for retailing, leisure, entertainment, administrative, commercial and cultural activities and for office and other employment. Saved Policy S4 of the UDP, amongst other things, indicates that the Council will not permit the change of use of retail premises to non-retail uses where this would create an imbalance or dominant grouping of non-retail uses in any particular area, with a continuity of shopfronts required within the primary shopping areas.
7. It has been drawn to my attention that the site has been subject to a previous appeal decision<sup>1</sup> relating to a proposed change from a retail use (A1 use) to a betting shop (A2 use at the time), where the previous Inspector found conflict with Saved Policy S4 arising from a dominant grouping of non-retail uses within the primary shopping area. Retail uses exist to either side of the appeal property and the proposal would not remove a shopfront. Nevertheless, I agree with the previous Inspector's findings that a further non-retail use in this location could result in a dominant grouping close to the outdoor market

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<sup>1</sup> APP/G4240/A/12/2180427 – Dismissed – 3 December 2012

contrary to Saved Policy S4 of UDP as other non-retail uses nearby along the northern side of Market Place facing The Square include two banks, a public house and a betting shop.

8. Notwithstanding the above, the ground floor unit is no longer in use as a shop and has been vacant since July 2013 with evidence of unsuccessful marketing for a significant period of time and at a reduced rental value relative to its previous occupancy. In addition, subsequent changes to the GPDO<sup>2</sup> include permitted changes of use from a shop (A1 use) to financial and professional services (A2 use). In that context, the Council have granted planning permission in February 2016<sup>3</sup> for change of use from retail (A1 use) to a range of flexible uses (A1, A2, A3, A4 and A5 uses) which remains extant and offers a fallback position for non-retail use of the ground floor unit. It follows from the change in circumstances since the previous appeal decision that dismissal of this appeal would not preclude a non-retail use of the ground floor unit from taking place which is a material consideration that carries considerable weight relative to the conflict with Saved Policy S4.
9. Changes to the Use Classes Order<sup>4</sup> in 2015 excluded betting shops from Class A2, which means that the sui generis use is not permitted by the extant planning permission. The ground floor premises and its vacant shopfront make no existing contribution to the viability and vitality of Hyde Town Centre and its appearance is unsightly in a prominent location facing the open market. A significant period of time has now passed since the Council permitted A1, A2, A3, A4 and A5 uses, with the property having remained unoccupied with evident marketing resulting in limited enquiries and substantive interest other than from a betting shop operator. In such circumstances, whilst I cannot conclude that there is no possibility that the property would be capable of being occupied by retail or other non-retail uses in the long term, the proposal could bring the ground floor premises back into active use at an earlier opportunity. There would be resultant benefits to the viability and vitality of Hyde Town Centre, including the nearby outdoor market, through reintroducing an active use with a window display that would assimilate with those nearby, increased potential for linked trips and a modest contribution to local employment.
10. The Council's concerns relate specifically to the effect of an additional betting shop. The appeal proposal would not prevent the vacant premises otherwise being occupied by a retail use or other non-retail uses already permitted, but it could result in an additional betting shop facing Market Place which includes three existing betting shops. A number of appeal decisions<sup>5</sup> have been drawn to my attention by the appellant relating to betting shops having been permitted where others are close by, which I have taken into account. However, those appeal decisions were not related to premises within Hyde Town Centre and reflected locations in other districts with a range of circumstances and where different development plan policies applied. It is, therefore, necessary that I consider the appeal proposal on its own merits.
11. Saved Policies 1.7 and S4 of the UDP provide no specific threshold for concentrations of individual non-retail uses. However, it is reasonable that a

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<sup>2</sup> The Town and Country Planning (General Permitted Development) (England) Order 2015

<sup>3</sup> Planning ref: 15/00968/FUL

<sup>4</sup> The Town and Country Planning (Use Classes) Order 1987 (as amended)

<sup>5</sup> APP/U5930/A/14/2229533, APP/E5330/A/14/2226118, APP/M4510/A/12/2183614, APP/E2734/A/12/2178790, APP/Z4718/A/12/2175438, APP/G5750/A/12/2172681

predominance or cluster of betting shops could create a perception of retail decline. Nevertheless, the location of the property facing onto Market Place towards The Square and the market, together with its position at the western corner of Clarendon Street, affords visual separation and demarcation from the nearest betting shop located further to the east beyond a public house on the opposite corner. The other two betting shops are located further to the east to both sides of the more enclosed streetscape of Market Place beyond Hamnett Street where a mix of other retail and non-retail uses are also present. Consequently, the use would be visually distinct from the other betting shops.

12. The mix of retail and non-retail uses around the appeal site and between each of the betting offices offer an appropriate range of alternative uses along Market Place and The Square to prevent a perception of betting shops being homogenised, predominant or clustered. Having regard to the above and given that the proposal in the primary shopping area would result in betting shops in less than 4% of the total units, it would not result in a harmful over-concentration of such uses within Hyde Town Centre. As the overall proportion of betting shops in the primary shopping area would remain comparatively low relative to retail and other non-retail uses, the betting shops and any Fixed Odds Betting Terminals (FOBTs) which may result would not have a harmful effect on the viability and vitality of Hyde Town Centre. If FOBTs were to be installed, the practice and behaviour of customers within the appeal unit is properly controlled under the licensing regime.
13. I conclude that the development would not harm the viability and vitality of Hyde Town Centre. The proposal would, therefore, accord with Saved Policy 1.7 of UDP as it could support the role of the town centre by reintroducing an active use with modest benefits in terms of local employment. Although conflict with Saved Policy S4 of the UDP has been identified, in the particular circumstances of this case it is out-weighed by the absence of resultant harm due to the fallback position of an extant planning permission and permitted development rights for non-retail uses. The proposal is consistent with the UDP and the Framework when taken as a whole.

### **Conditions**

14. I have considered the conditions suggested by the Council and amended the wording where necessary to ensure compliance with paragraph 206 of the Framework and Planning Practice Guidance. Conditions relating to the time limit for commencement and plans compliance are necessary to provide certainty in terms of the planning permission granted. Further conditions suggested by the Council related to the installation of plant and machinery, dispersal of emissions relating to hot food preparation and arrangements for storage and collection of refuse. Those conditions are necessary to safeguard the living and working environment for occupiers of neighbouring properties, including the solicitors above, given the range of uses that would be permitted which could otherwise introduce harmful noise, disturbance and odours.

### **Conclusion**

15. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be allowed and planning permission granted.

*Gareth Wildgoose*

INSPECTOR



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## Costs Decision

Site visit made on 7 August 2017

**by Gareth Wildgoose BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18<sup>th</sup> August 2017**

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### **Costs application in relation to Appeal Ref: APP/G4240/W/17/3171363 5 Market Place, Hyde, Tameside SK14 2LX**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Thornbraid Ltd for a full award of costs against Tameside Metropolitan Borough Council.
  - The appeal was against the refusal of planning permission for change of use from a range of flexible uses A1, A2, A3, A4 and A5 to A1, A2, A3, A4, A5 and Betting Shop (Sui Generis).
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### **Decision**

1. The application for an award of costs is refused.

### **Reasons**

2. The Government's Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may be awarded against a party that has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The PPG provides examples of unreasonable behaviour by local planning authorities. This includes procedural matters such as a lack of co-operation with other parties. Unreasonable behaviour can also include substantive matters such as failure to produce evidence to substantiate a reason for refusal on appeal and vague and generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis. The application for costs relates to each of these matters listed as examples.
4. The applicant engaged in correspondence with a Council officer after the planning application was submitted and before it was determined. The Council officer indicated by e-mail on 27 October 2016 that the decision had been delayed due to the proposal having been called in to a Speakers Panel (Planning Committee) arising from a councillor objection. The Council officer indicated an intention to recommend approval when referring the application to the next Speaking Panel meeting on 16 November 2016, with an extension of time subsequently agreed with the applicant until 21 November 2016.
5. Based on the evidence before me, Council procedures require that provisional officer recommendations be considered by the Development Manager before submission to the Speaking Panel. In such circumstances, the Development Manager is not duty bound to agree with the officer recommendation. It is reasonable that should the officer recommendation be altered, it could result in

- a change of procedure, whereby applications are withdrawn from the Speaking Panel and determined via powers delegated to the Development Manager.
6. The correspondence before me indicates that the applicant was informed by the Council on 9 November 2016 of a change of procedure, but the Council have offered no evidence that a response was provided to subsequent requests sent by the applicant to officers for clarification of the reasons. The Council's lack of communication with the applicant after 9 November 2016 and the unexplained delay in determining the planning application until 9 December 2016 has not been justified and therefore, consists of unreasonable behaviour. However, based on the evidence submitted by both parties as part of the appeal, communication between the applicant and the Council during that period would not have resulted in a different decision. Consequently, the Council's substandard communication with the applicant, whilst unreasonable behaviour, did not cause wasted expense in the appeal process as a result.
  7. Turning to the substantive matters, the reasons for refusal set out in the decision notice are complete, precise, specific and relevant to the application. The reasons for refusal clearly identify what the Council considers to be harmful and refers to conflict with Saved Policy 1.7 of the Tameside Unitary Development Plan (UDP) and the National Planning Policy Framework. The applicant's appeal submission was detailed with extensive appendices providing supporting evidence. In response, the Council have sought to substantiate the reason for refusal via a statement of case which accompanies the officer report. In doing so, the extent to which the Council address the appeal submissions remains at their discretion when seeking to substantiate the reasons for refusal.
  8. Within my appeal decision, the reasons for refusal are consolidated into a single main issue as they both relate to the effect upon the viability and vitality of Hyde Town Centre, including the outdoor market. I find the Council approach of determining the planning application on the basis of a primary shopping area identified by the UDP, rather than evidence in a Tameside Retail Study published in 2010 and a draft Hyde Town Centre SPD published in 2011, to be reasonable. In that context, it will be seen from my decision that similarly to the findings of a previous Inspector relating to an appeal at the site in 2012, I found conflict with Saved Policy S4 of the UDP due to the potential for a dominant grouping of non-retail uses. However, in my judgement, the conflict with that policy is now outweighed by other material considerations. Influential material considerations are that the ground floor unit is no longer in use as a shop and there is evidence of unsuccessful marketing of the vacant unit, together with the fallback position of an extant planning permission for a range of non-retail uses and the permitted changes of use between retail and some non-retail uses following changes to the GPDO<sup>1</sup>.
  9. With regard to the above, the Council's officers report recognised that ongoing vacancy of the premises which has occurred for a considerable period of time and changes to the GPDO were significant factors in the previous decision to grant planning permission for a range of flexible uses A1, A2, A3, A4 and A5. It reasonably follows that the Council took account of those factors and made a judgement relative to the proposal before me that such matters, including the potential for the unit to remain vacant in the future, were outweighed by the

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<sup>1</sup> The Town and Country Planning (General Permitted Development) (England) Order 2015

harm they perceived in terms of the provision of a betting shop. In that respect, I take a different view as I concluded that the addition of a betting shop in the location as proposed and relative to those existing would not result in unacceptable homogenisation, predominance or clustering of such uses or harm to the viability and vitality of Hyde Town Centre, including the outdoor market, as a result.

10. Notwithstanding the above, such a conclusion arises from a matter of judgement on a subjective issue relating to the proposal's impact, in circumstances where there are no Saved Policies in the UDP or guidance that identify specific thresholds for concentrations of individual non-retail uses in town centres or primary shopping areas. Although a number of appeal decisions were drawn to my attention by the applicant relating to betting shops having been permitted where others are close by, they were not direct parallels as they related to locations in other districts with a range of circumstances and where different development plan policies applied. Consequently, I cannot find that the Council behaved unreasonably in reaching a different view to my own given the subjectivity of judgements made, irrespective of the outcome of the appeal.
11. Having regard to the above and based on the evidence before me, I cannot conclude that an appeal was unnecessary in this case. The individual circumstances of the proposal necessitated assessment on its own merits given the subjectivity of issues in dispute and judgements involved. The applicant, therefore, did not suffer wasted expense in pursuing the appeal, despite its outcome and the unreasonable behaviour of the Council identified in terms of a procedural matter.

### **Conclusion**


12. I conclude that, on the basis of the evidence before me, it has been demonstrated that the Council behaved unreasonably with respect to a procedural matter only. However, in the particular circumstances of this case, I am not satisfied that the unreasonable behaviour caused unnecessary or wasted expense for the applicant in the appeal process in so far as an award of costs could be justified. I, therefore, determine that the costs application should fail and no award is made.


*Gareth Wildgoose*

INSPECTOR

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<b>Report To:</b>	<b>SPEAKERS PANEL (PLANNING)</b>
<b>Date:</b>	15 November 2017
<b>Reporting Officer:</b>	Ian Saxon, Assistant Director, Environmental Services
<b>Subject:</b>	<b>SECTION 119 HIGHWAYS ACT 1980 – DIVERSION OF FOOTPATH DENTON 53</b>
<b>Report Summary:</b>	The report seeks authority to make an order under Section 119 Highways Act 1980 to divert a public right of way to make it more commodious for the users. Under the Council's constitution, the Speakers Panel (Planning) is responsible for decisions that affect the definitive rights of way network.
<b>Recommendations:</b>	It is recommended that an order be made to divert the footpath known as Footpath Denton 53 as indicated on the plan attached at <b>Appendix A</b> and that the Borough Solicitor be authorised to take the necessary steps to implement this decision.
<b>Links to Community Strategy:</b>	Provides a safer and secure Environment for the people of Tameside
<b>Policy Implications:</b>	None arising from the report.
<b>Financial Implications:</b>	Any costs associated with the footpath diversion will be funded from existing revenue budgets within Environmental Services.
<b>(Authorised by the Section 151 Officer)</b>	
<b>Legal Implications:</b> <b>(Authorised by the Borough Solicitor)</b>	<p>DEFRA Circular 1/09 on Rights of Way advises at 5.33: In deciding whether or not it is expedient to confirm a diversion order under section 119 of the 1980 Act the Secretary of State, or the order making authority if there are no outstanding objections, must have regard to the effect that:</p> <ul style="list-style-type: none"><li>• the diversion would have on the public enjoyment of the path as a whole;</li><li>• the coming into operation of the order would have as respects other land served by the existing right of way; and</li><li>• any new public right of way created by the order would have with respect to any land held with it.</li></ul>
<b>Risk Management:</b>	There is a possibility that the order may not be confirmed if there are substantial objections. Some informal discussions have taken place with rights of way groups to enable early consideration of any issues arising if the diversion is taken forward to minimise the risk of objections.
<b>Access to Information:</b>	<p><b>Appendix A</b> – Location plan showing the proposed diversion</p> <p>All documentation can be viewed by contacting Michael Hughes, Sustainable travel Officer</p>

 Telephone: 0161 342 3704

 e-mail: [michael.hughes@tameside.gov.uk](mailto:michael.hughes@tameside.gov.uk)

## **1. BACKGROUND**

- 1.1 Public Footpath Denton 53 (DEN/53) runs from its junction with Public Footpaths Denton 49 and Denton 50 to Ardenfield, Denton.
- 1.2 The footpath runs through the Haughton Dale Countryside Site which is managed by the Council's Operations and Greenspace section. The Tameside Trail, Tame Valley Way and Trans Pennine Trail promoted routes all run along part of this footpath.

## **2. REASONS FOR THE DIVERSION**

- 2.1. One section of Footpath DEN/53 runs alongside the River Tame. Over the years, the river has eroded the embankment upon which Footpath DEN/53 runs.
- 2.2 The erosion of the embankment has led to the public footpath becoming very narrow and several sections are now in danger of total collapse.
- 2.3 Officers from the Operations and Greenspace section have carried out retaining works to the embankment for a number of years to slow the erosion. Unfortunately, they have now conceded that a collapse of the embankment and footpath is inevitable.
- 2.4 It is considered that the engineering works needed to re-inforce the footpath and to permanently address the danger of collapse will be prohibitively expensive. The most effective solution therefore is deemed to be to divert part of Footpath DEN/53 to a parallel alignment that is further from the river's edge.

## **3. PROPOSED DIVERSION**

- 3.1. The proposed diversion would run from point A to point B as shown by a bold, broken line in **Appendix A**. The exiting footpath to be closed is shown between point A and point B by a bold, continuous line
- 3.2. The proposed diversion route would move the footpath to a parallel alignment further from the edge of the river.
- 3.3 The existing footpath follows a path that has been maintained by the Council's Operations and Greenspace section. The relevant section of path runs alongside the River Tame and has a width of approximately 1.0 to 1.5 metres. There is a short bridge across a tributary stream that feeds the river but otherwise, there are no structures on this footpath..
- 3.4 The proposed diversion runs along a compacted stone multi-user track which has a width of approximately 2.5 metres. There are no structures or other barriers to the free use of this track.
- 3.5 The Council is the owner for all of the land involved as part of this diversion process.
- 3.6 The Council will use existing budgets from Public Rights of Way to meet the full costs involved in the diversion procedure. The alternative route is already constructed and maintained to a high standard by the Council's Operations and Greenspace section.

