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## SPEAKERS PANEL (PLANNING)

**Day:** Wednesday  
**Date:** 25 July 2018  
**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 20 June 2018, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	<b>APPEAL DECISION NOTICES</b>	
a)	<b>APP/G4240/D/17/3182813 - 14 TAUNTON HALL CLOSE, ASHTON-UNDER-LYNE OL7 9JP</b>	7 - 8
b)	<b>APP/G4240/D/17/3192055 - 26 LOW WOOD ROAD, DENTON M34 2PD</b>	9 - 10
c)	<b>APP/G4240/D/18/3195689 - 15 BROADFIELD CLOSE, DENTON M34 6BN</b>	11 - 12
5.	<b>OBJECTIONS TO PROPOSED NO WAITING AT ANY TIME RESTRICTIONS ON DERAMORE CLOSE, ASHTON UNDER LYNE</b> Report of the Director of Operations and Neighbourhoods attached.	13 - 20
6.	<b>OBJECTIONS TO PROPOSED NO WAITING AT ANY TIME RESTRICTIONS ON RIDGE HILL AREA, STALYBRIDGE ORDER 2018</b> Report of the Director of Operations and Neighbourhoods attached.	21 - 28
7.	<b>OBJECTIONS TO PROPOSED LIMITED WAITING RESTRICTIONS IN THE AREA OF WOOLLEY CLOSE, HOLLINGWORTH</b> Report of the Director of Operations and Neighbourhoods attached.	29 - 38
8.	<b>PLANNING APPLICATIONS</b> To consider the schedule of applications.	
a)	<b>16/00767/OUT - RALPHS LANE, DUKINFIELD</b>	39 - 68
b)	<b>17/01053/FUL - 67 LUMB LANE, AUDENSHAW</b>	69 - 82
c)	<b>18/00444/FUL - FORMER OLDHAM BATTERIES SITE, DENTON</b>	83 - 110

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

Item No.	AGENDA	Page No
d)	17/00925/OUT - 164 MOTTRAM ROAD, STALYBRIDGE	111 - 130
e)	17/00963/FUL - FORMER FRAMES SNOOKER CLUB, UNIT 8, MOUNT STREET, HYDE	131 - 158
f)	18/00004/FUL - LAND WITH GARAGES, PRIMROSE CRESCENT, HYDE	159 - 178
g)	18/00017/PLCOND - SITE OF FORMER CONSERVATIVE CLUB, VERNON STREET, ASHTON-UNDER-LYNE	179 - 198
h)	18/00142/FUL - TAMESIDE TRANSMISSIONS, ALBERT STREET, DROYLSDEN	199 - 210
i)	18/00304/FUL - VILLAGE HOTEL, PAMIR DRIVE, ASHTON-UNDER-LYNE	211 - 232
j)	18/00099/FUL - HOLLY GRANGE, 17 OXFORD ROAD, DUKINFIELD	233 - 250
9.	<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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From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, to whom any apologies for absence should be notified.

# Agenda Item 3

## SPEAKERS PANEL (PLANNING)

20 June 2018

Commenced: 10.00am

Terminated: 11.30am

Present: Councillor McNally (Chair)  
Councillors Glover, Pearce, Quinn, Ricci, Wild and Wills

Apologies for absence: Councillor D Lane, Gosling, Sharif, Ward and Dickinson

### 5. MINUTES

The Minutes of the proceedings of the meeting held on 23 May 2018 having been circulated, were taken as read and signed by the Chair as a correct record.

### 6. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

### 7. APPEAL DECISIONS

Application reference/Address of Property.	Description	Appeal Decision
APP/G4240/W/3194110 – 23 Cypress Road, Droylsden. M43 7PE	Erection of a detached dwelling house.	Appeal dismissed
APP/G4240/D/17/3187790 – 199 Stockport road, Mossley OL5 0RF	Loft conversion with rear dormer including increase in ridge height.	Appeal dismissed
APP/G4240/D/17/3188159 – 3 Oxford Walk, Denton M34 7DG	Single Storey extension to rear of property.	Appeal allowed
APP/G4240/D/18/3195594 – 21 Cemetery Road, Mossley OL5 9PQ	Two storey side extension.	Appeal dismissed
APP/G4240/W/18/3197757 – Land adjacent to 201 Birch Lane, Dukinfield SK16 5AT	Residential development comprising of 4 dwellings.	Appeal dismissed and appeal for costs refused

### 8. 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>16/00177/OUT Eldencross Ltd</b>
<b>Proposed Development:</b>	<b>Outline planning permission for the demolition of the existing structures on the land and the redevelopment of the site with a scheme incorporating 27 dwelling houses, 10 live/work units and retail unit (use class A1) (amended).  Land occupied by Eldencross Ltd., Park Bridge Road, Park Bridge</b>
<b>Speaker(s)/Late Representations:</b>	<b>Carolyn Blain, JP, spoke against the application  Simon Plowman and Jonathan Lees spoke in support of the application.</b>
<b>Additional Comments/information</b>	<b>The Development Manager gave details of objections received since the report was published in respect of highway safety concerns, contamination on the site and the water course. He reported that that these issues were addressed by conditions set out in the report and the flood risk assessment, also detailed in the report.</b>
<b>Decision:</b>	<b>Approve subject to the completion of a Section 106 Agreement to secure the following:  Financial contribution towards off-site green space - £1,049.57 per dwelling towards a scheme to upgrade a section of the Public Right of Way (PRoW) on route ASH 137, to protect the PRoW route from erosion, resurfacing a section of footway and re-boarding the bridge over the River Medway along route ASH 139.  Financial contribution towards Highway works – up to £16,104.30 (dependent upon the housing mix advanced at the reserved matters stage) towards improved links between National Cycle Network route no. 626 and Oldham Road, to complement works already completed under the Local Sustainable Transport Fund  Financial contribution towards Education facilities – scheme to extend capacity at a school in Ashton, as yet to be determined by the School.  Management arrangements for public space and surface water drainage within the development  Requiring a minimum of 50% of the floorspace of each of the live/work units to be used for employment  Limiting occupation of the residential space within the live/work units to those occupying the employment space within the same unit; and  conditions as set out in the report.</b>

<b>Name and Application No</b>	<b>16/00767/OUT</b> <b>Mr J Meredith</b>
<b>Proposed Development:</b>	<b>Outline planning permission (for means of access, layout, scale and appearance of the development) for the erection of 29 x 1 bedroom apartments (use Class C3). The occupants of the development would be those over the age of 55 with care needs, along with their partner, spouse and dependents.</b> <b>Land occupied by 1 and 2 Ralphs Lane, Dukinfield</b>
<b>Additional Comments/Information</b>	<b>The Development Manager explained that Councillor J Lane had requested that consideration of this application be deferred, to allow appropriate notification of the meeting for any objectors to be available to speak.</b>
<b>Decision:</b>	<b>That consideration of this application be deferred to allow appropriate notification of the meeting for any objectors to be available to speak.</b>

<b>Name and Application No:</b>	<b>16/01151/REM</b> <b>De Trafford Estates Group</b>
<b>Proposed Development:</b>	<b>Approval of reserved matters relating to landscaping (Condition 2) and hard and soft landscaping (Condition 3) for proposed residential development of 127 dwellings (outline planning permission 15/00030/OUT)</b> <b>Victoria Mill, Buckley Street, Droylsden. M43 6DU</b>
<b>Speaker(s)/Late Representations:</b>	<b>None.</b>
<b>Decision:</b>	<b>Approve subject to the conditions a set out in the report.</b>

<b>Name and Application No:</b>	<b>17/00921/FUL</b> <b>Strategic Team Group, Strategic Business Centre, Glass Houghton</b>
<b>Proposed Development:</b>	<b>Amendment to House type 1 (alterations to fenestration and re-positioning of chimney) and House type 2 (alterations to first floor accommodation and detached garages to Plots 1 &amp; 2 repositioned) approved under planning permission ref. 13/00199/FUL</b> <b>Land to the rear of 243-245 Mottram Road, Stalybridge</b>
<b>Speaker(s)/Late Representations:</b>	<b>Barry Broadfield spoke against the application.</b>
<b>Additional comments/information:</b>	<b>The Development Manager corrected information provided in the report which stated that Councillor Dickinson had requested that the application be determined by Members of the Speakers' Panel (Planning) on behalf of a local resident</b>

	and explained that it was actually Councillor Beeley that had made the request.
<b>Decision:</b>	Approve subject to the conditions as set out in the report.

<b>Name and Application No:</b>	<b>18/00015/REM</b> <b>Maple Grove Developments</b>
<b>Proposed Development:</b>	<b>Approval of reserved matters for the erection of 18 apartments with associated landscaping, open space, and car parking (scale, layout, appearance and landscaping) following outline consent granted under 17/00019/FUL</b> <b>Land bounded by Ashworth Lane and Chain Bar Lane, Hattersley</b>
<b>Speaker(s)/Late Representations:</b>	<b>Mr Dewhurst (agent) spoken in support of the application</b> <b>Mrs Robertshaw and Mr Woods spoke against the application</b>
<b>Decision:</b>	Approve subject to the conditions as set out in the report.

<b>Name and Application No:</b>	<b>17/01060/REM</b> <b>Mosscaire Housing and Rowlinson Construction</b>
<b>Proposed Development:</b>	<b>Approval of reserved matters for the erection of 18 apartments with associated landscaping, open space and car parking (scale, layout, appearance and landscaping) following outline consent granted under 17/00019/FUL (Parcel B)</b> <b>Former site of 10 – 12 Castle Street, Stalybridge</b>
<b>Speaker(s)/Late Representations:</b>	None
<b>Additional comments/ information</b>	<p>The Development Manager explained that consideration of this application had been deferred at the last meeting of Speakers' Panel (Planning) (Meeting of 23 May 2018, Minute 3 refers), given the outstanding response from the Environment Agency, in respect of new information submitted.</p> <p>He explained that the Environment Agency had responded with no objection in principle, but requested further information with respect to risk to controlled waters.</p> <p>The Environment Agency had made the following comments:</p> <ul style="list-style-type: none"> <li>• They were satisfied with the proposals within the Remediation Strategy report for excavation of the hydrocarbon hotspot and pumping/removal of contaminated shallow groundwater.</li> <li>• The remedial targets for controlled waters required updating due to the use of the Remedial Targets Worksheet v3.1, which was withdrawn and replaced with version 3.2 in 2013.</li> </ul>

	<ul style="list-style-type: none"> <li>• They requested copies of the Rev B site investigation reports, which were supporting information to the Remediation Strategy report, as the copies of the site investigation reports that had been submitted with this application were the Rev A versions.</li> </ul> <p>It was further explained that revised documents were received by the Council on 22 May 2018 and Environment Agency were re-consulted. The 21 day consultation period expired on 15 June 2018, and no response had been received from the Environment Agency.</p> <p>The Environmental Consultants for the agents made the following comments following the submission of the documents:</p> <p><i>'I can state that this time around the most current risk assessment software was used and the results don't change to any significant degree. As a result the remediation strategy for the site would be exactly as it was presented initially, and I think the Environment Agency broadly concurred with that view.'</i></p> <p>The Development Manager added that they had he been made aware this morning that the Environment Agency retained their objection.</p> <p>The intention had been to deal with the issue via amended recommendations, however, in recognition of the outstanding objection of the Environment Agency on a technical detail, it was suggested that delegation be given to the Head of Planning to issue the decision when confirmation was received from the Environment Agency that they are satisfied.</p>
<p><b>Decision:</b></p>	<p>That delegation be given to the Head of Planning to issue the decision when confirmation was received from the Environment Agency that they are satisfied, with the provision that should the Environment Agency persist with their objection, the application be brought back before the Panel at a future meeting.</p>

**9. URGENT ITEMS**

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

**CHAIR**

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## Appeal Decision

Site visit made on 12 June 2018

**by Mike Worden BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29<sup>th</sup> June 2018**

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**Appeal Ref: APP/G4240/D/17/3182813**

**14 Taunton Hall Close, Ashton, OL7 9JP**

- 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 Mr Ian Hodgson against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 16/01135/FUL, dated 7 December 2016, was refused by notice dated 29 June 2017.
  - The development proposed is two storey side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 14 Taunton Hall Close, Ashton, OL7 9JP in accordance with the terms of the application, Ref 16/01135/FUL, dated 7 December 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 Land Registry Title No GM79206; Drawing Title Proposed Revision 01, January 2017.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupants of 12 Taunton Hall Close with particular regard to light.

### Reasons

3. The appeal property is a two storey end of terrace house in a small cul de sac in a residential area. The cul de sac divides into two such that the appeal property stands on a corner and is at around ninety degrees to another row of terraces. The end of terrace property in that row faces the side elevation, across the road, of the appeal property. The appeal property is bounded by a tall hedge and has a conservatory extension to the side.
4. The proposed development is to demolish the conservatory and construct a two storey side extension. The first storey element of the proposed extension would be set back towards the rear, such that it would cover about half of the side elevation of the house.

5. No 12 Taunton Hall Close directly faces the appeal property and lies to its east. It has been extended to the side and has two upper storey windows and one ground floor window on the front elevation.
6. Policy H10 of the *Tameside Unitary Development Plan* (the UDP) sets out detailed design requirements for new housing including that there should be no unacceptable impact on the amenity of neighbouring properties through overshadowing, amongst other things. Policy RED2 of The Council's *Residential Design Supplementary Planning Document* (the SPD) which sets out minimum privacy and sunlight distances, states that there should be a 14m separation distance between a habitable room window and a two storey wall. I have placed moderate weight on the SPD.
7. Both parties agree that the 14m distance would not be met in this case if a line were to be taken to the two storey element of the proposed extension. I have no evidence before me to indicate whether the windows on the front elevation to 12 Taunton Hall Close are the only windows serving those rooms, but since it is a terraced property, I have assumed it to be the case.
8. The roof of the proposed extension would be stepped down from the main ridge line of the house. With part of the proposed extension also to be set back from the front, the potential for the proposal to cause overshadowing to 12 Taunton Hall Close over and above any overshadowing caused by the existing house would be limited. I therefore consider that there would not be any undue additional overshadowing to 12 Taunton Hall Close given the configuration of the proposal to it and the existing house.
9. Although the provisions of the SPD in terms of the minimum separation distance would not be met in this case, I consider that for the reasons set out above, the proposal would not cause harm to the living conditions of the occupants of 12 Taunton Hall Close with particular regard to light, and therefore would accord with Policy H10 of the UDP.

#### *Other matters*

10. A local resident is concerned that the proposed extension could adversely affect visibility when reversing out of her drive. The appeal property is currently bounded by a large hedge and I consider that the proposal would not provide any additional restriction on visibility. In any case the part of the road alongside the appeal property only serves a small parking area and garages, and I note that the Council has not raised any highway safety concerns.

#### **Conditions**

11. In addition to the standard time condition for implementation, there is a need for a condition specifying the plans to which the permission relates in the interests of clarity and certainty, and a condition relating to materials, in the interests of the character and appearance of the area.

#### **Conclusion**

12. For the reasons given above I conclude that the appeal should be allowed.

*Mike Worden*

INSPECTOR

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## Appeal Decision

Site visit made on 19 March 2018

**by W Johnson BA (Hons) DipTP DipUDR MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 April 2018**

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**Appeal Ref: APP/G4240/D/17/3192055**

**26 Low Wood Road, Denton, Manchester M34 2PD**

- 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 Mr B Wood against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 17/00829/FUL, dated 22 September 2017, was refused by notice dated 24 November 2017.
  - The development proposed is dormer to front, rear and side.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the appeal site and the surrounding area.

### Reasons

3. The appeal property is a semi-detached bungalow sited on Low Wood Road, which is a cul-de-sac located off Ashwood Avenue. The host dwelling is of brick construction with a tiled hipped roof. The proposal comprises a dormer extension on the front, side and rear roof slopes. It would wrap around the existing roof and have the appearance of a single structure, due to all elements being connected.
4. The semi-detached bungalows on the same side of the road as the host dwelling are similar in form and appearance and do not appear to have been significantly altered when viewed from Low Wood Road. In particular they have no dormer extensions that are clearly visible when viewed from the front. This forms a strong and positive characteristic in the street scene meaning I consider that the appeal site is located within a row of similar properties that have maintained a sense of rhythm and balance. The proposal through its size, design and location, with particular regard to the front and side facing roof slopes would result in an incongruous addition that would dominate the roof, fundamentally altering its shape and unbalancing its form and relationship with the adjoining dwelling. The resulting significant adverse effect on the host property would be readily visible in the street scene to the detriment of character and appearance of the surrounding area.

5. In his submissions the appellant has drawn my attention to a number of similar dormer extensions on Low Wood Road, as well as a variety of properties with dormers in the wider area. No additional details have been provided regarding these schemes and no documentation has been provided regarding the Council's analysis of the schemes in relation to the effect on the character and appearance of the dwellings and surrounding area. Without this detailed information a comparison between these schemes and the case before me cannot be drawn. Additionally, the examples on Low Wood Road are not in a location or sufficient in number to have a material effect on the character of the side of the road on which the appeal property is located. Therefore, little weight can be attributed to them in the determination of the appeal. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.
6. For all of these reasons, I therefore conclude that the proposal would unacceptably harm the character and appearance of the existing bungalow and the surrounding area. This would be contrary to Policy H10 of The Tameside Unitary Development Plan that seeks high quality design in layout, design and external appearance of housing developments that in turn complement the character and appearance of the surrounding area. It would conflict too with RED6 of the Residential Design Supplementary Planning Document that amongst other things seeks to ensure that dormers do not detract from the character of the street /surrounding area and complement the existing roof slope. As a result, the proposal would also be contrary to paragraph 60 of the National Planning Policy Framework, which amongst other things seeks to promote or reinforce local distinctiveness.

#### **Other matters**

7. I have had regard to various other matters raised by the appellant, including his need to develop a family home, to remain and live in the area to help the children attend the same local school, and to increase the property value. However, on the evidence before me these are not reasons to grant permission in the face of the harm identified. I have also noted his comments about the way the Council handled the application but these do not go to the planning merits of the case.

#### **Conclusion**

8. For the reasons given above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

*Wayne Johnson*

INSPECTOR

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## Appeal Decision

Site visit made on 19 March 2018

**by W Johnson BA (Hons) DipTP DipUDR MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10 April 2018**

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**Appeal Ref: APP/G4240/D/18/3195689**

**15 Broadfield Close, Denton M34 6BN**

- 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 Ms J Reay against the decision of Tameside Metropolitan Borough Council.
  - The application Ref 17/00824/FUL, dated 27 September 2017, was refused by notice dated 21 November 2017.
  - The development proposed is front dormer extension.
- 

### Decision

1. The appeal is dismissed

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the appeal site and the surrounding area.

### Reasons

3. The appeal property is a semi-detached bungalow sited on Broadfield Close, which is a cul-de-sac. The dwellings on Broadfield Close consist of semi-detached houses on one side with semi-detached bungalows on the other side and around the turning head. The host dwelling is one of the properties located at the head of the cul-de-sac and is predominantly of brick construction. The property has a tile roof with a gable end with a flat roof dormer on the rear, which is not clearly visible when at the front of the property. The proposal comprises 2 pitched roof dormers on the front facing roof slope.
4. None of the properties on Broadfield Close have any front dormer extensions. As a result, the relatively plain, uniform roofslopes form a strong and positive characteristic in the street scene. I consider the proposed dormers through their size, design and location on the front facing roof slope would result in an incongruous addition that would dominate the roof, fundamentally altering its shape and unbalancing its form and relationship with the adjoining dwelling. The resulting significant adverse effect on the character and appearance of the host property would be readily visible in the street scene to the detriment of character and appearance of the surrounding area.
5. The appellant has drawn my attention to a number of properties in the vicinity of the site with dormers. No additional details have been provided regarding these schemes and no documentation has been provided regarding the

Council's analysis of these schemes in relation to the effect on the character and appearance of the dwellings and surrounding area. Without this detailed information a comparison between these schemes and the case before me cannot be drawn and therefore little weight can be attributed to them in the determination of the appeal. In any event their presence does not have an appreciable bearing on the character or appearance of the context in which the site is viewed.

6. For all of these reasons, I therefore conclude that the proposed front dormer would unacceptably harm the character and appearance of the existing bungalow and the surrounding area. This would be contrary to Policy H10 of The Tameside Unitary Development Plan that seeks high quality design in layout, design and external appearance of housing developments that in turn complement the character and appearance of the surrounding area and RED6 of the Tameside Residential Design Supplementary Planning Document that amongst other things seeks to ensure that dormers do not detract from the character of the street /surrounding area and complement the existing roof slope. As a result, the proposal would also be contrary to paragraph 60 of the National Planning Policy Framework, which amongst other things seeks to promote or reinforce local distinctiveness.

#### **Other matters**

7. I have also had regard to various other matters raised by the appellant, including her need to develop a family home, but on the evidence before me this is not a reason to grant permission in the face of the harm identified. She has also expressed concern about the way that the Council handled the application, but this does not affect the planning merits of the case.



#### **Conclusion**

8. For the reasons given above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

*Wayne Johnson*

INSPECTOR

# Agenda Item 5

<b>Report To:</b>	<b>SPEAKERS PANEL (PLANNING)</b>
<b>Date:</b>	25 July 2018
<b>Reporting Officer:</b>	Ian Saxon – Director of Operations and Neighbourhoods
<b>Subject:</b>	<b>OBJECTIONS TO PROPOSED NO WAITING AT ANY TIME RESTRICTIONS ON DERAMORE CLOSE, ASHTON UNDER LYNE</b>
<b>Report Summary:</b>	The report outlines correspondence both objecting to and in support of the advertised, proposed extension to the existing waiting restrictions around Deramore Close, Ashton under Lyne.
<b>Recommendations:</b>	It is recommended that the Panel review the objections and responses then give the authority for the necessary action to be taken to introduce the scheme, as revised, including the experimental introduction of 1 hour limited waiting, no return within 2 hours Monday to Friday 8am – 5pm, along the north side of Deramore Close, in accordance with the Road Traffic Regulation Act 1984, to make the following order TAMESIDE METROPOLITAN BOROUGH (DERAMORE CLOSE, ASHTON UNDER LYNE) (PROHIBITION OF WAITING) ORDER 2018, as detailed in Section 6.3 of this report.
<b>Links to Community Strategy:</b>	The proposals underpin a number of targets within the Tameside Community Strategy (2009-2019) and more especially in the promotion of a Safe Environment through the provision of safer roads in our Town Centres and elsewhere.
<b>Policy Implications:</b>	None arising from the report.
<b>Financial Implications:</b> (Authorised by the Section 151 Officer)	The funding for the scheme will be taken from the Traffic Operations, Traffic Regulation Order budget 2018/2019.
<b>Legal Implications:</b> (Authorised by the Borough Solicitor)	Members should have regard to the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 which is set out in <b>Appendix A</b> .
<b>Risk Management:</b>	Objectors have a limited right to challenge the Orders in the High Court.
<b>Access to the documents:</b>	Drawing No.001: Proposed extension of 'no waiting at any time' restrictions on Deramore Close Ashton under Lyne.  Drawing No 002: Revision of Scheme 'no waiting at any time & limited waiting, 9am – 5pm, Monday to Saturday' restrictions on Deramore Close, Ashton under Lyne.  All documentation can be viewed by contacting Lauren Redfern. Traffic Operations by:   Telephone:0161 342 3927   e-mail: lauren.redfern@tameside.gov.uk

## 1. BACKGROUND

- 1.1 Deramore Close is a small residential street, providing access to the 7 properties fronting Deramore Close, the rear of 8 properties on Darnton Road and 4 properties on Mellor Road.
- 1.2 Over the last 10 years there have been many developments in the area and with car ownership on the rise, some of the residents of Deramore Close have become increasingly frustrated with the situation. Non-residents parking on the street are a bone of contention for residents trying to undertake normal daily duties.
- 1.3 In 2008, Tameside General Hospital was extended and a new entrance created off Darnton Road, this in turn made the areas of Mellor Road and Deramore Close increasingly attractive to park on for workers and visitors to the hospital, thus avoiding the costs of having to pay for parking.
- 1.4 In 2009 Stamford Park was transformed following an award of £3.2 million made by the Heritage Lottery Fund and the Big Lottery Fund, consequently encouraging people to travel to the area often by car, with limited on street parking available, Deramore Close was again used to park vehicles causing access issues for the residents.
- 1.5 In 2009 waiting restrictions were advertised on Deramore Close to try and control the ad hoc parking which was occurring, there were objections and the scheme was reduced to the waiting restrictions that are in place to date.
- 1.6 In 2013 an experimental 'Controlled Parking Zone' was introduced on Mellor Road allowing only residents and residents' visitors to park along the street, this proved successful and remains in place to this day. However due to the limited amount of space on street to park, it was not deemed a suitable solution for Deramore Close as the residents would be expected to pay for permits without any guarantee of a space, potentially only 3 available at any one time on the street. A consultation in 2017 proved this and subsequently the scheme was abandoned.
- 1.7 The residents have reported that obstructive parking along the stretch has now come to an all-time high and is posing a threat to residents as emergency services could not gain access if necessary. A proposal to extend the existing restriction to include the entire road was advertised March 2018 with a 28 day objection period. Twelve objectors and seven supporters have sent in correspondence expressing their views, the details are documented below.

## 2. OBJECTIONS

- 2.1 Four objections were received from Mellor Road, the residents are subject to 'no waiting at any time' restrictions to the frontage of their properties:
- 2.2 The proposals will prevent residents from parking in the area outside their garages which are located on Deramore Close.
- 2.3 **Response** if the full area of Deramore Close were to be covered by waiting restrictions it would prevent all people from parking, with the exception of disabled badge holders.
- 2.4 The residents are unaware of any issues which are currently on going along Deramore Close and have certainly not been subject to obstructed access to the road or their property.



- 2.5 **Response** there have been many years of complaints received for this area from many residents.
- 2.6 One resident has disabled dependants and therefore the increase in parking restrictions will increase congestion where vehicles are able to park thus exacerbating their personal issues.
- 2.7 **Response** blue badge holders are able to park on double yellow lines for a three hour period as long as they are not causing an obstruction or danger in doing so.
- 2.8 Six objections were received from, or on behalf of residents from Darnton Road, all but one of the objectors are subject to 'no waiting at any time' restrictions to the frontage of their property.
- 2.9 The introduction of 'no waiting at any time' restrictions along the full length of Deramore Close will in effect leave residents with nowhere to park their vehicles, one resident has reported this is unfair and unnecessary.
- 2.10 **Response** The introduction of waiting restrictions on both sides of Deramore Close will have a negative effect on residents living within the close vicinity who rely on parking their vehicles within this street due to waiting restrictions to the frontages of the properties. For information, there is a pay and display car park near to the hospital.
- 2.11 It is perceived the introduction of waiting restrictions will lead to congestion on other streets in the area.
- 2.12 **Response** there is an element of parking that occurs that is not connected to Deramore Close residents. It is fair to say that this will have to be relocated elsewhere.
- 2.13 The residents of Deramore Close have access to off street parking for at least two vehicles. Introducing waiting restrictions to the rear of the Darnton Road properties will restrict residents from parking within the close vicinity to their properties, likely to result in residents having to park on the public car park off Mellor Road, thus incurring a cost.
- 2.14 **Response** Agreed. However, parking that does occur on the street sometimes blocks the driveways. This will not happen if lines are there.
- 2.15 A point was noted that the introduction of further restrictions in the area may have a negative impact on the value of the properties as they will effectively be without parking.
- 2.16 **Response** What effect the proposals might have on the property values within that area is not directly relevant to the committee's decision.
- 2.17 A resident of Deramore Close and a further resident of Darnton Road also objected however, the objections have been withdrawn on condition that the revision of the proposals is approved.

### **3. SUPPORT**

- 3.1 Seven letters of support have been received following the consultation, four from residents of Deramore Close, one from Darnton Road and two from family members on behalf of residents currently residing on Deramore Close.
- 3.2 The current parking situation is causing a lot of stress with the current residents of Deramore Close, the limited parking is causing problems for access with regards property

maintenance, deliveries, and visitors. Deramore Close can safely allow 4 cars to be parked, these spaces are often taken by hospital staff and visitors. The supporters have stated that if necessary an emergency vehicle would have great difficulty gaining access to the properties as the road is frequently obstructed, especially early to late evening. Some of the local residents have multiple vehicles and use of works vans, thus causing congestion on the narrow street.

- 3.3 One resident has a particular issue when vehicles park opposite the driveway to the property, reducing the road width to approx. 2.5 metres forcing them to drive over the kerb, thus resulting in damage to the vehicle.

#### 4. CONCLUSION

- 4.1 It is always difficult to find a happy medium when introducing waiting restrictions as the inconvenience to residents can be great. However, the close is narrow and will not facilitate parking on both sides of the road. If parking was restricted to one side of the road, 3 metres of free flowing carriageway would remain, therefore emergency access would be maintained. Parking spaces could be provided on the north side of Deramore Close and could be limited to 1 hour during the working day to prevent people parking to visit or work at Tameside General Hospital, ultimately leaving them available for to visitors of the residents. It would be the intention to introduce the 1 hour limited waiting as an experimental order, thus allowing the residents six months to raise comments or objections to the time limited parking spaces. If objections are made within six months, the scheme can be revised, amended or implemented on a permanent basis following a further report to the appropriate panel meeting. If no objections are received, the scheme can be made permanent without a further report.

- 4.2 This is the revised proposal that is now recommended to the Panel.

#### 5. FUNDING

- 5.1 The introduction of the scheme will be funded by the Traffic Operations, Traffic Regulation Order budget 2018/2019

#### 6. PROPOSALS / SCHEDULE OF WORKS

- 6.1 The original proposals were to introduce no waiting at any time restrictions along both sides and including the cul de sac end of Deramore Close as shown on Drawing 001. Following objections to the proposals a revised scheme has been designed, which will allow some on street parking, the details have been illustrated on Drawing 002.

##### 6.2 ORIGINAL PROPOSALS (Drawing No. 001)

###### No waiting at any time restrictions

Deramore Close, both sides	Entire length, up to and including its cul de sac end
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##### 6.3 REVISED PROPOSALS (Drawing No. 002)

###### No waiting at any time restrictions

South side	From a point 7 metres east of the boundary line of property numbers 1 & 2 Deramore Close for a distance of 52 metres in a westerly direction.
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The Tameside Metropolitan Borough Council (DARNTON ROAD, DERAMORE CLOSE, MELLOR ROAD AND WILLOW WOOD CLOSE, ASHTON UNDER LYNE)(PROHIBITION OF WAITING) ORDER 2009 shall be amended to reflect these proposals.

**Experimental introduction of Limited Waiting, 1 hour no return within 2 hours  
Monday to Friday, 8am-5pm**

North side	From the projected boundary line of properties number 1 & 2 Deramore Close for a distance of 11 metres in a westerly direction
North side	From a point 18 metres west of the projected boundary line of properties number 1 & 2 Deramore Close for a distance of 8 metres in a westerly direction
North side	From a point 33 metres west of the projected boundary line of properties number 1 & 2 Deramore Close for a distance of 6 metres in a westerly direction

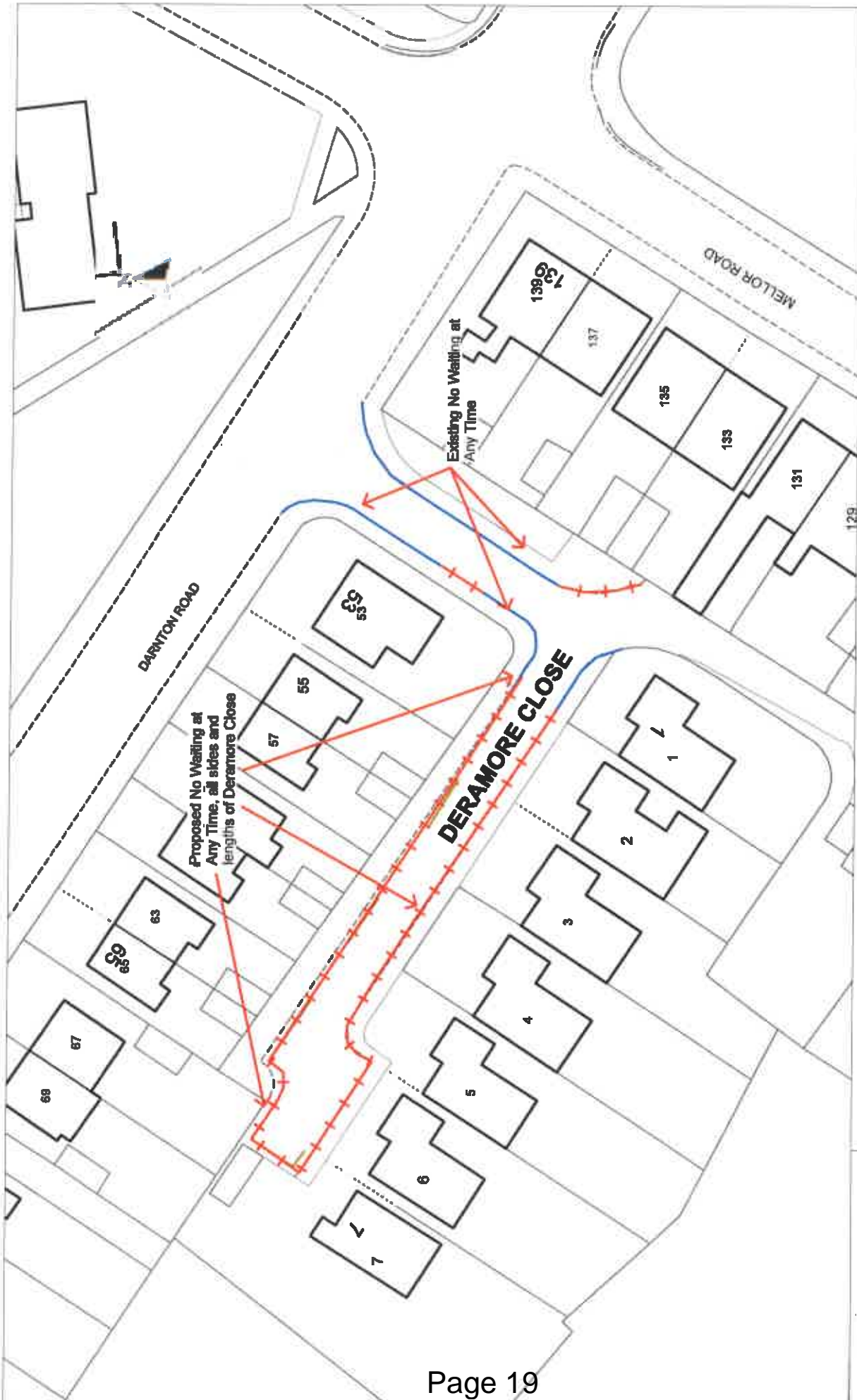
**7. RECOMMENDATION**

7.1 As set out at the front of the report.

## **APPENDIX 'A'**

### **Section 122 Road Traffic Regulation Act 1984**

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in sub-section (2) below) to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
  
- (2) The matters referred to in sub-section (1) above, as being specified in this sub-section are:
  - (a) The desirability of securing and maintaining reasonable access to premises;
  - (b) The effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
  - (c) The strategy prepared under Section 80 of the Environment Act 1995 (national air quality strategy);
  - (d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
  - (e) Any other matters appearing to ...the local authority.... to be relevant.



Tarnside MIBC  
 Tame Street Depot  
 Tame Street  
 Stalybridge  
 SK15 1ST

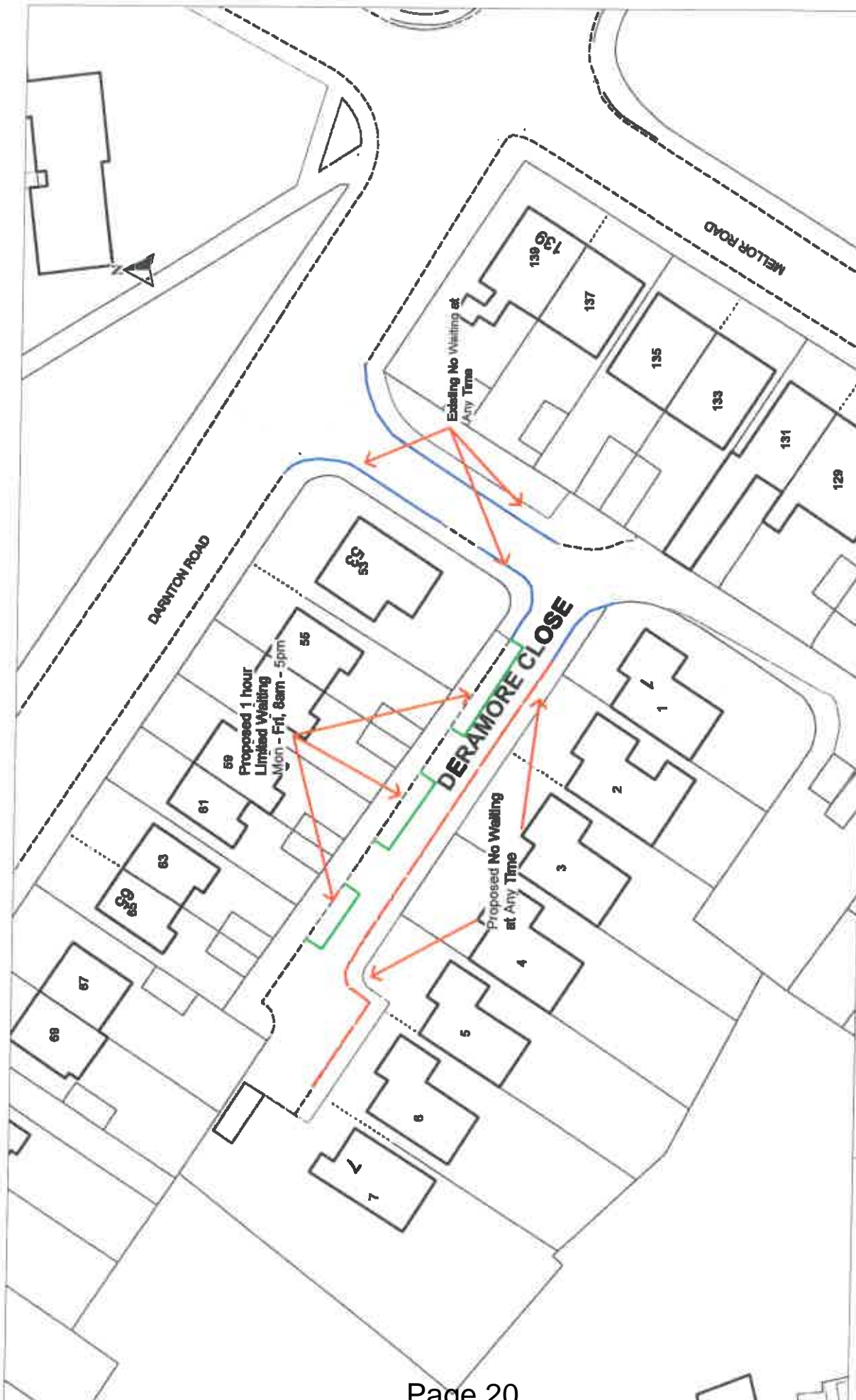
Deramore Close, Ashton - Original Scheme

Drawn By : LRE

Scale : NTS

Date : 11/7/2018

DRAWING NO. 001



Tameside MBC  
 Tame Street Depot  
 Tame Street  
 Stalybridge  
 SK15 1ST

Deramore Close, Ashton - revised scheme



Drawn By : LRE

Scale : NTS

Date : 1/17/2018

DRAWING NO. 002

# Agenda Item 6

<b>Report To:</b>	<b>SPEAKERS PANEL (PLANNING)</b>
<b>Date:</b>	25 July 2018
<b>Reporting Officer:</b>	Ian Saxon – Director of Operations and Neighbourhoods
<b>Subject:</b>	<b>OBJECTIONS TO PROPOSED NO WAITING AT ANY TIME RESTRICTIONS ON RIDGE HILL AREA, STALYBRIDGE ORDER 2018</b>
<b>Report Summary:</b>	The report outlines correspondence received objecting to the proposed waiting restrictions around the Ridge Hill Lane area of Stalybridge following a 28 day statutory consultation in May 2018.
<b>Recommendations:</b>	It is recommended the panel review the objections and that authority is given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order TAMESIDE METROPOLITAN BOROUGH (RIDGE HILL AREA, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 2018 as detailed in Section 5.1 of this report.
<b>Links to Community Strategy:</b>	The proposals underpin a number of targets within the Tameside Community Strategy (2009-2019) and more especially in the promotion of a Safe Environment through the provision of safer roads in our Town Centres and elsewhere.
<b>Policy Implications:</b>	None arising from the report.
<b>Financial Implications:</b> (Authorised by the Section 151 Officer)	The funding for the scheme will be taken from the Traffic Operations, Traffic Regulation Order budget 2018/2019.
<b>Legal Implications:</b> (Authorised by the Borough Solicitor)	Members should have regard to the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 which is set out in <b>Appendix A</b> .
<b>Risk Management:</b>	Objectors have a limited right to challenge the Orders in the High Court.
<b>Access to the documents:</b>	<b>Appendix A</b> - S.122 of Road Traffic Regulation Act 1984 <b>Appendix A1</b> – Highway Code Extract Drawing No.001: Proposed introduction of 'no waiting at any time' restrictions around the Ridge Hill Area, Stalybridge. All documentation can be viewed by contacting Lauren Redfern. Traffic Operations by:  Telephone:0161 342 3927  e-mail: lauren.redfern@tameside.gov.uk

## **1. BACKGROUND**

- 1.1 The area locally known as Ridge Hill is densely populated with residents of all ages. Over the last 10 years as car ownership rises, many residents are being put in danger when travelling around the estate on foot due to the high levels of on-street parking.
- 1.2 Children are encouraged to walk to school, enhancing confidence and practical skills when using the highway, this also keeps children active and the areas outside the schools less congested. It has been reported that the junctions and pavements in the area are obstructed causing visibility issues between pedestrians and vehicles. As a result of this a number of complaints have been received by the Traffic Operations section of Tameside MBC and the Jigsaw Group, representing the residents of Ridge Hill Estate. The complaints are requesting waiting restrictions be implemented around the estate to assist parents when traveling around the area with young children and prams.
- 1.3 The haphazard parking is also having an adverse effect on the free flow of traffic around the estate including the frontage to the school. A scheme has been designed and advertised in an attempt to address some of the complaints by enhancing safety in the area.
- 1.4 Three objections have been received focusing on the area at Coniston Drive.
- 1.5 The objections do not refer to Ambleside, Buckingham Road, Fellside Green, Ridge Hill Lane, School Crescent and Windermere Road, it is therefore intended to introduce these restrictions and only the proposals at Coniston Drive be discussed within this report.