#### **4. COMMENTS OF THE EXECUTIVE DIRECTOR OF PLACE**

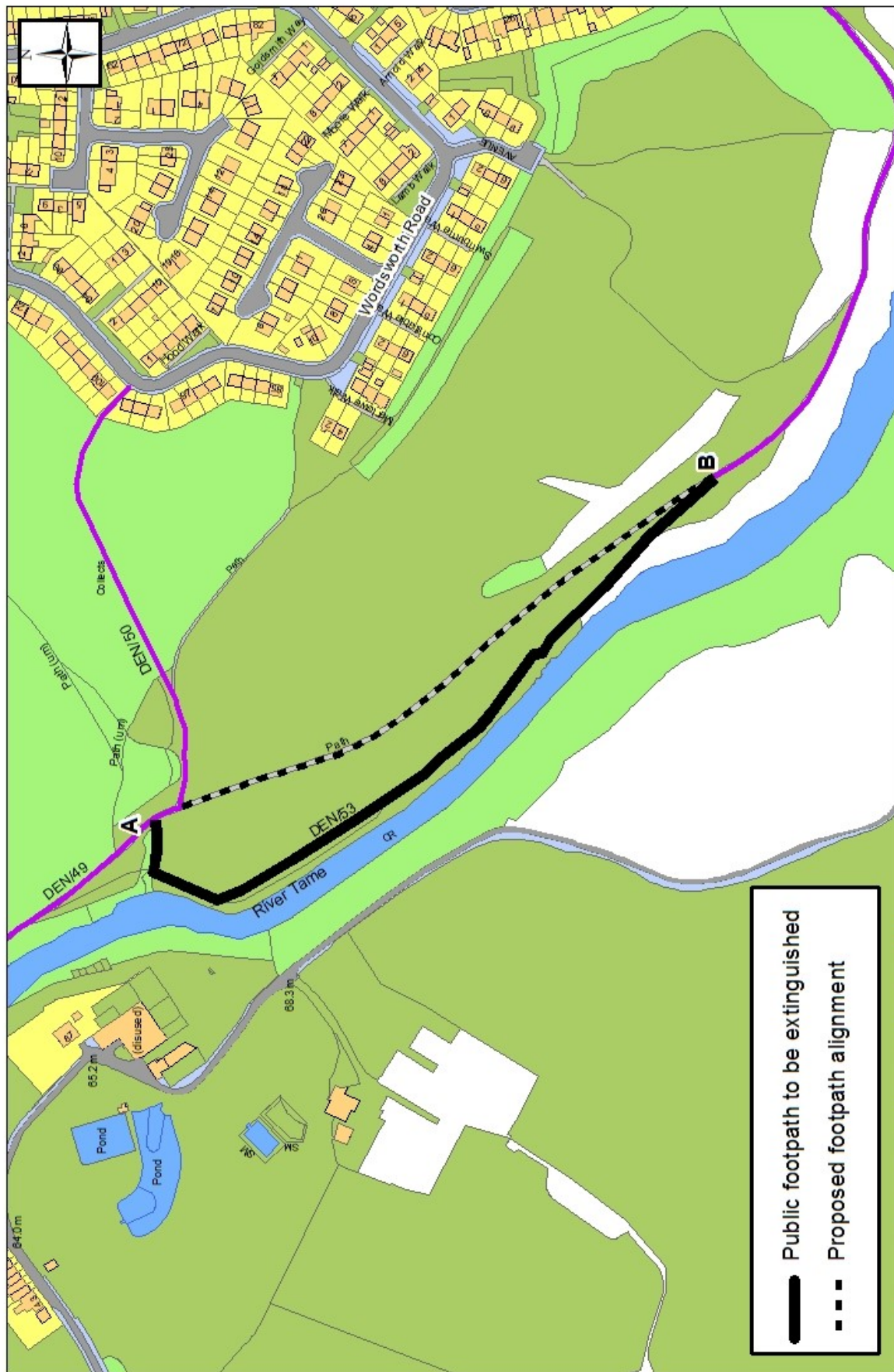
- 4.1 It is not felt that the proposed diversion route will be less commodious for the users. Whilst the alignment is similar; the surface construction, length and width will all be improved and so the proposal appears to be of benefit for the users.
- 4.2 The existing section of Footpath DEN/53 that is to be closed has a natural surface that is often muddy. The proposed diversion makes use of a currently existing multi-user path that is constructed from compacted stone.
- 4.3 The existing section of Footpath DEN/53 that is to be closed has a length of 417 metres. The proposed diversion has a length of 352 metres and so is 65 metres shorter..
- 4.4 The existing section of Footpath DEN/53 that is to be closed has a width of approximately 1.0 to 1.5 metres. The proposed diversion has a width of approximately 3.0 metres.
- 4.5 The public rights of way organisations that operate in the Tameside area have been given the opportunity to informally comment on the proposed diversion. The only comment received during this discussion related to the potential loss of views of the river from the diverted alignment. This comment did not result in an objection however after it was explained that views of the river are available on the approach to this section of path from both directions.
- 4.6 If approval is granted to proceed with the diversion of Footpath 53 then the order will be advertised for consultation with the public in accordance with the statutory process.

#### **5. RECOMMENDATION**

- 5.1 It is recommended that the order be made to divert Footpath Denton 53 as indicated on the plan attached at **Appendix A** and that the Borough Solicitor be authorised to take the necessary steps to implement this decision.



# APPENDIX A





**17/00375/FUL**

**Proposal: Two storey side and rear extension**

**Location: 23 Boyds Walk, Dukinfield**

**Application Number: 17/00375/FUL**

## **REPORT**

### **1. REASON FOR SPEAKERS PANEL DECISION**

- 1.1 A Speakers Panel decision relating to this application is required as the applicant is an employee of Tameside Council.

### **2. PROPOSAL.**

- 2.1 This application seeks planning permission for the erection of a two storey side and rear extension.
- 2.2 The proposed two storey side and rear extension would have a set back from the main front elevation by 0.05 metres. The extension would have a width of 2.90 metres and would extend down the side and rear of the dwelling, extending 12.1 metres in distance (extending 3.15 metres beyond the rear elevation).
- 2.3 The extension at the side would have a height to the eaves to match the existing eaves height and would have a height to the ridge to match the existing dwelling. At the rear, the two storey rear extension would match the height to the eaves, however the ridge height would be 6.80 metres (1.15 metres below the host dwelling).
- 2.4 The application provides details of a proposed porch which would have a height of 3 metres and would be less than 3 sqm in area and more than 2 metres from the side boundary and the highway. This porch can be built using Permitted Development rights and as such has not been considered as part of this application.
- 2.5 Planning permission was granted in 2007 for a two-storey side extension and single storey rear extension. The details differ from this current proposal which includes a two-storey rear extension. The 2007 permission has lapsed but is a material consideration in the determination of this application.

### **3. SITE & SURROUNDINGS**

- 3.1 This application relates to a semi-detached residential dwelling located on Boyds Walk, Denton.
- 3.2 The area is predominantly residential, with these dwellings largely red brick semi-detached and in similar style to the applicant's dwelling.
- 3.3 There are a number of two storey side extensions in the immediate vicinity, including Nos. 22 and 27 Boyds Walk, including a partially completed two storey side extension at 10 Watley Grove. There are also a number of single storey side extensions in the immediate vicinity.

- 3.4 The application site is sited at a lower ground level to No. 25 Boyds Walk, which is also orientated so that the rear elevation of No. 25 faces the rear garden of No. 23 Boyds Walk.

#### **4. PLANNING HISTORY**

- 4.1 07/00756/FUL – Two storey side extension and single storey rear extension – Approved 27.07.2007.

#### **5. RELEVANT PLANNING POLICIES**

##### **Tameside UDP**

- 5.1 Unallocated

##### **Policy**

- 5.2 H10 Detailed Design of Housing Developments  
Residential Design SPD

##### **Other Policy**

- 5.3 National Planning Policy Framework (NPPF)
- 5.4 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. CONSULTATIONS**

- 6.1 12 neighbours adjoining the application were notified of the application. One letter of objection has been received from the owner of 25 Boyds Walk. The objector refers to concerns over loss of light and visibility at the front and back of the extension, impact to their garage, inconsistency over the plans and querying requirement for access to their land for building works.
- 6.2 Neighbours were reconsulted on the receipt of amended plans and no responses have been received.

#### **7. ANALYSIS**

- 7.1 In accordance with UDP Policy H10 and the Councils adopted SPD on Residential Design, the main issues raised by this application relate to the effects of the outbuilding on the character and appearance of the area and on residential amenity and in particular the living conditions in adjacent properties in terms of privacy and outlook.

##### **Character and appearance of the area**

- 7.2 The existing form of development on Boyds Walk comprises of red brick semi-detached houses. Many properties have extended to the side at either single or two storey.
- 7.3 The applicant's extension would consist of a 'carport' on the ground floor (to accommodate off-street parking). The first floor would accommodate a 'box room' towards the front and an en-suite bedroom to the middle and rear portions of the extension.

- 7.4 The proposals would not maintain a 1 metre gap to the side and the set back from the front elevation is limited. However it is noted that No. 25 is sited at an oblique angle to the applicant's extension, so therefore there would be no terracing effect to this dwelling. As such, the requirement to set back at the front and the side is not considered to be necessary to warrant amendments to the scheme.
- 7.5 There are a number of two storey side extensions in the vicinity, notably Nos. 22 and 27 Boyds Walk. Whilst the applicant's extension has a 'car-port' at ground floor and an extension above, which would be unique to the area, the overall massing of the extension would still appear a two storey extension. Nevertheless, the car port would be partially screened from the streetscene to the west due to the change in ground levels and boundary treatment. It is also of note that the applicant has a car port at present.
- 7.6 There is also no conflict with the core planning principle in the National Planning Policy Framework (NPPF) which states that planning should always seek to secure high quality design.

#### **Residential Amenity**

- 7.7 Policy RED 3 of the Residential Design SPD states that two storey rear extensions should be limited so as it does not project more than from a 45 degree line taken from the centre of the nearest ground or first floor habitable room windows (whichever is closest to the boundary).
- 7.8 With regards to the adjoining property (No. 21), the proposals would be compliant. With regards to No. 25, due to the siting of this dwelling, the above policy would not apply and as such the case officer visited this property to understand the impact the extension could have on this dwelling.
- 7.9 It was noted that there are a number of extensions and windows to the side and rear of No. 25. The side extension has a window to the side (for a study) and a window to the front (obscure glazed). It is considered that the outlook of this study would not be adversely affected by the siting of the extension at No. 23, as it faces out towards the street. The two windows at first floor on the side are for the hallway and bathroom.
- 7.10 It was also noted that there is a rear extension to No. 25, which accommodates a kitchen. The window for this kitchen is on the side facing towards the applicant's dwelling. There is no window to the rear of this extension. While the outlook of the kitchen window could be impacted upon, it is not considered to be an adverse effect on the outlook, given the angle of the dwelling and size of the window. There would be no unacceptable overshadowing or loss of light, given the siting of the extension to the west of the proposed window. The outlook to the street would remain unaffected.
- 7.11 The first floor window above the extension at No. 25 Boyds Walk is not considered to be adversely impacted by the applicant's proposals, due to the change in levels between the dwellings and the outlook.
- 7.12 Officers also considered the impact on the rear garden of No. 25 Boyd's Walk. The extension at the rear would be visible from the garden. However, the outlook from the garden towards the applicant's dwelling is already impacted upon through the siting of their storage shed to the rear. As such, the siting of the proposed two storey rear extension, which is lower in height than the host dwelling and sited to the west, is not considered to have an unacceptable overbearing impact or contribute to an unacceptable loss of light or overshadowing to the garden of No. 25 Boyd's Walk.
- 7.13 With regards to interface distances from habitable room windows on the extension, there are no dwellings within 18 metres to the rear. With regards to the window for the enlarged box room, this is on the same plane as existing windows at the front so is not considered to

worsen an existing situation with regards to interface distances to the adjacent side of the street.

- 7.14 As such, it is considered that the proposal would not cause any undue harm to the living conditions in adjacent properties in terms of outlook or privacy. In these respects it would comply with UDP Policy H10, which requires development proposals to have regard to the amenity of neighbours in terms including privacy and outlook. There would also be no conflict with Residential Design SPD Policy Guidance.
- 7.15 It is also considered that the development would accord with the core planning principle in the NPPF that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

## **8. CONCLUSION**

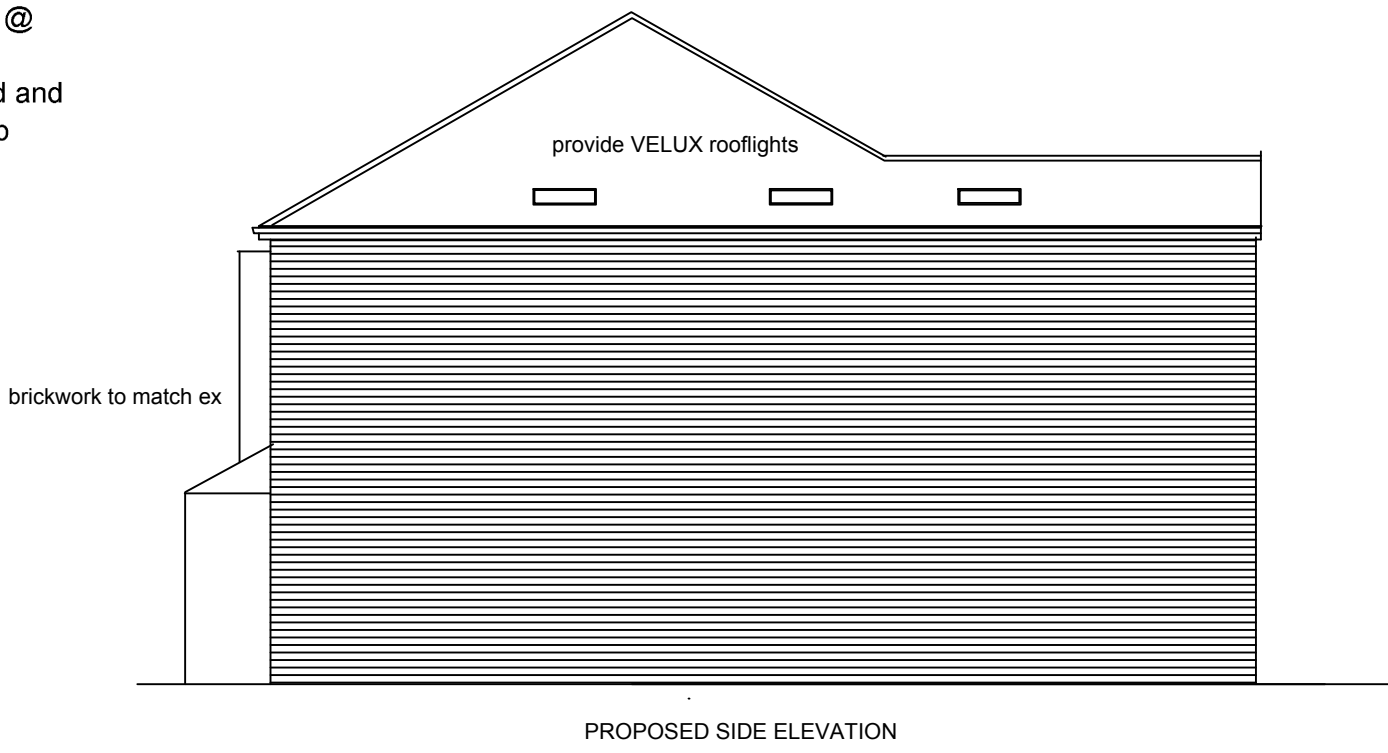
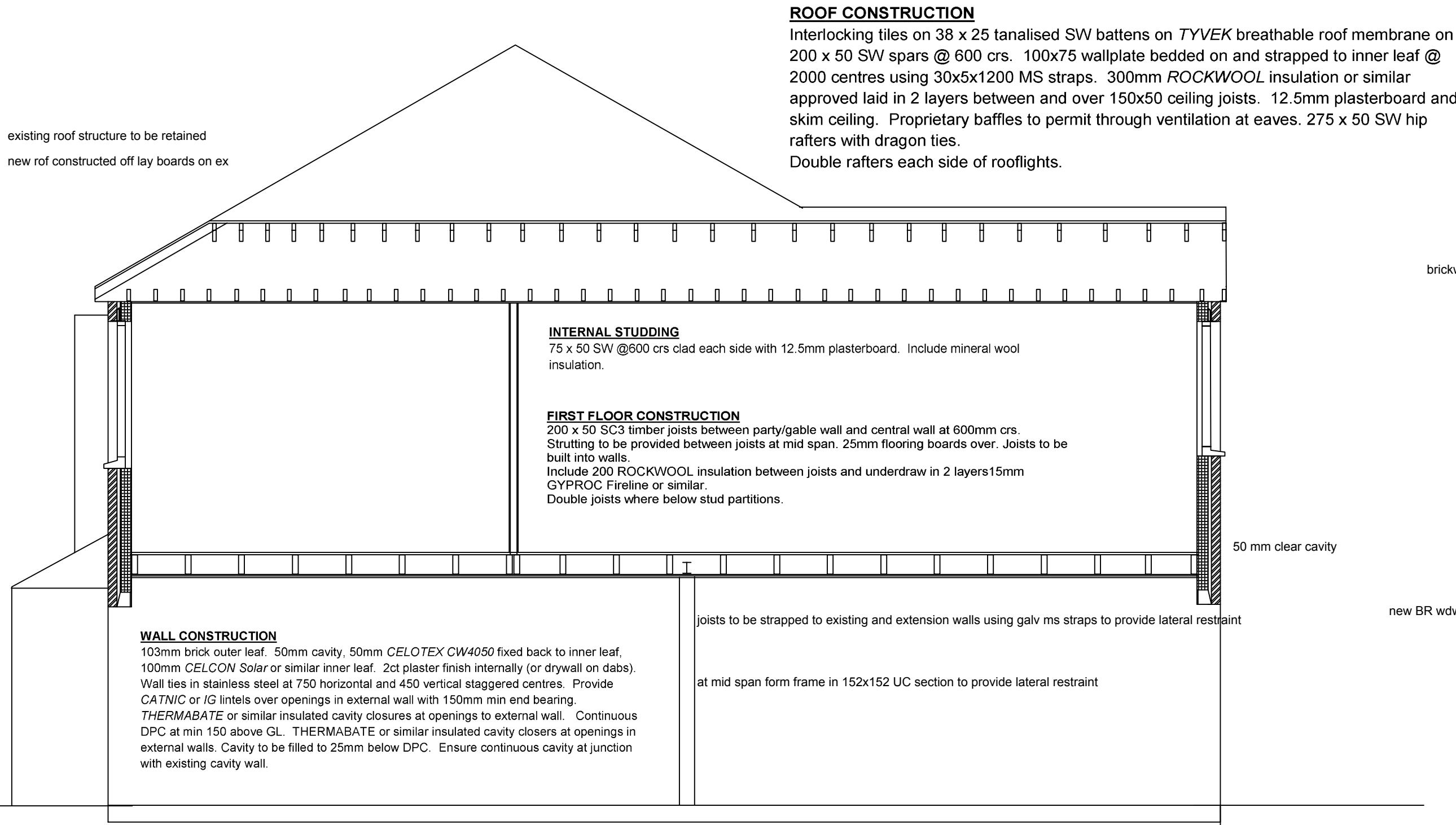
- 8.1 For the reasons set out above and having regard to all issues raised, it is considered that the development is in accordance with UDP Policy H10 and SPD Residential Design and is recommended for approval.

## **9. RECOMMENDATION – APPROVE subject to the following conditions:**

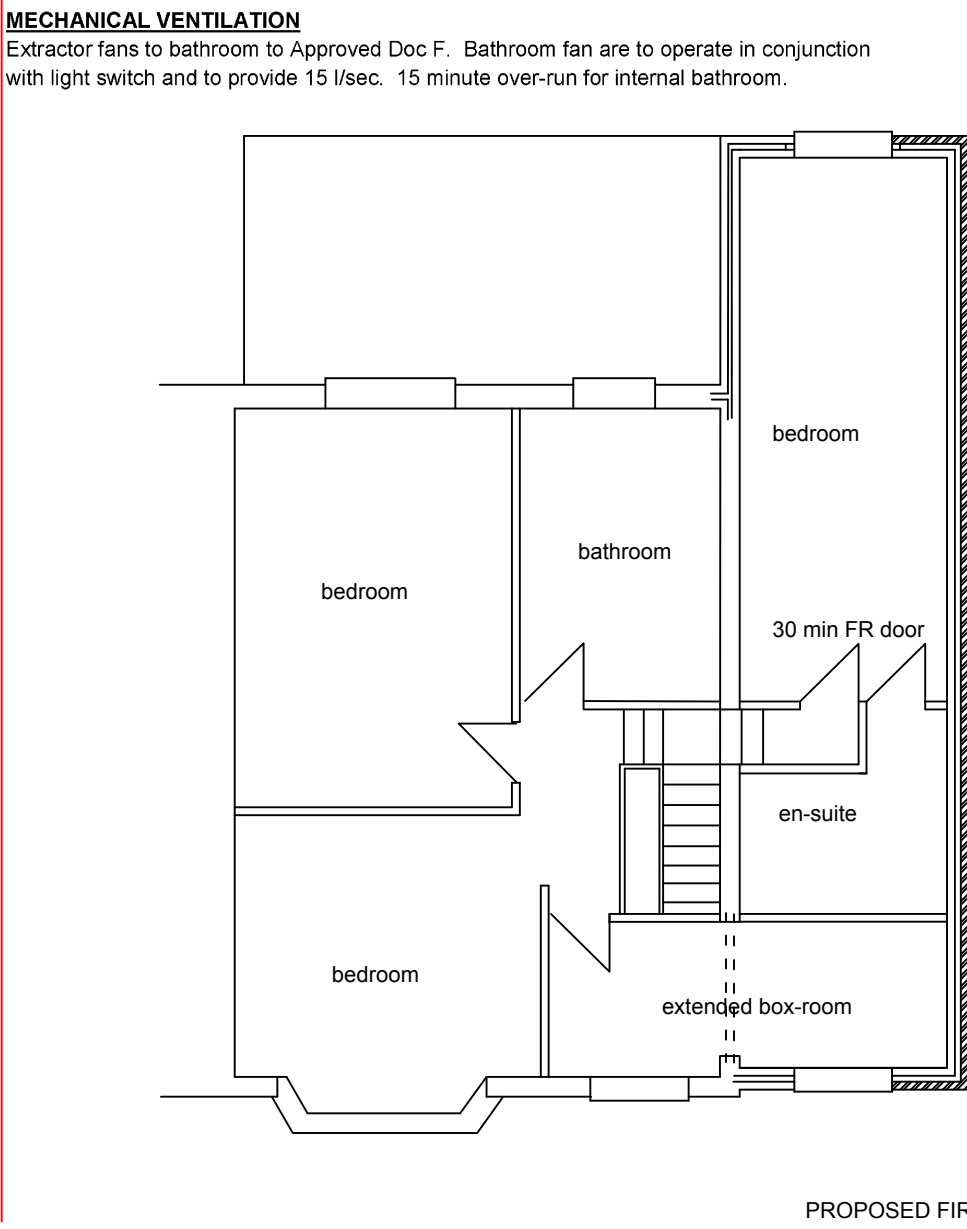
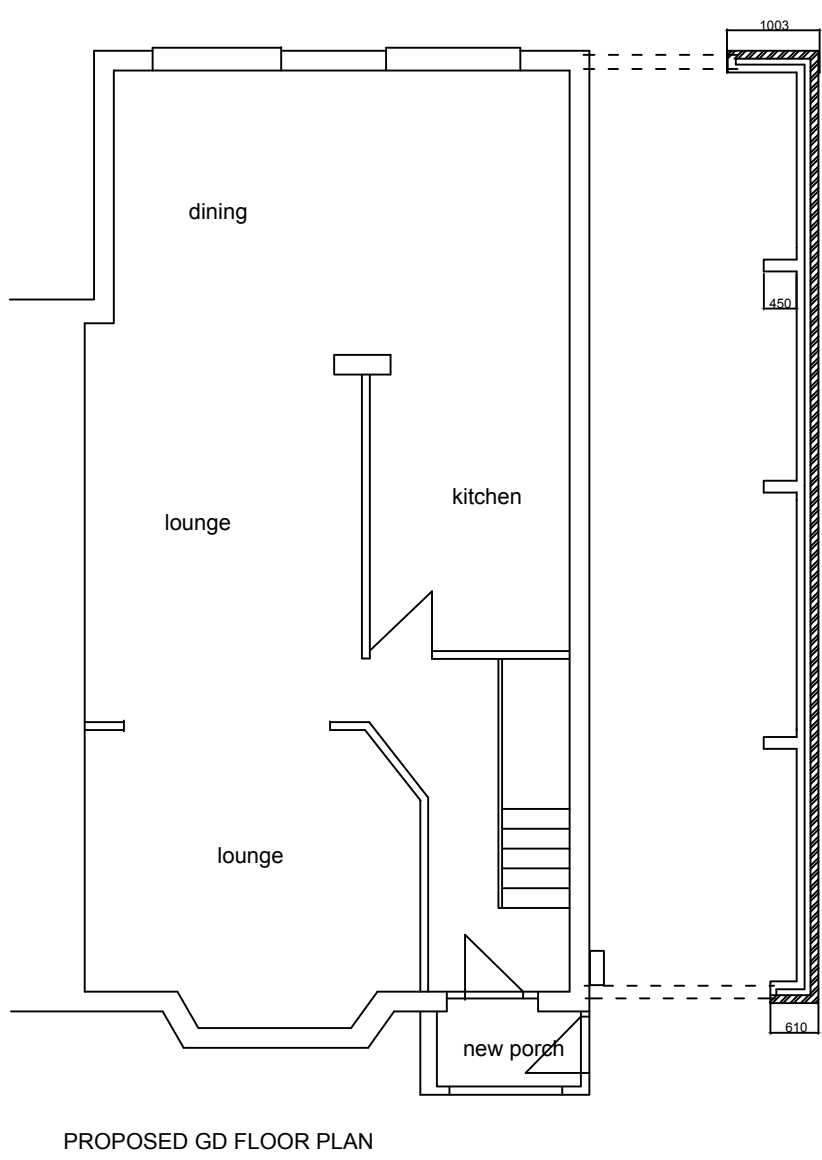
1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension shall match as closely as possible the corresponding materials in the existing house.
3. The development hereby approved relates to drawings dated June 2017 which were received by the Council on 22nd August 2017.

### **Reasons**

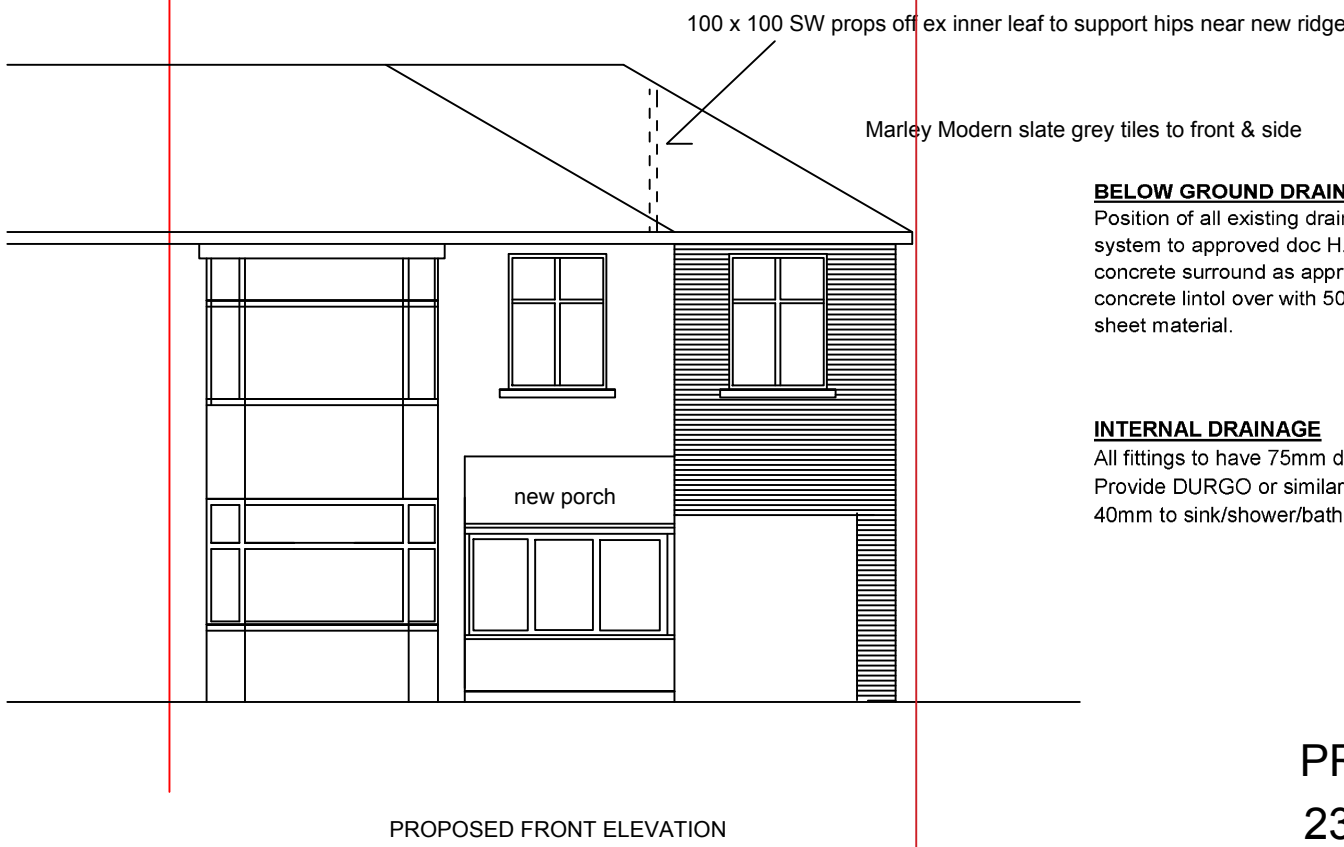
1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of visual amenity.
3. For the avoidance of doubt.