## **2. OBJECTIONS**

- 2.1 Parking is currently at a premium within the area as most residents have more than one vehicle and limited or no access to off street parking, often resulting in residents having to park away from their properties when they arrive home late from work. This is a great inconvenience when managing children, shopping and other goods.
- 2.2 Two of the objectors note the grassed spaces could be better used to facilitate parking as they have been altered at other locations throughout the estate.
- 2.3 Two of the objectors have raised concerns that removing the parked vehicles will encourage vehicles to travel at a higher speed as the sight lines will be clearer.
- 2.4 One of the objectors has existing waiting restrictions outside their property. The introduction of waiting restrictions along Coniston Drive will prevent them from parking their works van within clear sight of their residence, potentially encouraging it to be vandalised. The resident has had CCTV fitted to their property to ensure the vehicle is monitored at all hours as vandalism is a regular occurrence in the area.

## **3. OFFICER RESPONSE**

- 3.1 The waiting restrictions have been proposed following complaints received from the residents in the local area regarding safety of the pedestrians, mainly on their route to school and navigating around the estate. Whilst we fully appreciate vehicle ownership is on the rise the highway must remain as safe and free flowing as possible.
- 3.2 Tameside MBC no longer has funding available to replace grassed areas with hard standing, there are too many complications and hidden costs regarding utility services and drainage. It is often the case that the housing association carry out this work if they feel it is necessary to do so.



3.3 Coniston Drive measures around 6 metres wide. This is too narrow to permit vehicles to park on both sides. The proposals would prevent parking around the bend at the easterly end of Coniston Drive and then along the north side, therefore formalising the existing parking arrangements. It is not anticipated this will have any detrimental effect in increasing the speed of traffic

3.4 In order for the resident's vehicle to be seen from the property it would have to be parked within 10 metres of the junction. Rule 243 of the Highway Code states DO NOT stop or park opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space (**Appendix A1**), as this does not comply with the code we should not permit vehicles parking in that location.

#### **4. FUNDING**

4.1 The introduction of the scheme will be funded by the Traffic Operations, Traffic Regulation Order budget 2018/2019

#### **5. PROPOSALS / SCHEDULE OF WORKS**

5.1 It is proposed to introduce the proposals as originally advertised, as set out in the Schedule below.

No Waiting at Any Time

Coniston Drive

both sides	from its junction with School Crescent for a distance of 15 metres in a south easterly direction.
north east side	from its junction with Ridge Hill Lane to a point 10 metres north west of Windermere Road.
south west side	from its junction with Ridge Hill Lane to a point 15 metres north west of Fellside Green.

#### **6. RECOMMENDATION**

6.1 As set out at the front of the report.

## **APPENDIX 'A'**

### **Section 122 Road Traffic Regulation Act 1984**

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in sub-section (2) below) to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
  
- (2) The matters referred to in sub-section (1) above, as being specified in this sub-section are:
  - (a) The desirability of securing and maintaining reasonable access to premises;
  - (b) The effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
  - (c) The strategy prepared under Section 80 of the Environment Act 1995 (national air quality strategy);
  - (d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
  - (e) Any other matters appearing to ...the local authority.... to be relevant.

## APPENDIX 'A1'

### The Highway Code

#### Introduction to the Highway Code

'This Highway Code applies to England, Scotland and Wales. The Highway Code is essential reading for everyone.

The most vulnerable road users are pedestrians, particularly children, older or disabled people, cyclists, motorcyclists and horse riders. It is important that all road users are aware of the Code and are considerate towards each other. This applies to pedestrians as much as to drivers and riders.'

#### Knowing and applying the rules

'Knowing and applying the rules contained in The Highway Code could significantly reduce road casualties. Cutting the number of deaths and injuries that occur on our roads every day is a responsibility we all share. The Highway Code can help us discharge that responsibility.'

#### Rule 243

**DO NOT** stop or park:

- near a school entrance
- anywhere you would prevent access for Emergency Services
- at or near a bus or tram stop or taxi rank
- on the approach to a level crossing/tramway crossing
- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- near the brow of a hill or hump bridge
- opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- where you would force other traffic to enter a tram lane
- where the kerb has been lowered to help wheelchair users and powered mobility vehicles
- in front of an entrance to a property
- on a bend
- where you would obstruct cyclists' use of cycle facilities

**except** when forced to do so by stationary traffic.

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Tame Street Depot  
Tame Street  
Stalybridge  
SK15 1ST

Drawn By :

Scale : NTS

Date : 11/7/2018



Report : 123 Figure : 1

Conston Drive, Stalybridge



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# Agenda Item 7

<b>Report To:</b>	<b>SPEAKERS PANEL (PLANNING)</b>
<b>Date:</b>	25 July 2018
<b>Reporting Officer:</b>	Ian Saxon – Director, Operations and Neighbourhoods,
<b>Subject:</b>	<b>OBJECTIONS TO PROPOSED LIMITED WAITING RESTRICTIONS IN THE AREA OF WOOLLEY CLOSE, HOLLINGWORTH</b>
<b>Report Summary:</b>	The report outlines objections received to the proposed waiting restrictions.
<b>Recommendations:</b>	It is recommended that an amended scheme is implemented and that authority is given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order THE TAMESIDE METROPOLITAN BOROUGH (CROSS STREET, WOOLLEY CLOSE AREA, HOLLINGWORTH) (PROHIBITION OF WAITING) ORDER 2017 as detailed in Section 4.3 of this report.
<b>Links to Community Strategy:</b>	The proposals underpin a number of targets within the Tameside Community Strategy (2009-2019) and more especially in the promotion of a Safe Environment through the provision of safer roads in our Town Centres and elsewhere.
<b>Policy Implications:</b>	None arising from the report.
<b>Financial Implications:</b> (Authorised by the Section 151 Officer)	The costs associated with implementation of this scheme are being funded through the Traffic Regulation Order Capital Budget 2017/18.
<b>Legal Implications:</b> (Authorised by the Borough Solicitor)	Members should have regard to the Council's statutory duty under S122 of the Road Traffic Regulation Act 1984 which is set out in <b>Appendix A</b> .
<b>Risk Management:</b>	Objectors have a limited right to challenge the Orders in the High Court.
<b>Access to the documents:</b>	Appendix A – S.122 of Road Traffic Regulation Act 1984 Appendix A1 – Highway Code Extract Appendix B – Drawing No. 001: Proposed restrictions Appendix C – Drawing No. 002: Recommended Scheme All documentation can be viewed by contacting Ian Hall, Traffic Operations by:  Telephone:0161 342 3988  e-mail: <a href="mailto:ian.hall@tameside.gov.uk">ian.hall@tameside.gov.uk</a>

## 1. BACKGROUND

- 1.1 A Traffic Regulation Order (TRO) scheme was identified for Cross Street, Taylor Street, Woolley Close and The Boulevard through a borough wide review of TRO requests. Subsequently a scheme which comprised the introduction of “No Waiting at Any Time” protection markings within that area was designed to improve road safety and facilitate traffic movement. Following consultation with local ward councillors, approval to advertise the scheme was gained through the Delegated Decision Report – Traffic Regulation Order Programme 2015/16 – 2017/18 on 10 December 2015.
- 1.2 The request for additional waiting restrictions within the area was originally raised by local residents.
- 1.3 No objections to the proposed scheme were received from the statutory consultees.

## 2. OBJECTIONS AND RESPONSES

- 2.1 There have been five objections from residents received during the consultation period. The objections are summarised below along with the responses:
- 2.2 A resident of The Boulevard objects to the proposed restriction on the west side of the Boulevard, as they are of the opinion this will only move the displaced vehicles to park on the east side, adjacent to his driveway and therefore cause issues gaining access on and off their driveway due to obscured visibility and does not think that there would be any benefit in safety if parking was only moved from one side of the road to the other.
- 2.3 **Response:** The proposed restriction is on the inside of the junction, and therefore would improve sight line visibility for all negotiating this junction. The proposals are limited to one side of the road where possible to minimise the impact of such restrictions within a residential area. As stipulated within the highway code, vehicles should not park within ten metres of a junction, and due to the topography of this junction the road is marked out with a white chevron that deflects vehicles away from the kerb line on the east side of The Boulevard on the approach to its junction with Woolley Close and Taylor Street. A similar length of waiting restrictions was not considered needed at that time and thought to be too restrictive for local residents within the estate. However, if residents feel it is beneficial, such a restriction could be considered at a later date, however it is recommended that the proposed restrictions being considered at this location be implemented as advertised.
- 2.4 A resident of Cross Street objects to the proposed restrictions as they have concerns the proposals would increase the likelihood of vehicles obstructing their driveway. The resident has put in a request that consideration be made to extend these restrictions to cover their driveway.
- 2.5 **Response:** The proposed restriction on the northwest side of Cross Street would stop at the dropped crossing of the resident’s driveway. The length proposed was considered to be a minimum to maintain the free flow of traffic through the narrow single lane section of Cross Street. The request for consideration of extending the waiting restrictions across their driveway would be a greater restriction than that currently put out for public consultation and therefore, could not be ratified at this meeting without going out to a further public consultation process. However, I would recommend that a white “H” road marking be authorised to be installed across the resident’s drive, which further highlights to drivers the presence of a vehicle access point. Although this has no additional legal standing, obstructing vehicle access points can be enforced by the police in certain circumstances. The presence of the white “H” marking may discourage others obstructing their driveway and at the same time allowing family and friends visiting the residents to park across this marking



without causing an offence. If the resident at a later date then found this not to be satisfactory the Council could give due consideration to extend the waiting restrictions.

- 2.6 A resident of Taylor Street objects to the proposal as they have always been able to park directly outside their property and they have a disability. They believe the proposals would only make the situation worse for parking, as displaced vehicles would move to The Boulevard, parking on both sides therefore causing more congestion and cause more aggravation within the neighbourhood. The resident put forward alternatives by asking just to maintain the proposed restriction on the north side of Taylor Street from its junction with The Boulevard.
- 2.7 **Response:** As indicated in the first two objections, the proposed restrictions on Cross Street and The Boulevard are for junction protection and as such are recommended to be implemented as advertised. Likewise with the proposed restrictions of which the objector approves i.e. North side of Taylor Street. With regards to the proposed restrictions outside the residential property on the south side of Taylor Street, the distance between the junctions of Cross Street with Woolley Close is approximately eighteen metres. Although it states within the highway code that people should not park within ten metres of a junction, due to the nature of the complaint and disability, it is proposed to enable a five metres section central to the two junctions to enable a vehicle to park, however this would not be reserved for an individual vehicle to be able to park. The proposed amended scheme therefore would reduce the length of waiting restrictions to seven metres and six metres respectively between Cross Street and the Woolley Close. Although this is less than that advised in the Highway Code, due to the nature of this highway in that it is within a 20mph zone, it is considered it would have little impact on the overall effectiveness of the scheme.
- 2.8 Two residents of Woolley Close who do not have any off street parking provision object to the proposals as they are of the opinion the restrictions would only add further strains on the parking arrangements in that area. If restrictions were to be introduced, the objector requests the restriction be introduced on the east side of Woolley Close in front of the houses that have driveways as no one parks on that side and access is always maintained to the garages at the end of Woolley Close or that permits to allow them to park be issued.
- 2.9 **Response** Local residents have recently closed off the forecourt to the garages at the end of Woolley Close by installing bollards on the private land. Taking this into account and the likely reduction in obstructive and unauthorised parking within the private land on the forecourt, it is proposed to remove the proposed restrictions from the east side of Woolley Close and reduce the restrictions to the west side of Woolley Close to ten metres from its junction with Taylor Street to keep visibility clear approaching the bend whilst maximising the available on street parking facility.
- 2.10 A resident of Woolley Close objects as they cannot understand why there is a need for the restriction. Three residents of the household drive and they would not have bought the property if there were restricted parking in the area. They were concerned the restrictions would devalue their property and request consideration for compensation for devaluation of their house if the restrictions are to be implemented.
- 2.11 **Response** What effect the proposed waiting restrictions might have on the property values within that area is not directly relevant to the committee's decision, and such schemes do not fall under any compensation requirements. The Council received complaints from residents of the area, regarding obstructive parking / access to the garages that are situated at the end of Woolley Close and on occasions, their driveways. The highway is for the passage and re-passage of vehicles and the proposed restrictions were put forward to maintain access to those garages and keep the junction of Woolley Close with Taylor Street clear of parked vehicles to improve visibility drivers.

- 2.12 The other resident of Woolley Close believes the displaced vehicles would move to The Boulevard causing disruption to the residents of that street and that other local residents that have off street parking provision don't use them but park up on street, therefore reduce available parking provision for other resident that don't have off street parking facilities including those resident on Woolley Lane (A57), whose only option of parking is to park on adjacent side roads due to parking restrictions on the main road.
- 2.13 **Response** The Council can sympathise with local residents who experience issues with parking when other local residents don't appear to be utilising their off street parking facilities. The Council however cannot and do not dictate to residents that they must utilise these off street parking facilities. The Council do recognise many household utilise garages for extra storage space and also understand not all drivers like to manoeuvre into garages for various reasons such as disabilities, difficulties in entering and exiting a car etc. The Council recognise the introduction of waiting restrictions can and do on occasions displace parking arrangements within an area. The proposed restriction put forward however are in line with Highway Code and would improve pedestrian and vehicle movements within this area.
- 2.14 Two objectors also made a suggestion to make the junctions of both Cross Street and The Boulevard into Stop junctions rather than the current give way junctions.
- 2.15 **Response** With regards the objector's proposed alternative scheme of introducing stop junctions as opposed to the existing give way junctions; this would not be a viable solution, as the Council is required to seek authority from the Secretary of State (SoS) for each STOP sign on the highway. The SoS has recently declared that no new requests will be accepted as all locations meeting the criteria should have all been brought to the SoS's attention previously (neither of these junction fall within the criteria for a stop junction) and any new roads should not be designed to fall short of the visibility standards.
- 2.16 They also suggested introducing a controlled parking scheme.
- 2.17 **Response** Again, this could not be considered as such schemes only address commuter parking issues and not over demand for parking provision by local residents, which is the situation in this instance. There is no evidence of commuter parking taking place within this vicinity. Controlled Parking Schemes do not and are not used for reserving specific parking spots for individuals on the public highway and, as indicated before, controlled parking schemes only address commuter parking issues and there are none within this area.

### 3. FUNDING

- 3.1 These proposals are being funded from the Traffic Operations capital budgets 2016/17.

#### 4. PROPOSALS / SCHEDULE OF WORKS

4.1 The proposed restrictions as advertised are set out in 4.2.

4.2 THE TAMESIDE METROPOLITAN BOROUGH (CROSS STREET, WOOLLEY CLOSE AREA, HOLLINGWORTH) (PROHIBITION OF WAITING) ORDER 2017 – as advertised

<b><u>ADVERTISED SCHEDULE</u></b>		
<b>No Waiting at Any Time</b>		
Cross Street (northwest side)	-	from its junction with Taylor Street for a distance of 17 metres in a south-westerly direction.
Cross Street (southeast side)	-	from its junction with Taylor Street for a distance of 11 metres in a south-westerly direction.
Taylor Street (southwest side)	-	from its junction with Woolley Close to a point 10 metres north-west of its junction with Cross Street.
Taylor Street (northeast side)	-	from its junction with The Boulevard for a distance of 10 metres in a north-westerly direction.
Woolley Close (west side)	-	from its junction with Taylor Street for a distance of 26 metres in a southerly direction.
Woolley Close (east side)	-	from a point 19 metres south of its junction with Taylor Street for a distance of 10 metres in a southerly direction.
The Boulevard (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a northerly direction.

4.3 **Proposed amended Schedule 2:**

<b><u>AMENDED SCHEDULE</u></b>		
<b>No Waiting at Any Time</b>		
Cross Street (northwest side)	-	from its junction with Taylor Street for a distance of 17 metres in a south-westerly direction.
Cross Street (southeast side)	-	from its junction with Taylor Street for a distance of 11 metres in a south-westerly direction.
Taylor Street (southwest side)	-	from its junction with Woolley Close for a distance of 6 metres in a north-west direction.
Taylor Street (southwest side)	-	from a point 10 metres north-west of its junction with Cross Street to a point 7 metres south-east of that junction.
Taylor Street (northeast side)	-	from its junction with The Boulevard for a distance of 10 metres in a north-westerly direction.

Woolley Close (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a southerly direction.
The Boulevard (west side)	-	from its junction with Taylor Street for a distance of 10 metres in a northerly direction.

## 5. RECOMMENDATION

5.1 As set out at the beginning of the report.

## **APPENDIX 'A'**

### **Section 122 Road Traffic Regulation Act 1984**

- (1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in sub-section (2) below) to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
  
- (2) The matters referred to in sub-section (1) above, as being specified in this sub-section are:
  - (a) The desirability of securing and maintaining reasonable access to premises;
  - (b) The effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
  - (c) The strategy prepared under Section 80 of the Environment Act 1995 (national air quality strategy);
  - (d) The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
  - (e) Any other matters appearing to ...the local authority.... to be relevant.

## APPENDIX 'A1'

### The Highway Code

#### Introduction to the Highway Code

'This Highway Code applies to England, Scotland and Wales. The Highway Code is essential reading for everyone.

The most vulnerable road users are pedestrians, particularly children, older or disabled people, cyclists, motorcyclists and horse riders. It is important that all road users are aware of the Code and are considerate towards each other. This applies to pedestrians as much as to drivers and riders.'

#### Knowing and applying the rules

'Knowing and applying the rules contained in The Highway Code could significantly reduce road casualties. Cutting the number of deaths and injuries that occur on our roads every day is a responsibility we all share. The Highway Code can help us discharge that responsibility.

#### Rule 243

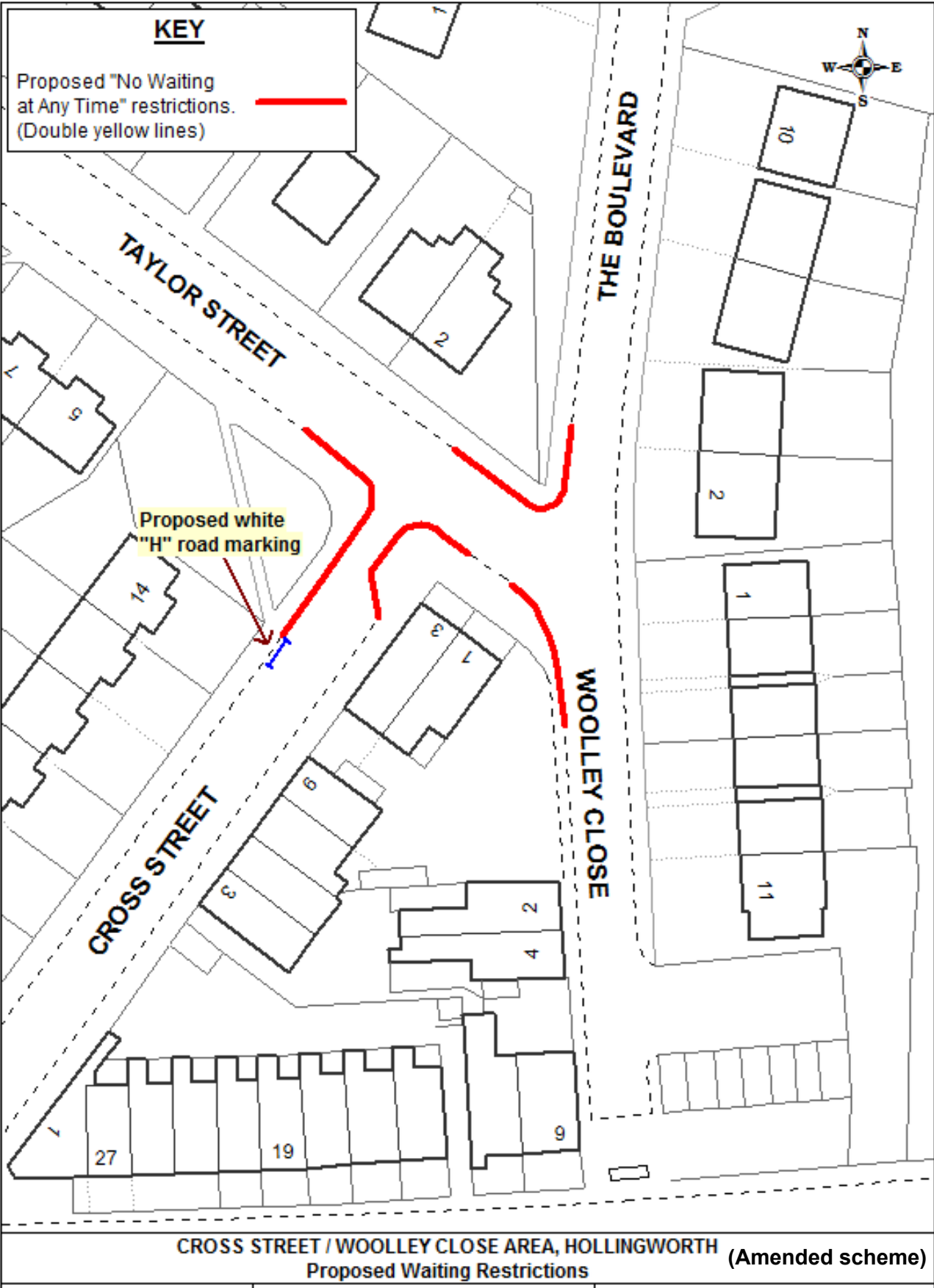
**DO NOT** stop or park:

- near a school entrance
- anywhere you would prevent access for Emergency Services
- at or near a bus or tram stop or taxi rank
- on the approach to a level crossing/tramway crossing
- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- near the brow of a hill or hump bridge
- opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- where you would force other traffic to enter a tram lane
- where the kerb has been lowered to help wheelchair users and powered mobility vehicles
- in front of an entrance to a property
- on a bend
- where you would obstruct cyclists' use of cycle facilities

**except** when forced to do so by stationary traffic.



APPENDIX C





**Application Number** 16/00767/OUT

<b>Proposal</b>	Outline planning application (seeking approval for the means of access, layout, scale and appearance of the development) for the erection of 29 x 1 bedroom apartments (use class C3). The occupants of the development would be those over the age of 55 with care needs, along with their partner, spouse and dependents.
<b>Site</b>	land occupied by 1 and 2 Ralphs Lane, Dukinfield
<b>Applicant</b>	Mr J Meredith, The Lakes Care Centre, Lakes Road, Dukinfield
<b>Recommendation</b>	Approve, subject to conditions and the prior completion of a Section 106 Agreement
<b>Reason for report</b>	A Speakers Panel decision is required because the application is a major development and a Section 106 Agreement is required.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks outline planning permission for the erection of 29 x 1 bedroom apartments (use class C3). The only matter reserved is that of the landscaping of the development. The occupants of the development would be those over the age of 55 with care needs, along with their partner, spouse and dependents. Communal accommodation would be limited to a small area of the ground floor of the building, adjacent to staff facilities.
- 1.2 The scheme has been amended from the 32 units original proposed (which included a mix of 1 and 2 bed apartments) to reduce the size of the building following concerns regarding the impact on the residential amenity of neighbouring properties.
- 1.3 The applicant has submitted the following documents in support of the application:
  - Arboricultural Report
  - Bat Scoping Survey
  - Design and Access Statement
  - Transport Statement
  - Sustainability Statement
  - Crime Impact Statement
  - Initial ground investigation

### 2. SITE AND SURROUNDINGS

- 2.1 The main entrance to the 0.34 hectare site, along Ralphs Lane, is via a tree-lined avenue. Further along this avenue is the existing care home, The Lakes. At the end of Ralphs Lane, to the east, are six properties, arranged in a cul-de-sac. The site currently contains 2 no two-storey family houses and gardens, with land to the north west the curtilage of no.1 Ralphs Lane also included within the application site. The 2 dwellings will be demolished to create the overall development site. The remainder of the development site is heavily wooded, backing onto adjacent residential gardens.

### **3. PLANNING HISTORY**

3.1 There is no relevant planning history on the site.

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

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

Not allocated, within the settlement of Dukinfield

#### **4.2 Part 1 Policies**

Policy 1.5: Following the Principles of Sustainable Development

Policy 1.4: Providing More Choice and Quality Homes.

Policy 1.10: Protecting and Enhancing the Natural Environment.

Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

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

C1: Townscape and Urban Form

H1: Housing Land Provision.

H2: Unallocated Sites (for housing)

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

MW11: Contaminated Land

MW12: Control of Pollution

MW14 Air Quality

N3: Nature Conservation Factors

N4 Trees and Woodland

N5: Trees Within Development Sites

N7: Protected Species

OL4: Protected Green Space

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

T11: Travel Plans.

U3: Water Services for Developments

U4: Flood Prevention.

U5: Energy Efficiency

#### **4.4 Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016

Residential Design Supplementary Planning Document

Trees and Landscaping on Development Sites SPD adopted in March 2007

#### **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

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

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

## **5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Borough Tree Officer – no objection subject to replacement planting being secured by condition and protection of the trees to be retained.
- 6.2 Borough Environmental Health Officer (EHO) – no objections subject to conditions limiting the hours of work during the construction phase of the development, and requiring the submission and approval of bin storage details.
- 6.3 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals subject to limitation on the removal of trees, protection of trees to be retained and biodiversity enhancements being secured by the imposition of conditions.
- 6.4 National Grid – No objections. Apparatus owned by National Grid is located within the vicinity of the application site. An informative advising the applicant of their obligations as land owner can be attached to the decision notice should planning permission be granted.
- 6.5 United Utilities – no objections subject to the imposition of conditions requiring foul and surface water to be drained from the development via different systems and requiring the submission and approval of a sustainable surface water drainage strategy, including details of on-going management and maintenance.
- 6.6 Local Highway Authority – no objection to the proposals subject to the imposition of conditions requiring the parking provision to be laid out prior to be first occupation of the development, the approval of a Construction Environment Management Plan and the completion of a survey of the condition of the highway.
- 6.7 Borough Housing Growth Officer - Over the period 2014 to 2035, there is expected to be a 157% increase in the requirement for older persons' specialist provision. However, when the current (2014) supply of accommodation is compared with change in demand to 2035, data would suggest a need to increase the current level of provision for older people, particularly the provision of sheltered housing and Extra Care 24/7 support. The data also suggests there is no supply in Tameside of enhanced sheltered housing but a demand for 584 additional units.
- 6.8 Greater Manchester Police – no objections to the proposals on the basis that the development is carried out in accordance with the recommendations listed within Section 3.3 of the Crime Impact Statement submitted with the planning application.
- 6.9 Coal Authority – no objections raised, subject to the imposition of a condition requiring an intrusive ground investigation to be undertaken and the approval of any necessary mitigation with regard to coal mining legacy issues prior to the commencement of development.
- 6.10 Borough Contaminated Land Officer: Given the established use of the site is as residential, it is considered that the risk in relation to ground contamination is low and that the completion of intrusive investigation work in this regard prior to the commencement of development would not be necessary. A screening exercise should be undertaken and this can be secured by condition.

## 7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 29 letters of objection to the proposals have been received, raising the following concerns (summarised):

- The proposed 3 storey building would be taller than any of the existing buildings in the surrounding area and would be of a scale that would be detrimental to the character of the area.
- Given the nature of the use, the whole building would be lit 24 hours a day and there will be additional external lighting to the parking and access areas. The illumination resulting from the development would be detrimental to the residential amenity of neighbouring properties.
- Access to the site is via a single private road. This road will not be able to cope with the amounts of extra vehicles entering and leaving Ralphs Lane both during the demolition and construction phases and the traffic generated by the use once occupied.
- Ambulances are called to the existing care home (opposite the site, also accessed from Ralphs Lane) on an almost daily basis, along with fire engines occasionally and regular deliveries are made to the site. Such activity is likely to intensify if this development is approved, resulting in a highway safety hazard on Ralphs Lane.
- The Socioeconomic Assessment section of the Design and Access Statement submitted with the planning application indicates that the proposed extra care accommodation would require staff for care, maintenance and activities that would result in local employment opportunities. The extent of job creation would appear to be overstated given that the proposal is not for a care home, simply sheltered accommodation.
- The proposal would result in significant traffic increases at the junction between Lakes Road and Boyds Walk and this would result in a highway safety hazard.
- Trees should not be removed from the site as these provide amenity and ecological value and their loss would reduce the level of privacy afforded to the residential amenity of neighbouring properties.
- The claim that the design of the development has evolved through discussions with the local residents is disputed.
- The noise and disturbance resulting from the construction phase of the development would have an adverse impact on the residential amenity of neighbouring properties.
- The level of car parking proposed to serve the development is considered to be inadequate and would result in increased congestion on the adjacent roads. A minimum of 31 spaces should be provided for a development of 31 apartments.
- Whilst there may be a need for sheltered accommodation for older people within the Borough, this is the wrong location for a facility on the scale proposed.
- The scale and proportions of the proposed development are considered to be out of keeping with the character of this residential area.
- Ralphs Lane is a private road and the occupants of the dwellings have to pay for its upkeep and would be unwilling to compensate for the damage caused by heavy vehicles accessing the site during the construction process.
- The scheme would threaten the condition of trees on the site that are the subject of Tree Preservation Orders.
- Ralphs Lane is not a through road, visitors to the existing care home opposite the site have caused congestion believing that it is a through route and this situation will be exacerbated by the proposed development.
- The proposed development and associated impacts would result in a detrimental impact on house prices in the locality.
- There is a lack of clarity over who would be occupying the apartments. If the age restriction is over 55 then not all will require care and it is not clear as to whether the properties would be owner occupied or rented.
- The site location plan defining the extent of land within the ownership of the applicant is considered to be inaccurate.

- The traffic surveys submitted make reference to Lakes Road but does not fully consider the impact of traffic on Ralphs Lane. The data also indicates a speeding issue on these roads, with 25% of cars recorded exceeding the 30 mph legal speed limit.
- There is no mention of recent crime in the area, including houses being burgled and cars being broken in to.
- When planning permission was granted for the dwellings at no.1 and 2 Ralphs Lane, it was on the proviso that no further development would occur on the site.
- There is very little green space left in Dukinfield and development of this site would result in a further loss and erosion of character.
- There is an abundance of wildlife on the site and in the surrounding area and further development of this site would have a detrimental impact upon biodiversity.
- No management arrangements are included in terms of how the site will operate.
- There does not appear to be adequate provision for people with disabilities who may be occupying the development.
- A number of residents on Boyds Walk have not received notification of the planning application.
- Boyds Walk is a major route connecting the area to the M60 and Manchester. Since the care home that currently operates adjacent to the application site was opened, the level of traffic resulting from that use has resulted in a safety hazard, a factor that will be made worse by the proposed development.
- Traffic calming measures would need to be installed to mitigate the impact of the proposed use to ensure pedestrian safety.
- Visibility at the junction between Lakes Road and Boyds Walk is limited by parking immediately adjacent to the junction – a situation that will be made worse by the traffic generated by this scheme.
- The 3 storey height of the building would result in overlooking into and an overbearing impact on the residential amenity of neighbouring properties.
- The site is located on Lakes Road and not Ralphs Lane. The speed of the traffic passing through the 4.2M entrance between the junction of Ralphs Lane and Lakes Road is horrendous. The site entrance is not marked except for the sign advertising the home itself, there are currently no stop signs, no give way sign, recommended speed limits, speed inhibitors or road markings.
- At the consultation meeting the outline plans were discussed and it was stated that the new property would not extend beyond the boundaries of the existing 2 properties to be demolished. No's 1 & 2 Ralphs Lane. It is obvious from the plans that the proposals far exceed these boundaries.
- The scheme does not include a pedestrian walkway or pavement along a narrow entrance/exit to the site – this will present a further highway safety hazard.
- The removal of trees from the site will increase the rate of surface water run off from the site and as a result, the risk of flooding in the wider area.
- The amended scheme has not adequately addressed any of the above mentioned negative consequences of the proposed development.

## **8. ANALYSIS**

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

- 1) The principle of development
- 2) The impact on the residential amenity of neighbouring properties
- 3) The impact on the character of the site and surrounding area
- 4) The impact on highway safety
- 5) The impact on trees
- 5) The impact on the ecological significance of the site
- 6) The impact on flood risk and environmental health
- 7) Other matters

## 9. PRINCIPLE OF DEVELOPMENT

9.1 This section of the report is split in 2 parts. The first section deals with the partial loss of open space through the encroachment of the proposed development into the open land to the north west of the curtilage of no.1 Ralphs Lane. The second section deals with the principle of the use proposed by the application.

### **Principle of the loss of open space:**

9.2 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 Section 6 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.

9.3 Policy OL4 of the UDP seeks to retain areas of protected green space, including not only designated spaces (this site is not designated in this regard) but also 'areas of land in similar use but which are too small to be shown as Protected Green Spaces on the Proposals Map'.

9.4 Criterion (d) of the policy states that an exception to the policy requirement to retain green space can be made where the retention of a site or facilities for sport or recreational use is not necessary and the site has no special significance to the interests of sport and recreation. Tameside has recently produced a Playing Pitch Strategy and Action Plan report which does not identify the application site as being necessary to deliver the Council's aspirations to develop leisure space in the long term (next 6 years+).

9.5 There are a number of protected areas of open space within 10 minutes walking distance of the proposed development sites, which is the recommended walking distance threshold for Tameside. Dukinfield Park, which includes equipped play space as well as open space, is located to the north and there is a recreation ground on the junction between King Street and Dewsnap Lane to the south of the site.

9.6 Paragraph 77 of the NPPF states that Local Green Space designation will not be appropriate for most green areas or open space and that the designation should only be used where the following criteria apply:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green space is demonstrably special to a local community and holds particular local significance, for example because of its beauty, historic significance, recreational value, tranquillity or richness of its wildlife; and
- Where the green area is local in character and does not apply to an extensive tract of land.'

9.7 Whilst the land would comply with criterion 1 and 3, it is considered that the land does not hold the value required by criterion 2. The lands itself is not designated as a site of ecological or historic significance (either nationally or locally), with the only designation applying to the protected trees. These trees (located in the north western part of the open land) would be retained and the Borough Tree Officer is satisfied that adequate replacement planting can be achieved within the development site to mitigate for the trees to be removed.

9.8 Following the above assessment, it is considered that the loss of the open space would not result in harm that would significantly and demonstrably outweigh the benefits of the scheme, including the need for this type of accommodation, which is discussed in detail below.

**Principle of the proposed development:**

9.9 For the avoidance of doubt, officers are of the view that the proposed residential units would fall within use class C3 of the Use Classes Order 1987 (as amended) as opposed to a C2 use, which would cover care and nursing homes. This is due to the fact that the proposed use would not involve the employment of full time employees to provide care, as would be the case for a facility falling within C2. Furthermore, the proposed scheme would provide individual self-contained units of accommodation with only one small area of communal space, as opposed to ensuite bedrooms with communal amenity areas forming a large proportion of the accommodation, which would be typical of a C2 use. The element of care would be provided by professional care staff visiting the site when required, as opposed to staff being employed on the site directly.

9.10 The 2017 Housing Needs Assessment (HNA), although not formally adopted at the time of writing this report, represents the most up to date evidence relating to housing need in the Borough. The report projects that the proportion of the population of Tameside over the age of 65 will increase by more than 40% between 2015 and 2035. The Household Survey used to provide the evidence base for the HNA indicated that 61% of people wish to stay in their own homes, receiving care when needed, 20% would consider sheltered accommodation and 14% would consider moving to an 'extra care' facility. Of the respondents to the survey aged 65 or over, approximately 11% indicated that they would like to move from their current accommodation in the next 5 years (to 2022), but were not able to, with 25% of those people stating the reason they could not was due to a lack of suitable accommodation. Of the 18% of people over the age of 65 who did want to move to alternative accommodation, almost 30% indicated that they wish to move to accommodation more suitable for older people and/or people wishing to downsize to accommodation more manageable.

9.11 The Housing Learning and Improvement Network has produced a 'Strategic Housing for Older People' tool which is a recognised formula for measuring demand for older persons (people aged 75 and over for the purposes of the modelling) accommodation in a particular area. In relation to extra care (which is defined as accommodation where residents have access to a registered carer 24 hours a day, although not necessarily based on site – which would be the case with the proposed use), there were 222 units of this type of accommodation in the Borough in 2014, with an identified need for 405 units in the same year. This demonstrates a clear undersupply at the point in time that the survey was undertaken and the projected need by 2035 for this type of accommodation is in excess of 700 units.

9.12 Paragraph 50 of the NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should (amongst other things) plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

9.13 It is clear from the evidence in the 2017 draft HNA that demand for the type of accommodation proposed far outstrips current supply and given the guidance in the NPPF quoted above, it is considered that the principle of development is acceptable, subject to all other material considerations being satisfied.

## 10. RESIDENTIAL AMENITY

- 10.1 The scheme has been amended to improve the relationship between the proposed 3 storey building and the neighbouring residential property to the east. The reduction in the size and number of apartments from 32 to 29 has resulted in the eastern elevation of the building being pulled off the common boundary. This has resulted in a development that would retain a sufficiently oblique relationship with that neighbouring property to prevent unreasonable overshadowing of any of the habitable room windows of that dwelling.
- 10.2 In relation to overlooking of the neighbouring property to the east, pulling the building in from the common boundary has resulted in a separation distance of just over 18 metres being retained between the habitable room window at the eastern end of the rear elevation and the habitable room window at first floor level in the corresponding elevation of the neighbouring property. Given the length of the separation distance, the oblique relationship between the buildings and the obscuring of the direct line of site through the installation of a vertical screen (labelled as a 'fin' on the submitted plans) on the rear elevation of the proposed building, it is considered that the proposed development would not result in overlooking that could be considered harmful to the amenity of that neighbouring property.
- 10.3 None of the window openings in the eastern gable elevation (including the recessed rear element) of the proposed building would serve habitable rooms and therefore unreasonable overlooking could be avoided through the obscure glazing of these windows. This can be secured by condition.
- 10.4 The building would be aligned north west-south east across the plot. The north western corner of the building would be in excess of 21 metres from the southern gable of the neighbouring property at 13 Lakes Road. The first floor windows in the gable elevation of that neighbouring property are not primary openings to habitable rooms and direct overlooking would be prevented due to the orientation of the north east facing rear elevation and the gable end of the proposed building. The oblique relationship is considered sufficient to offset the fact that the separation distance would fall short of the 24 metres separation distance required by the Residential Design Guide in a situation where a 3 storey development directly faces 2 storey properties.
- 10.5 The rear elevation of the building would be approximately 30 metres from the rear elevation of 22 Boyds Walk to the north of the site. Due to the orientation of the building, the separation distance to the other neighbouring properties on Boyds Walk to the north east of the site would be greater. The separation distances to each of these neighbouring properties would exceed the minimum requirements within the Design Guide, with the situation further improved by the oblique relationship between the proposed development and those dwellings.
- 10.6 There would be no adverse impact on any other neighbouring residential properties in terms of overlooking or overshadowing from the proposed development due to the separation distances to be retained, the presence of the highway to the south and the dense tree coverage to the north west.
- 10.7 Whilst it is acknowledged that the north western corner of the building would be in close proximity to the northern boundary of the site, a significant number of the existing trees on that boundary would be retained and additional trees would be planted to the rear of the building. The landscaping of the development is an issue to be determined at the reserved matters stage but it is considered reasonable to attach a condition to this outline condition requiring the trees to be planted adjacent to that boundary to be semi-mature on planting. This, along with the planting to be retained, would provide some screening of the development from the adjacent neighbours, particularly given that the closest 'wing' of the building would be adjacent to the existing mature landscaping on the common boundary.