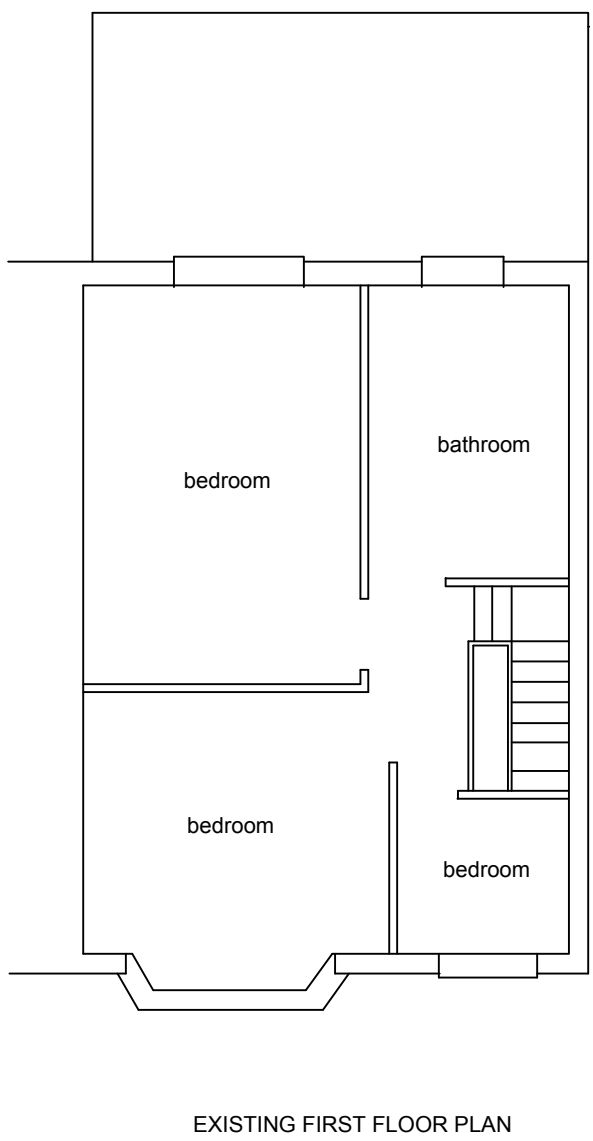
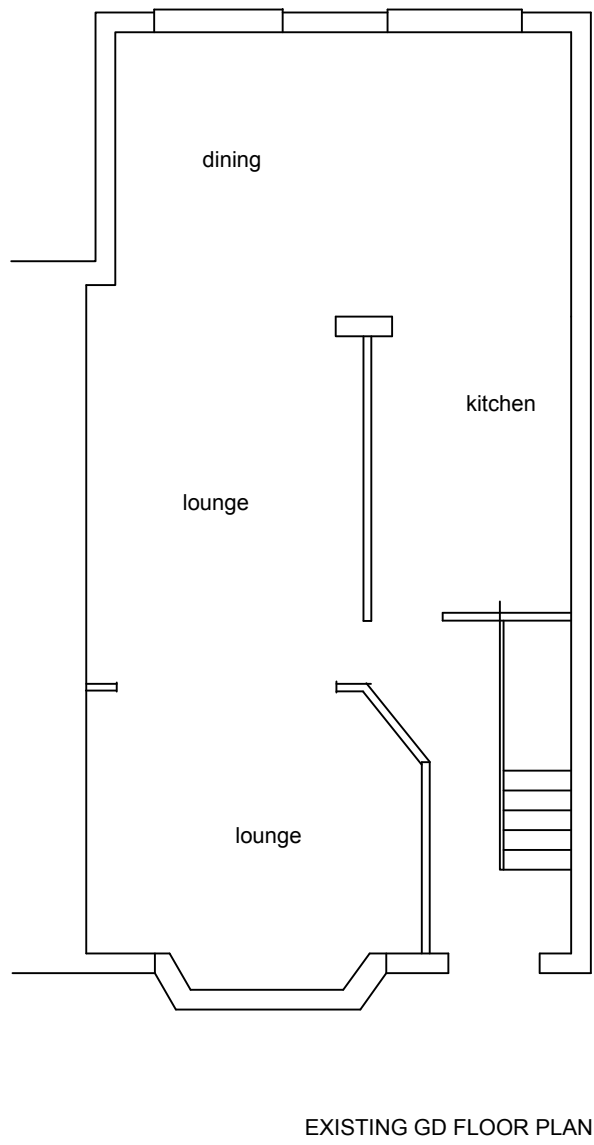
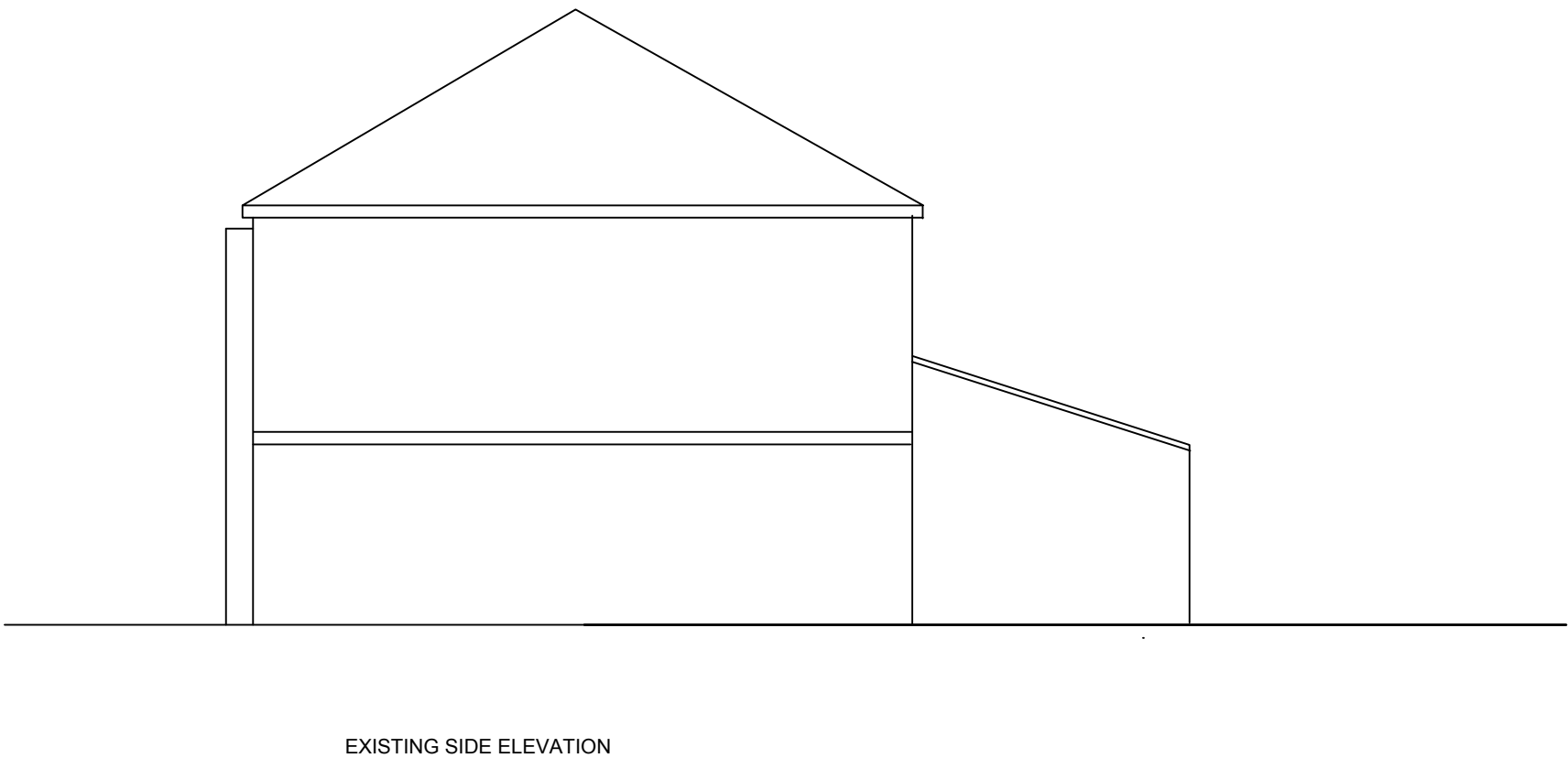
750 x 150 concrete strip founds at min 900 below GL and on suitable bearing material as determined by Building Control. Founds taken down to invert of any drainage within 1m.



**BELOW GROUND DRAINAGE**  
Position of all existing drainage to be determined on site. All new S&VP connections to system to approved doc H. Any drains beneath building to be bedded in granular fill or concrete surround as appropriate. Where passing through walls they are to be protected by concrete lintol over with 50mm clearance all round pipe. This gap to be sealed with rigid sheet material.



PROPOSED SIDE EXTENSION  
23 BOYDS WALK DUKINFIELD  
1/100 1/50 @ A2 June 2017



**ELECTRICAL WORKS**  
All wiring and electrical works to be designed, installed, inspected and tested in accordance with requirements of BS7671, IEE 17<sup>th</sup> Edition wiring guidance, and Building Regs Part P by a member of the LCG Competent Person Scheme. The Competent person is to send to the LA a 'Self-certification Certificate' within 30 days of completion. Client must also receive a copy of this together with BS7671 Test Certificate.

Mains operated interlinked smoke alarms with a battery backup required to the GF hall and FF landing

PROPOSED SIDE EXTENSION  
23 BOYDS WALK DUKINFIELD  
1/100 @ A2 JUNE 2017

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LOCATION @ 1/500

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**Application Number 17/00489/OUT**

<b>Proposal</b>	Outline application for residential development and associated works.
<b>Site Location</b>	Former Mossley Hollins High School, Huddersfield Road, Mossley
<b>Applicant</b>	Tameside Metropolitan Borough Council
<b>Recommendation</b>	Grant Planning Permission subject to Conditions
<b>Reason for Report</b>	The proposal constitutes major development on a previously developed brownfield site in the Green Belt

**REPORT****1. APPLICATION DESCRIPTION**

- 1.1 This planning application seeks outline permission for residential development with detailed approval for means of access at the site of the former Mossley Hollins High School on the Huddersfield Road, Mossley.
- 1.2 As the application is in outline all other matters relating to appearance, layout, scale and landscaping are reserved for later applications, however, an indicative sketch masterplan drawing has been submitted with the application which shows 41 detached dwellings arranged across 3 levels along a north to south axis. The submitted transport assessment is based on a notional 48 dwellings.
- 1.3 A single vehicular access is shown from the Huddersfield Road to the south of Winterford Road and slightly north of the existing access. Car parking is shown on the submitted indicative layout within the curtilage of each of the proposed dwellings.
- 1.4 The following documents have been submitted in support of the application;
  - Arboricultural Survey Report
  - Contaminated Land Desk Study Risk Assessments
  - Design and Access Statement
  - Ecological Site Audit
  - Flood Risk Assessment
  - Planning Statement
  - Proposed Access Arrangement
  - Indicative sketch Masterplan
  - Statement of Community Involvement
  - Transport Statement
  - Topographical Survey
  - Noise Impact Assessment
  - Tree Survey and Constraints

**2. SITE & SURROUNDINGS**

- 2.1 The application site is 1.89 hectares in area and is located to the East of the Huddersfield Road on the eastern edge of Mossley. The area to the east of the Huddersfield Road in which the application site lies is characterised by sporadic development including the application site, isolated dwellings and a water treatment works further to the east set in open countryside on rising land. The area to the west of the Huddersfield Road is characterised by existing residential development comprised mainly of a mix of detached and semi detached properties.

- 2.2 The site is comprised the grounds of the former Mossley Hollins High School which has been replaced with a new build school on a new site to the north west of the application site on the western side of the Huddersfield Road.
- 2.3 Whilst the former school on the site was subsequently demolished (due to concerns about theft, anti-social behavior and risks associated with empty buildings), the remains of the former school on the site are still clearly visible. This includes concrete foundation slabs, tarmac areas of the former car park and playground areas, piles of rubble from the demolition of the school buildings and tall security fencing around the site boundary. Site levels also rise steeply across the site from Huddersfield Road (West to East) with the terraces on which the former school buildings and playgrounds running north to south. As a result, the site is prominent in views from the surrounding area and across the valley.
- 2.4 The site is within 500m of the nearest primary school Micklehurst Primary School, 190m of the nearest High School, Mossley Hollins High School, and 1.3km of the nearest doctor's surgery in Mossley.
- 2.5 The nearest bus stop is directly outside of the site on the Huddersfield Road with 2 bus services running as frequently as every 20 minutes between Ashton and Oldham. The nearest railway station is at Mossley approximately 1.4 km from the site which operates an hourly service eastbound to Greenfield, Marsden, Slaithwaite and Huddersfield and westbound to Stalybridge, Ashton-under-Lyne and Manchester Victoria.

### **3. PLANNING HISTORY**

- 3.1 12/00176/NDM – Notification of Demolition of School Buildings – Granted July 2012
- 3.2 08/00427/R3D – Erection of 750 place school with associated car parking and landscaping. – Granted August 2008

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

- 4.1 Tameside Unitary Development Plan (UDP) Allocation Green Belt.

#### **Tameside UDP**

#### **4.2 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  
 1.11: Conserving Built Heritage and Conserving Local Identity  
 1.12: Ensuring an Accessible, Safe and Healthy Environment

#### **Part 2 Policies**

- H2: Unallocated Sites.  
 H7: Mixed Use and Density.  
 OL1: Protection of the Green Belt  
 OL3: Major Developed Sites in the Green Belt  
 OL10: Landscape Quality and Character  
 T1: Highway Improvement and Traffic Management.  
 T11: Travel Plans.  
 C1: Townscape and Urban Form  
 C6: Setting of Listed Buildings  
 N4: Trees and Woodland.

N5: Trees Within Development Sites.  
N7: Protected Species  
MW11: Contaminated Land.  
U3: Water Services for Developments

#### 4.3 **Other Policies**

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)**

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 9 Protecting Green Belt land

#### 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 54 notification letters were sent out to neighbouring properties on 26<sup>th</sup> June 2017. A notice was also posted at the site and displayed in a local newspaper on 6<sup>th</sup> July 2017
- 5.2 Tameside Council as the applicant undertook a community engagement exercise in relation to the application in accordance with the Council's Statement of Community Involvement prior to the submission of the application, which comprised sending newsletters to 998 homes in the locality explaining the proposals and inviting attendance to a public exhibition which was held at Mossley Youth Base approximately 500m from the site. Opportunities were given to provide feedback on the proposals before, during and after the exhibition.
- 5.3 The statement of community involvement submitted with the application outlines the consultation and responses received, these centre around transport and parking, insufficient infrastructure, a desire for the site to be made into a nature / wildlife reserve and that the site should support the provision of affordable housing.

### 6. **RESPONSES FROM CONSULTEES**

- 6.1 Arboricultural Officer: Many of the higher value Category B trees are to be retained in the outline plan. All retained and existing trees adjacent to the development should be protected to BS3587 and the Arboricultural report during any works.
- 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: No overall objection to the application on ecological grounds. If permission is granted recommend conditions to secure a landscape plan and protection for nesting birds

- 6.4 Environmental Health Contaminated Land: Recommend that a standard contaminated land condition is attached to any planning approval granted for residential development at the site. The information provided to date will go some way towards satisfying the requirements of this planning condition.
- 6.5 Environmental Health (Environmental Protection): Recommend any planning permission should include conditions regarding hours of construction works, a scheme of noise attenuation measures for the proposed dwellings and adequate provision for the storage and collection of refuse and recycling.
- 6.6 Highways: No objections subject to conditions
- 6.7 Open Spaces Society: No response received
- 6.8 Transport for Greater Manchester: No response received
- 6.9 West Pennine Bridleway Association: No response received

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 In response to the original notifications 4 objections have been received from or on behalf of 3 households. The grounds given for objecting are:

### **Transport**

- Will increase traffic congestion
- Impact of [on] routed public footpaths proximate to the site.

### **Character / Appearance**

- Development will impact upon character and appearance of the Moorlands and surrounding area
- Development is too dense
- Too many houses

### **General**

- Infrastructure unable to cope with the population
- Lack of capacity in local schools, doctors and dentists
- Question why site cannot be left as Green Space / park or returned to the Green Belt
- Other sites more suitable without using Green Belt Land
- Will not lead to investment in Mossley any revenue generated will go to Ashton
- Proposed houses too close to neighbouring property
- Increased use of public footpaths will impact upon amenity of neighbouring property; paths should be moved away from the eastern boundary or screened

## **8. ASSESSMENT**

- 8.1 The principal issues in determining this application are:

- Principle of Development and assessment against Green Belt Policy
- Layout, Design and Landscaping
- Amenity
- Highway Safety and Accessibility
- Ground Conditions
- Ecology
- Trees
- Drainage, Flood Risk

- Heritage
- Minerals
- Planning Obligations

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 208 - 219 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 215 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and support for the delivery of a wide choice of quality homes with housing applications being considered in the context of a presumption in favour of sustainable development.
- 9.2 In policy terms the site consists of a former school site which comprises brownfield land which lies outside of the settlement boundary for Mossley and is also within the Green Belt. The location of the site within the Green Belt and the subsequent effect of the development upon the openness of the Green Belt is considered to be one of the key issues in determining this application. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open
- 9.3 It is also noted that the site is located within a 'major developed site' in the Green Belt, to which policy OL3 of the UDP applies. It is clear, however, that Policy OL3 was drafted prior to the publication of the NPPF and relates to policy support for infilling of the site in its previous use as a school, not for redevelopment as housing. As such policy OL3 is considered to carry little, if any, weight in consideration of the current scheme. It is considered that the application should be considered having regard to the Green Belt policies set out within the NPPF.
- 9.4 The principle areas of consideration are; whether or not the development is appropriate or inappropriate development in the Green Belt and whether it is necessary to demonstrate very special circumstances to outweigh the harm to Green Belt Policy.
- 9.5 Paragraph 88 of the NPPF says 'when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm in the green belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances'. There are however a number of permitted exceptions to this set out at paragraph 89 and 90 of the NPPF. The relevant exception which applies to the particular circumstances of this application is set out at 10.2 below.

## **10. EFFECT ON THE OPENNESS OF THE GREEN BELT**

- 10.1 The site is located on land designated as Green Belt, The NPPF, at paragraph 80, sets out the five purposes of Green Belt. These are:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and

5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 10.2 Paragraph 87 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.3 Policy OL1 states that the Green Belt will be protected from inappropriate development and approval will not be given for the construction of new buildings except in specific purposes. The wording of this policy is slightly at variance with updated guidance of the NPPF, however, the fundamental requirement to keep Green Belts open and only to allow built development for specific purposes or where very special circumstances can be demonstrated remains.
- 10.4 Paragraph 89 of the NPPF allows for the “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”. The application site has been cleared of buildings and as such some degree of openness has been restored, however, it was established in the case of *SSCLG v Redhill Aerodrome Limited (2014)* that areas of hardstanding (in that case a runway) would have an impact upon the openness of the Green Belt. It is thus considered that it is a brownfield site and as the application site has the remnants of former buildings and areas of hardstanding present upon it evidence of the former use is clear and has not been incorporated into the landscape. It is therefore considered that the site meets the definition of previously developed land set out in the NPPF glossary.
- 10.5 Assessing the openness of the Green Belt is not a simple matter of comparing the existing measured volumes of the existing and proposed buildings on site as many factors are relevant and the visual impact of development on the Green Belt has been held (in *Turner vs SSCLG [2016]*) to be an implicit part of the concept of openness. The question is whether the proposed development of houses would have a greater impact on openness than the hardstanding and other trappings of the former school use which remain on site. This is essentially a matter of planning judgement based upon the relevant facts and available evidence.
- 10.6 The applicant has submitted a Landscape Visual Impact Assessment (LVIA) which concludes that with the incorporation of the suggested mitigation there would be no adverse effects on the majority of the landscape-related designations and features identified and that the proposed development could improve the existing situation. The residual level of effect on both national and regional landscape character is judged within the LVIA to be Negligible Positive, and on balance, the residual level of effect on local landscape character was judged to be Minor Positive; put another way, there would be an improvement in landscape character resulting from the site being redeveloped.
- 10.7 In this case, the site has a number of visual detractors as it stands including the extensive areas of dilapidated hardstanding over a significant portion of the site, boundary walls and security railings together with piles of demolition materials which are visible over a large area and the site is clearly in a developed site which affects the openness of the Green Belt. Whilst there would be further potential for negative effects associated with new built form including urbanising influences it is not considered that these would necessarily lead to the loss of openness. The potential positive visual effects on the other hand are associated with the replacement of what is currently a degraded site with well-designed houses within a strong landscape framework, and the provision of new green infrastructure assets. This would consist of the removal of significant areas of the hardstanding, the removal of rubble and the landscaping and opening of significant areas of the site for open uses such as gardens. This would lead to a clear perception that the openness of the site has



increased. It is therefore concluded that the development as presented and in accordance with the recommendations of the LVIA will lead to an increase in openness of the Green Belt.

- 10.8 In the planning statement supporting the application it is contended that the application should be assessed against the final bullet point of paragraph 89 of the NPPF related to the redevelopment of brownfield land within the Green Belt which would not have a greater impact on the openness of the Green Belt or the purposes of including land within it. The impact of development on openness is ultimately a matter for the decision maker and it is considered that the lack of any greater visual impact than the existing site, a view supported by the LVIA, means that the proposals would not lead to the site appearing more developed than at present and would thus accord with paragraph 89 of the NPPF in terms of not having a greater impact on the openness of the Green Belt.
- 10.9 If it is accepted that the proposal does not have any greater impact on the openness of the Green Belt than the existing development consideration must also be given to the 5 purposes of including land within the Green Belt in paragraph 80 of the NPPF as required by paragraph 89 of the NPPF and as quoted at paragraph 10.1 of this report. Taking each point in turn;
- The residential development as proposed would be restricted to the site itself with no potential to lead to 'unrestricted sprawl'
  - The proposal would not lead to the merging of one town with another.
  - It would not jeopardise the safeguarding of the countryside
  - The site is not considered to contribute to the setting or special character of a historic town
  - The site positively contributes to the redevelopment of brownfield land as the site is itself brownfield and therefore assists urban regeneration.

As such it is considered that the proposals would not be harmful to the openness of the Green Belt and would not be contrary to the purposes of including land within the Green Belt and are thus compliant with paragraph 80 and 89 of the NPPF. As such the development proposals are considered to be appropriate development in the Green Belt.

- 10.10 However, if the view is taken that the proposals would be harmful to the openness of the Green Belt then it would be necessary for the applicant to demonstrate that the development complies with paragraph 87 of the NPPF which states that inappropriate development is by definition harmful to the Green Belt and should only be approved in very special circumstances. Paragraph 88 states that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. In this respect, it is considered that the following would constitute the very special circumstances required to outweigh the harm to Green Belt Policy.
- Cross funding the delivery of the new local high school;
  - Bringing a redundant and derelict site back into use;
  - Boost to housing supply by making a significant contribution to the Council's 5 year housing land supply;
  - Short term employment;
  - Biodiversity Enhancements;
  - Enhancement to local landscape and visual amenity (supported by LVIA)

- 10.11 In terms of 'other harm' the development would involve some short term noise and disruption during construction. Some low level impact upon outlook and privacy within the development site may also be anticipated but this is not unusual with new residential development. In consideration of this it is considered that the harm to the openness of the Green Belt together with 'any other harm' would be outweighed by the very special circumstances identified above. There is strong evidence that the

development would result in a visual improvement to the site and the above factors are considered, in combination, to constitute very special circumstances sufficient to overcome the presumption against inappropriate development in the Green Belt.

- 10.12 It is clear that the new School was built based upon the premise that the former site could be redeveloped and that the Council would be likely to receive a capital receipt. The financing of the replacement school was based upon this premise and whilst the profit realised by a developer is not a material consideration the impact of a development proposal upon Local Government finance considerations is capable of being a material consideration and is another factor that would add weight to a very special circumstances case, albeit this is one which is not quantified by the applicant in this instance.
- 10.13 In conclusion there is strong evidence in the LVIA and indicative Sketch Masterplan that the proposal would not have any greater impact on the openness of the Green Belt than the site in its current condition, would not conflict with purposes of Green Belt as set out in paragraph 80 and would thus accord with final bullet of paragraph 89 of NPPF and be an appropriate development in the Green Belt which is not harmful to its openness. However, if members were to take the view that that the proposals were harmful to the openness of the Green Belt it is considered that very special circumstances exist in this particular case which would outweigh the harm to the Green Belt and any other harm to overcome the usual presumption against inappropriate development. If members were to take the view that the development was harmful to the openness of the Green Belt the application would, however, need to be referred to Strategic Planning and Capital Monitoring Panel for a decision and to the National Planning Casework Unit to afford the opportunity for the application to be 'called in' for a decision by the Secretary of State.
- 10.14 In order to ensure that development is carried out as envisaged it is important to condition compliance with the recommendations of the LVIA in order that the reserved matters (such as landscaping and layout) are developed in accordance with the key principles which have informed the outline planning application.

## **11. LAYOUT, DESIGN AND LANDSCAPING**

- 11.1 This matter is considered in some detail in relation to its relevance to Green Belt policy in section 10 above, however, the proposals also need to be considered in relation to policies H7 and OL10 of the UDP.
- 11.2 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 detached dwellings broadly arranged in 3 rows across the site in a north – south direction fronting a single access road, which is laid out in an H shape across the site. Areas of open space are shown adjacent to the entrance to the main vehicular access to the site.
- 11.3 Existing trees are shown to be largely retained by the indicative layout. Whilst landscaping is a reserved matter significant additional planting is shown on the indicative plan not only throughout the site but also to the boundaries of the site to 'feather' the edge of the development, particularly the southern boundary and integrate it into its surroundings. Further benefits are likely to arise from the redevelopment of the site including the regeneration of the site and removal of existing security fencing.
- 11.4 The overall density of development is approximately 21.69 units per hectare (41 units / 1.89 HA) which represents a low density of development.
- 11.5 In overall terms, and whilst ultimately a reserved matter, officers are satisfied the submitted LVIA and indicative sketch masterplan successfully demonstrates that

development could successfully be accommodated on this site and that policies H7 and OL10 can be satisfied.

## **12. AMENITY**

- 12.1 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.
- 12.2 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.
- 12.3 It is clear that the distance between some of the tiers of proposed dwellings would require closer examination at reserved matters stage with regard to the detailed relationships between facing elevations which is as low as 12m in some instances. As approval is not sought for layout at this stage and details of the layout and position of principal windows are not given nor is the position of the proposed dwellings fixed it would not be appropriate to resist the application on this basis when these matters can be properly addressed and determined at reserved matters stage.
- 12.4 Whilst comments have been received that the development would likely lead to an increased amenity issue from increased use of the public footpaths which bound the site and these paths should be moved away from the boundary the development of the site is not considered likely to increase the use of the paths to a level which would justify their closure or movement as is suggested. In any event the paths are outside of the application site and it is not within the scope of the application to move them.
- 12.5 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.

## **13. HIGHWAY SAFETY AND ACCESSIBILITY**

- 13.1 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 and highway safety.
- 13.2 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.
- 13.3 Vehicular access to the site will be via a new access proposed to be formed from the Huddersfield Road and the existing vehicular accesses closed. Additional points of pedestrian access are also likely to be created for pedestrians from the public rights of way which bound the perimeter of the site to the south and east, although the exact details of such arrangements will be addressed as part of the final layout at reserved matters stage.
- 13.4 As a school site the previous use would have generated significant vehicle movements. The submitted transport assessment (TA) identifies that during the busiest hour of the PM peak (17:00-18:00) 19 vehicle movements are likely from a scheme of 48 dwellings.

- 13.5 The TA confirms that there is adequate capacity on junctions proximate to the development to accommodate the anticipated flows and that the traffic generated by the development would not have an adverse impact upon the operation of the local Highway network.
- 13.6 A number of objections are raised on grounds of highways safety and convenience, however, the proposal is supported by a full Transport Assessment which concludes that there is no evidence to suggest that the proposal would result in an unacceptable impact on the capacity or safety of the local highway network and there is no objection to the scheme from highways. Similarly an objection is raised to the impact of the proposals on public footpaths, however, no public rights of way cross the site and the indicative sketch masterplan shows the proposals would increase access to the public footpaths bounding the site by creating new links to these paths and improving the connectivity and accessibility of these paths.
- 13.7 In overall terms therefore officers are satisfied that the proposed development is acceptable in terms of access and highway safety and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 4 of the NPPF.

#### **14. GROUND CONDITIONS**

- 14.1 The application is supported by a contaminated land risk assessment, the Council's Environmental Health Contaminated Land officer has reviewed this document and has stated that whilst there are some issues to still be addressed they have no objections subject to a standard contaminated land condition. The information provided to date will go some way towards satisfying the requirements of this planning condition and there is no evidence to suggest that any contamination that may be present on site cannot adequately be dealt with.
- 14.2 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.

#### **15. ECOLOGY**

- 15.1 The application is accompanied by a baseline ecology audit including phase 1 habitat survey. This has been assessed by GMEU who raise no overall objection to the application on ecological grounds subject to conditions to secure a landscape plan and protection for nesting birds.
- 15.2 The proposals would not have any adverse effect upon protected species and are thus in accordance with policy N7: Protected Species.

#### **16. TREES**

- 16.1 The application site has a number of trees of varying maturity predominantly located to the eastern and northern perimeter. Small groups of trees also exist in places along the terraced slopes of the site. The trees on site are not subject of a preservation order (TPO), however an order does cover some trees present to the neighbouring property, 'The Moorlands', some of which partially overhang the northern boundary of the site.
- 16.2 The submitted tree report records a total of 42 trees on site, of which 27 are Category B (moderate value), a further 14 are Category C (low value) and 1 tree is recommended for removal.
- 16.3 The Council's tree officer comments that many of the higher value Category B trees are to be retained in the outline plan. It is also of note that the overhanging trees which are subject of a TPO are indicated to be unaffected on the submitted sketch

scheme. Opportunities for additional planting, including substantial planting to the southern boundary as well as within the site are identified on the submitted sketch scheme which will significantly enhance tree coverage on site. It is considered that this requirement is met and the development accords with the requirements of policies N4 and N5.

## **17. DRAINAGE, FLOOD RISK**

- 17.1 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.
- 17.2 The submitted flood risk assessment identifies a low risk of surface water groundwater flooding and there is no record of historic sewer flooding.
- 17.3 United Utilities state they have no objection to the proposed development subject to conditions requiring details of foul and surface water drainage prior to commencement of development.
- 17.4 In the absence of any technical objection the proposal is considered to accord with policy U3.

## **18. HERITAGE**

- 18.1 Policy C6 requires development to not materially harm the setting of Listed buildings. A number of Grade II Listed buildings are present in the vicinity including Howard's Farmhouse and adjoining cottage approximately 90m to the north east, Top o' th' Green approximately 170m to the east, Alphin House approximately 140m to the east, Overgreen approximately 150m to the east and Pleasant View House with its adjoining barn wing approximately 170m to the east. All of these buildings are located some distance from the proposals where intervening buildings and topography will prevent any ready inter-visibility.
- 18.2 The proposal is therefore considered to accord with policy C6.

## **19. NOISE**

- 19.1 Policy H10 (g) requires there to be no unacceptable impact on amenity of neighbouring properties through noise arising from developments, the Council's Residential Design SPD states that a noise impact assessment may be required to support residential development proposals. The applicant has submitted a noise impact assessment which identifies that there are 3 principle sources of noise with the ability to impact upon the amenities of occupants of the proposed dwellings, consisting of the Huddersfield Road, the adjacent water treatment plant to the east and other nearby local roads.
- 19.2 Ambient noise measurements were undertaken as part of the submitted noise impact assessment and it is concluded that the noise from nearby sources is likely to require some level of mitigation to achieve an acceptable noise environment for occupants of the site but that this is achievable by use of measures such as close boarded fences to garden areas and acoustic glazing with trickle ventilation to the windows. The Council's Environmental Health Officer has been consulted on the proposals and has no objections subject to a condition to secure details of appropriate noise attenuation measures. Subject to such a condition the development is considered to accord with policy H10 (g) and the Council's Residential Design SPD.

## **20. DEVELOPER OBLIGATIONS**

- 20.1 There is no requirement for any S106 obligations given the contribution the development makes to the funding of the replacement High School which plays an important part in local education provision.

## **21. PLANNING BALANCE AND CONCLUSION**

- 21.1 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.
- 21.2 In the case of this application site is located within the Green Belt where there is a presumption against new built development except in exceptional circumstances. Policy OL3 related to major developed site related to former school use and has little to no weight. Policy OL1 states that the Green Belt will be protected from inappropriate development and approval will not be given for the construction of new buildings except in specific purposes. The wording of this policy is slightly at variance with updated guidance of the NPPF, however, the fundamental requirement to keep Green Belts open and only to allow built development for specific purposes (as outlined in paragraph 89 of the NPPF) or where very special circumstances can be demonstrated remains. As set out above it is considered that the proposals would not have a greater impact on the openness of the Green Belt or be contrary to the purposes of including land within it. Having regard to this it is concluded that the development compromises appropriate development and accords with the development plan having regard to other material considerations including the updated guidance on Green Belts within the NPPF and constitutes appropriate development in the Green Belt.
- 21.3 In reaching a decision regard must be had to the planning balance set out in paragraph 7 of the NPPF where developments are required to balance the social, economic and environmental benefits and dis-benefits, with a presumption in favour of sustainable development proposals as set out in paragraph 14.
- 21.4 The redevelopment of the site would bring about a number of benefits including;
- Re – use of a redundant site
  - Visual amenity improvements
  - Additional planting / ecological improvements
  - Contribution to housing need in the borough where there is a recognised housing shortfall
  - Short term employment
  - Economic contributions by future occupants
  - Funding for the High School
- 21.5 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 within the development site may also be anticipated but this is not unusual with new residential development.
- 21.6 On balance it is therefore considered that the proposal accords with the provisions of the development plan with regard to the updated guidance in the NPPF and constitutes appropriate development in the Green Belt. The benefits of the scheme

significantly and demonstrably outweigh any dis-benefits. Planning permission should therefore be granted.

## **22. RECOMMENDATION**

To grant planning permission 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. Prior to the submission of the reserved matters a masterplan and design code for the development of the site informed by and incorporating the recommendations contained within Section 5 of the submitted Landscape Visual Impact Assessment Dated October 2016 by Carly Tinkler shall be submitted to the Local Planning Authority for approval. The subsequent submission of reserved matters shall be in accordance with the approved Masterplan and design code.

3. 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.

4. The development shall be limited to a maximum total of 41 dwellings

**Reason:** In order to define the scope of the application as assessed, having regard to the submitted Landscape Visual Impact Assessment and Green Belt Assessment.

5. 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).

c) details of bin storage areas

d) details of the type, height, position and materials to be used in the construction of any boundary treatments

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

6. 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 together with full details of any proposed retaining walls..

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

7. The development hereby permitted shall be carried out in accordance with the following approved plans:

The location plan drawing reference 9802SW and, in so far as it relates to access to the site only, drawing ref. MH-CL-5202 'Mossley Hollins Proposed Access Arrangement'.

**Reason:** To define the permission

8. 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 against the risks of contamination

9. No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site 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



10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The 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 be discharged to the public sewerage system either directly or indirectly unless specifically otherwise agreed in writing. Foul and surface water shall be drained on separate systems unless otherwise agreed in writing and in the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 10 l/s. The development shall be completed in accordance with the approved details

**Reason:** To ensure the development is adequately drained

11. 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. Vehicles must be able to enter and leave the site in forward gear at all times.