- 10.8 In relation to the amenity of the future occupants of the development, some of the units fall below the 50 square metre floor area for 1 bedroom units to be occupied by 2 people as set out in the national space standards. Some of the units comfortably exceed this minimum however and some, albeit limited, communal space would be provided at the ground floor level. Given that the occupation of the development would be restricted to those with care needs, where the requirements for functional living are likely to be quite different from an unrestricted dwellinghouse, it is considered that the size of the units is acceptable in amenity terms, when considered alongside the external amenity space to be provided.

## **11. CHARACTER OF THE AREA**

- 11.1 It is acknowledged that the proposed building would be 3 storeys in height and the majority of buildings in the surrounding area are 2 storeys in height. However, on the approach to the site from the north, this development would be viewed within the context of The Lakes care home which includes a wing of 3 storey accommodation, with rooms in the roof. From this approach, the building would also be viewed as being sited at the entrance to Ralphs Lane and would be visually separated from the dwellings to the north by the open land to the north west of the site. The bulk and massing of the scheme from these views would be reduced by the staggered nature of the building and the use of hipped roofs on the gable end of the development.
- 11.2 On that basis, the fact that the building would taller than surrounding development is considered not to result in harm to the character of the area from public views of the site from the north that would be sufficient to justify refusal of the scheme on these grounds.
- 11.3 The building would be viewed within relatively close proximity of the 2 storey dwellings on Ralphs Lane in views of the site from the south eastern corner. However, following the amendment to pull the eastern elevation away from the eastern boundary of the site, it is considered that the development would be viewed within the context of being on a corner plot, providing a distinction between the application site and the other plots on the cul-de-sac. From this view point, the building would also be viewed within the context of The Lakes care home on the opposite side of the road, which is both taller in height than the existing dwellings and a different character of development.
- 11.4 The siting and layout of the scheme within the plot is considered to respond to the constraints of the site. The step in the building line references the curved nature of the front boundary of the plot, presenting an active frontage whilst also being set back sufficiently from the highway to prevent the three storey height of the development resulting in an overbearing impact on the streetscene.
- 11.5 Following the above assessment, it is considered that the amended proposals would not be of a scale, massing or siting that would have an adverse impact on the character of the site or the surrounding area that would significantly and demonstrably outweigh the benefits of the scheme.

## **12. HIGHWAY SAFETY**

- 12.1 In relation to parking provision, the UDP includes a category for sheltered housing and indicates that 1 space per 3 units of accommodation should be provided, which would equate to 10 spaces for this scheme. The proposals would provide 17 car parking spaces to serve the development, 7 would be located in front of the entrance to the building and 10 on land within the ownership of the applicant to the west of Lakes Road (adjacent to the north western corner of the site).

- 12.2 The applicant has indicated that, beyond this level of provision, overspill parking associated with the proposed development would be accommodated within the grounds of The Lakes care home (also within the ownership of the applicant), immediately opposite the entrance to the proposed development. Given the assessment above, this overspill is not required to meet the UDP standards. However, even if 4 of the parking spaces within the curtilage of The Lakes were used by occupants of the proposed development, sufficient space would remain to serve the 77 bed care home and meet the standards of the UDP for that development.
- 12.3 The Transport Statement submitted with the planning application includes a survey of the usage of the existing 30 car parking spaces associated with The Lakes care home. The survey was undertaken on each weekday for a month, recording the availability of spaces at 0900, 1200 and 1600 on a daily basis during that period. The highest recording indicated that 12 of these spaces remained available, with more spaces available on all but two occasions. On the majority of occasions, the car park was operating at less than 50% of capacity, indicating that overspill parking could be accommodated from the proposed development and a number of spaces would still remain vacant.
- 12.4 Whilst it is the case that the survey only demonstrates the situation at the care home over a 1 month period, it must also be considered that the overspill provision would exceed the requirements of the UDP for sheltered housing. Therefore, it is considered that even accounting for relatives and/or dependents living within the development had a car, the evidence suggests that the overspill parking within the curtilage of The Lakes care home would be sufficient to avoid any severe impact on highway safety arising from the proposed development.
- 12.5 In terms of the impact of the development on the capacity of the highway network, the Transport Assessment indicates that 28 trips are forecast to be made to the site and 26 from the site by private vehicle, with a total of 18 trips per day forecast to be made via public transport. Given that the scheme would cater for people with care needs and their relatives, it is considered reasonable to assume that trip generation would be lower than for a scheme of unrestricted dwellings, with trips to employment and education for example likely to be significantly less from this development. It is acknowledged that visitors to the site are likely to increase this number. However, even if the total number of trips were to double the anticipated level detailed in the Transport Statement, given the nature of the use, the impact during the AM and PM peak periods would not be as intense as for unrestricted dwellings. On that basis, it is considered that there is no evidence to suggest that the scheme would result in a severely adverse impact upon highway safety.
- 12.6 On the basis of the evidence provided through the Transport Statement, the Local Highway Authority has not raised any objections to the proposals, subject to conditions. Conditions requiring the car parking spaces to be laid out as indicated on the approved plans prior to occupation of any part of the development and the submission of an environment management plan for the construction phase of the development are considered to be reasonable. The submission of a highway condition survey is considered to be unreasonable as this would duplicate powers held by the Council under the Highways Act.
- 12.7 The provision of a new pedestrian footpath connection to Boyds Walk along the western edge of the development would improve the connectivity of the site to the bus services operating from that road, enhancing the environmental sustainability of the scheme. Details of the construction of this element of the scheme, along with the proposed vehicular access can be secured by condition. Taking into account the cul-de-sac nature of Ralphs Lane and the anticipated level of trip generation arising from the proposed development, it is considered that the proposed vehicular access arrangements are acceptable, with sufficient visibility splays achieved.

- 12.8 The Transport Statement submitted with the application confirms that the speed limits on the roads within the vicinity of the site is 30 mph. The Statement includes data which indicated that, during a 1 day survey, traffic approaching the junction between Ralphs Lane and Lakes Road slightly exceeded the speed limit on the westbound approach (average of 31 mph) and was within the speed limit on the eastbound approach. The Statement follows the guidance contained within Manual for Streets, with visibility splays required for 38 metres to the west and 43 metres to the east from Ralphs Lane. In relation to comments made by objectors to the development in relation to the speed of traffic on the local road network, it is acknowledged that cars may well exceed the 30 mph speed limit on these roads.
- 12.9 However, this matter can be dealt with through the enforcement of powers under legislation separate from the planning system. The Local Planning Authority is required to assess the impact of the proposed development on highway safety in terms of additional traffic, traffic flows and visibility splays. Existing issues around traffic calming and the enforcement of speed limits are not material planning considerations.
- 12.10 The site is considered to be situated in a sustainable location, close to regular bus services on Boyds Walk, which would provide a sustainable alternative means to the private car for journeys to and from the site.
- 12.11 On the basis of the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety. As such, in accordance with the guidance contained within paragraph 32 of the NPPF, it is considered that planning permission should not be refused on these grounds.

### **13. IMPACT ON TREES**

- 13.1 In relation to the impact of the development on trees, a number of the trees within the site are the subject of Tree Preservation Orders. The trees of highest value on the land are located to the north west of the application site and would not be affected by the proposed development. The proposed plans indicate that the development would be sited so as to ensure that no part of the building itself would fall within the crown spread of the trees on the western edge of the site which are also protected and considered to be of high amenity value. Areas of hardstanding would be located within the crown spread of a number of the other protected trees, although the plans indicate that these would all be retained.
- 13.2 Whilst some trees of amenity value would be removed, the Tree Officer is satisfied that space would remain for replacement trees to be planted that would adequately mitigate for the loss. The landscaping of the development is to be determined at the reserved matters stage. However, it is considered reasonable to condition at this outline stage that the trees to be planted should be semi mature specimens, to ensure that the character of the area is maintained, along with minimising the impact on the amenity of neighbouring properties.
- 13.3 Protection measures meeting the requirements of BS 5837:2012 'Trees in relation to design, demolition & construction' will need to be installed around the protected trees and the other trees to be retained. This requirement, along with details of a 'no-dig' method of construction for the installation of hardstanding areas within the crown spread of the trees can be secured by condition.

### **14. ECOLOGY**

- 14.1 The applicant has submitted a Bat Survey with the application. The existing buildings to be demolished at 1 and 2 Ralphs Lane comprise two storey detached brick built residential

properties with pitched slated roofs. The surrounding habitat was considered in the survey to have a moderate potential to support foraging and commuting bats. There is a known maternity colony of Pipistrelle bats roosting in the locality, however it is not considered that there is the potential for any indirect impact on this known roost by development. The inspection of the buildings was undertaken in the month of February, and comprised an internal and external inspection. No bats or signs of bats were found during the inspection and the buildings were considered to have a negligible potential to support roosting bats given that they were both found to be well sealed with no visible external gaps or crevices.

- 14.2 No further surveys are therefore considered necessary for bats and the buildings can be demolished with a negligible potential to roosting bats. If bats are found at any time during works, work should cease immediately and advice sought from a suitably qualified person. An informative to this effect can be attached to the decision notice if permission is granted.
- 14.3 A condition restricting the removal of trees and vegetation on the site to outside of the bird nesting season is considered reasonable to prevent any loss of habitat that may affect protected species.
- 14.4 Details of biodiversity enhancements to be secured as part of the mitigation of the environmental impact of the development can be secured by condition.

## **15. FLOOD RISK**

- 15.1 The site is located in flood zone 1 and is therefore considered to be at a lower risk of flooding.
- 15.2 United Utilities has raised no objections to the proposals subject to the imposition of conditions. Given the scale of the development, it is considered necessary to condition the submission and approval of a sustainable surface water drainage strategy to serve the development. The strategy will need to investigate alternative means of draining surface water from the site to the mains drainage network, including soakaways and attenuation measures to reduce the rate of run off, compensating for the intensification of development on the site.
- 15.3 The scheme will also need to include details of the on-going management and maintenance of the system to be installed. The requirement for surface water and foul water to be drained via different mechanisms is considered to be reasonable.
- 15.4 It is considered that the proposed development would not result in a harmful impact in relation to flood risk, subject to compliance with necessary conditions.

## **16. ENVIRONMENTAL HEALTH**

- 16.1 Given the established use of the site is residential, it is considered that the risk in relation to ground contamination is low and that the completion of intrusive investigation work in this regard prior to the commencement of development would not be necessary. A condition can be added to the decision notice requiring a screening exercise in relation to potential sources of contamination to be submitted and approved and implementation of any necessary remediation prior to the commencement of development.
- 16.2 The site is located in a higher risk in relation to coal mining legacy. The applicant has provided a Phase I investigation, which includes reference to coal mining legacy on the site. Given that a significant part of the site is occupied by the two existing dwellings and their curtilage, it is considered reasonable to condition the completion of an intrusive site

investigation into coal mining legacy prior to the commencement of development. This condition will also require any necessary mitigation to be undertaken before construction works commence. On the basis that this condition is imposed on any planning permission granted, the Coal Authority has no objection to the proposals.

- 16.3 The EHO has recommended conditions limiting the hours of works during the construction phase of the development and details of the refuse storage arrangements be attached to the decision notice. The plans indicate the location of an enclosed area sufficient to store 6 large communal bins and details of the means of enclosure. This space would also be sufficient to provide 2 smaller food waste bins. As such a compliance condition would suffice in in this regard. A limit on the hours of work during the construction phase of the development is considered to be reasonable given the residential nature of neighbouring uses.

## **17. OTHER MATTERS**

- 17.1 The applicant has submitted a Crime Impact Statement in support of the planning application. The statement lists a number of positive design features of the scheme, including the definition of the entrance to the site from Ralphs Lane via a boundary wall, which defines the public-private interface and the control of access to the building via the two sets of doors (outer and inner lobby).
- 17.2 In addition, windows within the development would overlook the car parking area to provide surveillance. A number of recommendations are made in Section 3.3 of the report to improve security, including security mechanisms on the entrance doors and self-closing and self-locking of escape doors. Compliance with these measures can be secured by condition and on that basis, Greater Manchester Police has raised no objections to the proposals.
- 17.3 The applicant has proposed restriction on the occupants of the development, to those over 55 and in need of care or by the partner, spouse or dependant(s) of such a person. These restrictions are considered necessary given the basis on which the level of car parking and overall infrastructure impact of the development has been assessed. The occupancy restriction can be included as a clause within the Section 106 Agreement.
- 17.4 A development for open market dwellings on the scale proposed would be required to contribute £37,083.82 towards the upgrading of off-site open space, £6,517.71 towards the upgrade of the highway network within the vicinity of the site and would also be required to make a contribution in relation to education/community facilities, in order to mitigate the impact of the development.
- 17.5 Given that the occupation of the development would be restricted to those in need of care and their relatives/dependents, it is considered reasonable to assume that the number of trips generated (as discussed previously in this report) and the impact on the capacity/quality of off-site open space facilities would be less than an unrestricted residential development. The proposed age restriction would also limit the additional demand on education and other community facilities to an extent that it is considered that a contribution in this regard would not be required to mitigate the impacts of the development.
- 17.6 On that basis, it is considered reasonable that the above figures be halved, resulting in a combined contribution of £21,800.52. The additional traffic movements associated with the development are considered to result in a more significant impact than the impact on public open space, given the nature of the proposed use. It is therefore considered reasonable to allocate a higher proportion of the funds to mitigating the impact of the development on highway safety.

- 17.7 On that basis, £14,000 is to be allocated to improving pedestrian crossing facilities on Boyds Walk and King Street, to improve accessibility to the bus services which operate within walking distance of the site and £7,800.52 is to be allocated towards enhancing the formal play space provision at Dukinfield Park and at Dewsnap Lane.
- 17.8 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the extent of the amenity space to be provided on site and the additional traffic to be generated), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.
- 17.9 Objectors have referred to the status of Ralphs Lane as a private road and questioned how this will be maintained as a result of the additional impact of the proposed development. As the road is not maintainable at public expense, this is a private matter which falls to be determined under civil law, it is not a material consideration in the assessment of this planning application. Likewise, property values are not a material planning consideration – the potential impact of the development on the residential amenity of neighbouring properties has been assessed previously in this report.
- 17.10 In relation to questions regarding how the site will be managed, it is considered appropriate to include a clause in the Section 106 Agreement requiring the submission and approval of these details. The management scheme shall apply to the operation of the facilities as well as the management and maintenance of the amenity space and the surface water drainage system to be installed. There is no evidence to suggest that light pollution would be detrimental to the amenity of neighbouring properties. Whilst the number of individual units would clearly intensify the use of the site, the proposed use is not a care home where activity at night time may be considered more likely on a regular basis. Any harm in this regard would not be sufficient to warrant refusal of the planning application therefore.

## **18. CONCLUSION**

- 18.1 There is considered to be an identified need for extra care accommodation within the Borough and the requirement of the NPPF to boost the supply of housing to meet a variety of needs is considered to weigh in favour of the proposals. The site is in a sustainable location, close to public transport links. On the basis of these factors the principle of development is considered to be acceptable.
- 18.2 The amended scheme is considered to preserve the residential amenity of neighbouring properties, with the eastern gable of the building pulled further away from the common boundary with the adjacent neighbouring property. The amended scheme is considered to present a development that would not be of a scale, siting or design that would have an overbearing impact on the character of the surrounding area, despite being 3 storeys in height, for the reasons set out in the main body of the report.
- 18.3 There are no objections to the proposals from any of the statutory consultees and given that the scheme does not propose unrestricted dwellings, it is considered that the development would not result in a severe impact upon highway safety. The impact upon trees and all other material considerations can be adequately mitigated through the use of appropriate conditions.
- 18.4 In weighing up all of the material planning considerations, officers consider that the proposals accord with the relevant national and local planning policies quoted above.

**19. RECOMMENDATION**

That outline planning permission be granted, subject to a Section 106 Agreement to secure the following:

Financial contribution towards off-site green space - £7,800.52 towards enhancing the formal play space provision at Dukinfield Park and Dewsnap Lane

Financial contribution towards Highway works – £14,000 is to be allocated to improving pedestrian crossing facilities on Boyds Walk and King Street

Defining Management arrangements for the building, the public space within the site and the surface water drainage system to serve the development

Limiting the occupation of the development to those over 55 and in need of care or by the partner, spouse or dependant(s) of such a person and providing a definition of 'in need of care' (based on the definition provided by the Elderly Accommodation Counsel);

And the following conditions:

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.
2. Before any development is commenced approval shall first be obtained from the Local Planning Authority with respect to the reserved matters, namely the landscaping of the development.
3. The development hereby approved shall be carried out in accordance with the following approved plans:
  - 1:1250 site location plan
  - Proposed site plan (ref. 819 A 002 Rev. C)
  - Proposed elevations plan (ref. 819 A 006 Rev. C)
  - Proposed Ground Floor plan (ref. 819 A 003 Rev B)
  - Proposed First Floor plan (ref. 819 A 004 Rev. B)
  - Proposed Second Floor plan (ref. 819 A 005 Rev. B)
  - Proposed Refuse Store plan (ref. 819 A 009)
4. The landscaping scheme to be submitted as part of the reserved matters application shall include details of the number, species and location of trees to be planted, their size on planting and details of the means of protection. The scheme shall include planting of mature specimens (meeting the dimensions of 'extra heavy standards' as per BS8545:2014 on first planting) within the site, including adjacent to the northern boundary of the site.
5. No development shall commence until details of the tree protection measures (meeting the requirements of BS5837:2012) to be installed around the trees to be retained within and adjacent to the boundaries of the land and details of the method of construction to be employed within the Root Protection Area of the trees to be retained have been submitted to and approved in writing by the Local Planning Authority. The protection measures shall be implemented in accordance with the approved details prior to the commencement of development and shall be retained as such for the duration of the construction phase of the development. Construction works within the Root Protection Areas of the trees shall be carried out in accordance with the approved details.

6. 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.
7. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
8. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
  - Wheel wash facilities for construction vehicles;
  - Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases;
  - Details of on-site storage facilities;

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
9. The bin storage arrangements to serve the development hereby approved shall be installed in the location indicated on the approved site plan (ref. 819 A 002 Rev. C), in accordance with the details shown on the approved proposed Refuse Store plan (ref. 819 A 009) prior to the first occupation of any part of the development hereby approved and shall be retained as such thereafter.
10. The driveways to serve the development hereby approved shall be constructed from a bound material and on a level that prevents displacement of material or surface water on to the highway and shall be retained as such thereafter.
11. The development hereby approved shall be carried out in accordance with the measures detailed in section 3.3 of the Crime Impact Assessment submitted with the planning application and shall be retained as such thereafter.
12. 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. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run off rates. The strategy shall include measures to control the flow of surface water from the development. The strategy shall also include details of on-going management and maintenance arrangements (in accordance with the information required under the relevant clause of the Section 106 Agreement). The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.



13. Prior to the commencement of development, details of the means of draining foul water from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. In the event that the proposal does not include connection to the mains sewerage network, technical specifications of the infrastructure to be installed (including details of the capacity) shall be submitted. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
14. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
  - iii) Any additional or unforeseen contamination and/or coal mining legacy issues encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.
15. 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.
16. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any part of the development and shall be retained as such thereafter.
17. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.

18. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan prior to the first occupation of any part of the development hereby approved and shall be retained free from obstruction for their intended use thereafter.
19. Prior to the first occupation of any part of the development hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.
20. Notwithstanding the details shown on the approved plans, no development shall commence until scaled plans detailing the existing and proposed ground levels on the site and the finished floor and ridge levels of the building (with reference to a fixed datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
21. Prior to the first occupation of any part of the development hereby approved, details (including scaled elevation plans of the structure and details of the construction material and external finish) of the fin (as described on the approved plans) to be installed at the eastern end of the rear elevation of the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The fin shall be constructed in accordance with the approved details and shall be retained as such thereafter.
22. No development shall commence until scaled plans detailing the construction of the pedestrian link to Boyds Walk and the vehicular access, including vehicular swept paths and visibility splays to be maintained free from obstruction on both sides of the access to serve the development hereby approved and details of the materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
23. The windows in the eastern elevation of the development hereby approved shall be fitted with obscured glazing (meeting Pilkington standard Level 3 in obscurity as a minimum) and shall be fixed shut below 1.7 metres above the internal floor level of the room that they serve. The development shall be retained as such thereafter.

**Reasons for conditions:**

1. Required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.
2. This approval relates to outline planning permission only.
3. For the avoidance of doubt.
4. To ensure that the landscaping scheme presented at the reserved matters stage is sufficient to preserve the character of the surrounding area and the residential amenity of neighbouring properties.

5. To ensure that the trees to be retained are adequately protected during the construction phase of the development.
6. To ensure that the development respects the character of the site and the surrounding area.
7. To ensure that the construction phase of the development does not result in an adverse impact on the residential amenity of neighbouring properties.
8. To ensure that the construction phase of the development does not result in an adverse impact on the residential amenity of neighbouring properties or highway safety.
9. To ensure that the development is served by adequate refuse storage arrangements
10. To ensure that the development maintains highway safety.
11. To ensure that the development is designed to reduce the risk of crime.
12. To ensure that adequate provision is made for draining surface water from the development and that any adverse impact in relation to flood risk is appropriately mitigated.
13. To ensure that adequate provision is made for draining foul water from the development.
14. To ensure that any risk associated with coal mining risk is adequately mitigated prior to the commencement of development.
15. To ensure that any risk associated with contaminated land is adequately mitigated prior to the commencement of development.
16. To ensure that biodiversity enhancements are incorporated into the development, in accordance with the guidance within paragraph of 109 the NPPF.
17. In order to prevent any habitat disturbance to nesting birds in accordance with the National Planning Policy Framework.
18. To ensure that adequate provision is made for car parking to serve the development.
19. To ensure that the development preserves the residential amenity of neighbouring properties.
20. To ensure that the development preserves the residential amenity of neighbouring properties respects the character of the surrounding area.
21. To ensure that the development preserves the residential amenity of neighbouring properties respects the character of the surrounding area.
22. To ensure that the development maintains highway safety.

23. To ensure that the development preserves the residential amenity of neighbouring properties.

**Informatives:**

Planning permission is subject to a Section 106 Agreement

Outlining the applicant's responsibilities in relation to protected species

National Grid Infrastructure within close proximity of the site

**Application Number: 16/00767/OUT Ralphs Lane Dukinfield**

**Photo 1 – view of entrance to Ralphs Lane looking southwards towards the site**



**Photo 2 - view of protected trees in the north western corner of the site**



**Photo 3 – view of neighbouring properties to the south east of the site**



**Photo 4 – view along existing northern boundary of no. 1 Ralphs Lane**



**Photo 5 - view of neighbouring property to north west of the site.**



**Photo 6 - view looking westwards along the southern boundary of the site.**

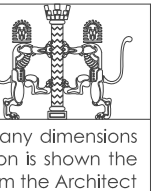


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PROPOSED SOUTH ELEVATION 1:100



PROPOSED NORTH ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100



PROPOSED EAST ELEVATION 1:100



C	General Amendments	30.04.2018	DH
B	Revised to Planning Comments	23.04.2018	DH
A	Reduction to 31 Units	10.08.17	AC

Rev Dotted Line on the space saved in elev Date By

Jennings Design Associates  
Architects

C	Concept	G	Tender
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Production	Sk	Sketch

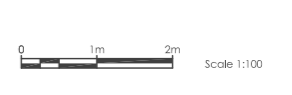
Architects Designers Project Managers  
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Client: Jack Meredith

Project: The Lakes, Dukinfield

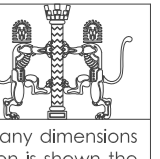
Scale: 1:100 | Rev: A1 | Date: 19.06.2015 | Drawn by: CM | Checked by: BJ

Job Number	Description	Rev
819	A 006 Proposed Elevations	C



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Existing Street Scene 1:200



Proposed Street Scene 1:200



Denotes Area of Massing Removed Due to Reduction of Units From 32 to 31 no. 1 Bed 2 Person Units

Denotes Area of Massing Removed Due to Reduction of Units From 31 to 29 no. 1 Bed 2 Person Units



Proposed 10no. Auxiliary Parking Spaces Comprised of Grass, Crete Pavours

4no. External Scooter Store With Canopy Linked Through to Reception

Existing Parking Within Ownership Reserved For Extracare Units

Existing Parking Within Ownership Reserved For Extracare Units

Line of Vision From Vertical Panel to Offset Angle of Vision Splay

Vision Splay From Centre of Window of Existing First Floor Bedroom to Proposed First Floor Bedroom Vertical Panel to Offset Vision Splay

Denotes reduction in building footprint from 32no. 2Bed3Person & 1Bed2Person to 31no. 1Bed2Person

Denotes reduction in building footprint from 31no. 1Bed2Person 29no. 1Bed2Person

Rev	Description	Date	By
C	General Amendments	30.04.18	DH
B	Revised to Planning Comments	20.04.18	DH
A	Reduction to 31 Units	09.03.17	CM

Jennings Design Associates  
Architects

C	Concept	G	Tender
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Production	Sk	Sketch

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Client: Jack Meredith

Project: The Lakes, Dukinfield

Scale	to original size	Date	Drawn by	Checked by
1:200	A1	03.06.2016	CM	BJ

Job Number	Description	Rev
819	A 002 Proposed Site Plan	C



Proposed Site Plan 1:200

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AKES ROAD



36

9b

20

11

13

22

30

1

RALPHS LANE

The Lakes

Rev	Description	Date	By
A	Amendment to Blue Line	12.01.18	CM

**Jennings Design Associates**  
Architects

C	Concept	G	Tender
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Production	Sk	Sketch

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Project: The Lakes, Dukinfield

Scale:	@ original size	Date:	Drawn by:	Checked by:
1:500	A3	03.06.2015	CM	LA

Job Number	Description	Rev
819	A 001 Block Plan	A

0 5m 10m Scale 1:500

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**Application Number** 17/01053/FUL

**Proposal** Change of use to trailer rental, with associated offices, from storage and distribution - retrospective.

**Site** G O C Surfacing, 67 Lumb Lane, Audenshaw

**Applicant** AA and T Rentals Ltd

**Recommendation** Approve, subject to conditions

**Reason for report** A Speakers Panel decision is required because, in accordance with the council's constitution Councillor Oliver Ryan has objected on the grounds of disruption to residents and the inappropriate nature of the plans with regards to the local area, namely noise, traffic activity and pollution, and requested that the application be determined by Members of the Speakers Panel (Planning).

## REPORT

### 1. APPLICATION DESCRIPTION

1.1 The application seeks full, retrospective planning permission for the change of use of the premises to a trailer rental business (sui generis use), with associated offices, from storage and distribution (use Class B8). Included in the application is the retention of a number of pre-fabricated buildings and storage trailers. The proposed hours of operation are from between 07.30 until 18.30, Monday to Friday, and 07.30 until 13.00 on Saturdays. No operation is proposed on Sundays and Bank Holidays.

### 2. SITE & SURROUNDINGS

2.1 The approximately 0.3ha site is generally level and for the most part surrounded by an approximately 2m high, close-barded timber fence. The site is located between the railway to the north and M60 motorway to the south at the southern end of Lumb Lane. Areas of woodland separate the site from both the railway and the motorway. Beyond the site Lumb Lane is severed by the motorway with a pedestrian subway underneath. On the opposite side of Lumb Lane there is a sliver of open land which narrows before the motorway bridges the railway. There are residential properties in Trafalgar Avenue, separated by a wooded area, more than 30m to the west of the site.

2.2 The only vehicular access to the site is from the north via Lumb Lane, which is a residential street. The nearest residential properties in this direction are in Slate Lane, off Lumb Lane, on the opposite side of the railway. Having relatively long back gardens, the houses in Slate Lane are more than 70m to the north.

### 3. RELEVANT PLANNING HISTORY

3.1 96/00287/FUL – redevelopment of land to provide storage facilities – approved 31.10.1996

## **4. RELEVANT PLANNING POLICIES**

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

Unallocated

### **4.2 Part 1 Policies**

policy 1.1: Capturing Quality Jobs for Tameside People.  
policy 1.3: Creating a Cleaner and Greener Environment.  
policy 1.5: Following the Principles of Sustainable Development  
policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

### **4.3 Part 2 Policies**

E5: Local Employment Opportunities and Mixed Uses  
E6: Detailed Design of Employment Developments.  
T1: Highway Improvement and Traffic Management

### **4.4 Other Policies**

Employment Land Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

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

Achieving sustainable development;  
Section 1. Building a strong, competitive economy  
Section 4. Promoting sustainable transport  
Section 7. Requiring good design

### **4.6 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 The application has been advertised by means of neighbour notification letters dispatched on 25 April 2018 to 21 addresses in Aldwyn Park Road and Lumb Lane.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 The Head of Environmental Services (Public Protection) has no objection to the proposal and suggested that condition a restricting the hours of operation be attached to any permission.
- 6.2 The Head of Environmental Services (Highways) has raised no objections to the proposal.



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

7.1 42 objections have been received:

- 12 provided no address and 2 of these are anonymous
- 18 are from addresses in Lumb Lane; 2 of these being anonymous; 3 are from one household and 2 are from another;
- 7 are from addresses in Slate Lane and 2 were from the same household.
- 4 are from addresses in Aldwyn Park Road
- 1 is from an address in Elmfield Road.

7.2 The reasons given for objecting are:

- that the company are operating without the benefit of planning permission;
- illumination of the site in the evening causes disturbance to residents;
- the use is inappropriate in a residential area and has a negative impact on property values;
- being a residential area, the site is inappropriate for industrial or commercial use;
- the use of residential streets by HGVs causes a road safety hazard, including damage to parked cars, and causing congestion;
- that there are other, more suitable sites available to accommodate the use;
- the wear and tear to local roads caused by vibration and possible structural damage being caused to the canal bridge;
- disturbance to nature conservation with the canal used as a wildlife corridor;
- drivers of wagons are often speeding and seen using mobile phones;
- dirt and fumes from heavy vehicles polluting homes;
- the use is operating outside normal business hours causing disturbance in to the evening;
- and,
- the application submission is unsatisfactory and includes neither an environmental survey or a traffic survey.

## **8. ANALYSIS**

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

- 1) The principle of development
- 2) The impact upon the residential amenity of nearby properties
- 3) The impact on the local highway network

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 A key theme of the UDP is that attracting new, quality jobs into the Borough and securing the future of major existing employers must continue to be the priority, to offset expected further losses in mature industries and to diversify opportunities for local people. Flexibility to accommodate local employment initiatives, will contribute to this priority. To this end, according to UDP policy 1.1:

9.2 To counteract a continuing decline in the Borough's established employment base and to increase the earnings potential of work in the area, measures will be taken to create and maintain a healthy and diverse local economy and to attract quality jobs. ... This will include ... facilitating the retention of indigenous and expanding businesses.

9.3 With this aim UDP policy E5 states that:

The Council will permit developments ... which contribute to innovation, growth and diversity in the economy and generate local employment opportunities in areas of the Borough outside the "strategic employment sites" and "established employment areas" ... This is subject to the nature of the employment activities and the layout and design of any scheme not having an adverse effect on the amenities of surrounding residential areas or creating traffic problems.

9.4 The operation supports 6 full-time jobs at the site and, whilst not in itself being labour-intensive, the proposal represents diversity in the local employment base and will support other employment-generating uses, both indigenous and others outside the borough. Accordingly, the proposal, on the unallocated site, can be considered acceptable and compliant with UDP policies 1.1 and E5, subject to appraisal of the likely impact on existing residential amenities and highways issues.

9.5 In this appraisal it is noteworthy that following the severance of Lumb Lane by the construction of the M60 motorway in the late 1990s the site was used by Murphy Ltd, as contractors for United Utilities, involving the storage and distribution drums of heavy duty cables. Latterly, the site was used by GOC Surfacing Ltd when lorries travelled to and from the site to collect ducts, bricks and other construction materials in connection with streetworks. In both cases, the collection or depositing of materials was restricted by a condition of the planning permission (see 3. RELEVANT PLANNING HISTORY) to between the hours of 06.00 and 19.00 any day.

## **10. RESIDENTIAL AMENITY**

10.1 The nearest residential properties to the site are more than 30m to the west in Trafalgar Avenue and are separated by an area of woodland approximately 20m wide. Having been consulted on the application the Head of Environmental Services (Public Protection) has raised no objection to the proposal, subject to a condition restricting the hours of use, whereas there was none on the previous use, and so it is considered that the operations, including any illumination, within the site would not impact unduly on any existing residential amenities and the proposal is compliant with UDP policy E6 (d) and the core principles of the NPPF.

## **11. THE IMPACT ON THE LOCAL HIGHWAY NETWORK**

11.1 The proposed use shares the characteristic of the use already authorised in that it involves large vehicles travelling to and from the site. Although previously the vehicles leaving the site would be fully laden and the hours of operation were less restricted than would now be the case.

11.2 According to the NPPF:

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this instance the impact can be considered less severe than if the site were to revert to the less restricted, authorised use, and in the absence of any objection by the Head of Environmental Services (Highways), it is considered that the cumulative impact of the development would be less than severe and so acceptable and compliant with Section 4 of the NPPF and policies E6 (d) and T1 of the UDP.

## **12. OTHER ISSUES**

- 12.1 The issue raised by objectors about a possible impact on property prices, is not a material consideration in determining the application and no evidence has been presented to indicate that the use is causing undue damage to the highway or compromising the structure of the canal bridge, nor has any objection been raised by the Head of Environmental Services (Highways) in this respect. Similarly, whether drivers of vehicles associated with the site are speeding and using mobile phones is not a material planning consideration.
- 12.2 Vehicles associated with the proposed use of the site passing over the canal bridge would have no more impact on any ecological value of the canal than would vehicles associated with any other use, and no evidence has been presented to indicate that this issue is a problem.
- 12.3 Whilst there may be other, more suitable sites available within the borough to accommodate the proposed use in consideration of the relevant issues the proposed use is found to be acceptable on the site.
- 12.4 It is recommended that any approval is conditional upon the hours of operation being restricted to within appropriate bounds. If the use is operated outside these limitations there will be provisions available to the council to take any action deemed necessary.

## **13. CONCLUSION**

- 13.1 In conclusion, the proposal would support and facilitate the retention of an existing business within the borough without impinging unduly on any existing residential amenities or having any unduly detrimental impact on the highway and so, being considered compliant with Section 1 of the NPPF and policy 1.1 of the UDP, as well as other relevant policies, the recommendation is for approval.

## **14. RECOMMENDATION**

Grant planning permission subject to the following condition:

1. The use hereby permitted shall not be operated on Sundays and Bank Holidays or outside the following times:

07.30am to 06.30pm, Mondays to Fridays; and  
07.30am to 01.00pm on Saturdays.

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Application Number: 17/01053/FUL

Photo 1



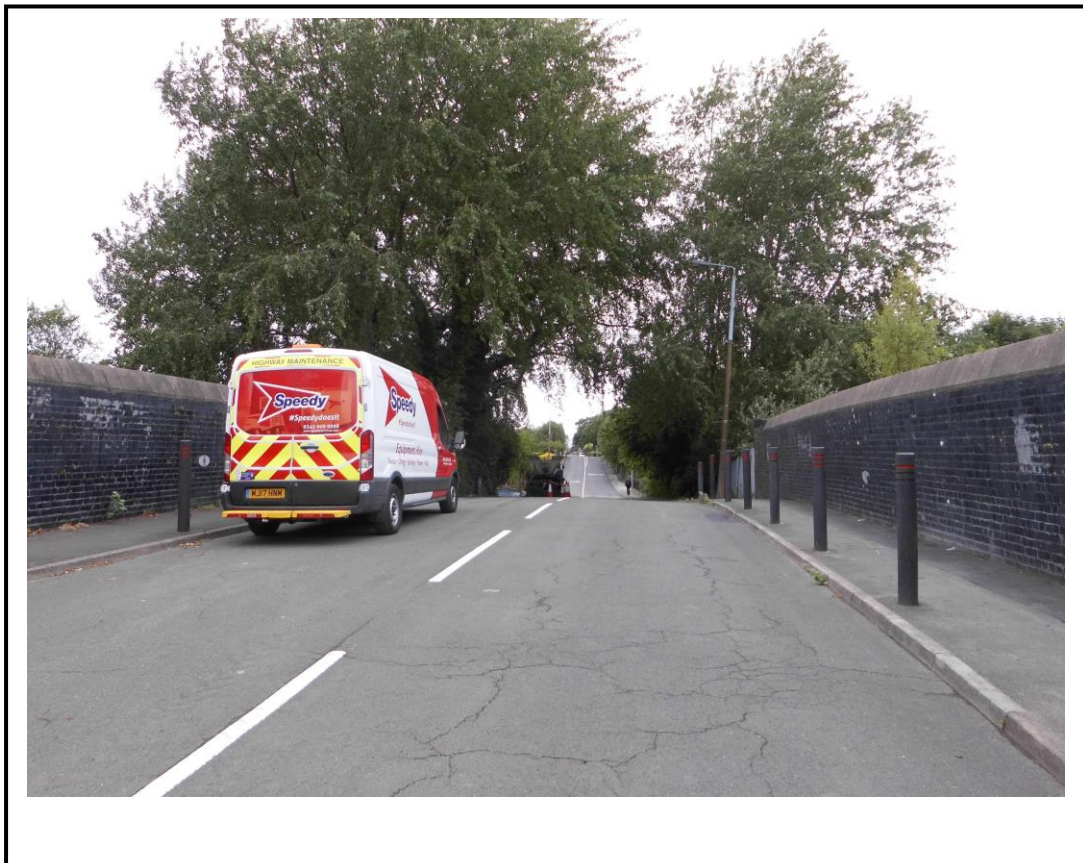
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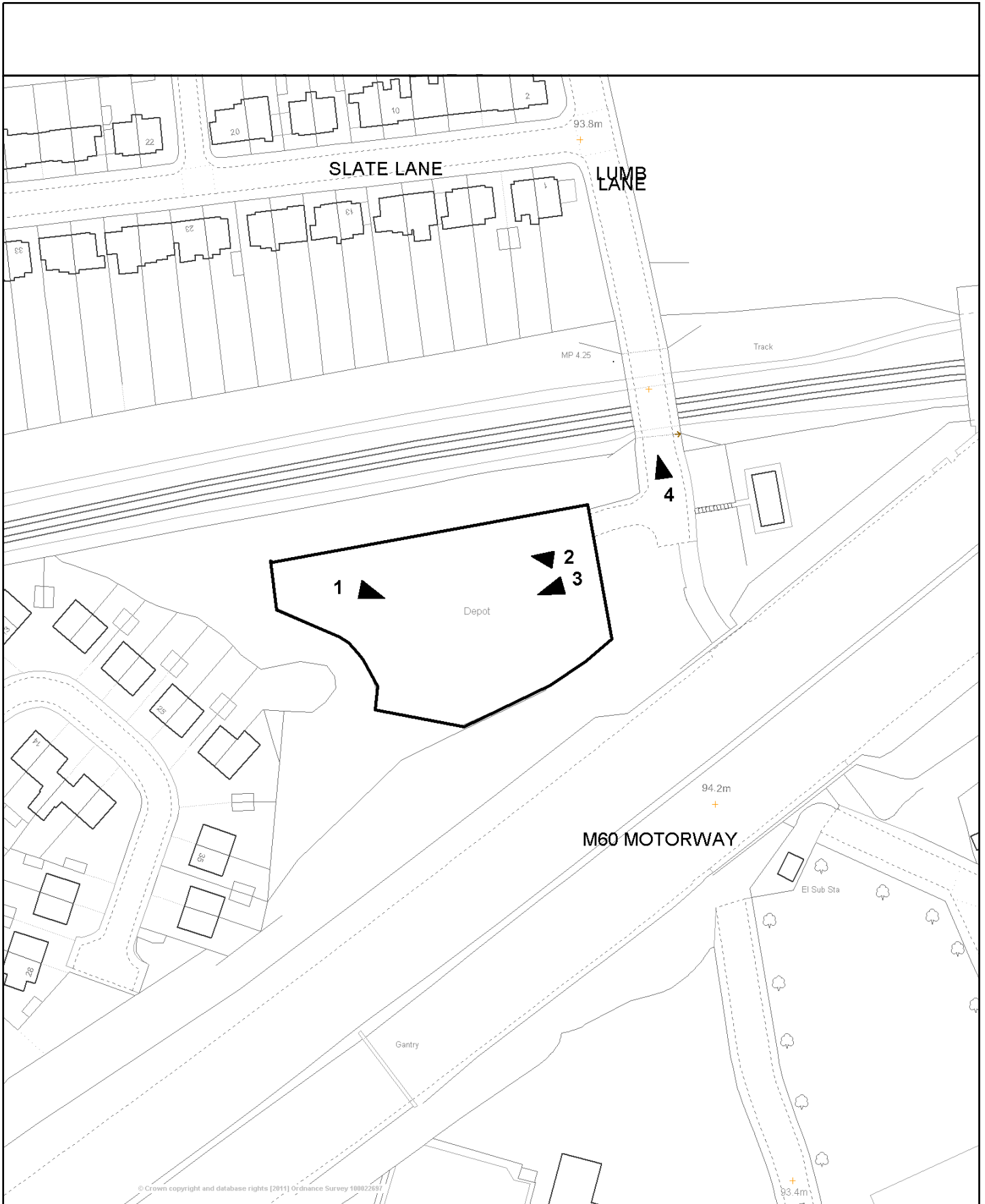


Photo 3



Photo 4





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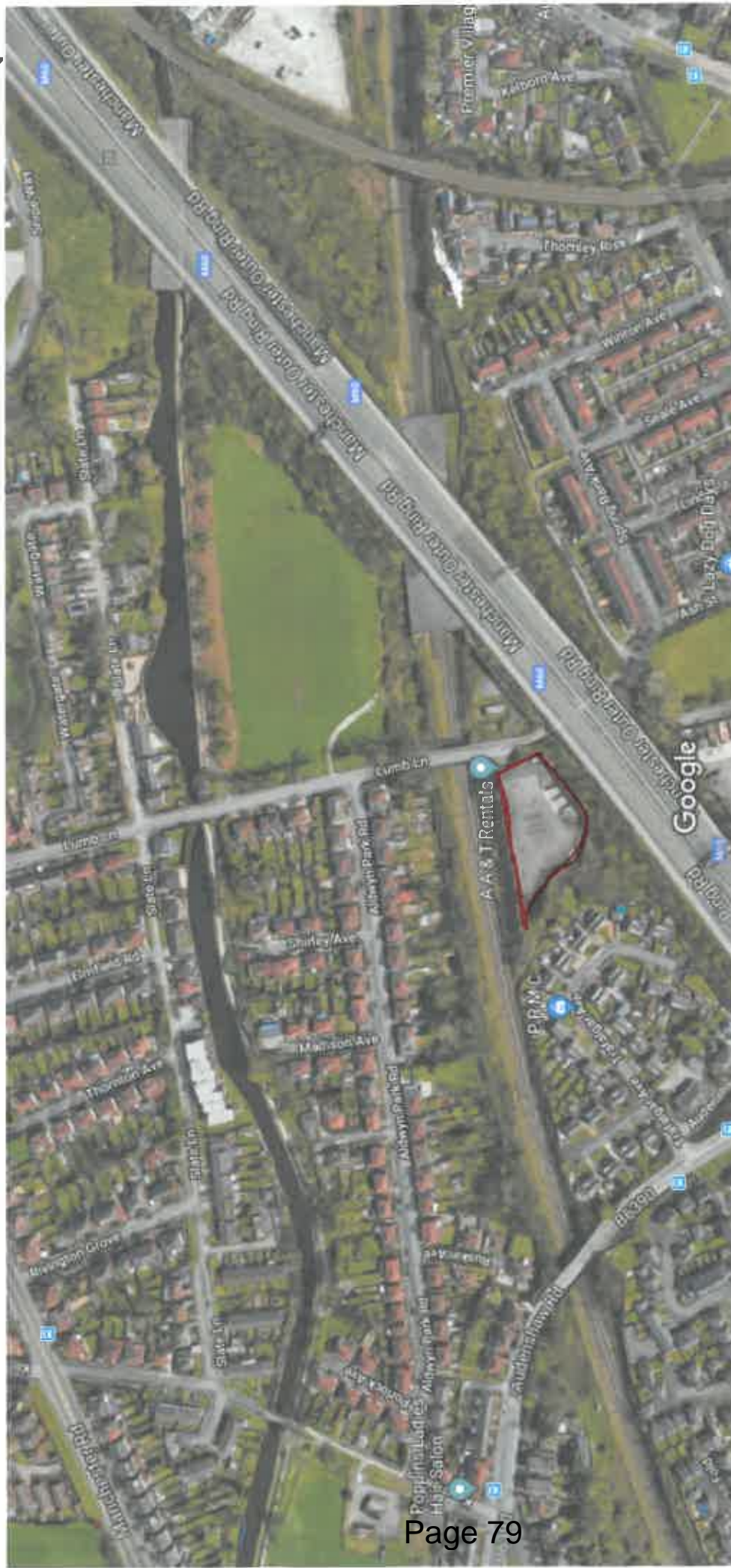
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AA+T RENTALS LTD  
CHANGE OF USE APPLICATION



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**Application Number** 18/00444/FUL

<b>Proposal</b>	Full planning application for the erection of a new Wellness Centre (use class D2) (total floor area 5,598 square metres), 123 associated car parking spaces and landscaping.
<b>Site</b>	North western portion of former Oldham batteries site (on junction of Lance Corporal Andrew Breeze Way and Ashton Road) Denton
<b>Applicant</b>	Network Space, Newton-le-Willows
<b>Recommendation</b>	Approve, subject to conditions
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes a major development.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a new Wellness Centre (use class D2) (total floor area 5,598 square metres), 123 associated car parking spaces and landscaping.
- 1.2 The proposal includes an 8 lane x 25m swimming pool and 17x7m learner pool, associated changing village, spa area, spectator seating, community room, meeting rooms, social interactive space, soft play, ten-pin bowling, fitness suite, dry change facilities and three multi-use studio spaces.
- 1.3 The applicant has provided the following documents in support of the planning application:
  - Design and Access Statement
  - Planning Statement
  - Noise Impact Assessment
  - Air Quality Assessment
  - Transport Assessment
  - Travel Plan
  - Phase 1 Habitat Survey
  - Statement Community Involvement
  - Drainage Plan
  - Energy Statement
  - Contaminated Land Statement
  - Waste Management Plan

### 2. SITE & SURROUNDINGS

- 2.1 This application relates to land bound by Lance Corporal Andrew Breeze Way, Ashton Road and Annan Street in Denton. The site covers approximately 0.86 hectares and is the north western corner of the land formerly occupied by the Oldham Batteries factory, which closed in 2002. All buildings have been demolished with only hard standings remaining on site.
- 2.2 The site is located to the east of the commercial element of Denton town centre and is allocated in the UDP as a Development Opportunity Area, emphasising its strategic importance as a regeneration site. Planning permission has recently been granted for the remainder of the former Oldham Batteries site to be redeveloped for residential use.