**Reason:** In the interests of Highway Safety and Convenience

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

**Reason:** In the interests of Highway Safety

13. 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 Interest of Highways Safety and convenience

14. 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:** In the interests of Highway Safety and convenience

15. The development hereby approved shall not be occupied/brought in to use until the access has been completed in accordance with approved drawing ref. MH-CL-5202 'Mossley Hollins Proposed Access Arrangement

**Reason:** In the interests of Highway Safety and Convenience

16. A clear view shall be provided on both sides of any access where it meets the footway. It shall measure 2.4metres along the edge of the site access and 2.4 metres along the 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

17. 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 the area

18. No development including site clearance shall be carried out between 31 March and 31 August unless a method statement for the protection of ground nesting birds has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

**Reason:** To safeguard protected species

19. No development other than site preparation works and remediation shall take place unless and until details of noise attenuation measures proposed for this site and a scheme providing good resting/sleeping conditions as defined in BS 8233: 2014 (Sound Insulation and Noise Reduction for Buildings) are submitted to and approved in writing by the Local Planning Authority. Particular attention shall be given to the mitigation of the regular intermittent noise events that have the potential for significant adverse impact as described in Noise Impact Assessment Ref R02 of 17th May 2016. The scheme shall be constructed in accordance with the approved noise attenuation measures and no dwelling shall be occupied unless the requisite attenuation measures relevant to that dwelling have been implemented in accordance with the approved scheme. The approved remediation measures shall thereafter be retained.

**Reason:** To protect the amenities of future occupants of the development.

# Former Mossley Hollins site Mossley

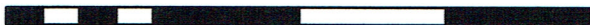


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SD9802SW

Plan prepared by Bill Boaden 14/11/2012  
**Tameside**  
Metropolitan Borough

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Ordnance Survey 100022697

Estates & Asset Management Unit  
Council Offices  
Wellington Road  
Ashton-under-Lyne  
OL6 6DL

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**Application Number** 17/00427/FUL

**Proposal** Pair of semi-detached houses.

**Site** 31 - 33 Market Street, Hollingworth

**Applicant** Mr Shaz Naz

**Recommendation** Grant planning permission subject to conditions

**Reason for report** A Speakers Panel decision is required because, in accordance with the Council's Constitution a member of the public has requested the opportunity to address the Panel before a decision is made. Accordingly, the applicant, or their agent, has been given the opportunity to speak also.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission to erect two 2-bed semi-detached houses of two storey height and constructed in stone with slate roofs. The houses would be set back from the footway in Booth Street by approximately 2m. Hard surfaces in front of the houses would wrap around the sides to provide each with an off-street car parking space. Both houses would have private amenity space in back gardens.

### 2. SITE AND SURROUNDINGS

- 2.1 The application site comprises the yard, containing a number of out-buildings, behind Hollingworth Post Office and convenience store which fronts on to Market Street (A628), the main road through the village. The Post Office is located at the junction of Market Street with Booth Street, which is a short, no-through road that terminates at a parking court between a group of semi-detached bungalows arranged in a horseshoe shape. The immediately neighbouring bungalow is set at a lower level than the application site and there is an approximately 1.8m tall concrete post and panel fence along the party boundary. A section of the yard adjoining the boundary with the neighbour is excluded from the application site.
- 2.2 Being situated behind the post office building, the application site fronts on to Booth Street and faces towards an unmade lane, known as Samuel Street, which, running parallel with Market Street, leads to Woolley Lane. Between the lane and the rear of houses in Market Street, on the opposite side of Booth Street, there is a terrace of 4, 2-storey, stone-built houses the end two of which face towards the application site.
- 2.3 At the rear the site adjoins the garden behind a three-storey, mansard-roofed block of flats at St Mary's Court, which front on to Taylor Street, and the grounds at the side of St Mary's Church which fronts on to Market Street.
- 2.4 The post office forms part of the local shopping centre in Hollingworth that includes Hollingworth Primary and Nursery School. Bus routes along Market Street and Woolley Lane provide services to Glossop and, through Stalybridge town centre, to Ashton.

### 3. PLANNING HISTORY

- 3.1 None relevant.

## **4. RELEVANT PLANNING POLICIES**

### **4.1 Tameside Unitary Development Plan (UDP) Allocation**

Unallocated

### **4.2 Tameside UDP**

#### **Part 1 Policies**

1.3: Creating a Cleaner and Greener Environment.

1.5: Following the Principles of Sustainable Development.

#### **Part 2 Policies**

H2: Unallocated Sites

H10: Detailed Design of Housing Developments.

C1: Townscape and Urban Form.

MW11: Contaminated Land

### **4.3 Other Policies**

Residential Design Supplementary Planning Document.

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

Achieving sustainable development

Section 4. Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

### **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 notification letters were dispatched on 14 June 2017 to 16no. neighbouring properties in Market Street, Taylor Street and Booth Street.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 The Head of Environmental Services – Highways has raised no objections to the proposal and has requested conditions be attached to any approval.
- 6.2 United Utilities has no objection to the proposal.

## **7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 7.1 Objections have been received from two neighbouring households. The reasons given for objecting are:
- additional traffic generated by the development would exacerbate existing road safety hazards in Booth Street caused by on-street parking, including by customers and deliveries to the shop;
  - loss of light to houses opposite; and,
  - disturbance during the period of construction.

## **8. ANALYSIS**

8.1 The principal issues in deciding this application are:-

- 1) The principle of the development
- 2) Impact on existing residential amenities
- 3) Layout and design
- 4) Highway Safety and Accessibility

## **9. THE PRINCIPLE OF THE DEVELOPMENT**

- 9.1 The application site is unallocated by the Proposals Map associated with the Unitary Development Plan for Tameside. UDP Policy H2 supports the redevelopment of previously developed land for residential use where these are not specifically allocated for this purpose. Furthermore, this approach is supported by the underlying aims and objectives of the National Planning Policy Framework.
- 9.2 The site is located within an existing built-up area, which is primarily residential, and occupied by permanent structures within the curtilage of a developed site. The application site therefore comprises 'brownfield', or previously-developed, land.
- 9.3 The principle of the proposed development is therefore considered to be acceptable.

## **10. IMPACT ON EXISTING RESIDENTIAL AMENITIES**

- 10.1 The houses facing towards the site on the opposite side of Booth Street are situated immediately at the back of the footway. There would be a distance of approximately 13.7m between the windows in the fronts of the existing houses and those in the houses proposed, which is 30cm short of the minimum distance of 14m that is required by policy RD5 of the SPD. The proposed houses would be situated to the north-east of the existing houses in Booth Street and so cast no shadow in their direction. In these circumstances, and balancing the shortfall in the usual spacing distance against the benefits that would accrue from the positive and sustainable development of the site, the proposed arrangement is considered acceptable.
- 10.2 There would be no windows in the gable of the proposed house facing toward the side of the existing neighbouring bungalow that includes a habitable room window. The SPD requires normally that a distance of again 14m be maintained between a habitable room window and a blank wall. There would be a distance of less than 10m between the gable of the proposed house and the window in the bungalow. Views of the gable of the proposed house from the window in the bungalow would be prevented due to the existing 1.8m tall concrete fence that is to be retained, along with trees and shrubbery along the party boundary. The proposed houses would not encroach directly in front of the window in the bungalow because of being set back from the footway in Booth Street and, being situated to the north-west, would not cast any shadow towards the neighbour. In these circumstances it is considered that the proposed development can be accommodated on the site without impinging unduly on the amenity of existing residents whilst providing an appropriate residential environment for future residents and so is acceptable and in compliance with both the SPD and policy H10 of the UDP.



## **11. LAYOUT AND DESIGN**

- 11.1 Booth Street and Market Street are characterised by two storey terraced dwellings mainly of stone construction. However, there are properties to the south east on Samuel Street which are terraced bungalow properties.
- 11.2 Although the proposal involves a semi-detached pair of dwellings they are of two storey height and would be constructed in stone. The stone wall and slate roof external finishes, and the incorporation of window sill and header details, are considered to reflect the predominant architectural vernacular. In terms of design and appearance, the proposed houses are considered to compliment the character of the locality in which they would be set and would provide an active frontage to the road.
- 11.3 Providing approximately 70 sqm of gross internal floor area, both houses achieve National Space Standard requirements for minimum gross internal floor area and built in storage. Therefore, they are considered to provide an acceptable standard of living accommodation for the future occupiers of the proposed dwellings.
- 11.4 It is considered that the design, appearance and layout of the development conforms to the requirements of the Residential Design SPD, UDP Policy H10 and Sections 6 and 7 of the NPPF and is in these aspects acceptable.

## **12. HIGHWAY SAFETY AND ACCESSIBILITY**

- 12.1 UDP Policy H10 requires housing developments to provide suitable arrangements for parking and access, provide convenient access to public transport, and cause no unacceptable impact on the surrounding highway network. However, this must be read alongside the guidance in the National Planning Policy Framework which states, at Paragraph 32, that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 12.2 Given the village location, the site is relatively well located for public transport. Regular bus routes pass close to the site along Market Street and continue to the Ashton and Glossop. In addition to the bus routes, the site is in easy walking distance of the surrounding amenities, including a school and shops.
- 12.2 Satisfactory visibility splays would be provided at the junction of each of the driveways where these meet the highway. The presence of the driveways, where access must be maintained would, if not prevent, discourage on-street parking on this side of Booth Street.
- 12.3 The highway engineers have been consulted on the application and have raised no objection to the proposals. As such, having regard to the above, it is considered that the proposals are considered acceptable and in compliance with the Residential Design SPD, UDP Policy H10 and Section 4 of the NPPF.

## **13. CONCLUSION**

- 13.1 Without impinging unduly on any existing amenities, it is considered that the proposed development would not result in a cramped built environment but rather provide new dwellings that are well integrated with neighbours and constitutes a sustainable development that conforms to the relevant requirements of the Residential Design SPD, the UDP and the NPPF. The recommendation is therefore for approval.

#### 14. 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. No works other than the excavation of the foundations and/or piling works for the development shall be undertaken at the site until the CLS2A Contaminated Land Screening Form has been submitted to, and approved in writing by, the Councils Environmental Protection Unit (EPU). Where necessary, a scheme to deal with any contamination / potential contamination shall be submitted to, and approved in writing by the EPU. The scheme shall be appropriately implemented and a completion report demonstrating this and that the site is suitable for its intended use will be approved in writing by the EPU prior to occupation. The discharge of this planning condition will be given in writing by the Local Planning Authority (LPA) on completion of the development and once all information specified in this condition has been provided to the satisfaction of the EPU.
3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or a full specification of materials to be used externally on the building and in the construction of all external hard-surfaced areas have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
4. All external hard-surfaced areas shall be constructed of porous materials or else provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the development.
5. The boundary treatments indicated on the approved plan, ref. 16/1043 - Site Layout Rev. A, shall be provided prior to the first occupation of the development.
6. Throughout the period of site preparation and construction, until the occupation of the (final) buildings, no trees, shown to be retained on the approved plan, ref. 16/1043 - Site Layout Rev. A, within the site, shall be felled, uprooted, lopped, topped or otherwise destroyed or damaged, including disturbance to roots, without the previous written consent of the local planning authority. Where any tree is damaged or destroyed without consent, another tree shall be planted of such size, species, and in such a position as may be specified in writing by the local Planning Authority.
7. All windows and external doors in the dwellinghouses hereby approved shall be constructed with reveals, or recesses, to a depth of at least 90mm.
8. Prior to the first occupation of the development hereby approved, the car parking indicated on the approved plan, ref. 16/1043 - Site Layout Rev. A, shall be provided and thereafter kept unobstructed and available for its intended purpose at all times.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking and re-enacting that Order, with or without modification, no windows or dormer windows, other than those expressly authorised by this permission, shall be constructed.
10. The development hereby permitted shall be carried out in accordance with the following approved plans: the Location Plan, received on 05/06/17; ref. 16/1043 -

Site Layout Rev. A, received on 18/08/17; and, ref. 16/1043 – Ground Floor Plan Rev A, 16/1043 – First Floor Plan Rev. b and 16/01043 – Elevations, received on 19/010/17.

MARKET STREET

St Mary's Church

33

31

1 to 6

1800mm concrete post and timber panel fence to this boundary

mature shrubs on boundary to be retained with 1800mm concrete post and timber panel fence to development side

St Mary's Ct

BOOTH STREET

Page 67

3

plot 1

plot 2

9

1800mm concrete post and timber panel fence to this boundary

mature trees and shrubs to be retained along this boundary

area shown hatched to be retained by applicant

2

4

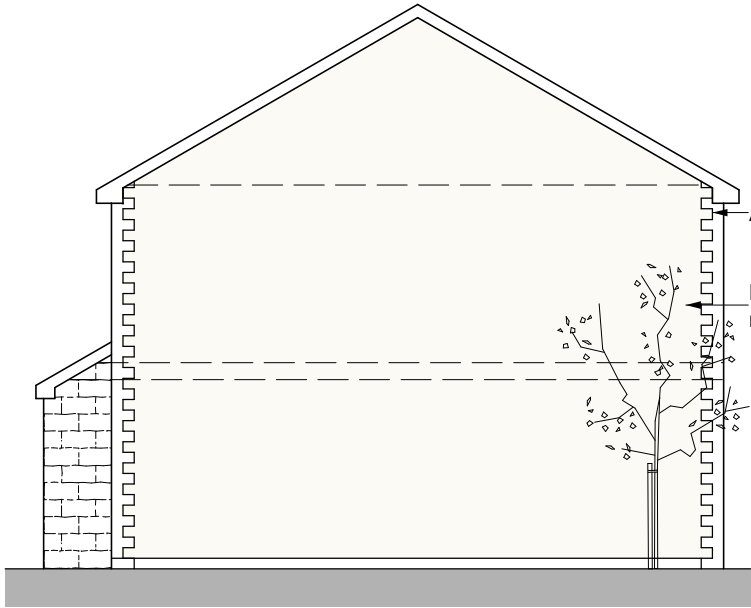
C		
B		
A	18-08-2017	Window and door to 2 Booth Street added with sight lines
DRAWN	BB	SCALE 1:200 DATE May 2016
CUSTOMER Shaz Naz		
PROJECT Pair Semi Detached Houses		
LOCATION Rear of 31/33 Market Street, Hollingworth		
BC Design & Associates 22 Printers Park Hollingworth Cheshire SK14 8QH  Tel: 07920064307 barry.binns@gmail.com		
JOB No.	16/1043 - Site Layout	REV. A

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ured



front



gable



gable



rear

C		
B	18-10-2017	Dimensions amended
A	18-08-2017	Roof Windows added
DRAWN	BB	SCALE 1:200 DATE May 2016
CUSTOMER Shaz Naz		
PROJECT Pair Semi Detached Houses		
LOCATION Rear of 31/33 Market Street, Hollingworth		
BC Design & Associates 22 Printers Park Hollingworth Cheshire SK14 8QH  Tel: 07920064307 barry.binns@gmail.com		
JOB No.	16/1043 - Elevations	REV. B

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**Application Number: 17/00427/FUL**

**Photo 1**



**Photo 2**





Photo 3



**Application Number** 17/00534/REM

**Proposal** Approval for the layout, scale, appearance and landscaping details for a residential development comprising 44 dwellings.

**Site** Former Samuel Laycock School, Mereside, Stalybridge.

**Applicant** Contour Homes

**Recommendation** Approve

**Reason for report** The proposal constitutes small scale major development

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks reserved matters approval for the layout, scale, appearance and landscaping details for a residential development comprising 44 dwellings. This application is made following the grant of outline planning permission under planning permission reference 16/00856/OUT which approved the principle of residential development at the site and detailed approval for the means of access to the site.
- 1.2 This approved vehicular access is taken from Mereside off Lake Road.  
The following documents have been submitted in support of the application:  
Flood Risk Assessment  
Contaminated Land Assessment  
Utilities Report  
Design and Access Statement

### 2. SITE & SURROUNDINGS

- 2.1 The application site is 1.38 hectares in area and is located to the north of Mereside and Lake Road, Stalybridge. Existing residential development lies to the south of the site and the area is characterised by a mix of detached, semi-detached and terraced properties. Stamford Park, a Grade II registered park and garden, lies to the west and north of the site. A footpath runs outside of the site along the southern and eastern boundaries.
- 2.2 The site is the grounds of the former Samuel Laycock School, which was replaced on a new site at Broadoak Road. The former school has been demolished and all that remains is the concrete foundation slab and tarmac areas which formed the car park and playground areas. Land levels across the site are characterised by two plateaus with a slight fall from east to west and a sharp bank in between approximately two thirds of the way across the site. There is a further fall in levels outside of the site to the east towards Stamford Park. The site is currently surrounded by tall palisade security fencing and is generally unkempt.
- 2.3 The site is within 400m of the nearest primary school, and 1km of the nearest doctors' surgery.
- 2.4 The nearest bus stop to the site is 350m away at Springs Lane with 2 bus services running hourly and half hourly. The nearest railway station is at Stalybridge approximately 1.2km from the site which operates 2 regular services providing links to Leeds, Manchester and Liverpool. 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 16/00856/OUT – outline planning permission for residential development and associated works – Granted December 2016.
- 3.2 12/00217/NDM - Notification of Demolition of school buildings - Granted April 2012

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

#### **4.1 Tameside Unitary Development Plan (UDP) Allocation**

Part Green Belt.  
Part protected green space

#### **4.2 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

#### **4.3 Part 2 Policies**

H2: Unallocated Sites.  
H4: Type, size and affordability of dwellings  
H5: Open Space Provision  
H6 Education and Community Facilities  
H7: Mixed Use and Density  
H10: detailed Design of Housing Developments  
OL1: Protection of the Green Belt  
OL4: Protected Green Space.  
OL10: Landscape Quality and Character  
T1: Highway Improvement and Traffic Management.  
T11: Travel Plans.  
C1: Townscape and Urban Form  
C9: Historic Parks and Gardens  
N4: Trees and Woodland.  
N5: Trees Within Development Sites.  
N7: Protected Species  
MW11: Contaminated Land.  
U3: Water Services for Developments  
U4 Flood Prevention  
U5 Energy Efficiency

#### **4.4 Other Policies**

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

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

Section 1 Delivering sustainable development  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 8 Promoting healthy communities  
Section 9 Protecting Green Belt land

## **5. PLANNING PRACTICE GUIDANCE (PPG)**

- 5.1 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 25 July 2017 to 29 neighbouring properties on Mereside.