### **3. PLANNING HISTORY**

- 3.1 18/00541/ENV - Construction of a new Wellness Centre with 8 lane x 25m swimming pool and 17x7m learner pool and associated changing village, spa area spectator seating and plant space, community room, meeting rooms, social interactive space, soft play, ten-pin bowling, fitness suite, dry change facilities and three multi-use studio spaces – not EIA development.
- 3.2 13/00340/OUT – Renewal of planning consent 04/01274/OUT for the demolition of existing buildings and redevelopment for retail use (A1 non-food), garden centre, pub restaurant (A3, A4), light/general industrial and warehouse (B1 B2 and B8), residential (C3) new link road, car parking, landscaping and associated works – approved.
- 3.3 08/00430/REM - Retail park comprising non-food retail (A1 non-food) and food and drink uses (A3/A4), management suite, new public right of way, car parking, landscaping and associated works – approved.
- 3.4 04/01274/OUT - Demolition of existing buildings and redevelopment for Retail Use (A1 non-food), Garden Centre, Pub/Restaurant (A3/A4), Light/General Industrial and Warehouse (B1, B2 and B8), Residential (C3), New Link Road, Car Parking, Landscaping and Associated Works – approved.

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

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**  
Allocated under policy E2 (11) as a Development Opportunity Area
- 4.2 **Part 1 Policies**
  - 1.3: Creating a Cleaner and Greener Environment.
  - 1.5: Following the Principles of Sustainable Development
  - 1.6 Securing Urban Regeneration
  - 1.7 Supporting the role of town centres
  - 1.8 Retaining and Improving Opportunities for Sport, Recreation and Leisure
  - 1.12: Ensuring an Accessible, Safe and Healthy Environment
- 4.3 **Part 2 Policies**
  - E2: Development Opportunity Area (this site being no. 11 of the sites identified in that policy).
  - S1 Town Centre Improvements
  - S8 Built Recreation, Leisure and Tourism Developments
  - S9 Detailed Design of Retail and Leisure Developments.
  - C1 Town Scape and Urban Form.
  - T1 Highway Improvements and Traffic Management.
  - T6 Facilities for Buses
  - T7 Cycling
  - T10: Parking
  - T11: Travel Plans.
  - C1: Townscape and Urban Form
  - N5: Trees Within Development Sites
  - N7: Protected Species
  - MW11: Contaminated Land
  - MW12: Control of Pollution
  - MW14: Air Quality
  - U3: Water Services for Developments
  - U4 Flood Prevention

U5 Energy Efficiency

**4.4 Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016  
Residential Design Supplementary Planning Document

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

Section 1 Delivering sustainable development  
Section 2: Ensuring the vitality of town centres  
Section 7: Requiring good design  
Section 8: Promoting healthy communities

**4.6 Planning Practice Guidance (PPG)**

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

**5. PUBLICITY CARRIED OUT**

**5.1** Neighbour notification letters were issued, notices displayed on site and an advert published in the press, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**6. RESPONSES FROM CONSULTEES**

**6.1** Highways England – no objections to the proposals in terms of impact on the strategic road network, subject to the imposition of conditions preventing direct access from the site onto the motorway, no development adjacent to the embankments at the side of the motorway and a requirement that measures to be taken to ensure that surface water does not drain from the site onto the highway network.

**6.2** Borough Environmental Health Officer (EHO) – no objections subject to conditions requiring adherence to the contents of the submitted Air Quality Management Plan, the mitigation measures detailed in the noise impact assessment, restriction on the hours of deliveries to/from the site, the imposition of noise control measures and a restriction on the hours of activity and deliveries during the construction phase of the development.

**6.3** Greater Manchester Ecology Unit (GMEU) – no comments to make on the application.

**6.4** Transport for Greater Manchester (TFGM) – no objections to the proposals. The level of trip generation arising from the development is disputed but it is considered that the increase above the extant permission would be limited. Some further detail should be included in the Travel Plan but it is acknowledged that the site is located in close proximity to public transport services and a number of cycle routes.

**6.5** Borough Tree Officer - no objections to the proposals. There is currently no significant vegetation on the site. The design indicates some limited green space but given the nature of the development there is limited opportunity for larger scale planting etc. However, it would be beneficial if some landscaping and tree planting was to be incorporated into the areas around the junction of the roads. This additional planting should be secured by condition.

**6.6** Local Highway Authority – no objections raised to the proposals subject to the imposition of a number of conditions. The baseline assumptions within the Transport Assessment are

considered to be acceptable. Conditions should be imposed requiring the approved vehicle parking/turning areas to be laid out prior to first use of the development and the submission and approval of a construction environment management plan, a Travel Plan for the development and details of the road works and traffic management measures necessary to secure satisfactory access to the site.

- 6.7 United Utilities – no objections, subject to the imposition of a condition requiring the submission and approval of a sustainable surface water drainage strategy to be submitted and approved prior to the commencement of development and a condition stipulating that surface and foul water be drained from the site via separate mechanisms.
- 6.8 Greater Manchester Police – raised no objection to the proposals subject to compliance with the measures listed in section 3.3 of the Crime Impact Assessment submitted with the planning application.
- 6.9 Greater Manchester Archaeological Advisory Service (GMAAS) – no objections to the proposals subject to the undertaking of a written scheme of investigation into potential features of archaeological significance on the site and agreement of any necessary mitigation prior to the commencement of development.
- 6.10 Borough Contaminated Land Officer – no objection subject to the imposition of a condition requiring an intrusive investigation into sources of potential ground contamination on the site to be undertaken and any necessary remediation measures to be submitted and approved in writing prior to the commencement of development.
- 6.11 Coal Authority – no objections to the proposals. Confirm that the site is not located within an area at high risk in relation to coal mining legacy. An informative advising the applicant of their responsibilities in this regard should be attached to the decision notice.
- 6.12 Lead Local Flood Risk Authority (LLFRA) – no comments received
- 6.13 Environment Agency – no comments received.
- 6.12 Natural England – no comments to make on the proposals.
- 6.14 Sport England – fully support the application and consider that this proposal addresses an identified need for this type of facility and has the potential to be of benefit to the development of sport.

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

- 7.1 1 letter of representation has been received, which raises the following points (summarised):
  - Generally very supportive of the design. The structure of the development is positive but concerns regarding access and parking along with impact on outlook from neighbouring properties.
  - Annan Street is in particularly poor condition overall and has suffered from years of neglect. Previous propositions for the site included a complete environment restructure for Annan Street with grassed areas and attractive borders along it's edge. None of this seems to have been considered for the Wellness development and our property will now face a huge blank wall with some access points although consideration has been given to the height/colour of the wall.



- In terms of parking, Annan Street does, at present, have parking available along one side although this is usually taken up virtually all day by cars parked for shopping and/or workers resulting in no parking available for residents.
- No reference is made on the proposed plans to any parking for residents, or indeed, anyone on Annan Street. There seem to be no plans to upgrade the street itself or consideration for wider pavements etc.
- The exit doors and service access to the building would lead from Annan Street. Parking restrictions are likely to be required to allow deliveries to be made and this would cause huge problems for residents of properties on Annan Street.
- Provision should be made for parking to serve the 5 residential properties on Annan Street to mitigate the impact of the development. This could be directly outside the properties thus allowing the other side (against the Wellness Centre) to be restricted to delivery/access only. Alternatively residents should be allowed access to park in the car park proposed on Annan Street.
- Overall, the site and the plans are excellent and if resident parking was considered plus some extra greenery along with pavement/lighting and road surface improvements, the whole project would have a positive impact on the character of the site and surrounding area.

## **8. ANALYSIS**

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

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

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 Section 2 of the NPPF states that Local Planning Authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality and to allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.
- 9.2 Policy E2 of the UDP relates to a number of sites in the Borough, including land of which this application site is part, as Development Opportunity Areas. The policy states that in these areas 'the Council will permit redevelopment or refurbishment schemes which include uses likely to create higher levels or quality of employment, leisure, retail or residential provision and bring about significant improvements in overall appearance.' Part 11 of this policy relates to the application site (and the rest of the former Oldham Batteries site) and states that 'the site lies within Denton town centre as defined in the plan and thus has potential to accommodate a range of town centre uses as supported by government guidance.' The policy refers to the mixed use development granted planning permission in 2004 (outline renewed in 2013, references listed in section 3 of this report).
- 9.3 The proposed development would incorporate leisure, sport and recreation uses, health and fitness and indoor bowling, all of which are included within the definition of main town centres uses in the NPPF. As the site is located in a defined town centre, there is no requirement for the applicant to undertake a sequential test or an impact assessment, in accordance with the guidance within the NPPF. The principle of development complies with

policy S8 of the UDP as a leisure development in a defined town centre location. The response from Sport England to the application also indicates that there is demand for this type of facility. The proposal would include meeting space which would allow opportunities for social interaction, thereby promoting healthy communities. These factors are considered to weigh in favour of the proposals.

- 9.4 The proposed development is considered to comply with the requirements of national and local planning policy in terms of the location of leisure facilities and as such is considered to be acceptable in principle, subject to all other material considerations being satisfied.

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

- 10.1 Section 7 of the NPPF requires development to achieve good standards of design and states at paragraph 56 that 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' National policy also emphasises the importance of new development effectively responding to the character of the surrounding area. Paragraph 58 of the NPPF sets out a number of criteria stating that decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and,
- are visually attractive as a result of good architecture and appropriate landscaping.

- 10.2 This site is considered to be in a prominent location and is therefore an important regeneration site within Denton, a characteristic emphasised by its designation as a Development Opportunity Area.

- 10.3 The proposed building would be set back from the northern boundary of the site due to the siting of the parking area to serve the development. However, the step in the height of the roof in the centre of the long span of the northern elevation would emphasise the entrance to the building on that elevation. This feature along with the extent of the glazing panels on that elevation of the building would present an active frontage to Lane Corporal Andrew Breeze Way, offsetting the impact of the location of the car park in design terms.

- 10.4 The shape of the mono-pitched roofs and the step up in the height of the north western portion of the building would result in a prominent elevation addressing the Ashton Road/Lance Corporal Andrew Breeze Way corner. This is considered to be an important viewpoint of the site within the context of the regeneration of the wider area, given that Ashton Road connects to the retail centre of Denton at Crown Point, to the north west of the site. This is considered to be a positive element of the overall design of the scheme.

- 10.5 The use of full height glazing panels would soften the appearance of the western elevation of the building, with the metal cladding to the corner continuing the design approach on the northern elevation, providing a coherence to the external treatment of the development. This glazing arrangement would also provide an effective contrast with the plain brick facade of the single storey element (southern section of the building) with metal cladding and timber boarding above to conceal the plant equipment on the roof of the building.

- 10.6 The scheme has been amended to incorporate additional glazing on the southern elevation of the building, addressing the concern in relation to the large expanse of inactive frontage

to Annan Street in the original proposal. This amendment would improve the environment at the south western end of the development in particular, which sits on the northern edge of the entrance to Annan Street.

- 10.7 Following the above assessment, it is considered that the amended proposals would result in a development that would be appropriate in scale, siting and detailed design for this prominent site, achieving the design objections of the NPPF and policy E2 of the UDP.

## **11. RESIDENTIAL AMENITY**

- 11.1 Properties on the southern side of Annan Street face the southern boundary of the application site. The glazed panels at the western end of the southern elevation in the revised scheme would serve part of the bowling alley area. This part of the building is opposite the commercial use and church on the southern side of Annan Street, with an oblique relationship retained to the closest dwellings which face the site. This oblique relationship would ensure that opportunities for direct overlooking of those properties would be mitigated to an acceptable degree, as would the perception of overlooking arising from activity in that part of the development. Given the drop in heights between the northern and southern sections of the building, it is considered that the proposed development would not result in unreasonable overshadowing of those neighbouring properties on Annan Street.
- 11.2 There are no primary habitable room windows in the gable elevation of the dwelling at the northern end of Nelson Street which also faces the southern boundary of the site, ensuring that the proposed development would not result in unreasonable overlooking into or overshadowing of that property. The properties further east on Lime Grove and Gresham Street would be set a sufficient distance from the proposed building and the oblique relationship with the site would be retained, ensuring that the main part of the development would not result in an adverse impact on any of those neighbouring properties. A section of land adjacent to those streets would be used to provide additional parking to serve the development however.
- 11.3 A noise impact assessment has been submitted with the planning application, which considers the impact of this car parking area and the car parking area and the location of plant equipment serving the development on the closest neighbouring properties. The assessment compares the anticipated noise levels to be generated from these elements of the development against the existing background noise level at each of the sensitive locations identified.
- 11.4 The report concludes that in each of the locations, measurements indicated that the anticipated level of noise generated by the plant equipment would not exceed existing background noise levels, either during daytime hours or at night. This conclusion applied to a situation in which all plant equipment was operating simultaneously, which would be the worst case scenario. In relation to the proposed car parking areas, the impact on the neighbouring properties was modelled for scenarios where windows in those dwellings were open and closed. In both situations, the anticipated noise levels within the properties would be in accordance with established guidance. No specific mitigation measures are proposed within the assessment, within the context of the proposal to erect a metal clad screen around the perimeter of the plant equipment.
- 11.5 Planning permission has recently been granted for residential development on land immediately adjacent to the eastern boundary of the application site, with application ref. 18/00306/REM confirming the layout of that scheme. The side gable of two of the dwellings would face the common boundary (one being set off the boundary by the garden area associated with that plot) and the garden areas of 3 of the plots would back on the eastern boundary of the application site.

- 11.6 The EHO has not raised any objections to the proposals in terms of noise impact. Given the close proximity of the main car parking area to the development site to the east and the smaller car park to the properties at the northern end of Lime Grove and Gresham Street, it is considered reasonable to require acoustic fencing to be installed on the common boundaries with those neighbouring properties, to ensure that noise associated within these areas is minimised. This requirement can be secured by condition. A condition can also be imposed limiting the hours of deliveries to and from the site to ensure that the amenity of neighbouring properties is preserved during more noise sensitive times.
- 11.7 Given that the highway bisects the separation distance between the western boundary of the application site and the properties on the opposite side of Ashton Road further west, it is considered that the proposals would not result in any adverse impact on the amenity of those dwellings. The same conclusion applies to the properties to the north of the site, on the opposite side of the M67.
- 11.8 Following the above assessment, it is considered that the proposed development would not result in an adverse impact on the residential amenity of any of the neighbouring properties, subject to the imposition of reasonable conditions, which are attached to the recommendation.

## **12. HIGHWAY SAFETY**

- 12.1 The applicant has submitted a Transport Assessment (TA) and Travel Plan in support of the planning application. The Assessment models the anticipated trip generation produced by the proposed development, based on the nationally recognised TRICS guidance. The Assessment compares this anticipated trip generation against the numbers associated with the extant mixed use scheme comprising retail, restaurants, business uses and residential development on the wider site.
- 12.2 The trip generation associated with the extant use is modelled at 84 vehicles entering or leaving the site per 100 square metres of floor space during the PM peak period. The anticipated trip generation for the proposed use is 82 vehicles entering or leaving the site per 100 square metres of floor space during the peak period. The modelling suggests that the evening peak period for the proposed use would be between 1800 and 1900 hours, which would fall outside the peak time on the main highway network, which is considered to fall between 1600 and 1800 hours during the week. On the basis of these assumptions, the impact on the capacity of the highway network would be less as a result of this proposed scheme than the extant position.
- 12.3 The Highways Forecasting Analytical Services division of TfGM consider that the trip generation from the proposed development would be greater than the level anticipated in the Transport Assessment. However TfGM consider that the number of trips generated over and above the extant permission would be limited and would therefore not result in a significantly detrimental impact upon the capacity of the highway network.
- 12.4 The TA provides details of access to more sustainable means of transport than the private car for making trips to and from the site. The nearest bus stops to the site are on the A6017 Ashton Road, within relatively close proximity to the west of the site, which are served by buses connecting to and from Ashton. In terms of cycling access, Lance Corporal Andrew Breeze Way (running parallel with the northern boundary of the site) has off-road cycle-paths present on the northern footway, with advanced cycle stop lines on the approach to the junction with the A6017.
- 12.5 The A6017 Ashton Road is designated as an on-road cycle route with on-street cycle lanes provided intermittently along the corridor, including southbound through the junction with Lance Corporal Andrew Breeze Way. Sustrans Route 62 runs through Denton, to the south

of the site and provides a connection to areas such as Hyde and Stockport. It also provides a connection to Sustrans Route 6 in the west, which provides a connection into Manchester via cycle. On that basis, the provision of cycle parking spaces within the development (as referred to in the Transport Statement) would enhance the environmental sustainability of the scheme and provide an incentive for trips by alternative modes to the private car.

- 12.6 A Travel Plan has been submitted with the planning application. The Plan details measures to be implemented to promote the use of sustainable modes of transport by users of the facilities. These include the appointment of a Site Travel plan Co-ordinator, initiatives to promote walking, cycling and car sharing and initiatives to reduce the overall need to travel. TfGM consider that the Travel Plan should identify how specific barriers to the use of public transport, walking and cycling may be overcome and measures such as personalised travel plans.
- 12.7 The Travel Plan does however include measures such as locally based recruitment and the provision of up to date public transport information online and on notice boards within the facility. These measures are considered to be sufficient when assessed alongside the fact that TfGM conclude that the development would not result in a significant impact on the capacity of the highway network. A condition requiring compliance with these measures is attached to the recommendation.
- 12.8 In terms of the proposed access arrangements to serve the development, vehicular access would be provided in the north eastern corner of the site, leading from Lance Corporal Andrew Breeze Way. The Local Highway Authority has not raised any objections to this point of access and it is considered that sufficient distance would be retained to the junction with Ashton Road to the west. Adequate visibility spays would also be achieved in easterly and westerly directions.
- 12.9 Pedestrian access to the Wellness Centre will be located at the north-west corner, adjacent to the junction of the A6017 Ashton Road with Lance Corporal Andrew Breeze Way. The proposed footways at the entrance to the development would connect to the existing footway network.
- 12.10 In relation to car parking, 81 spaces (including 6 disabled bays) would be provided in areas to the north and east of the building, with a further 28 spaces provided in the additional area on the southern side of Annan Street. On the basis of the standards in policy T10 of the UDP, a maximum of approximately 220 car parking and 22 cycle parking spaces should be provided to serve a development of this size. Given the connections from the site to cycle routes, it is considered reasonable to condition that 30 secure storage spaces are provided as part of the development.
- 12.11 This provision, along with the close proximity of regular bus services to the development is considered to outweigh the deficit in the number of car parking spaces in relation to the maximum level set out in the UDP. This assessment is made with consideration of the fact that maximum parking standards are no longer compatible with national planning policy, which has been revised since the publication of the UDP and that the statutory consultees have not objected to the highways impact of the proposals.
- 12.12 Highways England has not objected to the proposals, subject to the imposition of a number of conditions. The recommended conditions require preventing direct access from the site onto the motorway, no development adjacent to the embankments at the side of the motorway and that measures to be taken to ensure that surface water does not drain from the site onto the highway network. A condition requiring the access to be constructed on a level that would prevent displacement of surface water onto the highway is considered to be reasonable.

- 12.13 However, given that the access serving the development would connect to Lance Corporal Andrew Breeze Way, which has already been constructed and is open to traffic, direct access onto the motorway would not be possible and an impact on the condition of the motorway network would not be directly attributable to the proposed development. As such, the first two conditions suggested by Highways England are considered not to be reasonable.
- 12.14 Following the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety and in accordance with the guidance contained within paragraph 32 of the NPPF, should not be refused on that basis.

### **13. FLOOD RISK**

- 13.1 The site is located in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities has raised no objections to the proposals subject to the imposition of a condition requiring the submission and approval of a sustainable surface water drainage strategy prior to the commencement of development and a condition stipulating that surface and foul water be drained from the site via separate mechanisms.
- 13.2 The drainage plan submitted with the planning application indicates that permeable paving would be used to surface the car park to the front of the building and that attenuation tanks would be installed below ground level in order to manage the surface water run off rate from the development. No objections have been received from the Lead Local Flood Risk Authority or the Environment Agency to the application. It is considered reasonable to attach a condition requiring the submission and approval of a sustainable drainage system given the scale of the proposed development. Details of the means of draining foul water from the development are also considered to be necessary given the scale of the development. These conditions are attached to the recommendation.
- 13.3 Following the above assessment, it is considered that the proposed development would not result in a harmful impact in relation to flood risk.

### **14. ENVIRONMENTAL HEALTH**

- 14.1 The western edge of the site is located within an Air Quality Management Area and an Air Quality Assessment has been submitted with the planning application. The Assessment considers the impact of the construction phase on the quality of the air in the vicinity of adjacent properties and sensitive receptors. The risk associated with the additional volume of traffic and impact on the traffic flows on the highway network is considered to be 'slight' for the most affected receptor, reducing to negligible for most adjacent uses.
- 14.2 The impact of dust during the construction phase is considered to be the most significant likely impact, with the risk considered to be 'medium' for the most affected receptors. A number of mitigation measures to limit the impact of dust migration during the construction phases are recommended. Subject to a condition securing compliance with these measures, the EHO has no objections to the proposals. Such a condition is attached to the recommendation.
- 14.3 The EHO has also indicated that restriction on the hours of deliveries to/from the site, the imposition of noise control measures and a restriction on the hours of activity and deliveries during the construction phase of the development are necessary to mitigate the impact of the development. The suggested noise control condition has been revised in the schedule of recommended conditions to require details of measures to be installed within the development to ensure the noise levels once the development is operational do not exceed existing background levels on the site, in order to preserve the amenity of neighbouring

residents. Given that the Noise Impact Assessment focuses on the activity in the car parking areas and the external plant equipment, this condition is considered to be reasonable. This and the other suggested conditions are attached to the recommendation.

- 14.4 A condition limiting the opening hours and timing of deliveries to between 0600 and 2200 is considered to be reasonable to preserve the residential amenity of neighbouring properties at more noise sensitive times. This limit is considered to be necessary given the close proximity of the neighbouring dwellings to the south and those that could be built under the extant planning permission immediately to the east of the site.
- 14.5 On the basis of the above assessment and the noise impact considerations assessed in section 11 of this report, it is considered that the proposals would not result in a harmful impact in relation to environmental health, subject to conditions.

## **15. OTHER MATTERS**

- 15.1 In relation to the impact on trees, the Borough Tree Officer has not raised any objections to the proposals, confirming that there are no significant trees on the site. The tree Officer has raised the point that limited tree planting is included within the development. The applicant has amended the plans to show the indicative location of a 'sensory garden' on the south facing roofplane of the proposed building. This feature would be a biodiversity enhancement given the brownfield nature of the site. Details of the species to be planted and on-going management and maintenance measures once the features has been installed can be secured by condition.
- 15.2 The applicant has submitted a Crime Impact Statement in support of the planning application. The statement lists a number of positive design features of the scheme, including the location of the main car park at the front of the building, the provision of one main entrance on the front elevation of the building and the increase in natural surveillance in the area through the re-development of a redundant site.
- 15.3 A number of recommendations are made in Section 3.3 of the report to improve security, including consideration of the location of cycle stands (to be secured by condition) and the introduction of more glazing to avoid long spans of inactive frontage (secured through amendments to the proposed elevations). Greater Manchester Police has raised no objections to the proposals subject to further detailed security measures being incorporated into the scheme. It is considered appropriate to ensure that the applicant achieves Secured by Design accreditation prior to the first operation of the development, to ensure that all reasonable measures to reduce the risk of crime are implemented. This requirement can be secured by condition.
- 15.4 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing a detailed investigation into potential sources of contamination on the site by condition. The recommended condition would require any necessary remediation measures to be agreed and implemented prior to the commencement of development. This is considered to be reasonable given the brownfield nature of the site. The Coal Authority has confirmed that the site is in a low risk area in relation to the ground stability impact of coal mining legacy. An informative can be added to any planning permission granted outlining the responsibilities of the applicant in this regard.
- 15.5 In relation to the potential impact of the development on features of archaeological importance, GMAAS has indicated that the industrial history of the site gives it some significance in this regard. The Historic Environment Record indicates that the site has, at least in part, seen buildings developed since the early nineteenth century, possibly earlier. The mapping of 1848-51 shows the Ashton Road frontage was then already occupied by a Wesleyan Chapel. By the 1890s Amelia Street had been established off Ashton Road. A 'Hat

manufactory' had, by then, been developed with its buildings occupying land south of Amelia Street and fronting Annan Street. Other industrial-related buildings occupied land north of Amelia Street, whilst smaller residential/ commercial properties had developed on Ashton Road and Annan Street.

- 15.6 The land behind properties fronting Ashton Road was extensively cleared after the 1920's. It is likely that remains of the various buildings and structures that have occupied the site will survive below ground. There is a risk that such remains will be exposed, damaged or destroyed by the proposals. There is an established archaeological heritage interest in the physical remains of hat manufactories, chapels and any evidence for worker's housing represented by back-to-backs/ blind-backs etc. On that basis, GMAAS consider that condition should be attached to any planning consent requiring that a phased programme of archaeological investigation be undertaken prior to the commencement of any demolition, soft-strip or development groundworks. Such a condition is attached to the recommendation.
- 15.7 In relation to ecology, neither Natural England nor GMEU have raised any objections to the proposals and no conditions are considered necessary in this regard.

## **16. CONCLUSION**

- 16.1 The principle of development is considered to be acceptable, proposing the re-development of a brownfield site with a use that is appropriate in policy terms in this town centre location. The support given to the proposals by Sport England indicate the need for the facility and the use would provide meeting space for members of the community, as encouraged by section 8 of the NPPF.
- 16.2 The site plays a key role in the regeneration of Denton, as demonstrated by the designation of the site as a Development Opportunity Area. The proposed building would be designed to emphasise key views of the site and routes through to the wider area, demonstrating a visual connection to the regeneration of this part of Denton. As a result, the proposals are considered to achieve the objectives of policy E2 of the UDP.
- 16.3 There are no objections from any of the statutory consultees. The proposals are considered not to result in an adverse impact upon the residential amenity of neighbouring properties or highway safety. The level of car parking proposed is considered to be acceptable, given the close proximity of public transport links and the extent of cycle storage to be provided as part of the development.
- 16.4 The proposals are considered to be acceptable in relation to all other material considerations, subject to the imposition of reasonable conditions. The revised proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

## **17. RECOMMENDATION**

Grant planning permission, subject to the following conditions:

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

1:1250 site location plan



Amended proposed site plan (P4897-2010 Rev. 12)  
Amended proposed ground floor plan (P4897-2000 Rev. 18)  
Amended proposed first floor plan (P4897-2001 Rev. 14)  
Amended proposed roof plan (P4897-2002 Rev. 11)  
Amended proposed elevations plan (P4897-3000 Rev. 12)  
Proposed sections plan (P4897-3500 Rev. 8)

3. No development shall commence until scaled plans (showing the elevations and location within the site) and a specification of the acoustic fencing to be installed along the eastern boundary of the main part of the site and the southern boundary of the 28 space car park (as identified on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The noise mitigation measures shall be implemented in accordance with the approved details, prior to the first operation of the development and shall be retained as such thereafter.
4. 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.
5. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated and/or affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
  - iii) Any additional or unforeseen contamination and/or coal mining legacy issues encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
  - 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.
6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site layout plan (drawing no. amended proposed site

plan (P4897-2010 Rev. 12) prior to the occupation of any of the dwellings and shall be retained free from obstruction for their intended use at all times thereafter.

7. Notwithstanding the details indicated on the approved plans, no development above ground level shall commence until details (including scaled plans showing the location of the storage units to be installed and elevation plans of the units) of secured cycle provision for 30 bicycles within the application site has been submitted to and approved in writing by the Local Planning Authority. The secured cycle storage arrangements shall be installed in accordance with the approved details prior to the first operation of the development and shall be retained as such thereafter.
8. No above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
  - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to be planted, spacing between them and their height on planting
  - A plan showing the location and construction material of all hard surfacing.

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

9. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
10. Prior to the occupation of any part of the development hereby approved, a scheme detailing the measures to be incorporated in an application to obtain Secured by Design accreditation to Greater Manchester Police shall be submitted to and approved in writing by the Local Planning Authority. Written confirmation that the accreditation has been achieved shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be implemented prior to the first operation of any part of the development. The development shall be retained as such thereafter.
11. Notwithstanding the details indicated on the approved plans, no part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements shall be implemented in accordance with the approved details prior to the first operation of the development and shall be retained as such thereafter.
12. No above ground development shall commence until details of the species to be planted and a management and maintenance plan for the sensory garden to be installed as part of the development hereby approved (as indicated on approved plan ref. amended proposed first floor plan (P4897-2001 Rev. 14)) have been submitted to and approved in writing by the Local Planning Authority. The sensory garden shall be installed in accordance with the approved details prior to the first operation of the building and shall be maintained thereafter in accordance with the approved management and maintenance plan.

13. Prior to the first operation of any part of the development hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first operation of any part of the development and shall be retained as such thereafter.
14. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Tameside Planning Authority.

The WSI shall cover the following:

1. An archaeological desk based assessment.
  2. A phased programme and methodology of site investigation and recording to include:
    - archaeological evaluation through trial trenching (subject to a new WSI).
    - dependent on the results from the evaluation trenches, a targeted more detailed area excavation and recording (subject to a new WSI)
  3. A programme for post investigation assessment to include:
    - production of a final report on the significance of the below-ground archaeological interest.
  4. Deposition of the final report with the Greater Manchester Historic Environment Record.
  5. Dissemination of the results of the archaeological investigations commensurate with their significance.
  6. Provision for archive deposition of the report and records of the site investigation.
  7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
15. The access road to serve the development to hereby approved shall be constructed on a level that shall prevent the displacement of material and surface water onto the highway. The development shall be retained as such thereafter.
  16. 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 2.4 metres 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.
  17. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
  18. No development above ground level shall commence until details of renewable energy generation measures to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details

shall include the specifications of the measures to be installed and information demonstrating the extent of the energy requirements of the development that will be provided by renewable sources. The renewable energy generation measures shall be installed in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.

19. 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. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
20. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
  - Wheel wash facilities for construction vehicles;
  - Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases;
  - Details of on-site storage facilities;The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
21. Prior to the first operation of the development hereby approved, details of the boundary treatments to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled location and elevation plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments shall be installed in accordance with the approved details prior to the first operation of the development.
22. No deliveries shall be made to or taken from the site, shall be permitted on Sundays and Bank Holidays and outside the hours of 07:30 to 20:00 hours Monday to Saturday.
23. No development above ground level shall commence until details of a scheme to soundproof the building has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include a specification of the insulating material to be installed and a noise assessment to demonstrate that existing background noise levels on the site would not be exceeded once the building is in operation. The scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.
24. The development hereby approved shall not be open to the public and deliveries shall not be made to or taken from the site outside of the hours of 0600 and 2200 on any day.
25. The development shall be carried out in accordance with the mitigation measures detailed on the Air Quality Assessment submitted with the planning application.

26. The development shall be carried out in accordance with the measures detailed in the Site Waste Management Plan produced by Willmott Dixon submitted with the planning application.

**Reasons for conditions:**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt
3. To protect the amenities of neighbouring properties from external noise in accordance with UDP policy H10.
4. To ensure that the appearance of the development reflects the character of the surrounding area.
5. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land and land stability as per paragraph 121 of the National Planning Policy Framework.
6. To ensure that the development is served by adequate parking provision.
7. To ensure cycle storage is provided to enhance the environmental sustainability of the development.
8. To ensure that sufficient hard and soft landscaping are implemented to ensure that the overall development respects the character of the surrounding area.
9. To ensure that the approved landscaping scheme is adequately maintained.
10. To ensure that the development is designed to minimise opportunities for crime.
11. 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.
12. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
13. To ensure that adequate lighting is provided to public areas.
14. To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with NPPF Section 12, Paragraph 141.
15. To ensure that the development maintains highway safety.
16. To ensure that the development maintains highway safety.
17. To preserve the residential amenity of neighbouring properties.

18. To ensure that the reliance on non-renewable sources of energy is reduced in order for the development to meet the environmental element of the definition of sustainable development as set out in the NPPF.
19. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
20. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.
21. To ensure that the appearance of the development reflects the character of the surrounding area.
22. To protect the residential amenity of occupants of nearby properties.
23. To protect the residential amenity of occupants of nearby properties.
24. To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.
25. To ensure that the development does not result in an adverse impact upon air quality.
26. To ensure that waste associated with the development is appropriately managed.