## **7. RESPONSES FROM CONSULTEES**

- 7.1 Borough Tree Officer: No objection but suggest greater number of new native trees be planted in the north western and south eastern parts of the development which are relatively open (this is reflected in the amended plans). Conditions relating to the timing of the implementation of the landscaping scheme and details of maintenance of the planting can be added to the planning permission.
- 7.2 United Utilities: No objection to the proposed development subject to conditions requiring details of foul and surface water drainage are attached to any approval.
- 7.3 Greater Manchester Ecological Unit (comments in relation to the outline application which has been approved): This previously developed site does not have substantive ecological value, therefore no overall objections to the scheme on ecological grounds. The Landscape context of the site is important; recommend that a detailed Landscape Plan be prepared for the site.
- 7.4 Borough Environmental Health Officer: No objections subject to conditions being attached to the planning permission limiting the hours of working and deliveries during the construction phase of the development and details of refuse storage and collection being approved prior to occupation of the development.
- 7.5 Borough Contaminated Land Officer: recommend that a standard contaminated land condition is attached to any planning approval granted for residential development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy.
- 7.6 Local Highway Authority: Anticipate that the development will not generate a level of traffic that would have an adverse impact on the local highway network. Conditions suggested.

## **8. SUMMARY OF THIRD PARTY RESPONSES RECEIVED**

- 8.1 A 58 name petition and 4 letters of representation have been received in objection to the proposals, raising the following concerns (summarised):
- The additional traffic generated by the proposals would make the existing problems with congestion on Mereside and Lake Road even worse and additional parking would result in obstruction to the free passage of the highway.
  - The proposed development does not include sufficient parking spaces and this will encourage additional on street parking.
  - The drainage network is at capacity and would not cope with additional sewage flows that would result from this development. There is evidence of sewage flooding out of the network at the Lake Road/Lake View junction during period of heavy rainfall.



- Buildings are proposed within close proximity of the northern boundary of the site and this would result in harm to biodiversity through requiring the removal of trees and hedgerows. This would reduce the potential for nesting for protected species and the noise associated with the occupation of the dwellings would further reduce the wildlife potential of the site.
- The original proposal was for 30 dwellings, this application is for 44 units which will have a far greater impact on the amenity of neighbouring properties.
- The land was originally donated by Samuel Laycock Industries for education purposes and should not be developed for residential use.
- The proposed dwellings adjacent to the southern boundary of the site would be located very close to the pathway that allows access to the properties at 11-19 Mereside and this would be enclosed by fencing, creating concerns about who will maintain the areas of grassed open space in front of the existing properties and security issues associated with creating an enclosed walkway.
- Lake Road should be altered to a one way system to manage the impact of the additional 60-80 car trips that would be generated by the development.
- The access arrangements are considered to be too narrow and will restrict the ability of existing residents to park safely and will cause a highway safety hazard during the construction process when large vehicles will be making regular trips to the site.
- Noise and pollution during the construction process would be detrimental to the residential amenity of neighbouring properties.
- The proposed development may result in a loss of light to 13 Mereside which would be detrimental to the residential amenity of that property.
- The proposal should include improved vehicular access arrangements for the properties at 13-19 Mereside.

## **8. ASSESSMENT**

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

- 1) The principle of development
- 2) The proposed layout, design and scale of the development on the character of the site and the surrounding area (including openness of the adjacent Green Belt),
- 3) The impact upon the residential amenity of neighbouring properties
- 4) The impact on highway safety
- 5) The impact on flood risk and environmental health
- 6) The acceptability of the proposed landscaping scheme

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 The principle of residential development (including the development on land currently classified as Protected Green Space) and means of access to the site have already been approved by the grant of outline planning permission. The key issues for consideration now are detailed matters relating layout, scale, design and appearance of the proposed new homes and this is discussed in more detail below.

## **10. CHARACTER AND IMPACT ON OPENNESS OF THE GREEN BELT**

10.1 The proposed layout would allow the retention of a significant section of the eastern boundary that would maintain views from within the main body of the site out to the Green Belt beyond that boundary of the site. In addition, the proposed road layout would allow views of the open landscape beyond the northern boundary of the site to form the backdrop to the development. Subject to the careful treatment of the shared surface parking areas in these parts of the site, it is considered that the proposal would present a legible layout that would retain a sense of openness from within the site.

- 10.2 This is considered to be an important element of the development of the site, which sits on the northern edge of Stalybridge and by maintaining open views beyond the boundary of the site, the proposal respects the transition from built development to the south to open land immediately to the north, west and east. Avoiding enclosure along the site boundaries respects the openness of the adjacent Green Belt to the east, emphasising the importance of the space which prevents coalescence between Stalybridge and Ashton. Maintaining open views beyond the northern boundary of the site would allow appreciation of and preserve the setting of the designated Historic Park and Garden at Stamford Park to the north west of the site. The position of the dwellings would allow space to be retained between the building line and the northern boundary of the site and only two units would be in close proximity to the eastern boundary of the site, providing a buffer between the edge of the built form and the more sensitive boundaries of the site.
- 10.3 Whilst ideally the properties adjacent to the southern boundary would face onto Mereside, the close proximity of the neighbouring properties at 11-15, 27 and 29 Mereside to the common boundary ensure that the space provided by the rear gardens of the proposed units is required to maintain adequate separation distances and preserve the residential amenity of the neighbouring properties. It is also the case that the prominence of large sections of the southern boundary of the site on the approach along Mereside is reduced by the arrangement of the aforementioned dwellings on either side of the mini-roundabout, ensuring that only those properties adjacent to the access road will be readily visible until the entrance to the site is reached. From this immediate view, the units at 25 and 26 would provide a terminating vista, with their principal elevations looking directly down the access road.
- 10.4 In relation to the boundary treatments to be installed, whilst low rise brick walls with fencing above would be installed on the southern boundary of the site at the point opposite no.11 Mereside, this would change to metal railings at the point that the boundary runs in front of 13 and 15, where the separation distance between the common boundary and the neighbouring dwellings narrows. Railings would also provide the predominant boundary treatment on the edge of plots that abut the public realm. Subject to appropriate landscape planting, this form of treatment would avoid a suburban appearance to the development, emphasise the views through the site to the undeveloped land to the north and east and would avoid an oppressive environment along the footway to the properties at 13-19 Mereside. The use of fencing on the southern boundary adjacent to 27 Mereside is considered to be acceptable as this would be less prominent in public views and would also help to preserve the amenity of that neighbouring property.
- 10.5 In terms of the design and proportions of the proposed dwellings, the general approach is relatively uniform, with a combination of short terraces and semi-detached properties. The elevations would be a mixture of red and buff brickwork with tiled roofs. Gable features would be used at intervals to provide features of interest on the streetscene, alongside the recessed doorways, which would be a design element across the scheme. The windows and doors would line through and emphasise the uniformity of the overall design approach as well as retaining the relatively simple, regular form of the dwellings.
- 10.6 Following the above assessment, it is considered that the proposed layout would preserve the character of the surrounding area and the openness of the adjacent Green Belt.

## **11. RESIDENTIAL AMENITY**

- 11.1 The southern side elevation of the property at plot 5 would be blank and set 14 metres from the front elevations of the properties at 13 and 15 Mereside, complying with policy RD5 of the adopted Tameside Residential Design Guide SPD. The proposed dwelling at plot 4 would be set at an oblique angle to the neighbouring property at 11 Mereside to the south of the site, which has a blank gable elevation and therefore no unreasonable overlooking

could occur. The oblique relationship would prevent unreasonable overlooking from the proposed dwellings at plots 3 and 4 into the windows on the front elevation of that neighbouring property given the orientation of no 11 Mereside.

- 11.2 The properties at plots 41 to 44 would face the common boundary with no. 27 Mereside, directly south of that part of the application site. However, due to the change in levels between the application site and that property and the proximity of the neighbouring property to the steep rise in levels up to the application site, direct overlooking would not be possible given the height of the intervening boundary treatment which would replace the existing fence on the common boundary. In terms of overshadowing, the only window in the side elevation of that neighbouring property is at ground floor level and is a secondary window to the living room. As a result of these factors, it is considered that the proposed separation distance of approximately 14 metres would be sufficient to avoid any harm to the residential amenity of that property.
- 11.3 The proposed dwellings at plots 37-40 would be at oblique angles to the neighbouring property at 27 Mereside and given the significant change in levels between the application site and that dwelling, it is considered that the proposal would not result in an overbearing impact on the amenity of that property. The oblique relationship with 29 Mereside, which is further east, would also ensure that the proposed development would not have an adverse impact on the residential amenity of that property terms of either overlooking or overshadowing.
- 11.4 In terms of property size and anticipated population of the development, the proposed 3 bedroom dwellings fall marginally below the nationally set minimum standards. However, the extent of this deficit is relatively small, at 2 square metres per property (each 3 bed unit would be 82 square metres against the national minimum standard of 84 square metres). Given the fact that the majority of the 44 units (28) would be 2 bedroom units that would comply with the national minimum standards, the small extent of the deficit in relation to the 3 bed units and the overall planning gain of delivering additional housing in the Borough on a brownfield site, it is considered that the harm arising from the size of some of the dwellings would not significantly and demonstrably outweigh the benefits of the proposals. Officers consider that planning permission should not be refused on this basis therefore.

## **12. HIGHWAY SAFETY**

- 12.1 The Local Highway Authority has not raised any objections to the proposals following amendments to the internal road layout to ensure satisfactory turning space for refuse vehicles within the development. In terms of parking provision, all properties with 3 bedrooms would have space for 2 cars to park within the plots. The plots with 2 bed units would have 1 car parking space and 6 spaces would be provided for visitor parking across the development. Whilst 2 spaces per 3 bed dwelling would meet the requirements of the Residential Design Guide SPD, 2 spaces should also be provided for each 2 bed dwelling so satisfy the SPD guidelines. However, there is a regular bus service which is within a 10 minute walk of the site, with bus stops located on Darnton Road, which operates throughout the day, 7 days a week. This would provide a sustainable means of transport within reasonable walking distance of the development and would be a viable alternative to use of the private car for occupants of the development. Given this factor, alongside the provision of 6 vehicle spaces for visitor parking in addition to the on plot parking, it is considered that the benefits associated with the redevelopment of a vacant brownfield site and the provision of additional housing in the Borough would outweigh the partial conflict with the adopted parking standards.
- 12.2 The concerns raised by local residents in relation to the impact of additional traffic being generated by the proposals and the pressure for additional on street parking in the locality are noted. Some of the properties on the eastern side of Mereside on the approach to the

site do not have on plot parking and clearly this has resulted in increased reliance on parking in the road or in the spaces adjacent to the mini roundabout, from which access would be gained into the proposed development. The level of car parking to be provided across the proposed development would be more comprehensive than is evident in the immediate locality and given the close proximity of public transport, along with the short journey time on that service to the centre of Stalybridge and Ashton, it is considered that additional on street parking arising from the development would not result in significant and demonstrable harm that would outweigh the benefits of the proposals.

- 12.3 This assessment is also made within the context of the previous use of the site as a school, and the associated traffic would have been accessing the site from these roads at peak times. The Transport Statement that accompanied the outline planning application anticipated that a development of 29 houses would generate 23 trips to and from the site in the morning at peak time and 27 trips during the evening peak period. This would represent a slight reduction against the modelled estimates associated with the previous school use – being 26 trips in the morning peak period and 29 in the evening peak period.
- 12.4 Using this data as a baseline, the approximate number of trips generated by the proposed scheme (44 dwellings) would be approximately 35 in the morning peak and 41 in the evening peak period. The anticipated impact of the development would therefore be an additional 9 trips in the morning peak period and 12 in the evening peak period. Given that the peak periods covered in the Transport Statement are each 3 hours long, this equates to 3 additional trips per hour extra in the morning and 4 in the evening, both to and from the site. This increase in trip generation is considered not to be a volume that could be considered to be significant, given that 65 trips per day were being generated by the use of the site as a school on the basis of the estimates provided. Officers acknowledge that there would be some impact arising from the increase in additional traffic. However, this impact would not be severely adverse, as evidenced by the lack of objection from the Local Highway Authority and therefore planning permission should not be refused on this basis, in accordance with the guidance in paragraph 32 of the NPPF.
- 12.5 A condition requiring the submission of a construction management plan, to include the location of vehicle parking was attached to the outline planning permission (condition 10) and this would need to be discharged prior to the commencement of development.
- 12.6 The Local Highway Authority has requested a number of conditions. Details of external lighting and the implementation of measures to prevent displacement of material from the site onto the highway during the construction phase of the development were secured at the outline stage and do not need to be repeated. Conditions requiring pedestrian visibility splays to remain free from obstruction and the laying out of the parking areas prior to the occupation of the development are reasonable and can be added to the decision notice. Conditions relating to the condition of the adopted highway and works to be undertaken within the adopted highway are considered not to be necessary as these are matters that are enforceable under the Highways Act as opposed to under planning legislation.
- 12.7 The proposed development would be confined to the western part of the overall former school site and would therefore there would be not be adverse impact on this route of the Public Right of Way (PRoW) which runs through the eastern portion of the site (within the Green Belt) as a result of the proposed development. An informative requiring this route to remain free from obstruction during the construction process can be added to any planning permission granted.

### **13. FLOOD RISK**

- 13.1 The applicant has submitted a Flood Risk Assessment (FRA) with the application. The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The FRA

identifies that there is an existing surface water drain in Mereside. United Utilities require the flow of water from the development site into the drainage network to be limited to 20 litres per second which will require attenuation measures, flow restrictions and the underground storage mechanisms to be installed as part of the development. The FRA calculates that up to 250 cubic metres of underground storage may be required.

- 13.2 The final details of a sustainable drainage strategy for the development are to be submitted and approved in writing by the Local Planning Authority as required by condition 8 of the outline planning permission but the measures to be employed to limit the speed of surface water run off would help to control the rate at which water flows into the drainage network and therefore avoid creating additional flood risk.
- 13.3 The FRA indicates that the foul water from the proposed development would connect into the mains sewerage network in the locality, managed by United Utilities. Concerns raised by residents in relation to sewage leaking from the network during periods of heavy rainfall are noted but UU have not raised any concern about this issue or indicated that the development should not proceed on the basis of adverse impacts on the local drainage network.
- 13.4 Taking into account the above facts, it is considered that the proposed development would not result in a harmful impact in relation to flood risk, surface water management and foul network subject to the imposition of appropriate conditions.

#### **14. ENVIRONMENTAL HEALTH**

- 14.1 The Borough's Environmental Health Officer has raised no objections to the proposals, subject to the imposition of conditions limiting the hours of operation and deliveries during the construction phase of the development and details of refuse storage. In relation to the latter, areas for the storage of bins for each plot are annotated on the proposed site plan which appear to be of an appropriate size, although there is space within plot to increase this area. Appropriate provision is therefore considered to have been made for refuse storage subject to the details of screening and final dimensions. In relation to the hours of activity on site and associated deliveries during the construction phase of the development, this is restricted by condition 13 of the outline planning permission and therefore does not need to be re-imposed at the reserved matters stage.
- 14.2 In relation to contaminated land, the assessment submitted with the planning application identifies the need for further investigation into the levels of contamination on the site, the extent of the foundations below the ground associated with the former school buildings that have since been demolished and an assessment of the risk posed by any sources of contamination that may exist in relation to the development of the site for residential purposes. This was covered on the outline planning permission and so the request from Environmental Health to impose conditions relating to this matter are unnecessary and do not need to be repeated.