**Application Number: 18/00444/FUL Ashton Road Denton**

**Photo 1 – view looking east along southern boundary of the main part of the site (along Annan Street)**



**Photo 2 – view of properties on southern side of Annan Street facing the application site.**



**Photo 3 – view looking towards the southern boundary of the site from the junction of Nelson Street and Annan Street**



**Photo 4 – properties on Nelson Street facing the western boundary of the proposed overspill car parking area**





**Photo 5 – properties at the northern end of Lime Grove and Gresham Street to the south east of the site.**



**Photo 6 - view looking northwards along the western boundary of the site (along Ashton Road)**

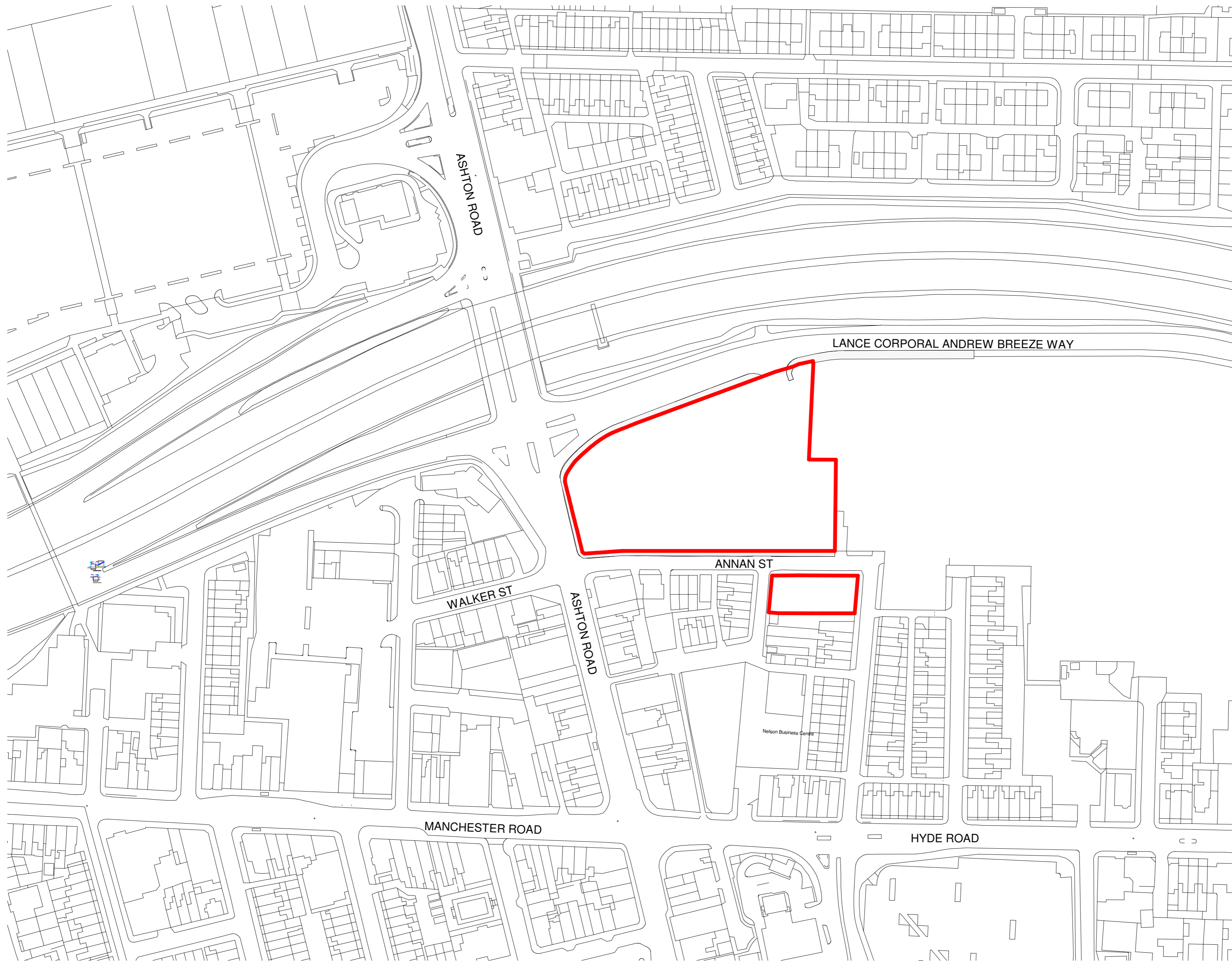


**Photo 7 – view looking eastwards along the northern boundary of the site from the Ashton Road/Lance Corporal Andrew Breeze Way junction**



**Photo 8 - view looking westwards along the northern boundary of the site towards the Ashton Road/Lance Corporal Andrew Breeze Way junction**





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1:100	mm	1000	3000	5000	
1:200	mm	5000	8000		
1:500	M	5	15	25	
1:1250	M	10	30	50	70

Proposed Site Boundary

Rev	Description	By	Date
Client	Network Space		
Job	Wellness Centre Denton		
Drawing	Planning - Location Plan		
Rev	P4897_1000		
Rev	PAL-00-XX-RP-A-1000		
Date	--/--	Scale	1 : 1250 @ A2
3D CoOrd	-	2D CoOrd	-
Approved	-	Approved	-
Project Status	Planning	Tender	Construction
	Design	Contract	As Built

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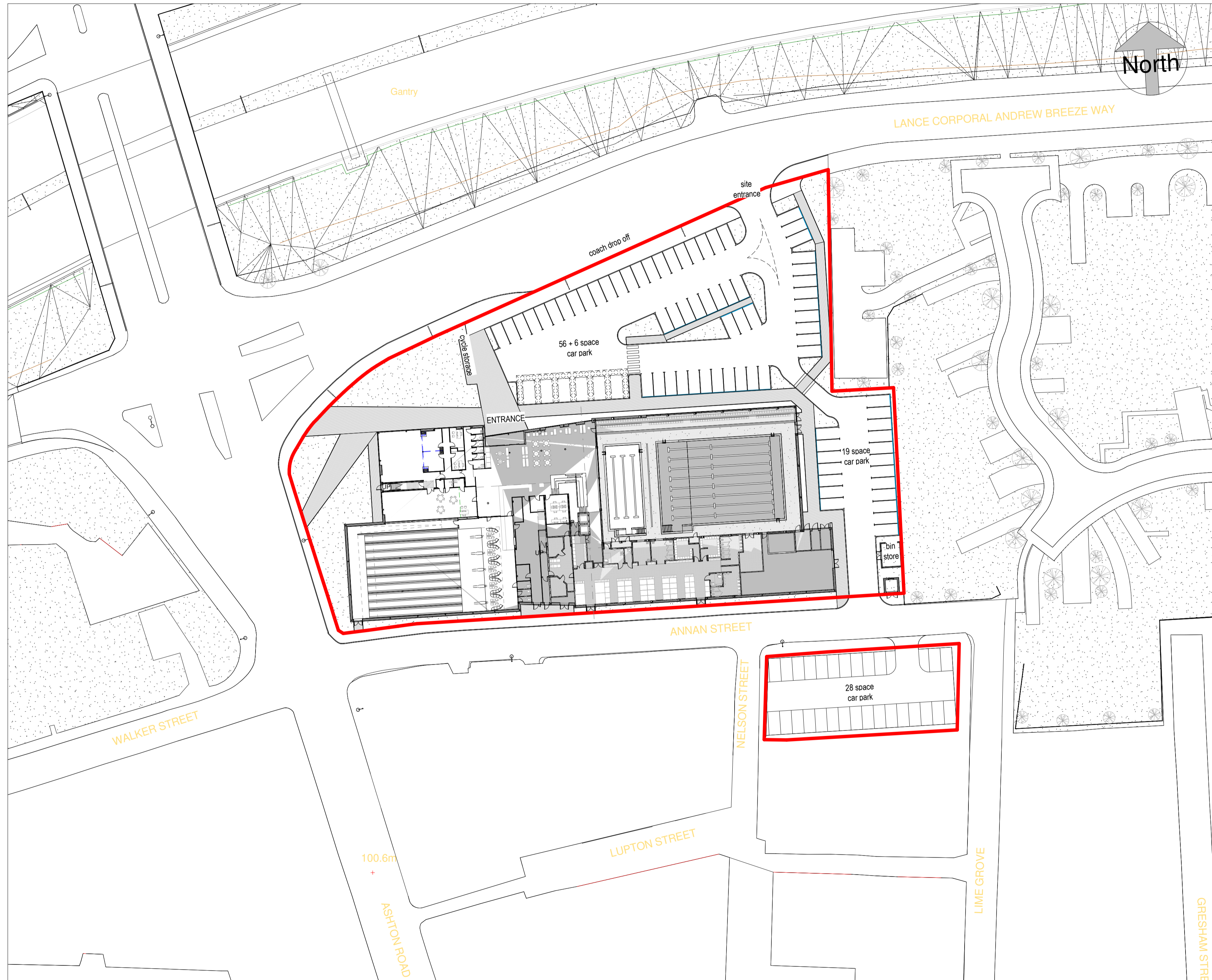
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1:200	mm	5000	10000	15000
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1:1250	M	10	30	50
			70	

12	Minor setting-out amendments	RJF	12/07/18
11	Updated to reflect current WIP model	RJF	12/06/18
10	Sub-Station rotated	RJF	11/05/18
9	Overflow car park restored with red line boundary added	RJF	03/05/18
8	Minor layout amendments to facilitate larger bin store	RJF	02/05/18
7	New roadway between car parks	JC	23/04/18
6	Bin Store and Sub-Station amendments	RJF	12/04/18
5	Updated to suit updated building & development of building	RJF	22/03/18
4	Updated to suit updated building & development of car park layout	RJF	05/03/18
3	Revised Areas	RR	15/11/17
2	Updated layout to suit sketch proposal	IZ	26/07/17
1	Redline boundary shown.	DAS	04/07/17
Rev	Description	By	Date

Client: Network Space  
 Job: Wellness Centre Denton  
 Drawing: Proposed Site Plan  
 Ref: P4897\_2010 Rev: 12  
 PAL-00-XX-DR-A-2010  
 Date: 29/06/17 Scale: 1:500 @ A2  
 Project Status: RR MB  
 Planning: Tender Construction  
 Design: Contract As Built

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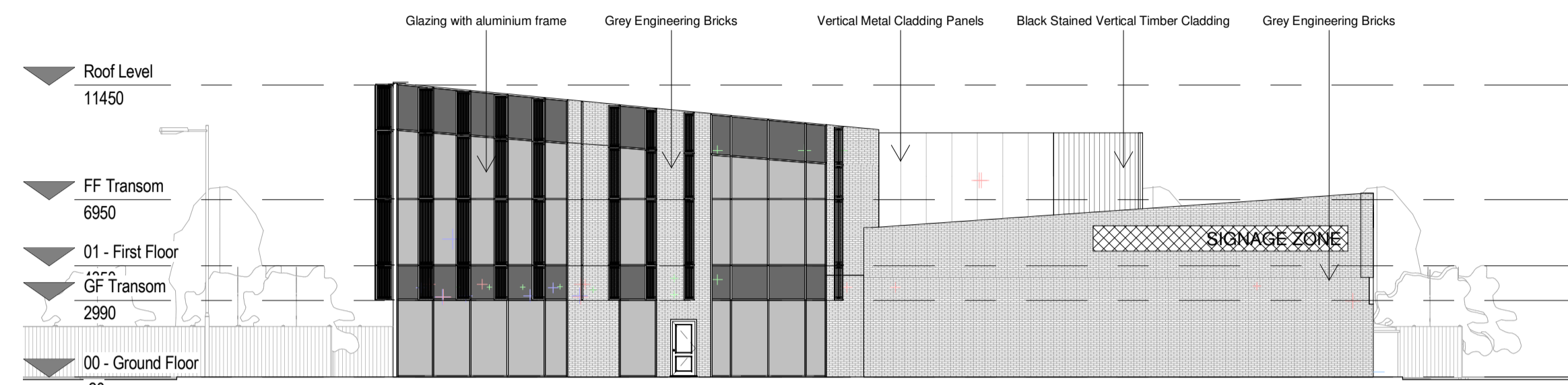
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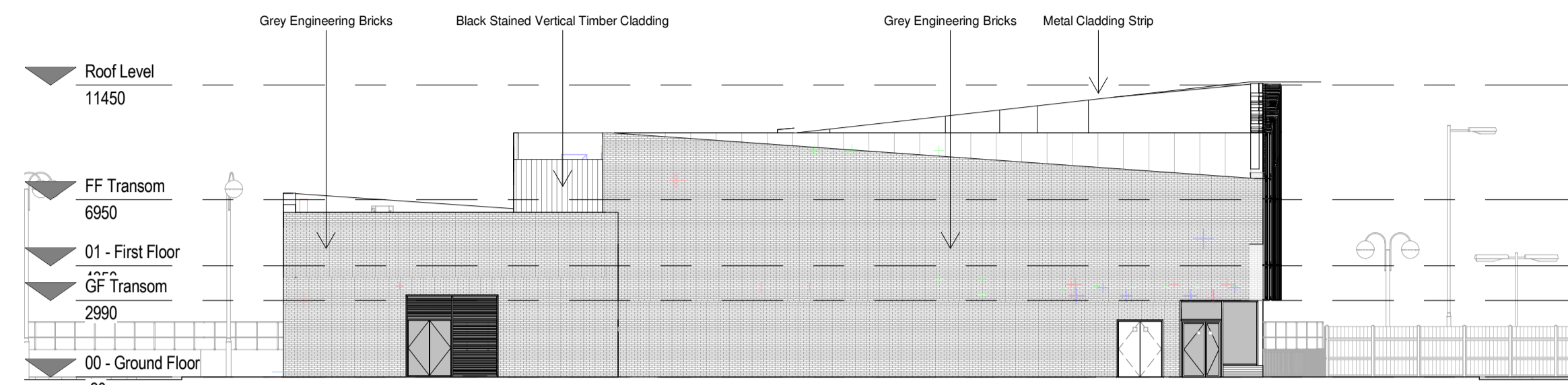
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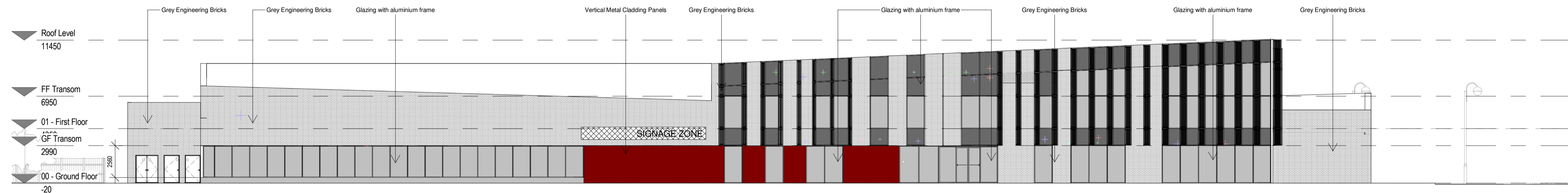
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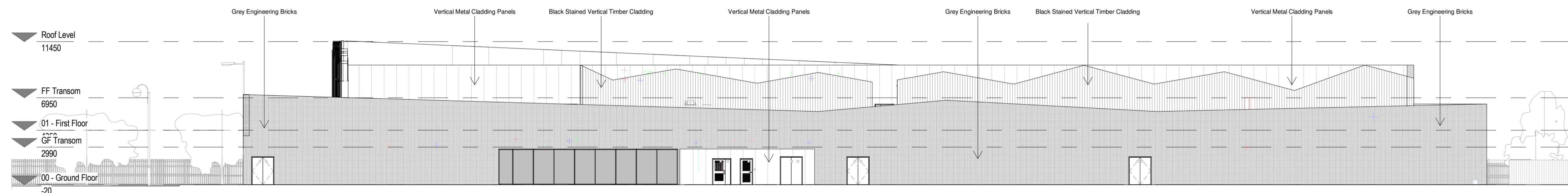
West - Proposed  
1 : 200



East - Proposed  
1 : 200



North - Proposed  
1 : 200



South - Proposed  
1 : 200

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1:100	mm	0	1000	2000	3000
1:200	mm	0	1000	2000	3000
1:500	M	0	10	20	30
1:1250	M	0	10	20	30

Rev	Description	By	Date
12	Curtain wall added to Bowling	RJF	13/07/18
11	Plant enclosure added	RJF	12/07/18
10	Updated to reflect current WIP model	RJF	12/06/18
9	M&E Updated with Plant Room grille amended & signage zones indicated	RJF	03/05/18
8	Area of curtain walling removed and wall finishes updated	JC	25/04/18
7	Elevations updated to suit current layout	JC	24/04/18
6	Revised Areas	RR	15/11/17
5	Updated Elevations; Access to changing village and servery to Bowling ally.	RR	22/09/2017
4	Updated to suit layout changes.	RR	27/07/17
3	Updated layout to suit sketch proposal.	IZ	26/07/17
2	Redline boundary shown.	DAS	04/07/17
1	Added network space land annotation.	IZ	29/06/17

Client	Network Space		
Job	Wellness Centre Denton		
Drawing	Proposed GA Elevations		
Ref	P4897_3000	Rev	12
Ref	PAL-00-ZZ-DR-A-3000		
Date	27/06/17	Scale	1 : 200 @ A1
By	RR	Approved	MB
Phase	Planning	Tender	Construction
Design	Contract	As Built	

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**Application Number** 17/00925/OUT

<b>Proposal</b>	Outline planning permission (all matters reserved) for the erection of 5 dwellings on the land following the demolition of the existing bungalow on the site.
<b>Site</b>	164 Mottram Road Stalybridge and associated land.
<b>Applicant</b>	Mrs E. Leah
<b>Recommendation</b>	Approve, subject to conditions.
<b>Reason for report</b>	A Speakers Panel decision is required due to the call in request made by a neighbouring resident.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks outline planning permission (all matters reserved) for the erection of 5 dwellings on the land following the demolition of the existing bungalow on the site.
- 1.2 The applicant has provided the following documents in support of the planning application:
  - Ecological Impact Assessment
  - Design and Access Statement
  - Indicative proposed plans

### 2. SITE & SURROUNDINGS

- 2.1 The application site comprises the bungalow and associated curtilage at 164 Mottram Road and open land to the north and east of that property. The existing dwelling is located in the western portion of the site where land levels have been built up to be relatively flat. In the eastern portion of the site, land levels drop steeply away in a westerly direction from the eastern boundary of the site (fronting Mottram Road) down to the rear boundary of the site. Given the significant change in levels on the site, large retaining walls have been erected on the northern and western boundaries of the bungalow plot. There are trees protected by group Tree Preservation Orders on the land, adjacent to the northern and southern boundaries of the site.

### 3. PLANNING HISTORY

- 3.1 There is no planning history on the site that is relevant to the determination of this application.

### 4. RELEVANT PLANNING POLICIES

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

The site is not allocated and is located within the settlement of Stalybridge

#### 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
- H7: Mixed Use and Density
- H10: Detailed Design of Housing Developments
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T10: Parking
- 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
- U4 Flood Prevention
- U5 Energy Efficiency

#### 4.5 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016;  
Residential Design Supplementary Planning Document; and,  
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

- Section 1 Delivering sustainable development
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 11: Conserving and enhancing the natural environment

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

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

### 5. **PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

- 6.1 Local Highway Authority – Raises no objections to the proposals subject to the imposition of conditions requiring the laying out (and retention free from obstruction thereafter) of the car parking spaces prior to the first occupation of the development, the retention of pedestrian visibility splays on either side of the proposed access arrangements and the submission of a survey of the condition of the highway.

- 6.2 Borough Tree Officer – The outline plans appear to retain all existing trees that are subject to a Tree Preservation Order (TPO) around the boundary of the site, while some limited planting is indicated to mitigate the loss of non TPO trees in the central area. The plans are, therefore, broadly acceptable, but any reserved matters application should not involve the loss of any TPO trees and specify protection for those to be retained.
- 6.3 Borough Environmental Health Officer (EHO) – no objection to the proposals subject to the imposition of a condition limiting the hours of work during the construction phase of the development.
- 6.4 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals following the results of the additional survey undertaken in relation to the potential impact of the development on bats. Conditions requiring compliance with the Bat Method Statement included in the updated ecological assessment submitted with the application and securing a comprehensive replacement landscaping scheme to mitigate for the loss of the broadleaved trees that have been removed from the site are recommended.
- 6.5 Borough Contaminated Land Officer – Recommends that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy.
- 6.6 United Utilities - No objection to the proposed development subject to conditions relating to the details of foul and surface water drainage (including management of maintenance of sustainable drainage systems to be installed) being attached to any approval.

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

- 7.1 Councillor Clive Patrick has written in objection to the application and has indicated that Councillor Liam Billington (both being Ward Councillors) also objects to the proposals for the following reasons:
- The site is not big enough for five of this style of house. Just down Mottram Road on a site far bigger than this site, namely around number 142, Mottram Road, four houses were recently built. Five houses on this site is in our opinion not appropriate to the area.
  - When parts of Stalybridge was flooded back in November 2016, when an immense amount of water ran down Mottram Road and through the gardens of Mottram Road, two houses directly below this site on Early Bank were flooded and residents were forced out of their homes for 8 months. It is our conjecture that if the site of 164 Mottram Road was built on, not only would that site be in danger of flooding but the danger of flooding of these 2 houses on Early Bank would be greatly increased.
- 7.2 4 letters of objection to the proposals have been received, raising the following concerns (summarised):
- There is no mention in the application of the Ancient right of way that runs from Mottram Road all the way down behind the back gardens of the houses of the uneven numbers on Early Bank. In fact it looks like one of the proposed houses looks like it is encroaching on this right of way.
  - In 2016 the gardens of number 7, 9 and 11 Early Bank were flooded and after the water receded, soil washed into the garden of no.11 from the application site, a situation made worse by the loss of numerous trees within the site.
  - The loss of trees from the application site has resulted in a degrading of the biodiversity value of the locality.
  - The Early Bank/Mottram Road junction is dangerous enough due to the speed vehicles drive down Mottram Road. This proposal will result in more traffic on the highway and will make this junction even more hazardous.

- The proposals would result in overlooking into and overshadowing of neighbouring properties and would therefore be detrimental to the residential amenity of those dwellings.
- Within walking distance of the site there are nearly double that number of large properties that have not been immediately purchased, suggesting that the need for new housing in the area is not of sufficient level to outweigh the detrimental impact of the proposals on the environment and air quality.
- Based on section 2 of Tameside's Residential Supplementary Planning Document, houses with four bedrooms or more, in this part of the Borough should be assumed to have at least three car parking spaces. That could mean around 15 vehicles on the site, all of which will access A6018 Mottram Road. The existing traffic flow problems on Mottram Road, particularly during rush hour periods would be exacerbated by the proposed development.
- The neighbouring properties are 3 bed roomed and do not have bedrooms in loft spaces and none on the side of the road most affected by the proposed development have four let alone five bedrooms. The planned houses are not therefore sympathetic to the area and the building of five large detached homes does not contribute to helping provide affordable homes.
- Given the maturity of the protected trees on the site, it is likely that the excavation works involved in the construction of the proposed development would result in harm to the roots of these trees.

## **8. ANALYSIS**

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

- 1) The principle of development
- 2) The impact on the character of the site and the surrounding area
- 3) The impact upon the residential amenity of neighbouring properties
- 4) The impact on highway safety
- 5) The impact on the ecology and trees
- 6) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 For the avoidance of doubt, the land to the north and east of the dwelling is enclosed and is therefore publically accessible. On that basis, the provisions of policy OL4 of the UDP are considered not to be relevant to the determination of this planning application.

9.2 The site is approximately 1 mile from the services and facilities in central Stalybridge. Whilst this is beyond reasonable walking distance, there are regular bus services running along Mottram Road, connecting to these facilities. The bus services along Mottram Road connect to Glossop and Ashton, both of which are locations with a wide range of services, facilities and sources of employment. Residential development surrounds the site and defines the predominant character of the area. The site is therefore considered to be a sustainable location for residential development.

9.3 The site area is just over 0.3 hectares. The erection of 5 dwellings on the site equates to approximately 17 dwellings per hectare. Policy H7 of the UDP states that the Council will encourage schemes to make efficient use of land through development of densities between 30 and 50 dwellings per hectare. Clearly this scheme falls short of this density. However, the developable area of the site is limited by the presence of protected trees on the northern and southern edges and the implications of the dramatic drop in levels on the relationship with neighbouring properties. On that basis, it is considered that a lower density of development is justified in principle in this case.

- 9.4 Following the above assessment, it is considered that the principle of development is acceptable, subject to all other material considerations being satisfied.

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

- 10.1 The relatively low density of development proposed is considered to reflect the general pattern of development in the surrounding area. The indicative plan indicates that the frontage properties would be set back significantly from the front boundary of the site with Mottram Road.
- 10.2 Spacing between the plots could be increased to reduce the density of development in the rear portion of the site, subject to a sensitive solution being found to the change in levels on the land. The alternative would be to reduce the size of the properties to increase the spacing between the plots. Ultimately this is an issue to be resolved at the reserved matters stage when the layout, appearance and scale of the development is to be determined.
- 10.3 Conditions requiring details of the existing and proposed ground levels and a construction method statement detailing the extent of the retaining works to facilitate the development are recommended to ensure that the development would respect the character of the surrounding area.

## **11. RESIDENTIAL AMENITY**

- 11.1 At the density proposed, it would be possible to accommodate 5 dwellings on the site and achieve the separation distances to neighbouring properties required by the Residential Design Guide (RDG) (21 metres where habitable rooms face each other and 14 metres where habitable room windows face blank elevations.) Given the dramatic drop in the land levels on the site, these distances may need to be increased when the layout is to be fixed at the reserved matters stage. The dwellings facing Mottram Road in the indicative layout could potentially be pulled further forward without having an adverse impact on the amenity of neighbouring properties through overlooking or overshadowing.
- 11.2 That would allow the properties in the rear portion of the site to be pulled further off the western boundary, where the distances are short in the indicative scheme. Again however, given the fact that the scale and layout are reserved matters, it is considered that the low density of the scheme ensures that these matters can be resolved without undermining the principle of erecting 5 dwellings on the site.

## **12. HIGHWAY SAFETY**

- 12.1 The access to serve the proposed development is one of the matters to be determined at the reserved matters stage and as such no details have been provided with this outline planning application. Given the relatively straight nature of Mottram Road at this point it is considered that an access to serve 5 dwellings could be positioned on the eastern boundary of the site in a way that would achieve the required visibility splays, given the 30 mph speed limit that applies on this section of Mottram Road. Details of how the access would be constructed to accommodate the change in levels on the site can be secured by condition.
- 12.2 The Local Highway Authority has not raised any objections to the proposals, subject to the imposition of a number of conditions. Conditions can be added to the decision notice requiring the submission and approval of a construction environment management plan prior to the commencement of any construction works. Requiring the driveways to be

constructed on a level and from a bound material so as to prevent displacement of material and surface water onto the highway is also considered to be reasonable and a condition to this effect can be added to the decision notice.

- 12.3 Further details of the construction of the access are considered necessary given this would connect to the adopted highway and the nature of land levels on the site. However, a survey detailing the condition of the highway is considered not be reasonable. Any damage caused to the adopted highway during the construction phase of the development could be remedied under powers available to the Council under the provisions of the Highways Act.
- 12.4 At the density of development proposed, there would be sufficient space to provide 3 car parking spaces per dwelling to meet the requirements of policy RD8 the Residential Design Guide. The proposal is located within close proximity of regular bus services connecting to Glossop and Ashton, which run along Mottram Road. The level of car parking provision is therefore considered to be acceptable.
- 12.5 In relation to trip generation, the proposals would result in a net increase of 4 dwellings on the site. Given that the site would be accessed immediately from Mottram Road, a principle access route, it is considered that the number of trips generated by the proposed development would not result in an adverse impact upon the flow of traffic on the highway.
- 12.6 The site is separated from the junction between Early Bank and Mottram Road by the plots at 3 and 5 Early Bank, a distance that would be sufficient to prevent any conflict arising from the intensification of activity on the application site and that junction.
- 12.7 It is therefore considered that the proposals would not result in a severe adverse impact on highway safety and in accordance with the guidance within paragraph 32 of the NPPF, planning permission should not be refused on this basis.

### **13. TREES AND ECOLOGY**

- 13.1 In relation to the impact of the proposed development on trees, there are protected trees on the northern and southern edges of the site. The Borough Tree Officer has no objections to the application, subject to the imposition of conditions requiring protection measures to be installed around these trees and the inclusion of a soft landscaping scheme as part of a reserved matters application. Five dwellings of the scale and siting shown on the indicative site plan may result in construction works within the root protection areas of the trees that are the subject of the group TPO's. The layout and scale of the buildings are to be determined at the reserved matters stage. However, given the low density of the proposals, it is considered that 5 dwellings could be positioned in an acceptable arrangement on the site without extending into the root protection areas of these trees.
- 13.2 The tree survey submitted as part of the application records the presence of broadleaved trees that are reported as recently felled in the ecology survey report. Broadleaved woodland is a priority habitat for conservation in Greater Manchester, and this site is contiguous with the ancient woodland site at Eastwood Clough Site of Biological Importance, which gives this site enhanced nature conservation importance locally. This area of Tameside is characterised by its wooded landscape character. A condition requiring the landscaping scheme to be submitted as part of the reserved matters application to include semi-mature broadleaved trees is considered to be necessary to ensure that the impact of the development on biodiversity is appropriately mitigated.
- 13.3 The applicant has submitted an updated Bat Survey, following the undertaking of additional survey work to verify the conclusions of the initial assessment. A bat roost was recorded as being present on the site. The authors of the submitted report considered that this is most likely to be a small, non-maternity roost used by small numbers of bats. GMEU concur with

this conclusion and consider that the loss of the roost will have a low impact on local bat populations and will not cause significant harm to the conservation status of bats.

- 13.4 Nevertheless all species of UK bats are highly protected and mitigation for harm to bats is required. Section 5.1.2 of the ecology survey report describes a method statement for mitigation of harm to bats. This method statement is acceptable and a condition requiring compliance with these measures during the demolition and construction phase of the development can be secured by condition.

#### **14. OTHER MATTERS**

- 14.1 The Environmental Health Officer has not raised any objections to the proposals, subject to a condition limiting the hours of work during the construction phase of the development. This condition is considered to be reasonable and necessary due to the close proximity of neighbouring properties and can be attached to the decision notice. A condition requiring the submission and approval of refuse storage facilities to serve the development can also be secured by condition.
- 14.2 In relation to drainage, the applicant has indicated on the application form that surface and foul water would be disposed of via connection to the mains sewerage network. Given the scale of the proposed development, it is considered reasonable to condition the provision of a sustainable surface water drainage strategy, as requested by United Utilities. As part of this condition, the requirement that surface and foul water are drained from the site via separate mechanisms can be secured.
- 14.3 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing an intrusive ground investigation into potential sources of contamination on the site and approval of a remediation strategy (if required) by condition. Such a condition is considered to be reasonable given the partly undeveloped nature of the site.
- 14.4 In relation to Coal mining legacy, the area is classified as being at low risk in terms of land stability implications. An informative outlining the applicant's responsibilities with regards to this matter can be attached to the decision notice.
- 14.5 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to open space or education provision, as the proposal would not exceed 10 dwellings. The WMS is a material planning consideration, forming part of the Planning Practice Guidance. Given the need to boost the supply of housing in sustainable locations (such as this site which is within walking distance of a regular bus services (providing access to the facilities in Stalybridge town centre) and the public open space at Cheetham Park), as required by Section 6 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.
- 14.6 In relation to the comment made by one of the objectors relating to an ancient right of way on the land, officers have reviewed the definitive map and can confirm that there are no designated Public Rights of Way running through the site or immediately adjacent to its boundaries. The ancient right of way referred to does not therefore have a status that can be protected by the planning process as it is not a designated route. Private rights of way are not a material planning consideration as the right to use such access routes fall to be determined under civil law.

## **15. CONCLUSION**

- 15.1 The proposal is considered to be acceptable in principle given the residential nature of the locality, the sustainable nature of the location and the generally low density pattern of development in the surrounding area. The principle of accessing the development from Mottram Road is considered to be acceptable given the extent of the visibility splays that can be achieved and there would be sufficient space within the scheme to provide the required level of parking.
- 15.2 Subject to compliance with the Method Statement detailed in the updated ecological assessment submitted with the planning application, it is considered that the proposals would not result in an adverse impact upon protected species. The replacement planting to be included as part of a reserved matters application will be required to include semi-mature broadleaved species to compensate for the loss of trees on the site and further biodiversity enhancements to be incorporated within the development. Again, these details can be secured by condition at this outline stage. .
- 15.3 Given the density of development proposed, it is considered that an adverse impact upon the condition of the trees protected by TPO's on the northern and southern edges of the site and the residential amenity of neighbouring properties could be avoided, although this would require amendments to the indicative layout. The layout, scale and appearance of the development are all matters to be determined at the reserved matter stage, with the density sufficiently low to allow the principle of development to be acceptable. All other material considerations are considered to be satisfied.
- 15.4 Following the above assessment, it is considered that the proposals would comply with the aims and objectives of the national and local planning policies quoted above

## **16. RECOMMENDATION**

Grant planning permission, subject to the following conditions:

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.
2. Before any development is commenced approval shall first be obtained from the Local Planning Authority with respect to the reserved matters, namely the means of access, layout, scale, appearance and landscaping of the development.
3. The development hereby approved shall be carried out in accordance with the following approved plans:

1:500 site location plan (Drawing no. 0105\_03\_00E)

4. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained (including the trees protected by Tree Preservation Orders within the site and adjacent to the boundaries of the land.) These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.



5. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.

i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

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

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

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

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

6. 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 shall include details of the on-going management and maintenance of the system. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The development shall be completed in accordance with the approved details.

7. No development above ground level shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

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

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

8. No development shall commence until details of the construction of the vehicular and pedestrian access arrangements to serve the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the access (including sections and existing and proposed ground levels) indicating the visibility splays to be achieved on either side of the

proposed access into the existing highway. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

9. Notwithstanding the details shown on the approved plans, no development shall commence until scaled plans detailing the existing and proposed ground levels on the site and the finished floor and ridge levels of the dwellings (with reference to a fixed datum point) details of the existing and proposed ground levels and a construction method statement detailing the extent of the regarding works to facilitate the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
10. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
11. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples 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 made available on site 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 retained as such thereafter.
12. The landscaping scheme to be submitted as part of the reserved matters application shall include details of the number, species and location of trees to be planted, their size on planting and details of the means of protection. The scheme shall include planting of mature (meeting the dimensions of 'extra heavy standards' as per BS8545:2014 on first planting) native broadleaved specimens within the site.
13. 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 2.4 metres 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.
14. No part of the development hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and the means of enclosure. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.
15. The development hereby approved shall be carried out in complete accordance with the mitigation measures detailed in Section 5 (including the timing of tree and vegetation removal) of the Ecological Assessment 04 June 2018 by Urban Green submitted with the planning application.
16. The driveways to serve the development hereby approved shall be constructed from a bound material and on a level that prevents displacement of material or surface water on to the highway and shall be retained as such thereafter.

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

**Reasons for conditions:**

1. Required to be imposed by Section 92 (as amended) of the Town and Country Planning Act 1990.
2. This approval grants outline planning permission only.
3. For the avoidance of doubt.
4. To ensure adequate protection of the tree to be retained on the site as part of the development and the trees on the site that are subject to Tree Preservation Orders.
5. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land as per paragraph 121 of the National Planning Policy Framework.
6. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
7. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.
8. To ensure that the access arrangements to serve the development maintain highway safety.
9. To ensure that the development does not have an adverse impact on the character of the surrounding area or the residential amenity of neighbouring properties.
10. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
11. To ensure that the construction materials, boundary treatments and hard landscaping to be installed preserve the character of the surrounding area.
12. To ensure that the proposed soft landscaping scheme is sufficient to mitigate the impact of the development.
13. To ensure that the development maintains highway safety.
14. 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.
15. To ensure that any potential impact on protected species during the demolition and construction phase of the development is mitigated.
16. To ensure that the proposals do not result in an adverse impact upon highway safety.
17. In order to protect the amenities of nearby residents in accordance with Unitary Development Plan policies 1.12 and H10.

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**Application Number: 17/00925/OUT 164 Mottram Rd Stalybridge**

**Photo 1 – view of Existing property at 164 Mottram Road and neighbouring property to the south**



**Photo 2 – land in to the northern portion of the site, immediately north of the dwelling at 164 Mottram Road**



**Photo 3 - view looking towards north eastern corner of the site with Mottram Road beyond**



**Photo 4 - view looking towards south western corner of the site with Mottram Road beyond**



**Photo 5 - view of properties on Early Bank (north west of the site) with the application site to the rear**



**Photo 6 - view of properties on Acresbrook, located beyond the western boundary of the site**



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DIMENSIONING: Figured dimensions only to be taken from this drawing. All dimensions to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.



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# SITE LAYOUT

Scale 1:500

Client	Emma
Project	164 Mottram Road, Stalybridge
Drawing	Proposed Site Layout
Status	OUTLINE PLANNING
Scale	1:500 at A3
Date	OCT 2017
Drawn	GB
Project No.	0105
Drawing No.	0105_03_001
Revision	/

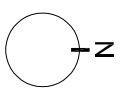
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DIMENSIONING: Figured dimensions only to be taken from this drawing. All dimensions to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.



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Client	Emma
Project	164 Mottram Road, Slatybridge
Drawing	Existing OS Plan
Status	OUTLINE PLANNING
Scale	1:500 at A3
Date	OCT 2017
Drawn	GB
Project No.	0105
Drawing No.	0105_03_00E
Revision	/



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**Application Number** 17/00963/FUL

**Proposal** Full planning application for the demolition of the existing buildings on the site and erection of 24 no. apartment building with associated road, parking and bin store.

**Site** Site of former Frames Snooker Club, Unit 8, Mount Street, Hyde

**Applicant** Armitage Construction Ltd, Manchester

**Recommendation** Approve, subject to conditions and the prior completion of a Section 106 Agreement

**Reason for report** A Speakers Panel decision is required because the application is a major development and a Section 106 Agreement is required.

## REPORT

### 1. APPLICATION DESCRIPTION

1.1 The applicant seeks full planning permission for the demolition of the existing buildings on the site and the erection of 24 x 2 bed apartments, with associated access, parking and bin storage facilities.

1.2 The applicant has provided the following documents in support of the planning application:

- Flood Risk Assessment
- Ecological Impact Assessment
- Ground Investigation and Coal Mining Risk Assessment
- Crime Impact Statement
- Design and Access Statement
- Employment Land Statement

### 2. SITE & SURROUNDINGS

2.1 The application site is located on Mount Street in Hyde and is occupied by buildings which were last in use as a snooker club. Two buildings with brick elevations front onto Mount Street on the western boundary, from where the site is accessed. The northern most of these two buildings is 3 storeys in height, the southern-most is over 2 storeys. These buildings display the proportions and uniformity of traditional industrial development. Brick built terraced properties on Travis Street are located to the south west, more modern dwellings on Ridling Lane are located to the north east.

### 3. PLANNING HISTORY

3.1 There is no planning history on the site that is relevant to the determination of this application.

### 4. RELEVANT PLANNING POLICIES

- 4.1 **Tameside Unitary Development Plan (UDP) Allocation**  
Not allocated, within the settlement of Hyde
- 4.2 **Part 1 Policies**  
Policy 1.4: Providing More Choice and Quality Homes.  
Policy 1.5: Following the Principles of Sustainable Development  
Policy 1.6: Securing Urban Regeneration  
Policy 1.10: Protecting and Enhancing the Natural Environment.  
Policy 1.11: Conserving Built Heritage and Retaining Local Identity.  
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.
- 4.3 **Part 2 Policies**  
C1: Townscape and Urban Form  
H1: Housing Land Provision.  
H2: Unallocated Sites (for housing)  
H4: Type, size and affordability of dwellings  
H5: Open Space Provision  
H7: Mixed Use and Density.  
H10: Detailed Design of Housing Developments  
MW11: Contaminated Land  
MW12: Control of Pollution  
MW14 Air Quality  
N3: Nature Conservation Factors  
N4 Trees and Woodland  
N5: Trees Within Development Sites  
N7: Protected Species  
OL10: Landscape Quality and Character  
T1: Highway Improvement and Traffic Management.  
T10: Parking  
T11: Travel Plans.  
U3: Water Services for Developments  
U4: Flood Prevention.  
U5: Energy Efficiency
- 4.4 **Other Policies**  
Greater Manchester Spatial Framework - Publication Draft October 2016  
Residential Design Supplementary Planning Document  
Trees and Landscaping on Development Sites SPD adopted in March 2007
- 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 12: Conserving and enhancing the Historic Environment
- 4.6 **Planning Practice Guidance (PPG)**  
This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

## **5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **6. RESPONSES FROM CONSULTEES**

- 6.1 Greater Manchester Archaeological Advisory Service (GMAAS) – no objections subject to the undertaking of a written scheme of investigation into potential features of archaeological significance on the site and agreement of any necessary mitigation prior to the commencement of development.
- 6.2 Borough Environmental Health Officer (EHO) – no objections subject to conditions relating to the hours of work during the construction phase of the development and the means of storage of refuse serving the proposed development to be implemented in accordance with the submitted details.
- 6.3 Greater Manchester Ecology Unit (GMEU) – no objections subject to the imposition of conditions limiting the period of demolition of the existing buildings on the site to outside of the bat and bird nesting season, the requirement that a licence be obtained from Natural England prior to the commencement of any demolition to ensure appropriate mitigation of the risk to bats and the submission and approval of a scheme of biodiversity enhancements to be incorporated within the development. An informative should also be attached to any planning permission granted to ensure that a general licence is obtained from Natural England prior to the commencement of works that could harm nesting pigeons.
- 6.4 Local Highway Authority – no objections to the proposals subject to the imposition of conditions requiring parking to be laid out as shown on the proposed plans prior to the first occupation of any part of the development and details of the measures to be put in place to secure satisfactory access to the development.
- 6.5 United Utilities - no objections, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms.
- 6.6 Coal Authority – no objections raised, subject to the imposition of a condition requiring an intrusive ground investigation to be undertaken and the approval and implementation of any necessary mitigation with regard to coal mining legacy issues prior to the commencement of development.
- 6.7 Borough Tree Officer – no objections to the proposals.
- 6.8 Borough Contaminated Land Officer – no objection subject to the imposition of a condition requiring an intrusive investigation into sources of potential ground contamination on the site to be undertaken and any necessary remediation measures to be submitted and approved in writing prior to the commencement of development.
- 6.9 Greater Manchester Police (Design Out Crime Officer): No objections to the proposals subject to a condition requiring compliance with the recommendations listed in section 3.3 of the Crime Impact Statement submitted with the application.

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

7.1 1 letter of objection was received to the original scheme which raised the following concerns:

- The design of the proposed replacement building is considered not to be of sufficient quality to reflect the character of the existing buildings on the site or the character of the surrounding area. The proposals would therefore not comply with the principles set out in the Supplementary Planning Document (SPD) for Hyde, adopted in 2011.

7.2 Nb. For the avoidance of doubt, Mount Street and the application site lie to the east of the area defined as Hyde town centre in the above quoted SPD. Therefore, whilst the matter of design is a material consideration, the application is not being assessed against the content of the SPD, which relates to development within the defined boundaries of the town centre.

## **8. ANALYSIS**

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

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

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 This section of the report considers the principle of the change of use of the land and the principle of the loss of the existing buildings on the site. These matters are considered in turn below.

### **Potential employment site:**

9.2 The proposal would involve the demolition of the existing buildings on the site and change of use of the land from a snooker hall (use class D2) to 24 x 2 bed residential units (use class C3). The existing use is considered not to be an employment use (which would fall within B1, B2 or B8 of the Use Classes Order 1987). The applicant has provided an Employment Land Statement in support of the planning application in any case.

9.3 Policy E3 of the UDP requires the retention of employment sites unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:

- (a) The quality and type of employment sites and premises available in the area
- (b) Evidence of demand for employment sites and premises in the area



- (c) The suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses
  - (d) The opportunity which may be presented for new forms of employment as part of a mixed use scheme
- 9.4 The employment land statement submitted with the application refers to the conclusion of the 2016 Housing and Employment Land Availability Assessment that, at that time, there was a supply of 45.55 hectares of employment land in the Borough, even once a number of protected employment sites were allocated for housing as part of that review. Whilst the site might be suitable for some commercial uses, the close proximity of a number of neighbouring dwellings does provide a significant constraint given the noise and the nature of deliveries associated with employment uses. Whilst offices could be incorporated as part of a less intensive use, such uses are considered to be town centre uses. As this site is on the edge of the town centre, a sequential test would be required to demonstrate that more central sites were not available within Hyde town centre prior to such uses being approved on this site.
- 9.5 There are considered to be more appropriate locations for new employment development in Hyde which do not face the same constraints as the application site. At the time that the application was submitted, there was office space available at Orient House on Newton Street, space within a converted mill on Alexandra Street and a converted warehouse with parking on Manchester Road, all within Hyde. There are extensive areas of land allocated for employment use in Godley to the north of Hyde and there is an allocated Development Opportunity Area along Manchester Road, where policy E2 (6) indicates that light industrial and office uses would be appropriate. These sites represent more appropriate locations for commercial development and indicate that there us a reasonable supply of alternative locations for employment uses in Hyde.
- 9.6 In addition to the above factors, the 2016 Assessment concluded that even with the uplift in numbers through developments of a number of former employment sites for residential use, the projections still fall short of a five year supply of housing land. There is still therefore a requirement to boost the supply of housing within the Borough on the basis of the most up to date evidence and the recycling of brownfield land in sustainable locations for residential use is supported in principle by the NPPF.
- 9.7 On that basis of the above assessment, it is considered that the proposed change of use of the site to residential would not result in conflict with the criteria of policy E3 quoted in paragraph 9.3 above.
- Loss of the existing buildings on the site:**
- 9.8 The existing buildings on the site are vacant and the lack of use is clearly having a detrimental impact on the condition of the buildings. The two main brick built structures fronting on to Mount Street do however retain the character of traditional industrial buildings in terms of the scale and massing, proportion and design of the windows and the utilitarian character of the elevations. For these reasons, the buildings are considered to be non-designated heritage assets.
- 9.9 In assessing proposals affecting such assets, the NPPF advises at paragraph 135 that 'in weighing applications that affect directly.....non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.' The buildings have been modified by unsympathetic additions, including a prominent mono-pitched roof extension to the side of the 3 storey building, which detracts from the character of the traditional

buildings. Signage and paraphernalia associated with the previous use of the building does also detract from the significance of the buildings.

- 9.10 The unsympathetic modifications that have been undertaken to the building are considered to reduce the level of harm arising from the loss of the non-designated heritage asset. This harm must be balanced against the requirement of Section 6 of the NPPF to boost significantly the supply of housing, particularly given the existing shortfall in the Borough.
- 9.11 The site is located within a 10 minute walk of the services and facilities in Hyde town centre and Hyde Bus Station and is 1km from Hyde Central train station, which operates a regular service to and from Manchester during the week. The site is therefore considered to be in a sustainable location, with access to services, facilities and employment via means other than the private car.
- 9.12 On the basis that the replacement building is of sufficient quality in design terms (discussed in detail later in this report), it is considered that the benefits of the redevelopment of this brownfield site in a sustainable location would outweigh the limited harm arising from the loss of the non-designated heritage asset.
- 9.13 Taken as a whole, the principle of development is therefore considered to be acceptable, subject to all other material considerations being satisfied.

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

- 10.1 The scheme has been amended to improve the design of the proposed development, following concerns expressed by officers in relation to the original submission. The original scheme proposed a modern development with a deep hipped roof form. The fenestration details indicated relatively small square openings, with larger openings only provided to serve Juliette balconies. The treatment of the elevations included metal cladding. These design elements were considered to result in a development that was considered inappropriate given the character of the buildings that occupy the site at present.
- 10.2 The existing buildings present a strong frontage to Mount Street, with the regular formation and size to the openings on the elevations being a dominant characteristic, emphasising the industrial character of the site. The original submission was considered not to replicate this uniformity in terms of size and the hipped gable to the north western corner failed to recognise the significance of the utilitarian form of the building that it would replace.
- 10.3 Following discussions with the applicant, the scheme has been amended to propose a development with a uniform ridge height fronting onto Mount Street, a pitched roof design with a consistency to the design of the gables, and taller window openings with a uniformity in terms of size and fenestration details. These amendments have significantly improved the design quality of the proposed development and this is considered to reduce the level of harm to be attributed to the loss of the existing buildings to an acceptable degree. A gable would be incorporated on the front elevation to break up the massing of the long span of the pitched roof.
- 10.4 There would still be modern elements to the design of the scheme, including glazed panels extending the height of the elevation above the entrances to the building on the northern and southern elevations and the use of obscure blanking panelling as

part of these features, along with canopies to define these entrances. These features would be not however be of a siting or scale that would detract from the characteristics described above, which would provide a strong definition to the development. The proposal would therefore include positive references to the existing buildings on the site and would contribute positively to the character of the streetscene and the surrounding area.

- 10.5 The applicant has agreed to the use of natural slate in the construction of the roof of the development. This requirement can be incorporated into the condition requiring the submission and approval of all external construction materials. Following the above assessment, it is considered that the amended proposals would reflect the character of the site and the surrounding area.

## **11. RESIDENTIAL AMENITY**

- 11.1 The western end of the northern elevation of the building would be approximately 20 metres from the rear elevation of the neighbouring properties at 42 and 44 Ridling Lane to the north east of the site. There would be a small windows on each floor in that gable elevation of the proposed building, each would be secondary windows to kitchen/dining/living area (to flats 3, 11 and 19 respectively).

- 11.2 These windows could therefore be obscurely glazed without unreasonably impacting upon the residential amenity of the future occupants of the development. Subject to that requirement being secured by condition, no unreasonable overlooking would result from the development into the rear elevation of those neighbouring properties, as the glazing associated with the entrance to the development (east of units 3, 11 and 19) could also be obscurely glazed.

- 11.3 The western most windows serving units 5, 13 and 21 would be 21 metres from the rear elevation the neighbouring properties at 42-44 Ridling Lane. The separation distance would exceed the minimum separation distances required by the Residential Design Guide, due to the offset nature of the line of sight between the windows in the corresponding elevations. The separation distance from apartment 21 on the second floor would fall 2 metres short of the distance required by the design guide given the slightly oblique nature of the relationship.

- 11.4 However, the northern elevation of the proposed development would be 11 metres from the common boundary between the properties. The existing 3 storey building on the site extends right up to this boundary, with the separation distance to the rear elevations of the neighbouring properties being 10 metres. Given this situation, the proposed development would significantly improve the impact of development on the site in terms of overshadowing of the rear elevation and garden areas of those neighbouring properties.

- 11.5 The degree of improvement in terms of overshadowing is considered to outweigh the harm associated with the relatively minor deficit in the separation distance between those properties and the second floor windows in the proposed development. On that basis, it is considered that the proposals would not result in an adverse impact on the residential amenity of those neighbouring properties.

- 11.6 Units 7, 15 and 23 at the eastern end of the development would be located to the rear of no. 46 and 48 Ridling Lane. The only windows in the northern elevation of those units would be secondary windows to kitchen/diner/living areas within those

units. These could reasonably be obscurely glazed and on that basis no unreasonable overlooking could occur into those neighbouring properties. The separation distances to be retained between the corresponding elevations would meet the requirements of the Residential Design Guide for this relationship.

- 11.7 In relation to the impact on the properties to the south west of the site on Travis Street, a separation distance of 24 metres would be retained between the habitable room windows in the south western elevation of the development and the corresponding elevations of those neighbouring properties, meeting the requirements of the Residential Design Guide where habitable rooms face each other.
- 11.8 The south western corner of the development would be approximately 17 metres from the rear elevation of the property at 33 Travis Street. That gable of the proposed building would be blank on all 3 levels and therefore the separation distance to be retained would be sufficient to prevent unreasonable overshadowing of that neighbouring property, according with the guidelines in the Residential Design Guide.
- 11.9 Sufficient separation would be retained between the rear elevation of the proposed development and properties on Ridling Lane to the south east of the site to avoid any unreasonable impact in terms of overlooking into or overshadowing of those properties.
- 11.10 A single storey unit at 4 Mount Street Hyde is located in close proximity to south eastern boundary of the site and access to that commercial use would be retained through the application site, leading from the access road serving the development. Given that a staircase to access each floor of the development would be sited at the south eastern end of the development, it is considered that there would be no unreasonable impact on the residential amenity of the future occupants of the development arising from the activity on that neighbouring site. This assessment is corroborated by the lack of objection from the EHO who has not suggested that a noise attenuation scheme is necessary to mitigate the impact of the adjacent use.
- 11.11 In terms of the size of the units of accommodation to be provided, each apartment would be 61 square metres in floor area. This would meet the requirements of the nationally set Technical Housing Standards for apartments of this size to be occupied by 3 people. This is considered to indicate that the level of accommodation to be provided would be sufficient to preserve the residential amenity of future occupants of the development.
- 11.12 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the residential amenity of any of the neighbouring properties, subject to conditions requiring certain openings to be obscurely glazed as referred to above.

## **12. HIGHWAY SAFETY**

- 12.1 On the basis of standard TRICS modelling, a scheme of 24 dwellings would result in approximately 130 vehicle movements on a daily basis. During the AM peak period (0800 to 1000), 32 movements to and from the site are anticipated, with 41 trips anticipated in the PM peak period (1600 to 1800). Given the relatively close proximity of the site to Hyde town centre it is considered that the anticipated number of trips by private car could be reduced as a proportion of the total due to the close proximity of services and facilities. The Local Highway Authority has not raised any concerns in

relation to traffic movements associated with the development, which must be considered within the context of the extant use. It is considered that the volume of traffic generated by the proposals would not result in a severe impact on the capacity of the highway network as a result.

- 12.2 In terms of the safety of the proposed access, Mount Street affords good visibility in both a north easterly and south westerly direction due to the straight nature of the highway. Therefore, the Local Highway Authority has no concerns from a safety point of view in terms of vehicles accessing and egressing the proposed development from Mount Street.
- 12.3 In relation to parking, 1 car parking space would be provided per dwelling. Policy RD8 of the Residential Design Guide (RDG) indicates a maximum provision of 2 parking spaces for 2 bedroom dwellings in locations such as this. However, as stated previously, the site is considered to be in accessible location. The site is within close proximity of realistic alternative modes of transport to the private car to access locations with a wide range of services, facilities and employment therefore. In addition, the weight that can be applied to maximum standards is severely reduced by the fact that this does not conform to national planning guidance, which has been revised since the publication of the UDP and the RDG. On that basis, it is considered that the harm to highway safety arising from the level of parking proposed would not be severe.
- 12.4 The Local Highway Authority has not raised any objections to the proposals, subject to the imposition of conditions requiring the proposed car parking arrangement to be laid out prior to the first occupation of the dwellings and details of the road works necessary to secure safe access to the development. The former is considered to be reasonable and necessary to ensure adequate parking to serve the development is provided prior to occupation. The latter is considered not to be necessary as this would duplicate powers held by the Council under the Highways Act. A condition requiring the submission and approval of an environment management plan for the construction phase of the development is considered to be reasonable and is attached to the recommendation.
- 12.5 Following the above assessment, it is considered that the proposals would not result in a severe impact upon highway safety and in accordance with the guidance contained within paragraph 32 of the NPPF, should not be refused on that basis.

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

- 13.1 The applicant has submitted a Flood Risk Assessment in support of the planning application. The report confirms that the site is located within Flood Zone 1 and is therefore considered to be at a lower risk of flooding. There are no watercourses or rivers within close proximity of the site and the ground level is 118 metres above sea level. The report concludes that there is sufficient capacity within the sewerage network within the vicinity of the site to accommodate the additional demands of the proposed development and that there is a negligible risk of flooding from ground water and any other sources. In relation to flood risk beyond the site, the report indicates that United Utilities would require a restriction limiting the discharge of surface water to 5 litres per second and that this will require underground storage to be incorporated into the development.

- 13.2 United Utilities has not objected to the application, subject to the imposition of conditions requiring the submission and approval of a sustainable surface water drainage strategy and the requirement that foul and surface water are drained from the site via separate mechanisms. Given the scale of the development, it is considered reasonable to require the developer to investigate sustainable means of drainage prior to the connection to the mains sewer. Both requirements can be combined into one condition which attached to the recommendation. On that basis, the impact of the development in relation to flood risk can be mitigated to an acceptable degree.

#### **14. ECOLOGY AND TREES**

- 14.1 In relation to ecology, the applicant has submitted an Impact Assessment in this regard in support of the planning application. An assessment into potential bat activity on the site was undertaken in October 2016 and due to the presence of potential roosting features, further surveys were recommended. An update of this survey was undertaken in September 2017. The survey comprised an internal and external inspection of the 8 buildings on site. Some evidence of recent activity by a small number of bats was found on the exterior of building 4. Further surveys were undertaken in the form of dusk emergence and dawn re-entry surveys. During the survey periods only low numbers of Common Pipistrelle bats were recorded and activity was generally low. Two bats were found to be roosting separately within the buildings on site, one in building 3 and the other in building 4. It was considered unlikely that the buildings would be used for hibernation or maternity purposes, and no evidence was found to suggest that this is the case.
- 14.2 On the basis of the submitted information, GMEU have raised no objections to the proposals, subject to a number of conditions. The recommended conditions would limit the period of demolition of the existing buildings on the site to outside of the bat and bird nesting season, require that a licence be obtained from Natural England prior to the commencement of any demolition to ensure appropriate mitigation of the risk to bats and the approval of a scheme of biodiversity enhancements to be incorporated within the development.
- 14.3 The Impact Assessment indicates that bird boxes could be incorporated into the development as suitable compensation for the potential impacts of the development. It is considered reasonable to condition details of the mitigation measures to be put in place during the demolition and construction phases of the development to ensure that the harm to protected species is avoided, which would include application for appropriate licenses prior to the commencement of works. Further details of the biodiversity enhancements to be incorporated is also considered necessary to ensure that these are delivered as part of the development, in accordance with the guidance within paragraph 118 of the NPPF.
- 14.4 In relation to the impact on trees, the Borough Tree Officer considers that the proposed development would not result in an adverse impact on any trees. There are no trees within the development site and no protected trees within close proximity of the site that could potentially be impacted by the proposed development. Details of a proposed landscaping scheme can be secured by condition.

## **15. OTHER MATTERS**

- 15.1 In relation to environmental health, the EHO has not raised any objections subject to conditions relating to the hours of work during the construction phase of the development and the means of storage of refuse serving the proposed development to be implemented in accordance with the submitted details. These conditions are considered to be necessary and are attached to the recommendation.
- 15.2 The site is considered to be located in a high risk area in relation to coal mining legacy. Following the submission of additional information, the Coal Authority has withdrawn its initial objection, subject to the imposition of a condition requiring an intrusive ground investigation to be completed and the approval of any necessary remediation prior to the commencement of development. This condition is considered to be necessary and is attached to the recommendation.
- 15.3 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to securing a detailed investigation into potential sources of contamination on the site by condition. The recommended condition would require any necessary remediation measures to be agreed and implemented prior to the commencement of development. This is considered to be reasonable given the brownfield nature of the site.
- 15.4 Greater Manchester Police have not raised any objections to the proposals. Positive elements of the design in terms of reducing the risk of crime include presenting an active frontage to Mount Street and the lack of deep recesses to the entrances. It is acknowledged that the proposal would result in a development that is open around the edges of the site. However, the car parking areas within the development and the entrances to the building would be well surveyed. It is considered appropriate to ensure that the applicant achieves Secured by Design accreditation prior to the occupation of the development, to ensure that all reasonable measures to reduce the risk of crime are implemented. This requirement can be secured by condition.
- 15.5 In relation to the potential impact of the development on features of archaeological importance, GMAAS has indicated that the industrial history of the site gives it some significance in this regard. The first industrial works were established in 1870, one of the first mechanized hatting firms in Hyde and part of the diversification of industries which took place as a result of the cotton famine of 1861-5. Much of the original 19th Century historic building fabric survives. The site is considered to be of high local archaeological and historic significance, representing an increasingly rare survival of the historic hatting industry focused on the Hyde, Denton and Ashton areas. The current buildings should be subject to a full historic building survey prior to demolition or alteration, to create a record for archive and research purposes. There should also be provision for an intra-demolition archaeological watching brief to be maintained to identify and record any currently concealed significant structural or functional evidence. The submission and approval of this information prior to the commencement of development can be secured by condition.
- 15.6 In relation to financial contributions required to mitigate the impact of the development, the applicant will be required to make a contribution to the provision of open space within the local area, in accordance with policy H5 of the adopted UDP. A contribution of up to £9,574.44 is to be sought from the applicant in this regard. Details of the scheme to which this money will contribute will be provided at the Panel meeting.

- 15.7 To mitigate the impact of the additional traffic generated by the proposed development, a contribution of £18,447.47 is to be secured to improve the traffic signalling facilities in Hyde town centre.
- 15.8 In relation to other infrastructure, the scheme would be below 25 dwellings and therefore a contribution towards education and community infrastructure is not required, in accordance with policy H6 of the UDP.
- 15.9 These contributions are considered to meet the CIL regulations in that they are necessary to make the development acceptable in planning terms (given the lack of amenity space to be provided on site and the additional traffic to be generated by the development), directly related to the development (as the close proximity ensures that residents are likely to use these facilities) and proportionate in that the sum is based on the size of the development.

## **16. CONCLUSION**

- 16.1 The principle of the proposed development is considered to be acceptable. There are alternative locations for employment development within and in close proximity of Hyde, including sites protected by allocation in the UDP. The close proximity of neighbouring residential properties to the application site also presents a constraint in terms of the suitability of the site for employment use. The proposals are considered to accord with the provisions of policy E3 of the UDP as a result and in any case, the proposal would not result in the loss of a current employment site, with the established use being a snooker hall.
- 16.2 Although the existing buildings on the Mount Street frontage are considered to be non-designated heritage assets, they have been unsympathetically modified and conversion of those buildings to residential use would likely compromise the amenity of the neighbouring properties on Ridling Lane to the north east of the site. On that basis, the amended proposed development is considered to be of a design quality that would outweigh the harm resulting from the loss of the existing traditional building on the site. This assessment is also made within the context of the need to boost the supply of housing within the Borough, particularly in sustainable locations such as this.
- 16.3 The amended proposals are considered to preserve the character of the site and the surrounding area and the residential amenity of neighbouring properties. There are no objections from the statutory consultees and the proposals are considered not to result in a detrimental impact on highway safety, ecology, trees, environmental health, or in relation to any of the other material considerations.
- 16.4 In weighing up all of the material planning considerations, officers consider that the proposals accord with the relevant national and local planning policies quoted above.

## **17. RECOMMENDATION**

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

Green Space – £9,574.44 (details of the scheme to which this funding will contribute will be confirmed verbally at the Panel meeting)



Highway works - £18,447.47 towards improvements to the traffic signalling facilities in Hyde town centre

Management and maintenance of public space within the development and the surface water drainage system to be installed

and the following conditions:

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

1:1250 site location plan

Proposed site plan (drawing no. 105 Rev. 13)

Amended proposed floor plans (drawing no. 106 Rev. 8)

Amended proposed elevations plans (drawing no. 110 Rev. 9)

3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.

i) A preliminary risk assessment to determine the potential for the site to be contaminated and/or affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

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

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

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.

4. Notwithstanding any description of materials in the application and detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the building (including natural slate as the roof covering); 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 and retained as such thereafter. .

5. No development shall commence until plans at a scale of 1:10 (including cross sections and the extent of the reveal from the outer surface of the building) of the window frames to be installed within the openings of the building hereby approved have been submitted to and approved on writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.
6. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (drawing no. 105 Rev. 13), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
7. Prior to the first occupation of the dwellings hereby approved, details (including scaled elevation and location plans and details of the construction material and finish) of the boundary treatments to be fully installed as part of the development (including the means of enclosure of the refuse and cycle storage areas) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.
8. No development shall commence until such time as a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:
  - Wheel wash facilities for construction vehicles;
  - Arrangements for temporary construction access;
  - Contractor and construction worker car parking;
  - Turning facilities during the remediation and construction phases;
  - Details of on-site storage facilities;

The development shall be carried out in accordance with the approved Construction Environmental Management Plan.
9. The bin storage arrangements to serve the development hereby approved shall be implemented in accordance with the details shown the approved site plan (drawing no. 105 Rev. 13) prior to the occupation of any part of the development and shall be retained as such thereafter.
10. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:

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

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

11. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
12. 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. Foul and surface water shall be drained on separate systems and in the event of surface water draining to the public surface water sewer, details of the flow rate and means of control shall be submitted. The scheme shall include details of on-going management and maintenance of the surface water drainage system to be installed. The development shall be completed in accordance with the approved details and retained and maintained as such thereafter.
13. Prior to the first occupation of any of the dwellings hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
14. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Scheme of Investigation (WSI) submitted to and approved in writing by Tameside Planning Authority.

The WSI shall cover the following:

1. An archaeological desk based assessment.
2. A phased programme and methodology of site investigation and recording to include:
  - archaeological evaluation through trial trenching (subject to a new WSI).
  - dependent on the results from the evaluation trenches, a targeted more detailed area excavation and recording (subject to a new WSI)

3. A programme for post investigation assessment to include:
    - production of a final report on the significance of the below-ground archaeological interest.
  4. Deposition of the final report with the Greater Manchester Historic Environment Record.
  5. Dissemination of the results of the archaeological investigations commensurate with their significance.
  6. Provision for archive deposition of the report and records of the site investigation.
  7. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
15. No development shall commence until details of the mitigation measures to be employed to prevent harm to protected species during the demolition phase of the development hereby approved have been submitted to any approved in writing by the Local Planning Authority. The measures shall include timescales for when applications will be made for licences from Natural England and when the demolition works will be undertaken. The development shall be carried out in accordance with the approved details and retained as such thereafter.
  16. No demolition works, tree felling or vegetation removal shall take place during the optimum period for bat and bird nesting (March to September inclusive) unless otherwise agreed in writing with the Local Planning Authority.
  17. 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 2.4 metres 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.
  18. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
  19. No development above ground level shall commence until details of renewable energy generation measures to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the specifications of the measures to be installed and information demonstrating the extent of the energy requirements of the development that will be provided by renewable sources. The renewable energy generation measures shall be installed in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.

20. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
21. None of the dwellings hereby approved shall be occupied until details indicating that the development shall achieve Secured By Design status have been submitted to and approved in writing by the Local Planning Authority. The crime prevention measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and the development shall be retained as such thereafter.
22. The windows to be installed in the following locations as part of the development hereby approved shall be fitted with obscured glazing (to meet Pilkington level 3 in obscurity as a minimum) and shall be non-opening below 1.7 metres above the internal floor level of the room that they serve:
  - Windows serving the living/dining/kitchen areas on the northern elevations of apartments 3, 11 and 19
  - Windows serving the living/dining/kitchen areas on the northern elevations of apartments 7, 15 and 23
  - Glazing above the entrance to the building on the northern elevation.

The development shall be retained as such thereafter.

**Reasons for conditions:**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt.
3. To ensure that the site is suitable for its intended end use and to remove any unacceptable risk to people/buildings/environment from contaminated land and land stability as per paragraph 121 of the National Planning Policy Framework.
4. To ensure that the appearance of the development reflects the character of the surrounding area.
5. To ensure that the appearance of the development reflects the character of the surrounding area.
6. To ensure that the development is served by adequate parking provision.
7. To ensure that the appearance of the development reflects the character of the surrounding area.
8. To ensure that the impact of the construction phase of the development would be contained within the site and would not have a detrimental impact on highway safety or the residential amenity of neighbouring properties.

9. To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.
10. To ensure appropriate landscaping of the development.
11. To ensure that the soft landscaping scheme would be adequately maintained.
12. To secure a satisfactory system of drainage and to prevent pollution of the water environment in accordance with the National Planning Policy Framework.
13. To ensure that adequate lighting is provided to public areas and that any lighting scheme would not have an adverse impact on the biodiversity value of the Canal.
14. To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with NPPF Section 12, Paragraph 141.
15. To ensure that any risk of harm to protected species during the demolition phase of the development is appropriately mitigated.
16. In order to prevent any habitat disturbance to protected species, in accordance with the National Planning Policy Framework.
17. To ensure that the development maintains highway safety.
18. To ensure biodiversity enhancements are secured to mitigate the environmental impacts of the scheme.
19. To ensure that the reliance on non-renewable sources of energy is reduced in order for the development to meet the environmental element of the definition of sustainable development as set out in the NPPF.
20. To ensure that the residential amenity of the future occupiers of the development is preserved, in accordance with policy H10 of the Tameside UDP and the NPPF.
21. To ensure that the development is designed to minimise opportunities for crime.
22. To preserve the residential amenity of neighbouring properties.

**Application Number: 17/00963/FUL Frames Snooker Club Hyde**

**Photo 1 – view of existing buildings fronting onto Mount Street (western boundary of the site)**



**Photo 2 – view of common boundary with properties on Travis Street (south west of the site)**



**Photo 3 – view of rear elevations of properties on Ridling Lane to the north east of the site.**



**Photo 4 – view of buildings currently extending to the north eastern boundary of the site.**





**Photo 5 – view looking southwards down Mount Street from Ridling Lane**



**Photo 6 - view of buildings in the rear (eastern) part of the site – behind the Mount Street frontage**



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**Mount Street Elevation**  
1 : 100



**Car Park Elevation**  
1 : 100

Page 153



**Gable Elevation South**  
1 : 100



**Gable Elevation North**  
1 : 100

Rev	Date	Int	Description
9	08.06.18	ED	Amendments to scheme following dialogue with LPA.
8	07.06.18	ED	Amendments to scheme following dialogue with LPA.
7	21.12.17	ED	Amendments to Flat layout and materiality to elevations
6	21.11.17	ED	Amendments to scheme following client review
5	08.11.17	ED	Amendments to scheme following clients comments
4	06.11.17	ED	Amendments to scheme following client meeting.
3	26.10.17	ED	Layout amended to suit overlooking distances
2	16.10.17	ED	Third floor omitted. Floor plans amended and layout added to flats.
1	13.10.17	ED	Layout and apartment block amended



Client:  
**Armitage Construction Ltd**

Project:  
**Mount Street, Hyde**

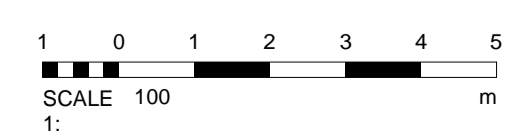
Description:  
**Proposed Elevations**

Purpose of Issue:  
**Planning**

Drawn By:	Checked By:	Date:	Scale @ A1:
ED	VJS	26/11/17	1 : 100
Job No:	Status Code:	Drawing No:	Rev:
2726	S2	110	9

File Identifier:  
**MS-BTP-09-E-DR-A-2726\_110.9**

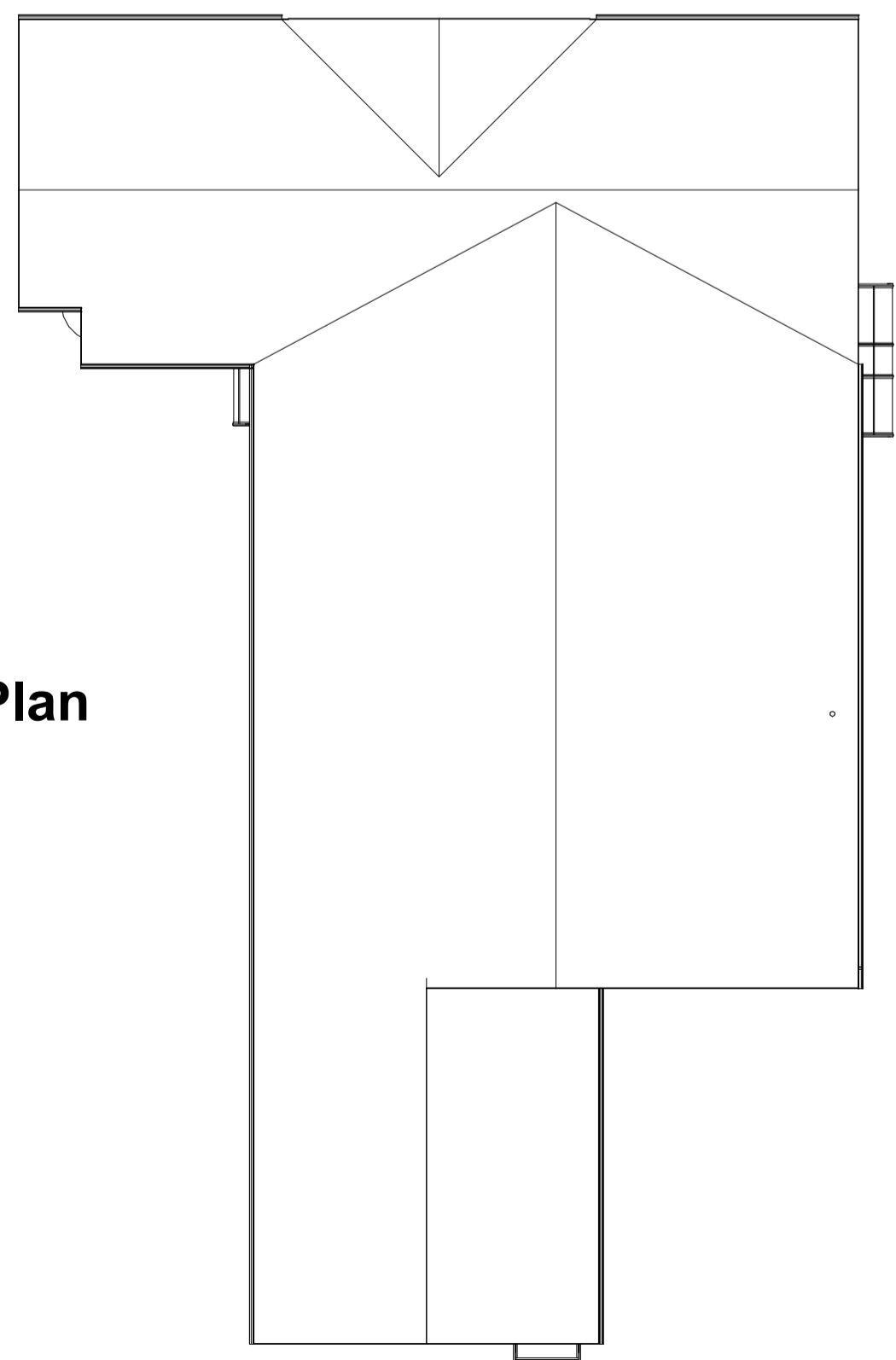
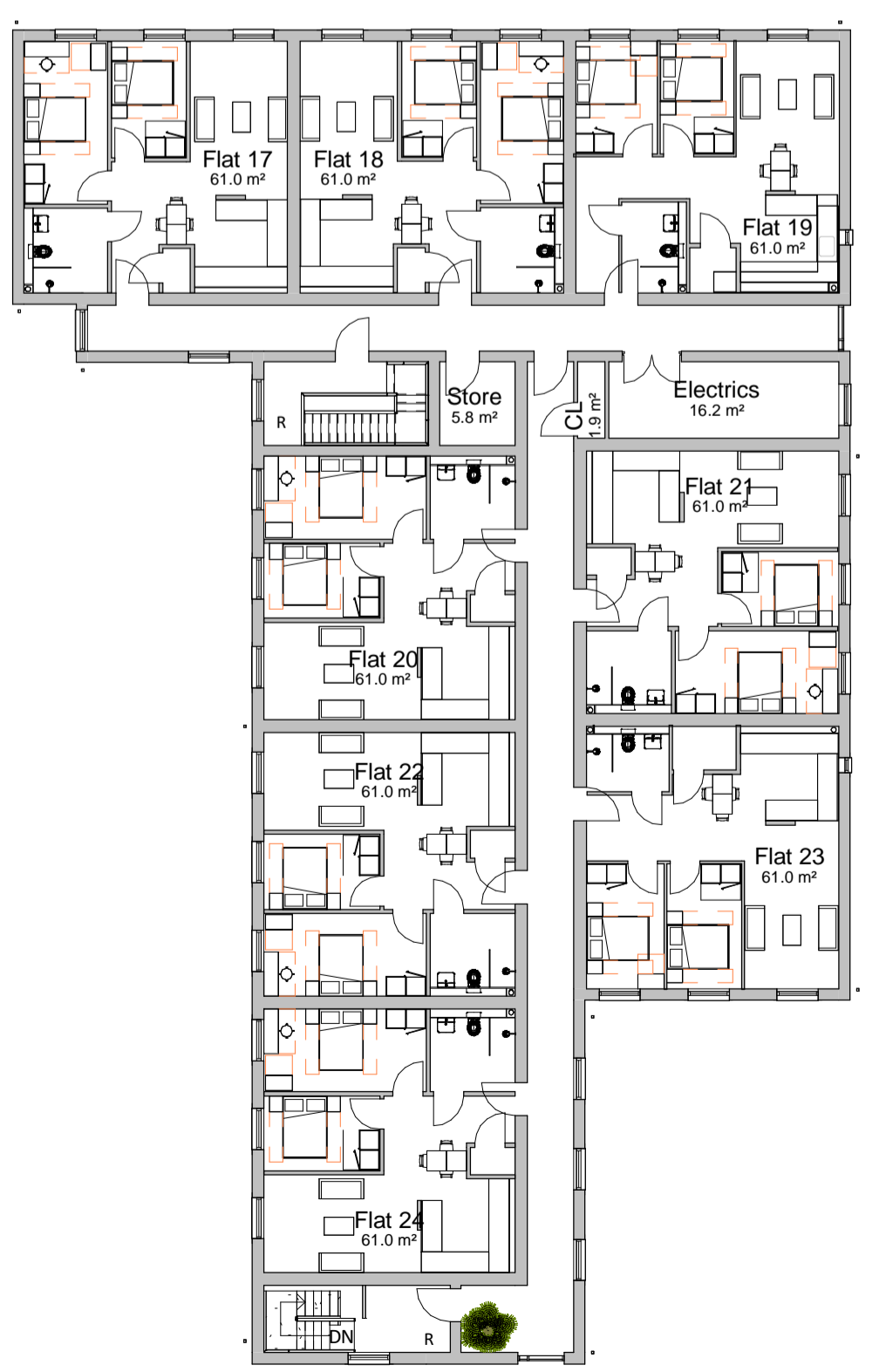
Elizabeth House, 486 Didsbury Road, Heaton Mersey, Stockport, SK4 3BS  
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3D View 1



Rev	Date	Int	Description
8	08.06.18	ED	Amendments to scheme following dialogue with LPA.
7	21.12.17	ED	Amendments to Flat layout and materiality to elevations
6	21.11.17	ED	Amendments to scheme following client review
5	08.11.17	ED	Amendments to scheme following clients comments
4	06.11.17	ED	Amendments to scheme following client meeting.
3	16.10.17	ED	Third floor omitted. Floor plans amended and layout added to flats.
2	13.10.17	ED	Layout and apartment block amended
1	23.02.17	MA	Ground Floor void space allocated to apartments.



Client:  
**Armitage Construction Ltd**

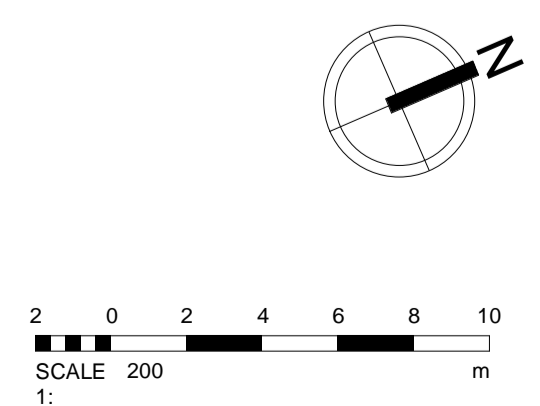
Project:  
**Mount Street, Hyde**

Description:  
**Proposed Floor Plans**

Purpose of Issue:  
**Planning**

Drawn By:	Checked By:	Date:	Scale @ A1:
PC	VS	01.07.16	1 : 200
Job No:	Status Code:	Drawing No:	Rev:
2726	S2	106	8

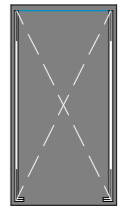
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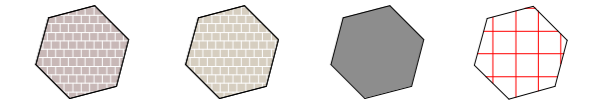
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**Key**

- F1 - New timber fence 1800mm with 300mm high trellis
- F2 - New timber fence 900mm high



2400 x 4800mm parking space



- Block Paved Drive
- Block Paved Space
- Paving
- Visibility Splay

**Schedule of Accommodation**

24 no. of 2B3P Apartments - (61m<sup>2</sup>)

Total Units: 24

24 Parking Spaces - 100% parking

Rev	Date	Int	Description
12	08.11.17	ED	Amendments made following clients comments.
11	07.11.17	ED	Amendments made to scheme following client meeting.
10	26.10.17	ED	Layout amended to suit overlooking distances
9	13.10.17	ED	Layout and apartment block amended.
8	08.12.16	MA	Layout and apartment block amended.
7	30.11.16	BLB	Unit amended.
6	28.11.16	BLB	Layout revised in conjunction with planner's comments.
5	01.11.16	BLB	Layout revised in accordance with client's comments.
4	27.10.16	VS	Layout revised to improve privacy distances
3	25.10.16	MA	Layout amended to increase privacy distances to surrounding properties. Apartment areas increased to 61m <sup>2</sup> .
2	14.10.16	MA	Layout amended in line with revised edge plan. 100% car parking provision indicated.
1	06/10/16	BLB	Amendments made in conjunction with the client's comments received 04/10/16.



Client:  
**Armitage Construction Ltd**

Project:  
**Old Snooker Club, Mount Street**

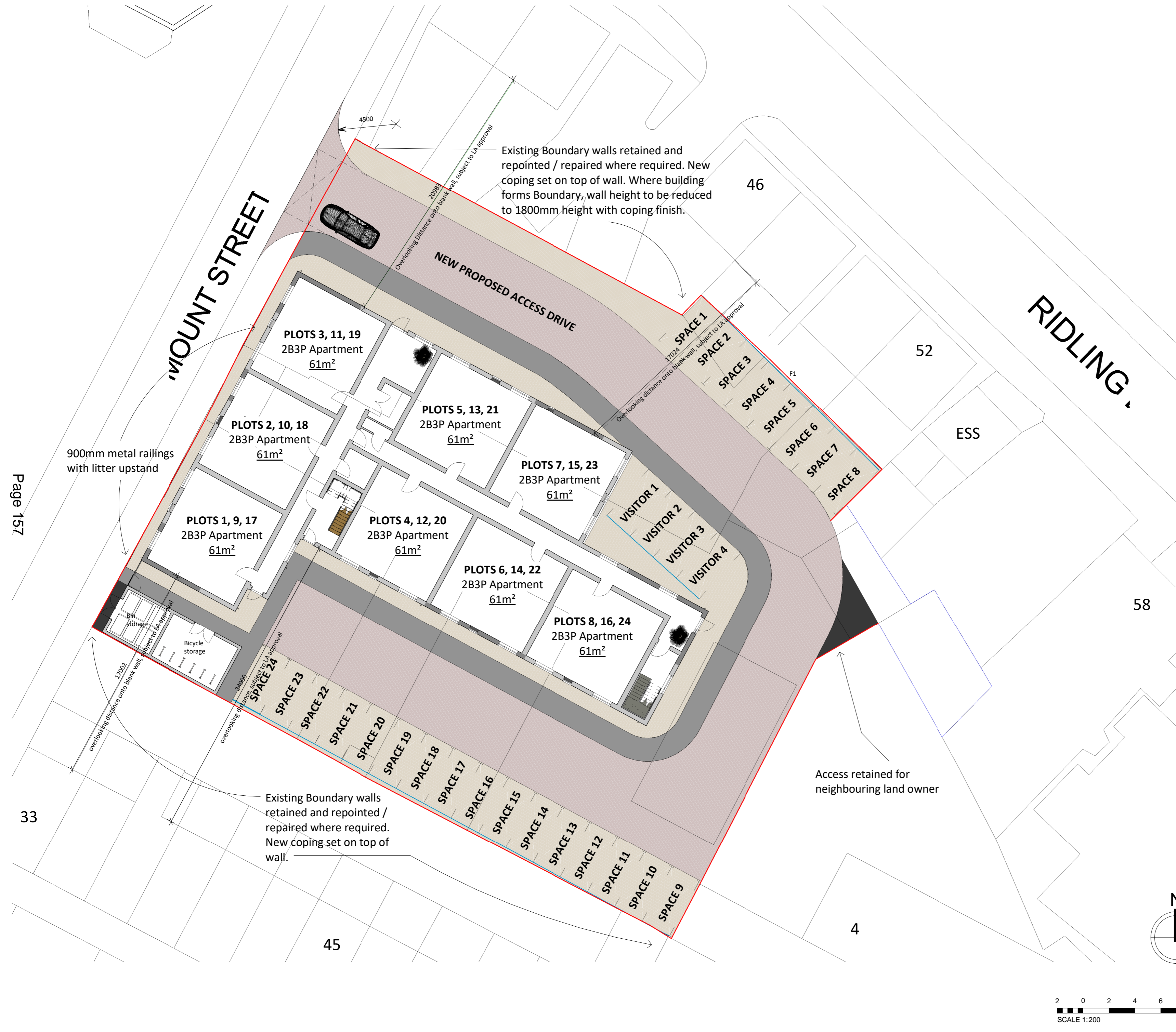
Description:  
**Proposed Site Plan**

Purpose of Issue:

**Planning**

Drawn By:	Checked By:	Date:	Scale @ A2:
BLB	VJS	03/10/17	1 : 200
Job No:	Status Code:	Drawing No:	Rev:
2726	S2	105	12

File Identifier:  
**MS-BTP-00-SP-DR-A-2726\_105.12**

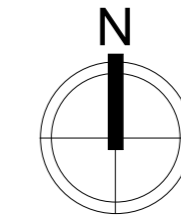


Existing Boundary walls retained and repointed / repaired where required. New coping set on top of wall. Where building forms Boundary, wall height to be reduced to 1800mm height with coping finish.