#### **15. LANDSCAPING**

- 15.1 The applicant has provided a landscaping plan detailing the location, species type and the number and size of specimens to be planted as part of the proposed development. The plan has been revised to increase the number of trees that are to be planted within the public realm, outside of the curtilage of the dwellings. This revision would ensure further tree planting in the north western and south eastern parts of the site, in order to break up the areas of hardstanding to provide car parking/turning space in those parts of the site.

- 15.2 The species of trees to be planted include Birch, Hawthorn, Cherry and Rowan. The Borough Tree Officer has raised no objections to the revised proposals. Conditions relating to the timing of the implementation of the landscaping scheme and details of maintenance of the planting will be imposed on the planning permission to ensure that the amenity value of the landscaping in the public realm is maintained. Conditions limiting the timing of the removal of planting from the site and details of external lighting were included on the outline planning permission.

## **16. OTHER MATTERS**

- 16.1 The description of the outline planning permission did not include a ceiling number of dwellings and the scale of development is a matter being decided at this reserved matter stage, where the proposal is for 44 dwellings. The proposal has to be assessed on its merits and officers consider that the proposed number of units can be accommodated on the site in a manner that satisfies all material planning considerations.
- 16.2 In relation to ecology, there was no objection to the principle of development from the Greater Manchester Ecology Unit and the proposed landscaping scheme would enhance the biodiversity value of the site, in line with the requirements of paragraph 109 of the NPPF, which indicates that a net biodiversity gain should be secured as a result of development.

## **17. CONCLUSION**

- 17.1 The principle of residential development on the site was established through the granting of outline planning permission. The proposed layout in this reserved matters application is considered to preserve the character of the surrounding area and the openness of the adjacent Green Belt. The siting and orientation of the proposed dwellings would preserve the residential amenity of neighbouring properties and the amenity of future occupants of the development. The proposed landscaping strategy is considered to be sufficiently robust to soften the impact of the development of a site which is on the edge of the built up environment of Stalybridge and on the edge of the Green Belt.
- 17.2 Whilst the concerns regarding the impact on parking in the surrounding area are noted, the Local Highway Authority has not objected to the proposals following minor amendments to the layout of the internal access road to ensure safe access for refuse vehicles. Whilst the 2 bedroom properties would only have 1 on plot parking space each, the site is considered to be in a relatively sustainable location, with a regular bus service within a 10 minute walk of the site. The level of additional trips generated by the proposed development to and from the site in comparison with the previous school use is considered not to be of a level that would have a severe adverse impact on highway safety. Final details of a sustainable drainage strategy can be secured by condition, including flow controls and on site storage to limit the run off rates. The issue of surface water infiltrating the foul drainage network is a maintenance matter which falls within the responsibilities of United Utilities as the Statutory Undertaker and is not therefore a material planning consideration.
- 17.3 Following the above and the assessment in the main body of the report, it considered that the appearance, layout, scale and landscaping of the development are acceptable, subject to a number of details being secured by condition.

## **18. RECOMMENDATION**

Approve planning permission, subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with the following approved plans: Proposed site plan (Drawing number 02 Issue P13), proposed street elevations (1 of 2) (Drawing number 09 Issue P2), proposed street elevations (2 of 2) (Drawing number 10 Issue P2), proposed house type plans (Drawing number 05 Issue P5, Drawing number 06 Issue P5, Drawing number 07 Issue P5, Drawing number 08 Issue P4), amended floor plans (Drawing number 04 Issue P8, amended plan entitled Soft landscape Layout produced by Brooklyn Landscapes Ltd (Rev. F), proposed boundary treatment elevations plan (Drawing number 03 Issue P2)
2. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, fences and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details.
3. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drawing number 02 Issue P13), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
4. The boundary treatments shown on the approved proposed boundary treatment elevations plan (Drawing number 03 Issue P2) shall be installed in the locations shown on plan ref. proposed site plan (Drawing number 02 Issue P13), in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved.
5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the Local Planning Authority prior to the occupation of any part of the development. Any newly planted trees or plants forming part of the approved landscaping scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species by the developer unless the local planning authority gives written consent to any variation.
6. No part of the development hereby approved shall be occupied until details of a maintenance management plan for the visitor car parking spaces, and the associated landscaping as indicated on approved plan Drawing number 02 Issue P12, has been submitted to and approved in writing by, the Local Planning Authority. The management plan shall include details of the timescale for the provision of the car parking spaces. Following the first occupation of the development, the management plan shall be implemented in accordance with the approved details and retained as such thereafter.
7. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above



ground level. The visibility splays shall be retained as such thereafter.

8. None of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

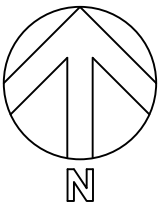
The reasons for the conditions are:

1. For the avoidance of doubt.
2. In the interests of visual amenity and preserving the character of the area.
3. To ensure adequate car parking arrangements.
4. In the interests of visual amenity and security.
5. To protect the newly created local environment in order to allow for maturity.
6. To ensure a satisfactory development and in the interests of visual amenity.
7. In the interest of maintaining highway safety..
8. To provide adequate secure bin storage to serve the development and to safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

**Informatives:**

1. The applicant will be required to undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager prior to the commencement of development. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
2. The development hereby approved includes works on the existing adopted highway which will require licensing/securing by means of an agreement under s278 of the Highways Act 1980. Work shall not commence until technical approval of the highway works has been given and agreement signed.
3. The applicant's attention is drawn to the fact that a designated Public Right of Way (PRoW) (STA/1) which runs through the eastern part of the site. The route of the PRoW must remain free from obstruction at all times during the construction phase and once the development is occupied. If a temporary closure of this route is required during the construction process, the applicant should contact the Borough Sustainable Transport Officer prior to any obstruction of the route to arrange a temporary diversion.

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**General Notes**

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05: © TADW Limited (UK) 2015

**Legend**

**Boundary Types**

Type A (Front Boundary)  
1000mm high metal railings, Jacksons Sentry Residential Railings or similar with metal plate fixed to rear at base, all elements colour black.

Type B (Boundary Between Rear Gardens and Public Footpaths)  
525mm high, 215mm thick facing brickwork wall with 440mm square brickwork piers to a height of 1875mm at 1800mm centres, both with 50mm pc concrete copings. Close boarded timber fence panels between brickwork piers to 1800mm above ground level.

Type C (Rear Boundary Fence to Open Space and Shared Accesses)  
1500mm high close boarded timber fence with 300mm high timber trellis, pc concrete posts and 300mm pc concrete gravel boards. To be used to retain small amounts of earth where necessary and approved by SE during technical design. Where used as retaining structure, posts are to be increased in height and additional gravel boards provided as required to ensure min. 2100mm fencing above level of retained land.

Type D (Rear Boundary Fence)  
1200mm high close boarded timber fence with 300mm high timber trellis, pc concrete posts and 300mm pc concrete gravel boards. To be used to retain small amounts of earth where necessary and approved by SE during technical design. Where used as retaining structure, posts are to be increased in height and additional gravel boards provided as required to ensure min. 1800mm fencing above level of retained land.

Type E (Subdivisional Rear Boundary Fence)  
1500mm high close boarded timber fence with pc concrete posts and 300mm high pc concrete gravel boards for first 2m from rear face of buildings. Beyond first 2m, 900mm high close boarded timber fence with 300mm high timber trellis, pc concrete posts and 300mm pc concrete gravel boards. To be used to retain small amounts of earth where necessary and approved by SE during technical design. Where used as retaining structure, posts are to be increased in height as required to ensure min. 1800mm fencing above level of retained land.

Type F (Bin screen)  
1.2m high timber screen consisting of 100x19mm horizontal treated timber fence paling at 125mm centres on 100mm square treated timber fence posts and with 100x25mm treated timber capping

NOTE: All boundary treatments to be in strict accordance with SBD requirements

Black Tarmac. Lighter shade shown to pavements for diagrammatic purposes only  
Buff concrete paving slabs  
Coloured tarmac  
Marshalls Keyblok Block Paving, colour 'Burnt Ochre' or similar to LA Approval

P13	Boundary annotations shown	27.10.17	AM	MH
P12	Classification of house types revised	25.10.17	AM	MH
P11	Turning areas revised	03.10.17	AM	MH
P10	Highways layout revised to suit adoption requirements	25.09.17	AM	MH
P9	External hard surfacing materials revised	13.09.17	AM	MH
Issue	Description	Date	Drawn	Checked

**Drawing Status**  
P - Planning | T - Tender | C - Construction | R - As Record

**For Approval**

tadw architects

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Client The Casey Group / Contour Homes

Job Site of Former Samuel Laycock School, Stalybridge

Title Proposed Site Plan

Scale 1:500 @ A3

Note - Prints from PDF files may not be to scale, check accuracy against scale

5

10

15

25m

1:500

Job Number	Drawing Number	Issue
711237	02	P13

Planting shown here is indicative. For details of soft landscaping, please refer to Brooklyn Landscapes Ltd drawing number LAN55754 Revision C, or any subsequent revisions

**Schedule of Properties**

28 no. 2B 3P Houses (70m<sup>2</sup>)

7 no. 3B 4P Type 1A Houses (82m<sup>2</sup>)

7 no. 3B 4P Type 1B Houses (82m<sup>2</sup>)

2 no. 3B 4P Type 2 Houses (82m<sup>2</sup>)

TOTAL 44no.

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**Legend**

P1	Drawn	23.06.17	AM	MH
Issue	Description	Date	Drawn	Checked

**Drawing Status**  
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For Approval

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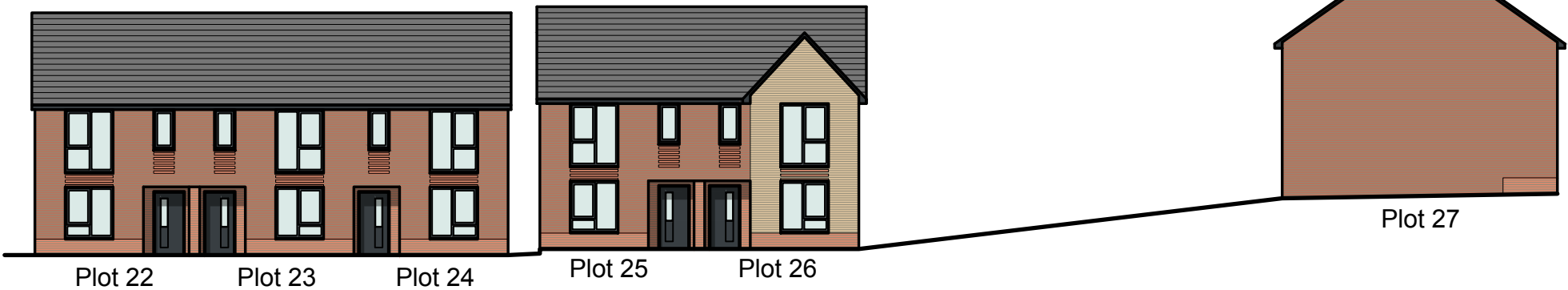
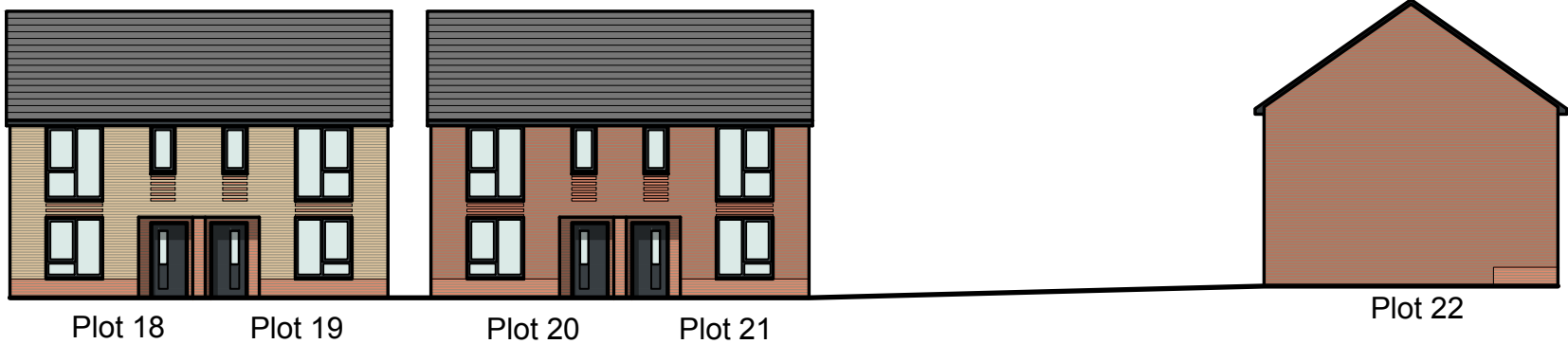
Client	The Casey Group / Contour Homes		
Job	Site of Former Samuel Laycock School, Stalybridge		
Title	Location Plan		
Scale	1:1250 @ A3		
<p><b>Note</b> - Prints from PDF files may not be to scale, check accuracy against scale</p> <div><div></div><div>10m</div><div>20m</div><div>40m</div><div>60m</div></div> <p>1:1250</p>			
Job Number	Drawing Number	Issue	
711237	00	P1	

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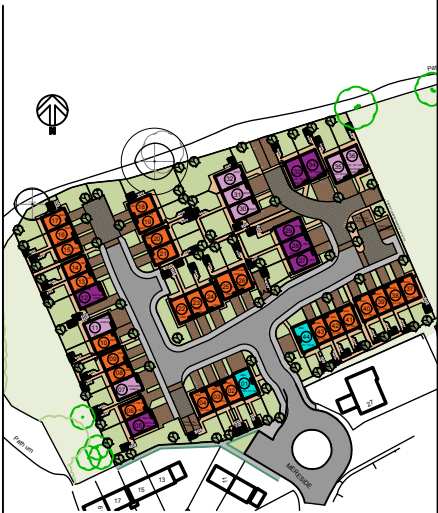
**Legend**



01 **Proposed Street Elevations**  
09 Scale 1:200 @ A3

**Material schedule**

Walls:  
To areas of darker red brickwork, Forterra Chidwell Multi  
To areas of buff brickwork Forterra Village Harvest Multi  
To lighter red brickwork at plinth and band details, Forterra Woodside Mixture  
Roofs: Marley Edgemere Interlocking  
Concrete Roof Tile Smooth Grey  
Rainwater goods: Black UPVC  
Fascias and Soffits: Grey UPVC (RAL7016)  
Windows: Grey UPVC (RAL7016)



Issue	Description	Date	Drawn	Checked
P3	Plot 5 gf window revised	04.08.17	AM	MH
P2	Materials confirmed	23.06.17	AM	MH
P1	Drawn	16.06.17	AM	MH

**Drawing Status**  
P - Planning | T - Tender | C - Construction | R - As Record

For Approval



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Client The Casey Group / Contour Homes

Job Site of Former Samuel Laycock School, Stalybridge

Title Proposed Street Elevations 1 of 2

Scale 1:200 @ A3

**Note** - Prints from PDF files may not be to scale, check accuracy against scale



Job Number 711237	Drawing Number 09	Issue P3
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01	<b>Proposed Street Elevations</b>
10	Scale 1:200 @ A3

**Material schedule**

Walls:  
To areas of darker red brickwork, Forterra Chidwell Multi  
To areas of buff brickwork Forterra Village Harvest Multi  
To lighter red brickwork at plinth and band details, Forterra Woodside Mixture  
Roofs: Marley Edgemere Interlocking  
Concrete Roof Tile Smooth Grey  
Rainwater goods: Black UPVC  
Fascias and Soffits: Grey UPVC (RAL7016)  
Windows: Grey UPVC (RAL7016)

**General Notes**  
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**Legend**



Issue	Description	Date	Drawn	Checked
P3	Plots 37-43 handing corrected	04.08.17	AM	MH
P2	Materials confirmed	23.06.17	AM	MH
P1	Drawn	15.06.17	AM	MH

**Drawing Status**  
P - Planning | T - Tender | C - Construction | R - As Record

For Approval

**tadw** architects

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Client The Casey Group / Contour Homes

Job Site of Former Samuel Laycock School, Stalybridge

Title Proposed Street Elevations 2 of 2

Scale 1:200 @ A3

**Note** - Prints from PDF files may not be to scale, check accuracy against scale

5

10m

1:200

Job Number	Drawing Number	Issue
711237	10	P3

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**Application Number: 17/00534/REM Samuel Laycock**

**Photo 1**



**Photo 2**





**Photo 3**



**Photo 4**