Existing Boundary walls retained and repointed / repaired where required. New coping set on top of wall.

Access retained for neighbouring land owner

900mm metal railings with litter upstand



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**Application Number** 18/00004/FUL

**Proposal** The removal of 9 existing garages to be replaced with 2 semi-detached houses.

**Site** Land with Garages, Primrose Crescent, Hyde

**Applicant** DAY

**Recommendation** Approve, 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 demolish and remove existing garages and to redevelop the site to provide a pair of semi-detached houses. The proposed houses would be 2-storey and brick-built, and would utilise the roof space, including rear dormers, to provide additional accommodation. The houses would be gabled at the sides. Both houses would have rear gardens and a small area of private amenity space in front
- 1.2 Each house would be provided with a discrete car parking space within the site.

### 2. SITE & SURROUNDINGS

- 2.1 The site is located in an established residential area in the Gee Cross area of Hyde. Houses in the locality are typically 2-storey and semi-detached although there are a number of bungalows, both semi-detached and detached, on the approach to the site along Primrose Crescent.
- 2.2 The site slopes from south to north and from west to east. There is currently a row of 9 garages along the site's northern boundary. The garages are wholly dilapidated, many without roofs and in a state of collapse.
- 2.3 Access to the site is taken from a single carriageway track off Primrose Crescent. The site then adjoins the curtilages of neighbouring houses on all four sides with the track passing through a gap between the houses to the east and south. Because of the slopes in the land the houses to the east and south are at a higher level whilst those to the north and west are at a lower level.

### 3. RELEVANT PLANNING POLICIES

#### 3.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated

#### 3.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.5: Following the Principles of Sustainable Development.
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

### 3.3 **Part 2 Policies**

- H2: Unallocated Sites.
- H10: Detailed Design of Housing Developments.
- T1: Highway Improvement and Traffic Management
- T10: Parking
- C1: Townscape and Urban Form.
- MW11: Contaminated Land.

### 3.4 **Other Policies**

Residential Design Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

### 3.5 **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

### 3.6 **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.

## 4. **PUBLICITY CARRIED OUT**

- 4.1 The application has been advertised by means of neighbour notification letters dispatched on 26 February 2018 to 22 addresses in Primrose Crescent, Greengate and Paddock Road. Neighbours were re-notified on 31 May 2018 following the plans being amended.

## 5. **RESPONSES FROM CONSULTEES**

- 5.1 The Head of Environmental Services (Highways) has raised no objections to the proposal and has suggested that conditions requiring the provision of parking spaces and a highways survey, and a note regarding postal addresses, be attached to any permission.
- 5.2 The Head of Environmental Services (Public Protection) has no objection to the proposal and suggested that condition a restricting the hours of demolition and construction work be attached to any permission.

5.3 United Utilities has no objection to the proposal, subject to foul water draining to the public sewer and surface water draining in the most sustainable way.

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

6.1 Representations were received from 9 neighbours in response to notification of the original proposals. Of these 8 were objections. The reasons given for objecting are:

- the development will result in have an over-bearing impact on existing houses resulting in over-looking and loss of light and privacy and this will be exacerbated by existing houses being at a lower level;
- the development will obscure views from existing houses;
- there is a history of subsidence on the site and this may be exacerbated, and existing garden fences may be undermined, by the development;
- construction vehicles would cause disturbance and damage and likely obstruction due to the narrowness of the access road
- hazards during the demolition of the garages, including asbestos removal, and disturbance during the period of construction
- the removal of the garages will expose the rear gardens of existing houses causing security issues
- that the design of the houses is out-of-keeping with the vernacular; and,
- inadequate parking would be provided leading to increased on-street parking and its attendant hazards.

6.2 One of the neighbours who has objected has requested that a decision on the application be deferred to a subsequent meeting of the Panel so that they can attend and speak in objection.

6.3 The other representation was in support of the proposal which would address the dereliction of the site and contribute to the borough's housing stock.

6.4 Neighbours were re-notified following receipt of the first amended proposals and 7 further representations were received. Of these 6 were objections, 5 being from neighbours who objected previously. The reasons for objecting previously were reiterated and fresh objections regarding:

- the resurfacing of Primrose Crescent following construction work is completed;
- the number of parking spaces having been reduced;
- that the parking spaces would face directly towards windows in a neighbouring bungalow and the disturbance this would cause by headlight glare;
- the height of the proposed houses being out-of-keeping; and,
- that the submitted plans are inaccurate.

## **7. ANALYSIS**

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

- 1) the principle of the development
- 2) the impact on existing residential amenities
- 3) the design and appearance of the proposed houses
- 4) the residential environment that would be created
- 5) the impact on highways and parking

## **8. PRINCIPLE OF DEVELOPMENT**

8.1 Relating to unallocated land in an established residential area and constituting the redevelopment of a brownfield, or previously-developed site, the proposal is inherently a sustainable development and so the principle is considered acceptable and compliant with the core principles and Section 6 of the NPPF and policy 1.5 of the UDP.

## **9. RESIDENTIAL AMENITY**

- 9.1 In order to provide a level floorplate in the proposed houses land on the site would be excavated and the level generally lowered. According to drawings provided by the applicant, due to these earthworks, the land the new houses would be built on would stand approximately 0.4m higher than the land on which the neighbouring houses to the north (numbers 31 – 33 Primrose Crescent) are built, and approximately 0.8m lower than the land on which the neighbouring house to the south (number 15 Primrose Crescent) is built. The ridge of the roofs of the new houses would then rise for approximately 0.7m above those of the houses to the north and be approximately 0.3m lower than that of the neighbouring house to the south.
- 9.2 There would be a distance of approximately 18m between the gable of the new houses facing towards the rear of the neighbouring houses to the north, and approximately 15m to a 2-storey extension on the rear of number 33 Primrose Crescent. There would be a distance of approximately 24m between the back of the new houses and neighbouring houses at the nearest of the neighbouring houses at the rear in Greengate.
- 9.3 In order to prevent undue over-shadowing and over-looking of neighbouring properties the SPD requires that minimum distances, measured from habitable room windows, be maintained. Whilst there are habitable room windows that would face towards the new houses in the rear of the neighbouring houses to the north there are none in the neighbouring houses to the south or in Greengate to the west, nor would there be any in the side of the new house facing towards the neighbours to the north.
- 9.4 The SPD requires that a minimum distance of 14m be maintained between habitable room windows and a 2-storey wall containing no habitable room windows. This distance increases by 3m for every additional storey. Although utilising the roofspace to provide accommodation, the proposed new houses would be 2-storey. The separation distance of approximately 18m from the rear of the neighbouring houses to the north is therefore considered adequate to prevent any undue over-looking or over-shadowing of these neighbours and compliant with UDP policy H10 (d) and SPD policy RD5.

## **10. DESIGN AND APPEARANCE**

10.1 There is no distinct vernacular beyond the nearby buildings being predominantly 2-storey, although there are bungalows also, and brick-built. The proposed houses would be of a traditional design and appearance, and would be brick-built with tiled roofs, which would not appear out-of-keeping the setting within the established residential area. The dormers would be situated centrally within the roof plane and other windows would be constructed with heads and sills. The proposed houses would not appear out-of-keeping in their setting within the established residential area and so, not causing undue harm to the local area, the proposal is considered acceptable in terms of the details and compliant with: Sections 6 and 7 of the NPPF; policies H9 (d), H10 (a) and C1 of the UDP: and, policy RD2 of the SPD.

## **11. RESIDENTIAL ENVIRONMENT CREATED**

11.1 The proposed layout provides for an adequate garden for both of the new houses and with a useable internal area each of approximately 98sqm provides adequate living space. In these respects it is considered that the proposal is acceptable and compliant with policy H10 (a) of the UDP and RD18 of the SPD.

## **12. HIGHWAYS AND PARKING**

12.1 One discrete parking space is proposed for each of the houses. The highway terminates immediately in front of the houses would so serves no others and any on-street parking that may ensue here would not impact on existing householders.

12.2 There would be a distance of approximately 32m between the new parking spaces and the facing bungalows. The parking spaces would not face directly towards the bungalows and there would be the garage of a neighbouring house at least partially in between. It is therefore considered that any headlight glare would not be unduly intrusive.

12.3 Having been consulted on the application the Head of Environmental Services (Highways) has raised no objection and so in these circumstances it is considered that the impact on the local highway network would not be severely detrimental and so the proposal is compliant with Section 4 of NPPF and policies H10 (b), T1 and T10 of the UDP.

## **13. OTHER ISSUES**

13.1 With regard to the other issues raised by objectors:-

- Views from existing houses are not safeguarded and, given that the proposed development satisfies the required spacing standards, not a material consideration in determining the application;
- No evidence has been presented to substantiate that there is a history of subsidence on the site and this is not in an area known to be affected by a legacy of mining. Any undermining of existing structures would be a civil matter that would have to be resolved by the parties concerned.
- Whilst there is bound to be some disturbance during the period of demolition and construction the removal of hazardous substances, if there are any, is controlled by other

legislative requirements, and it is recommended that any permission be conditional, among other things, upon a restriction on the hours of work so as to provide a reasonable safeguard against disturbance.

- Any obstruction of the public highway and its making good should any damage occur during the period of construction are again matters governed by other legislative requirements and so not material to the consideration of the application.
- despite the loss of the garages, which provide some physical barrier to the rear gardens of neighbouring houses, the introduction of an active use with appropriate boundary treatments will likely improve security.
- So far as can be ascertained, the submitted plans are accurate where these appertain to the proposed development.

## **14. CONCLUSION**

- 14.1 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.

## **15. RECOMMENDATION**

Grant planning permission subject to the following conditions:

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

the Location Plan, ref. AL-03-001 A, received on 17.04.2018;

the Proposed Elevations, ref. AE-20-001 B, received on 24.05.2018

the Site Plan, ref. AL-20-001 B, and Proposed Floorplans, ref. AL-20-002 B, received on 15.06.2018; and

the Site Sections, ref. AS-20-001 C, received on 08.06.2018.

3. 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.

4. No development shall take place unless and until full details of the treatments to the site's boundaries have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with such approval.
5. 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.
6. 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.
7. The car parking facilities indicated on the approved plan, ref. AL-20-001 B, shall be provided prior to the first occupation of the development hereby approved and thereafter be kept available for the intended purpose at all times.
8. The boundary treatments indicated in the approved plan, ref. SK003 A, shall be provided prior to the first occupation of the development hereby approved.
9. All windows and external doors in the dwellinghouse hereby approved shall be constructed with reveals, or recesses, to a depth of at least 90mm
10. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer. No development shall commence until full details of the means by which the external hard-surfaced areas shall be drained of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall then be implemented in accordance with the approved details.

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Application Number: 18/00004/FUL

Photo 1



Photo 2



Photo 3



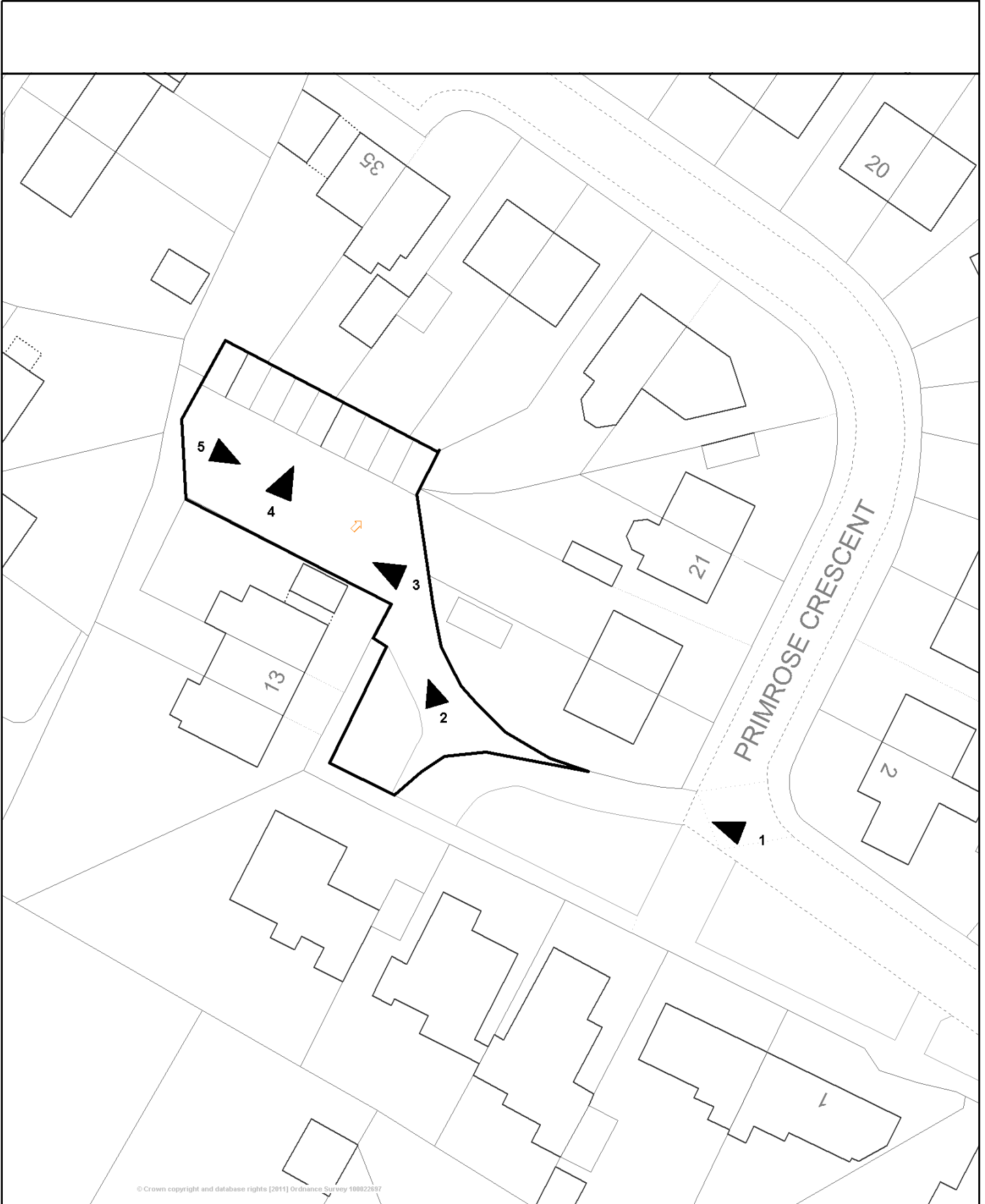
Photo 4



Photo 5



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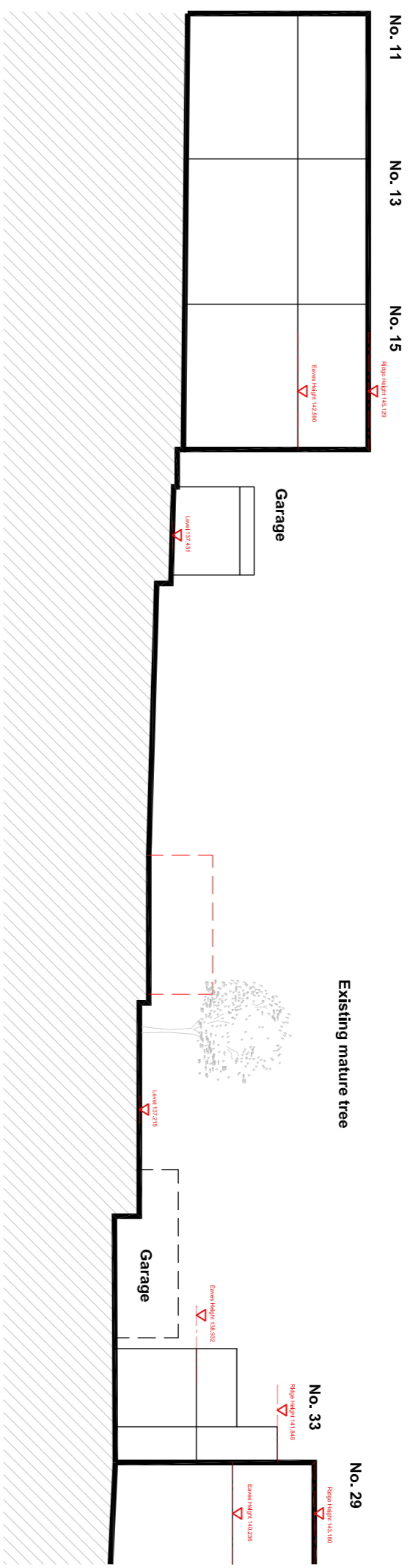


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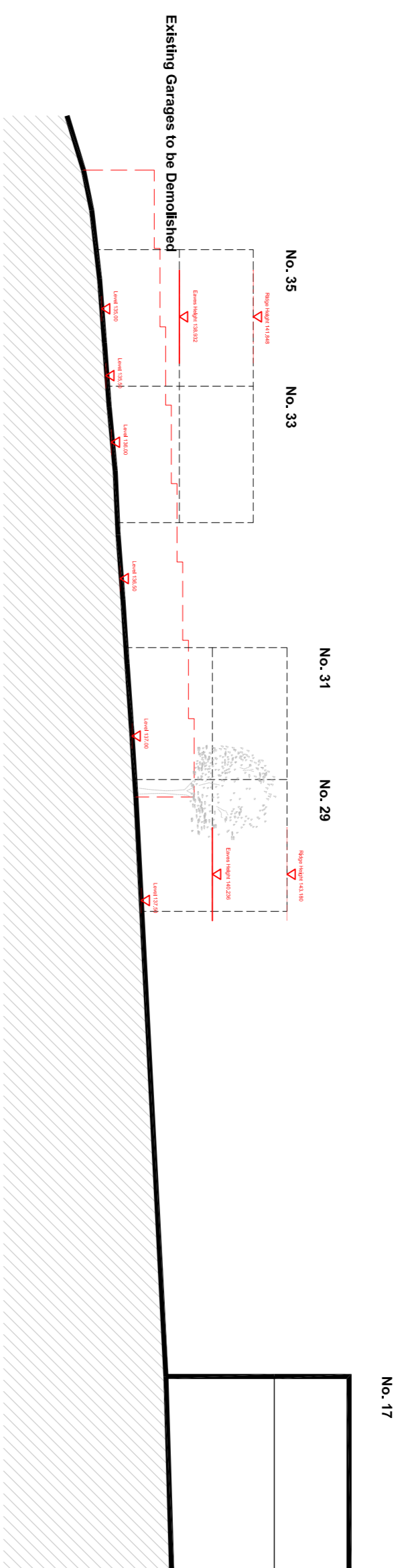
Scale 1/500 Date 16/7/2018

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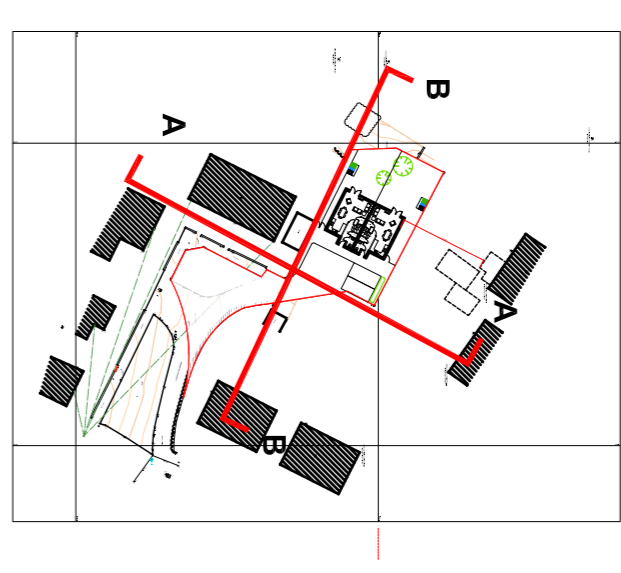
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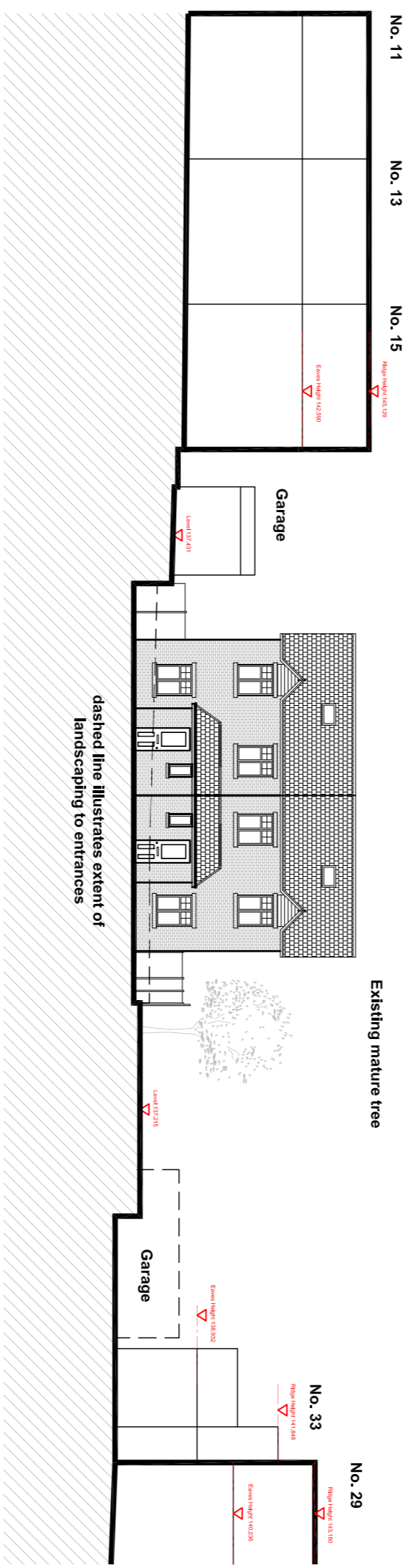
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1:200 @ A1



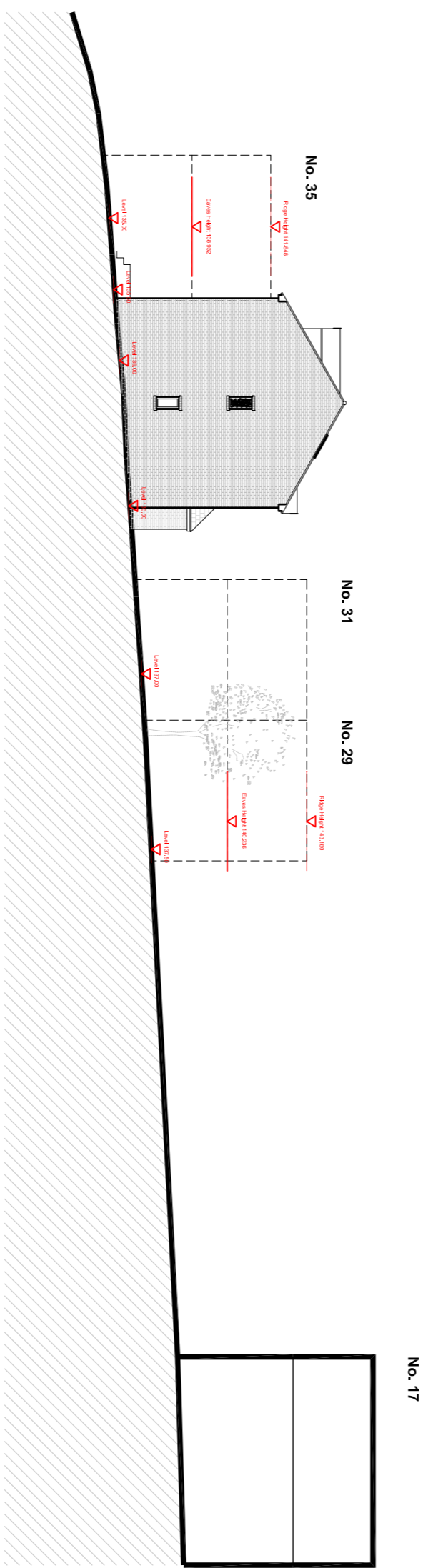
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1:200 @ A1



Kar-Ban  
1:1250 @ A1



Proposed Section A-A  
1:200 @ A1



Proposed Section B-B  
1:200 @ A1

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**DRAWING NOTES:**

REV	DATE	REVISION NOTES	DRN	CHKD
C	08.06.18	Section A-A existing and proposed amendments to annotation.	JN	
B	22.05.18	Amended to Planners comments.	JN	
A	19.04.18	Height Indicators	JS	
Ø	17.04.18	Issued for information.	JN	

**CLIENT**  
My Mint Homes Ltd

**PROJECT**  
Primrose Crescent, Gae Cross

**DRAWING**  
Site Sections  
Existing and Proposed

SCALE	1:200	PAPER SIZE	A1
DATE	17.04.18	DRAWN BY	JN
PROJECT No.	602-18	DWG No.	AS-20-001
DRAWING STATUS	INFO-RMATION	CHECKED BY	C

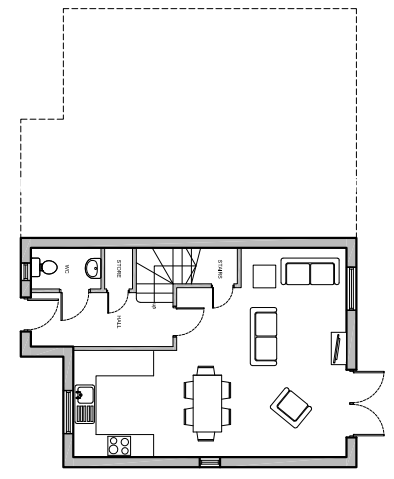
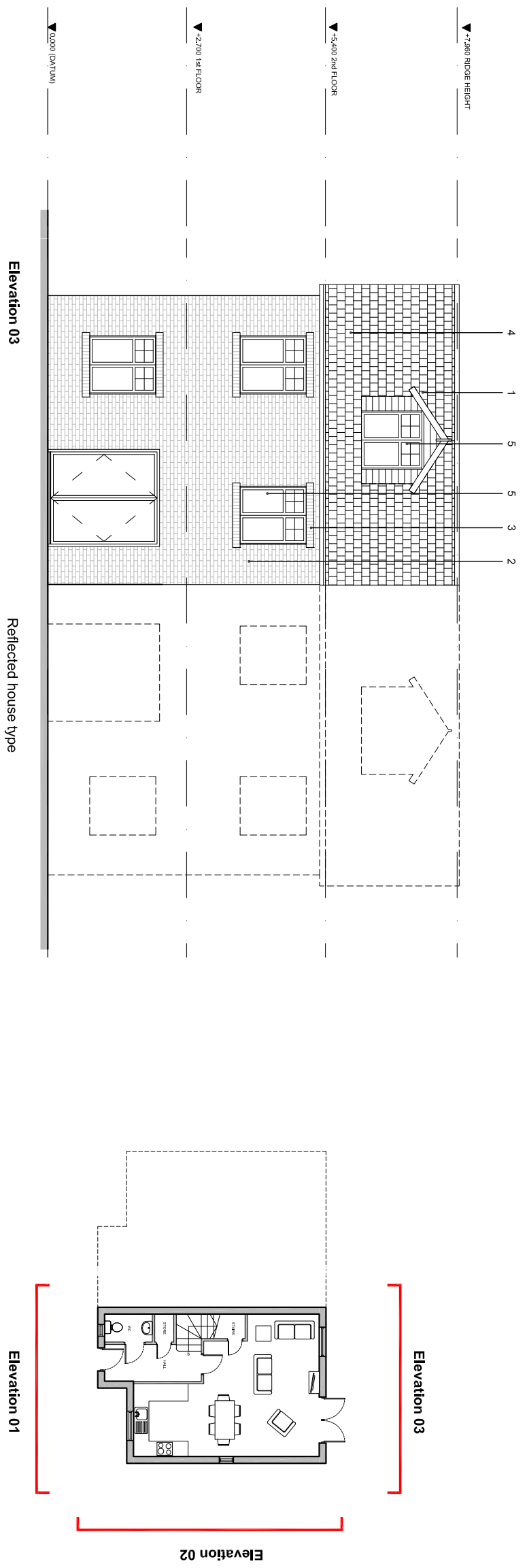
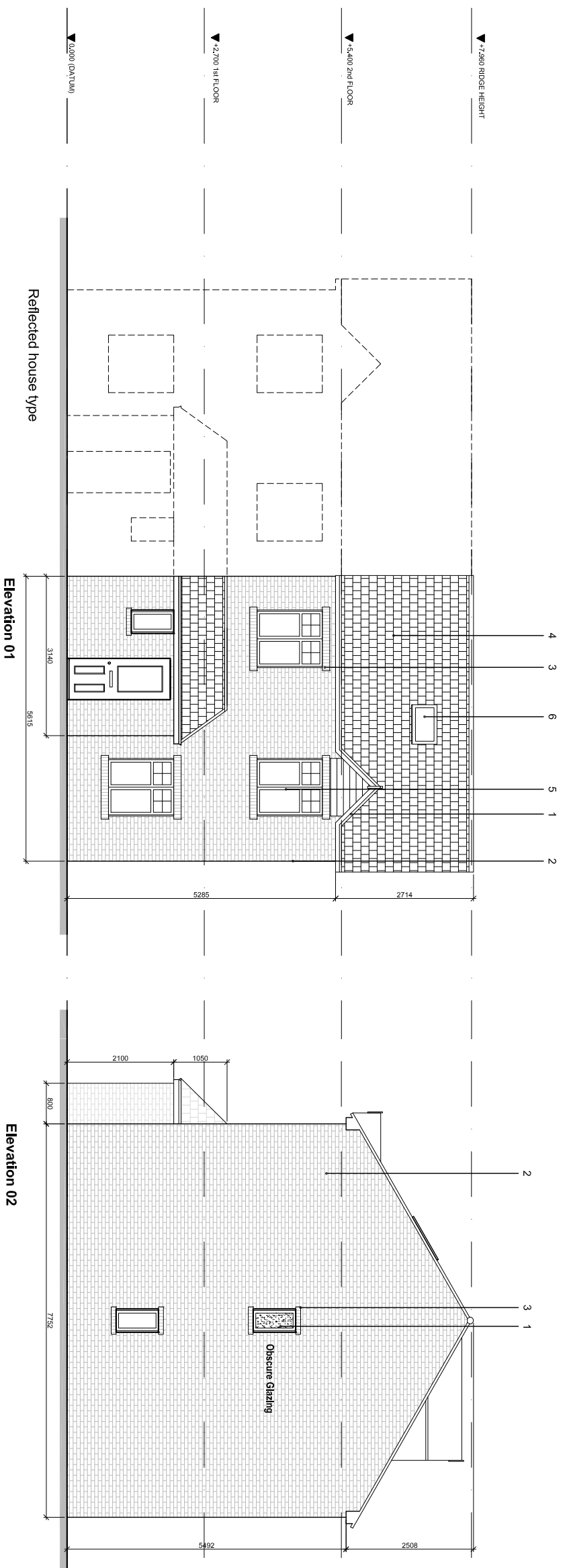
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**DRAWING NOTES:**

**Material Key**

- Fascia Board
- Red Brick
- Soldier Course Brick
- Roof Tile
- PVC Window
- Roof Light

REV	DATE	REVISION NOTES	DRN	CHKD
B	22.05.18	Amended to Planners comments.	JN	
A	02.01.18	Dimensions included, Paper size and scale corrected.	JN	
0	20.12.17	Issued for Planning.	JS	

<b>CLIENT</b> My Mint Homes Limited	
<b>PROJECT</b> Primrose Crescent, Hyde	<b>DRAWING</b> Proposed Elevations

<b>SCALE</b> 1:100	<b>PAPER SIZE</b> A3
<b>DATE</b> 20.12.17	<b>DRAWN BY</b> JS
<b>PROJECT No.</b> 602-17	<b>DWG No.</b> AE-20-001
<b>DRAWING STATUS</b> PLANNING	<b>CHECKED BY</b> OH
	<b>REVISION</b> B

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Proposed Site Plan  
1:200 @ A1

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REV	DATE	REVISION NOTES	DRN	CHKD
B	21.03.18	House type amended to be 450mm narrower. Dimension to neighbouring property included.	JN	...
A	17.04.18	Boundary Amendments.	JN	...
0	20.12.17	Issued for Planning.	JS	...

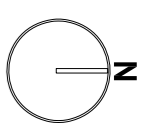
<b>CLIENT</b> My Mint Homes Limited	
<b>PROJECT</b> Primrose Crescent, Gas Cross	<b>DRN</b> JN JS

<b>DRAWING</b> Proposed Site Plan	
<b>SCALE</b> 1:200	<b>PAPER SIZE</b> A1
<b>DATE</b> 20.12.17	<b>DRAWN BY</b> JS
<b>PROJECT No.</b> 602-17	<b>CHECKED BY</b> GH
<b>DWG No.</b> AL-20-001	<b>REVISION</b> B
<b>DRAWING STATUS</b> PLANNING	

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**Application Number** 18/00017/PLCOND

<b>Proposal</b>	Application for minor material amendment to approved planning application 15/00063/FUL. Variation to condition no.2 (Approved Plans) to allow alterations to the design, siting, landscaping and mass of the approved development for the erection of 24 no. two bedroom apartments within a 3 storey block with accommodation within the roof space.
<b>Site</b>	Site of Former Conservative Social Club, Vernon Street, Ashton
<b>Applicant</b>	Olive Property Construction North Limited
<b>Recommendation</b>	Grant a Minor Material Amendment subject to conditions and completion of a deed of variation to the original section 106 agreement.
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes a major development.

## 1. APPLICATION DESCRIPTION

- 1.1 The application has been submitted as a minor material amendment to approved planning application 15/00063/FUL a development of 24 apartments within a single 3 storey block.
- 1.2 The application seeks to amend condition no.2 (Approved Plans) of the extant planning permission. The justification for this is to address discrepancies within the approved documents which relate to the siting and landscaping of the site. In addition the proposals seek to revisit the external design and fenestration of the approved block. To clarify the scale, quantum and access would remain unchanged from that of the details previously approved.
- 1.3 The application has been accompanied with the following documents in support of the planning application:
  - Design and Access Statement
  - Covering Letter /Statement
  - Landscaping Masterplan
  - Full Plans Package
- 1.4 The applicants supporting statement confirms that the maximum heights of the building has been retained. The most significant changes would be to the roofline, fenestration and materials of the development.
- 1.5 As a major planning application the site extant application was subject to a section 106 agreement securing approx. £37k towards off site Green Space and Highways improvements. Members are advised that a deed of variation would be required to the completed agreement should they be minded to approve the application.

## 2. SITE & SURROUNDINGS

- 2.1 The application site is located off Vernon Street, a short un-adopted road off Kings Road. The site is rectangular in shape and covers an area of approximately 0.38ha in area. It was formerly occupied by a social club which has since been demolished although the foundation slab is however still visible. The site is covered with self-set vegetation in addition to a number of mature trees to the boundaries. The site is secured by a gated entrance but is prone to fly-tipping.

- 2.2 The site is bounded by residential properties Ladbrooke Road (south), Kings Road (East), Hilton Crescent (North) and Ladbrooke Close (West). These are predominately two storey brick built terraces.

### **3. PLANNING HISTORY**

- 3.1 15/00063/FUL - Erection of 24 no. two bedroom apartments in one 3 storey block with means of access, refuse storage, landscaping and parking provision – Approved subject to a section 106 agreement 28.02.2017. This application remains extant.
- 3.2 Prior to the above approval there had been three applications for residential development at the site, these had been refused with two also being dismissed at appeal.
- 3.3 05/00697/OUT – Outline (including details of access and layout) application for erection of 24 Apartments – Refused at Speakers Panel 19.10.2005. Decision was subsequently allowed at appeal.

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

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation**  
Strategic Employment Development Site
- 4.4 **Part 1 Policies**  
1.3: Creating a Cleaner and Greener Environment;  
1.4: Providing More Choice and Quality Homes;  
1.5: Following the Principles of Sustainable Development;  
1.6: Securing Urban Regeneration;  
1.12: Ensuring an Accessible, Safe and Healthy Environment;
- 4.5 **Part 2 Policies**  
H4: Type, Size and Affordability of Dwellings;  
H7: Mixed Use and Density;  
H10: Detailed Design of Housing Developments;  
C1: Townscape and Urban Form  
N4: Trees and Woodland;  
N5: Trees Within Development Sites;  
MW11: Contaminated Land  
T1: Highway Improvement and Traffic Management;  
T7: Cycling;  
T10: Parking;  
T11: Travel Plans;  
U3: Water Services for Developments;  
U4: Flood Prevention;  
U5: Energy Efficiency.
- 4.6 **Other Policies**  
Trees and Landscaping on Development Sites Supplementary Planning Document  
Residential Design Guide

- 4.7 **National Planning Policy Framework (NPPF)**  
Section 1 Delivering sustainable development  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 8 Promoting healthy communities  
Section 11: Conserving and enhancing the natural environment

4.8 **Planning Practice Guidance (PPG)**

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

**5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.
- 5.2 Local residents were notified in writing on the 22<sup>nd</sup> May 2018.
- 5.3 A press notice was published on the 31<sup>st</sup> May 2018
- 5.4 A site notice was erected on the 1<sup>st</sup> June 2018 on a lamppost opposite the site entrance.

**6. RESPONSES FROM CONSULTEES**

- 6.1 Local Highway Authority – No objections to the proposals subject to the provisions of the previous recommended conditions.
- 6.2 Environmental Health Officer – No objections
- 6.3 Tree Officer – Approximately 6 low to medium value trees are to be removed but this is adequately mitigated by the replacement of 8 trees of suitable species.
- 6.4 Coal Authority – Proposal falls outside the defined Development High Risk Area. Therefore a Coal Mining Risk Assessment is not necessary for this proposal and no objections area raised.

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

- 7.1 One letter of objection has been received the reasons for which are summarised as follows:
- Adverse impact upon residents of Ladbrooke Road with a loss of light and privacy due to scale and height of the building;
  - Increased Noise pollution during construction period;
  - Congestion on Kings Road/ unsuitability of the site access;
  - Structural Damage would occur to adjacent properties;
  - Loss of mature trees cannot me adequately mitigated;
  - Bats are present within the site;
  - Lives of Domestic Pets will be put at risk from the plant; and,
  - Onsite contamination.

## **8. ANALYSIS**

- 8.1 The Government's Planning Practice Guidance states that there is no statutory definition of a 'minor material amendment'. This is because it will be dependent on the context of the overall scheme – an amendment that is minor-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is a minor-material in order to grant an application. As a guide a minor-material amendment is not likely to include any amendment where its scale and/or nature results in a development which is not substantially different to the one which has been approved.
- 8.2 NPPG advises that; 'In deciding an application under section 73, the local planning authority must only consider the disputed condition's that are the subject of the application – it is not a complete re-consideration of the application'. The original planning permission will continue to exist.
- 8.3 Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice for the grant of planning permission under section 73 repeats the relevant conditions from the original planning permission.

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The principle of the sites redevelopment for 24 residential apartments within a three storey block has been established on the granting of planning permission 15/00063/FUL. A material start has yet to commence but the permission remains extant until its expiry on the 28<sup>th</sup> February 2020.
- 9.2 The access and parking arrangements remain unchanged and the footprint and height of the block would be directly comparative to that of the approved development. The proposal essentially relates to changes to the elevation treatment, roof design and materials palette and would not increase/alter the overall quantum of development from that approved.
- 9.3 The principle of the development is firmly established and the main issue in the assessment of the application relates to the acceptability of the design amendments.

## **10. DESIGN AND VISUAL AMENITY**

- 10.1 UDP policy H10 provides criteria to be met when considering the detail of housing developments including design which meets the needs of potential occupiers, provides an attractive, convenient and safe environment for the local community, and complements or enhances the character and appearance of the surrounding area.
- 10.2 The amendments do not significantly depart from the design parameters established on the previous planning application. The maximum heights of the building would be retained along with the siting and quantum. Essentially the concept remains unchanged with a 3 storey apartment block fronting a communal car park within landscaped grounds the siting of which exceeds recommended spacing standards to existing properties.
- 10.3 The elevations have been revisited to give a more contemporary appearance to the apartment block. The revised design takes a more rational approach with design reference to the areas industrial heritage. The main changes include the inclusion of series inverted pitched roofs to the building and an overall simplification to the materials palette to brick for the elevations, stone copings, and anthracite Grey openings. The fenestration has been



enlarged and would be set within a generous reveal to provide texture and interest to the appearance of the facades.

- 10.4 As a comparison to the extant permission the design takes a more considered approach. The elevations and materials respond more successfully to the sites context, the design exhibits more depth and character to that of the previous approval which on reflection appears somewhat monolithic. The relationship of the site to the surrounding properties means that it is largely screened from surrounding vistas, the impact upon the street scene is therefore somewhat limited. Nonetheless the amendments are considered positive in terms of how they respond to the sites constraints and the relationship to the surrounding area.
- 10.5 Having full consideration to the design merits of the revised proposals it is considered that the development would create an improved design to the extant permission. The design and form is more purposeful, it would assimilate with its surroundings and enhance the area. Overall this would create a more attractive residential environment for both future occupiers and existing residents alike. It is therefore, considered that the proposal adheres to the objectives of UDP Policies C1 and H10 which stress the importance of residential development being of an appropriate design, scale, density and layout.

## **11. RESIDENTIAL AMENITY**

- 11.1 The Design of Residential Development SPD identifies standards for new residential development. It is important that new residential developments achieve appropriate levels of amenity for proposed residents whilst not adversely affecting existing residents. This is mainly achieved by ensuring that developments adhere to inter-house spacing policy in terms of their position, scale and orientation in relation to existing properties.
- 11.2 The minimum separation distances are set out in SPD policy RD5 which also makes allowances for degree of angle, height of buildings and differences in site levels. The policy confirms a minimum separation distance between habitable room windows on two storey developments of 21 metres where habitable room windows directly overlook. Added to this should be 3 metres for every additional storey and 1 metre for every metre difference in ground level.
- 11.3 The application does not need to revisit these standards as the building would be essentially located on the same footprint. The proposed east and west elevations of the building (front and Rear) will maintain a 30m separation to the rear elevation of properties fronting Ladbrooke Close and Kings Road. The north (side) elevation of the building facing the rear elevation of Ladbrooke Road, achieves a minimum separation distance also of 25.5m. Taking into account the number of stories and difference in site levels, the proposed amendment would continue to achieve the requirements of this policy which should ensure there is no significant impact on the occupiers of neighbouring properties.

## **12. HIGHWAYS**

- 12.1 No changes are proposed to the site's access or parking arrangements or that of the internal site layout. The proposals do not raise any further issues for consideration to those of the approved development whereby there would be no changes to the number of vehicles travelling to / from the site, nor will there be a materially different car parking demand or servicing requirement. Relevant conditions were applied on the extant permission relating to the provision of the parking and access improvements, these would be carried over onto the present scheme. As such, no objections are raised to amending the extant permission and the application continues to accord with UDP Policies T1, T7 and T10.

### **13. TREES & ECOLOGY**

- 13.1 No additional trees would be removed from the site as a result of the amendments. The landscaping would not be materially different from that of the extant permission which has established the extent of tree removal and replanting. The key features of the submitted landscape plan include;
- Retention of poplar trees along the west property boundary (shared with Ladbrooke Close) and allocation of a generous root protection area;
  - Communal garden predominantly lawn to provide amenity space;
  - Low shrub planting along front building elevation and throughout car park;
  - Brick paving around building and pedestrian footpath of Vernon Street up to King Street.
- 13.2 The retention of the significant line of Poplar trees will benefit the site and area generally providing an interruption of view of the development whilst retaining an important feature of the area. It is considered the proposed development and landscape proposals will enhance both the development and character of the area and would comply with UDP policy N5.

### **14. DRAINAGE & GROUND CONDITIONS**

- 14.1 Details of the drainage design would be agreed by a planning condition. The changes do not deviate from the principles established at the site and there would be no material difference in run off area associated with the development. Likewise subject to the safeguarding of remediation measures there are no reasons why the amendments would give rise to any stability or contamination issues.

### **15. LEGAL**

- 15.1 The original consent was subject to a section 106 agreement which secured the following contributions:
- Green Space – £20,632.37 fund infrastructure improvements to King George's Park, Cedar Park and Smallshaw Fields.
  - Highways – £16,482.24 will fund new and improved cycle and pedestrian links between Ashton and Queens Road/Palace Road as part of the Ashton/Stalybridge circular route identified in Tameside Cycling Strategy Options Report.
- 15.2 A deed of variation would be required to the legal agreement. This would also ensure that the identified contributions are index linked at the point of payment. On this basis the application adequately mitigates its impacts.

### **16. CONCLUSION**

- 16.1 The amendments are of an acceptable scale which does not conflict with the principles established upon the original planning consent. The revisions to the design are positive in that the finish responds more successfully to the character and context of the local housing stock. The proposed amendments are considered to be minor in the context of the approved scheme and it is recommended that they are approved.

## 17. RECOMMENDATION

Members Resolve to grant planning permission subject to the completion of a section 106 agreement securing offsite highway improvements and the imposition of the following conditions:

Grant planning permission, subject the following conditions:

1. The development must be begun before the 28 February 2020.
2. The development shall be carried out in accordance with the following approved drawings: - Location Plan Rev B, Proposed Contextual Elevations Ref PL2, Proposed Elevations Ref PL2, Proposed Ground & First Floor Plans Ref PL2, Proposed Second Floor & Roof Plans ref PL2, Detailed planting Plan Ref D6851.002
3. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
4. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
  - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
  - ii) Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
  - iii) Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
  - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

5. Prior to construction work commencing above ground, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

6. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

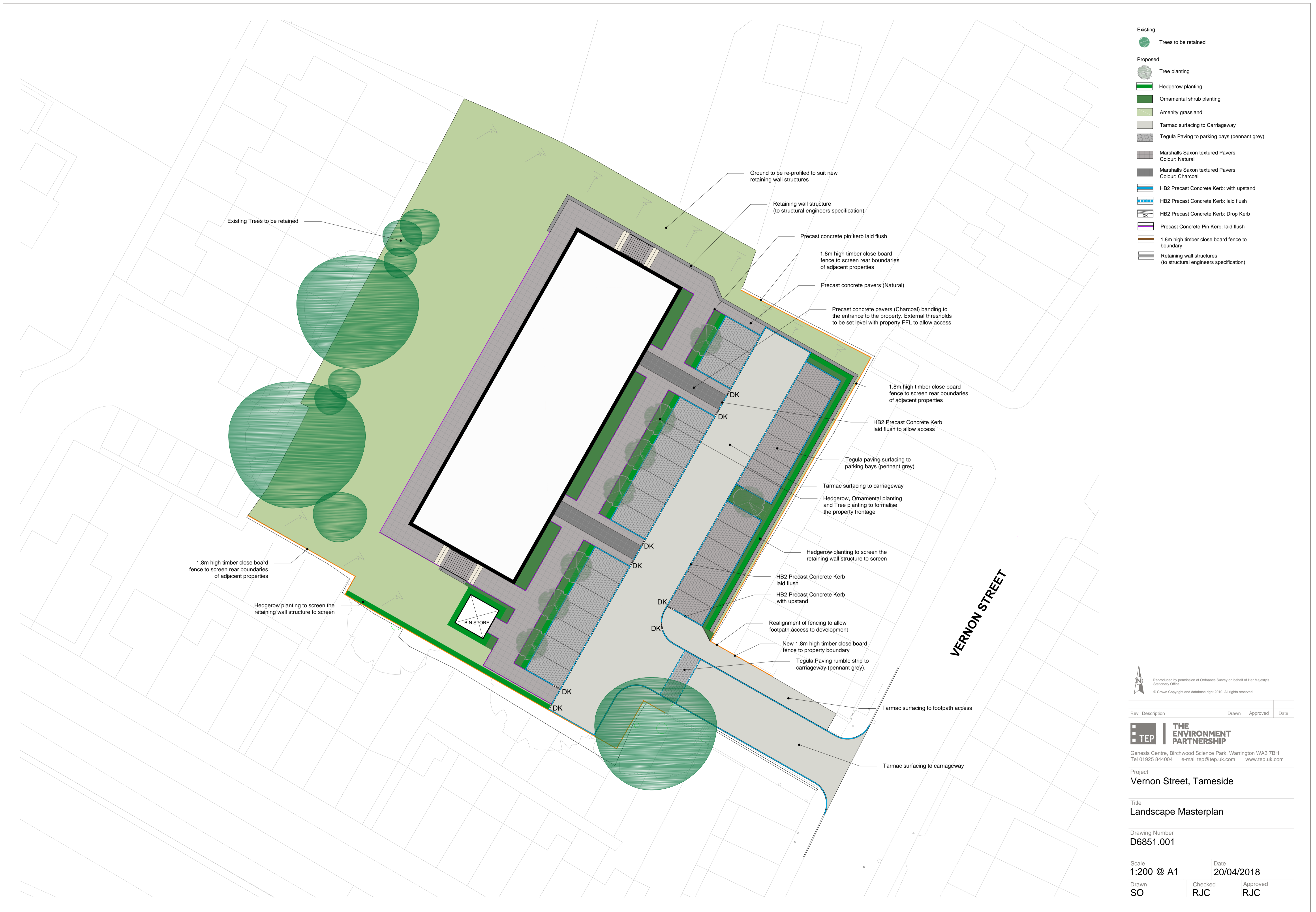
The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

7. Prior to occupation, the car parking indicated on the approved plan shall be provided and thereafter kept unobstructed and available for its intended purpose. The area shall be maintained and kept available for the parking of vehicles at all times.
8. 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.
9. Prior to occupation of the development, details of a lighting scheme to provide street lighting to the shared parking area have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed in accordance with the approved scheme prior to the occupation of the development.
10. The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to secure the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written confirmation of those measures is to be provided to the Local Planning Authority prior to the occupation of any building.
11. All trees shown as being retained on the submitted landscape plan and specifically the line of Lombardy Poplar on the northern perimeter, shall be protected to BS5837 during the development.
12. 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 agreed previously with the Local Planning Authority. 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.
13. Prior to first occupation of the development, a scheme for any television / radio aerial / satellite dish or other form of antenna shall be submitted to and approved in writing by the local planning authority. The development shall be constructed with such approved details.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or

other form of antenna shall be installed / affixed on the exterior of any building forming part of the development hereby permitted.

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- Existing**
- Trees to be retained
- Proposed**
- Tree planting
  - Hedgerow planting
  - Ornamental shrub planting
  - Amenity grassland
  - Tarmac surfacing to Carriageway
  - Tegula Paving to parking bays (pennant grey)
  - Marshall's Saxon textured Pavers Colour: Natural
  - Marshall's Saxon textured Pavers Colour: Charcoal
  - HB2 Precast Concrete Kerb: with upstand
  - HB2 Precast Concrete Kerb: laid flush
  - HB2 Precast Concrete Kerb: Drop Kerb
  - Precast Concrete Pin Kerb: laid flush
  - 1.8m high timber close board fence to boundary
  - Retaining wall structures (to structural engineers specification)

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Rev	Description	Drawn	Approved	Date

**THE ENVIRONMENT PARTNERSHIP**  
 Genesis Centre, Birchwood Science Park, Warrington WA3 7BH  
 Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project  
**Vernon Street, Tameside**

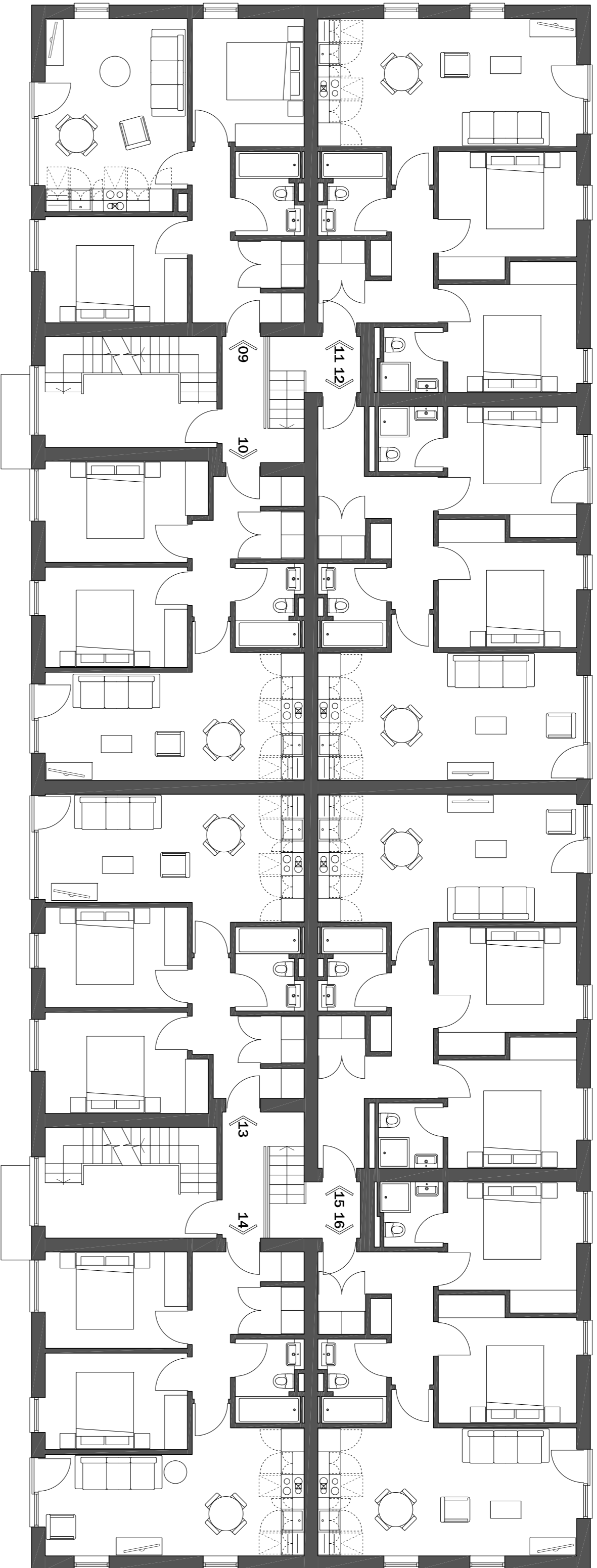
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**Landscape Masterplan**

Drawing Number  
**D6851.001**

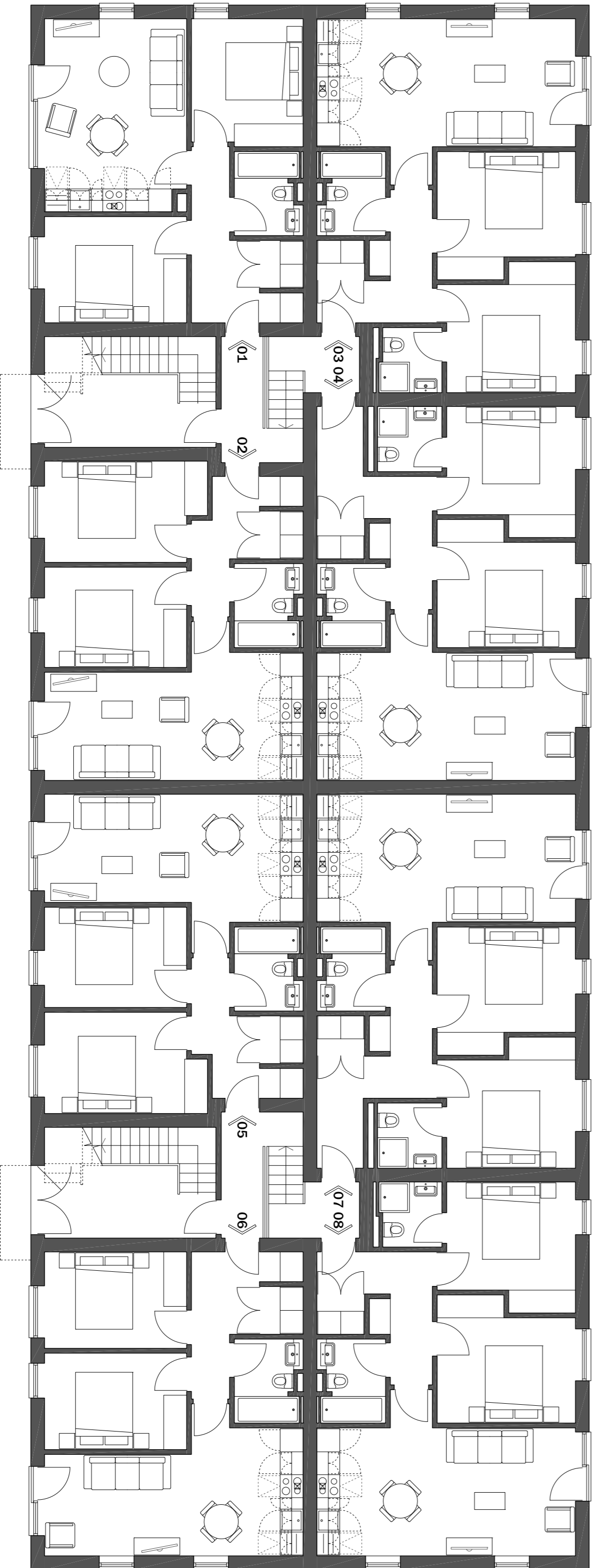
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Drawn <b>SO</b>	Checked <b>RJC</b>
	Approved <b>RJC</b>

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PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

revision date description  
 P/L1 23.02.2018 PLANNING ISSUE  
 P/L2 02.05.2018 PLANNING ISSUE

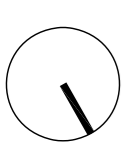
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 Contractor to check measurements on site prior to  
 commencement. Notify the Architect of any discrepancies.  
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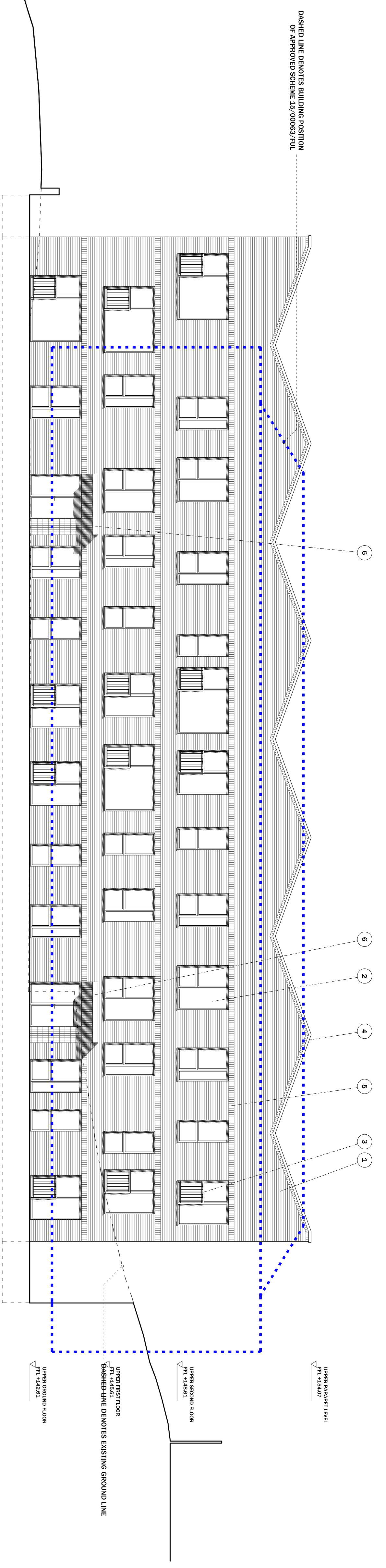
client OLIVE PROPERTY CONSTRUCTION NORTH LIMITED  
 project VACANT LAND AT VERNON STREET, ASHTON,  
 TAMESIDE

drawing PROPOSED GROUND & FIRST FLOOR PLANS  
 scale 1:100 @ A1  
 date 18.01.2018  
 revision PL2

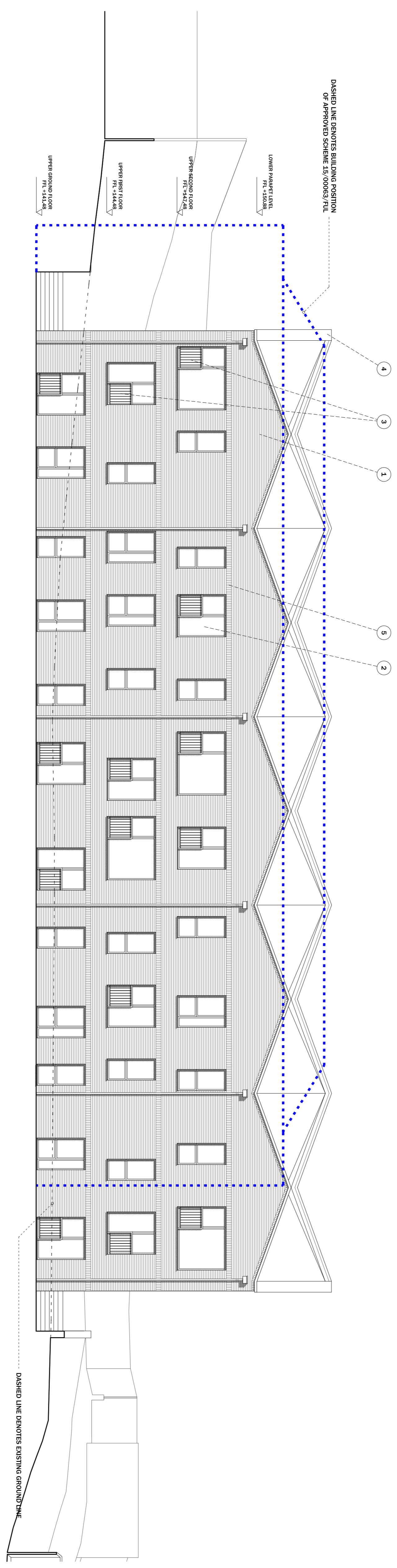
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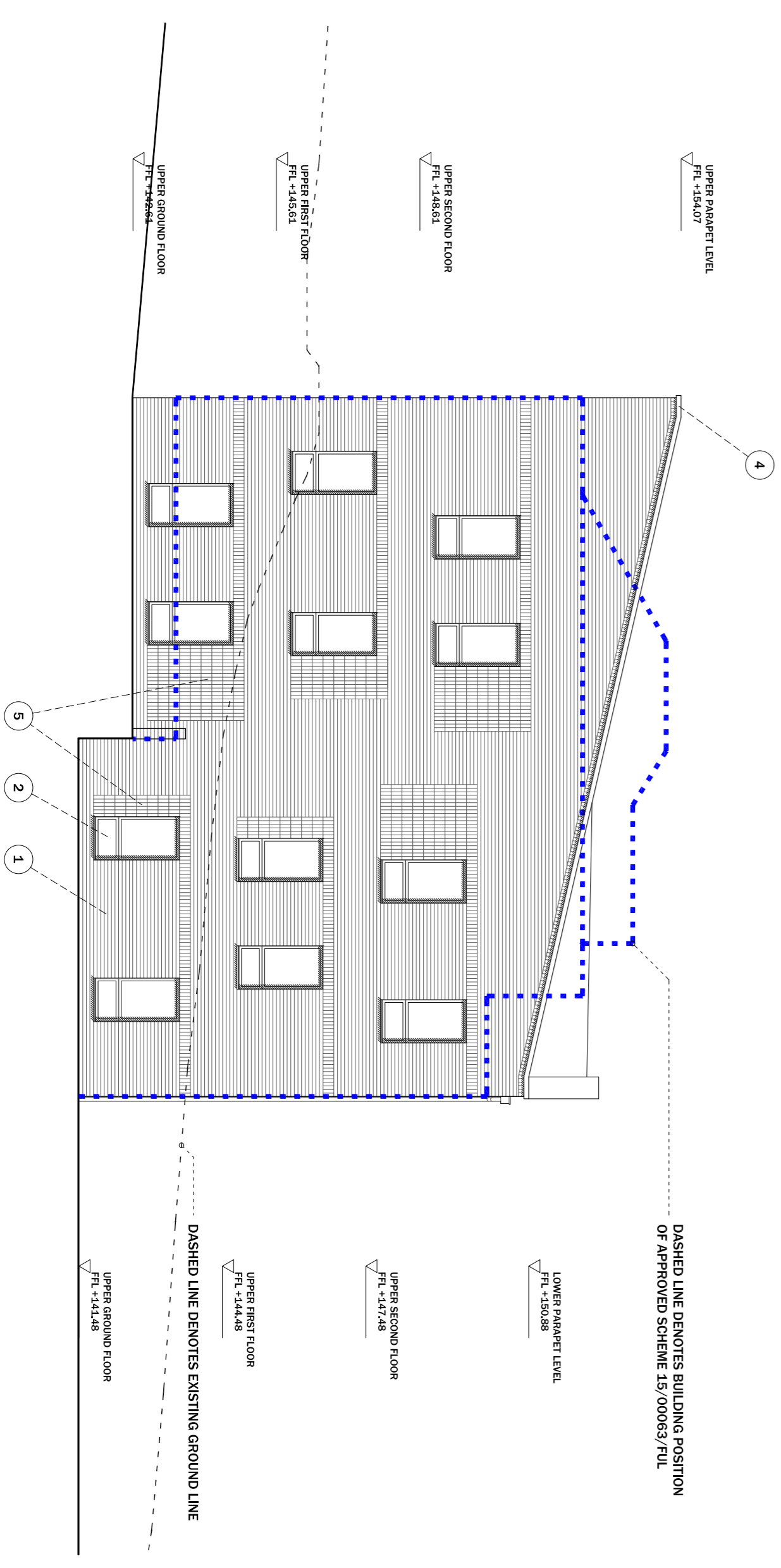
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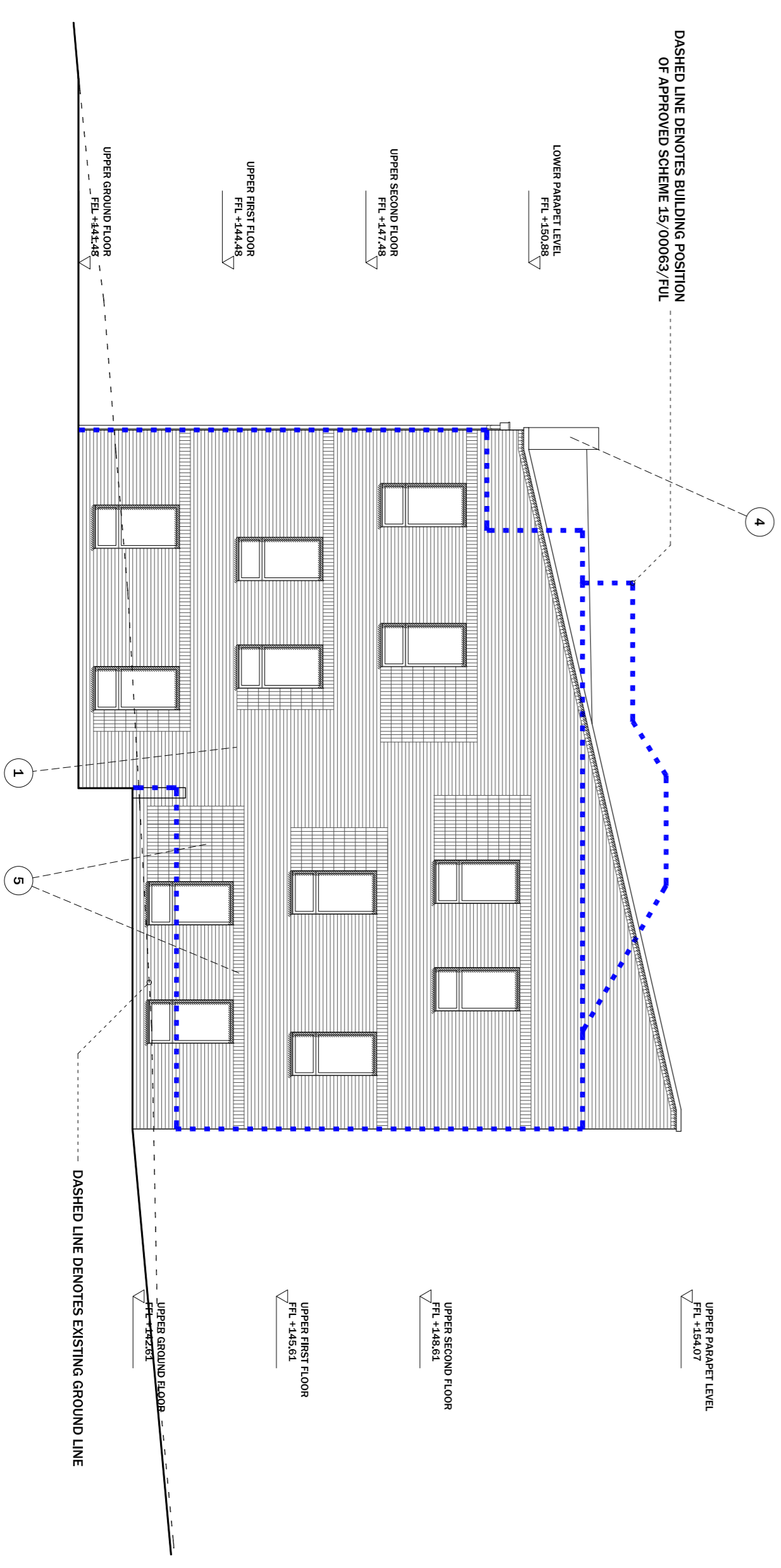
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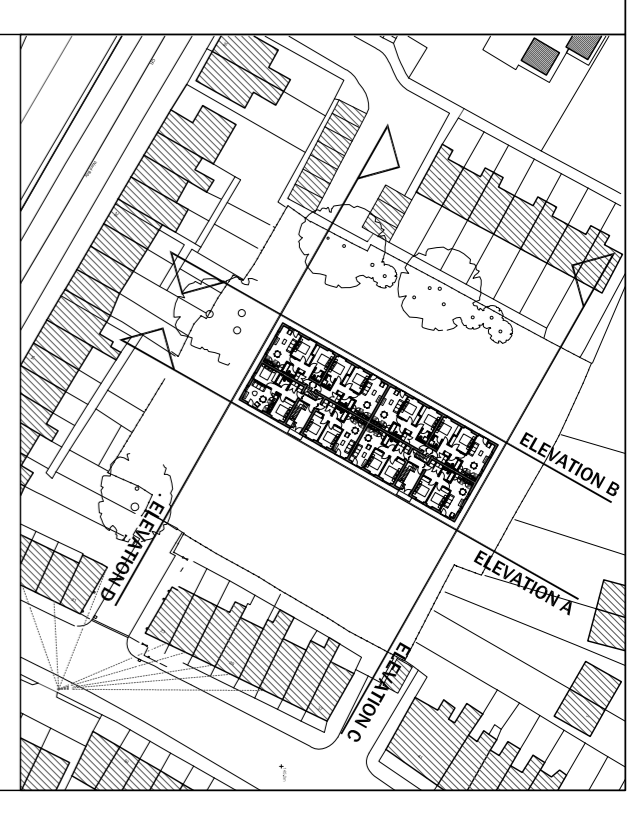
PROPOSED REAR ELEVATION B



PROPOSED NORTH EAST ELEVATION C



PROPOSED SOUTH WEST ELEVATION D



PROPOSED GROUND FLOOR KEY PLAN SCALE 1:1250

- SPECIFICATION NOTES**
1. SEAM FINISH BRONZEWORK BY BESTOCK, ALDERLEY BURGINDY (A29A7A), STEELWORK BRONZE.
  2. PROPRIETARY DOUBLE-GLAZED UPVC CASSEMENT WINDOW, COLOUR RAL 7016.
  3. BALCONY RAILINGS BY LIMITED ANODISERS, COLOUR ANODOK S45 - DARK UMBER.
  4. POWDER COATED ALUMINIUM COPING TO DETAIL, COLOUR 7016.
  5. SEAM FINISH BRONZEWORK SETSCREW SOLDIER COURSE BY BESTOCK, ALDERLEY BURGINDY (A29A7A).
  6. POWDER COATED ALUMINIUM CANOPY TO DETAIL, COLOUR 7016.

revision date description  
 P/L1 23.02.2018 PLANNING ISSUE.  
 P/L2 02.05.2018 PLANNING ISSUE.

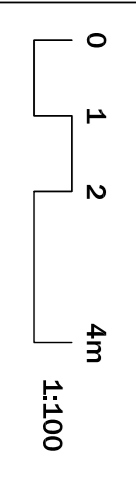
notes: Use only written dimensions. All areas are indicative. Contractor to check measurements on site prior to commencement. Notify the Architect of any discrepancies. This drawing must only be used for the purpose for which it has been supplied.  
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client: OLIVE PROPERTY CONSTRUCTION LIMITED  
 project: VACANT LAND AT VERNON STREET,  
 ASHTON-UNDER-LINE OL6 9JS  
 drawing: PROPOSED ELEVATIONS

scale: 1:100 @ A1  
 date: 18.01.2018  
 revision: P/L2

no: 269\_105



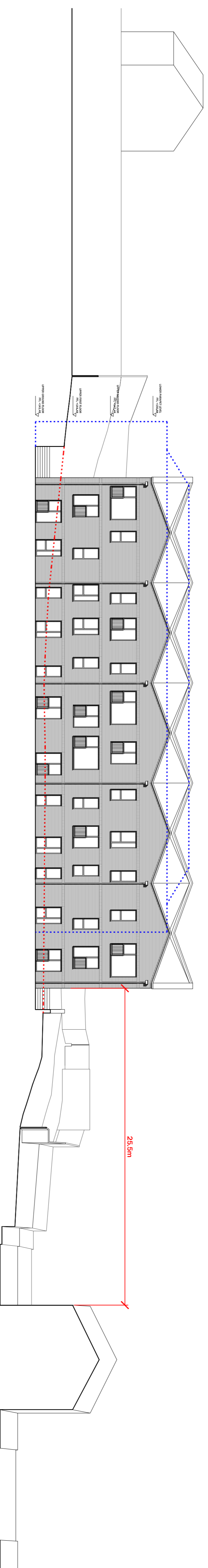
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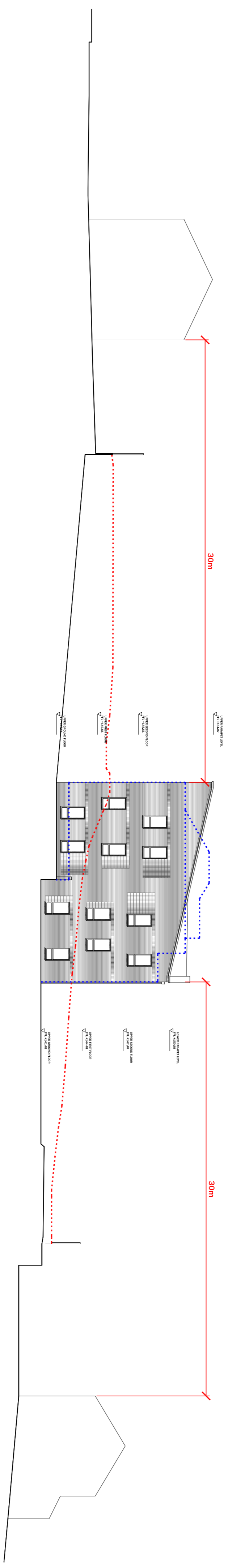
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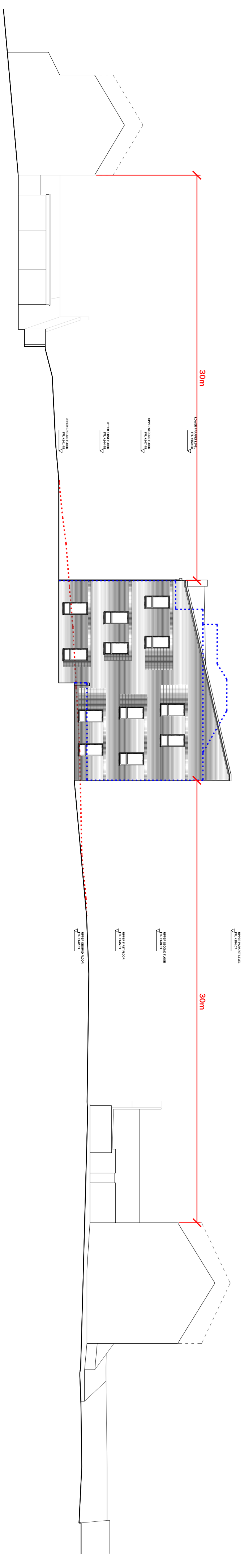
PROPOSED FRONT ELEVATION A



PROPOSED REAR ELEVATION B



PROPOSED NORTH EAST ELEVATION C



PROPOSED NORTH EAST ELEVATION D



PROPOSED GROUND FLOOR KEY PLAN  
SCALE 1:1250

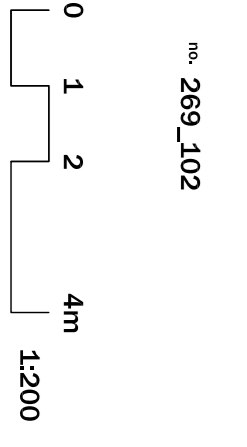
- BLUE DASHED LINE DENOTES BUILDING POSITION OF APPROVED SCHEME 15/00063/FUL
- RED DASHED LINE DENOTES EXISTING GROUND LINE

revision	date	description
A	13.02.2018	BUILDING SET-OUT REVISED IN ACCORDANCE WITH CLIENT COMMENTS.
PL1	23.02.2018	PLANNING ISSUE.
PL2	02.05.2018	PLANNING ISSUE.

notes: Use only written dimensions. All areas are indicative. Contractor to check measurements on site prior to commencement. Notify the Architect of any discrepancies. This drawing must only be used for the purpose for which it has been supplied.  
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client: OLIVE PROPERTY CONSTRUCTION NORTH LIMITED  
project: VACANT LAND AT VERNON STREET, ASHTON, TAMESIDE  
drawing: PROPOSED CONTEXTUAL ELEVATIONS  
scale: 1:200 @ A1  
date: 18.01.2018  
revision: PL2



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**Application Number** 18/00142/FUL

**Proposal** Construction of steel arched building to be used as storage.

**Site** Tameside Transmissions, Albert Street, Droylsden

**Applicant** Mr S Halligan, Tameside Transmissions

**Recommendation** Approve, 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 develop a fourth building, to be used for storage purposes, within the applicant's existing site. Initially, a larger building was proposed and this would have occupied a significant portion of the southern part of the site and be built close up to the rear boundary fences of the gardens of the houses abutting the site's eastern boundary. The plans were amended during the process of dealing with the application and now it is proposed that the new building would be located on the southern side of an existing building on the site's western boundary where currently two storage containers are located, one on top of the other.
- 1.2 The proposed building would be constructed from galvanised steel panels, as is the existing building next to which it would be located. The new building would be approximately: 15m wide, fronting in to the site; 11m deep, protruding slightly further in to the site than does the existing building; and, 6.4m tall, approximately 1.5m taller than the existing building.
- 1.3 Three existing containers would be retained and relocated to the southern part of the site.
- 1.4 Car parking would then be rationalised in to a linear arrangement along the site's eastern boundary.

### 2. SITE & SURROUNDINGS

- 2.1 Situated approximately 120m to the east of Droylsden town centre, Tameside Transmissions, comprising a car repair workshop and storage unit with external car parking, occupies an approximately 0.25ha site, at the end of Albert Street, which is a no-through road, off Market Street. Access and egress to the site are from the end of Albert Street, which adjoins the site midway along the western boundary. The site is bounded by Dunkirk Street to the north, across which are terraced houses. Residential curtilages abut the site to the east. To south the site abuts a car park that serves a neighbouring 2-storey block of flats in Baguley Street. To the west: north of the access point, the site adjoins the curtilage of a church; and, south of the access point, a car park serving neighbouring commercial units. The mixed, surrounding uses reflect the edge of centre location.

- 2.2 The site currently accommodates three discrete buildings. The largest of the existing buildings is located in the northern-most portion of the site and backs on to Dunkirk Street. Next to this, a second building (building 2), runs parallel with the western boundary, north of the access point. The third building (building 3) is also located alongside the western boundary, immediately to the south of the site entrance.

### **3. RELEVANT PLANNING HISTORY**

- 3.1 07/00543/FUL - Erection of industrial building (Retrospective Application) - approved 28/08/2007 (building 3)
- 3.2 16/01024/FUL - Construction of steel arched building to be used as a vehicle repair workshop - approved 23/12/2016 (building 2)

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

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

Unallocated

#### **4.2 Part 1 Policies**

Policy 1.1: Capturing Quality Jobs for Tameside People.  
Policy 1.3: Creating a Cleaner and Greener Environment.  
Policy 1.5: Following the Principles of Sustainable Development  
Policy 1.12: Ensuring an Accessible, Safe and Healthy Environment.

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

E5: Local Employment Opportunities and Mixed Uses  
E6: Detailed Design of Employment Developments.  
MW11: Contaminated Land.

#### **4.4 Other Policies**

Employment Land Supplementary Planning Document.

It is not considered there are any local finance considerations that are material to the application.

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

Achieving sustainable development;  
Section 1. Building a strong, competitive economy  
Section 4. Promoting sustainable transport  
Section 7. Requiring good design

#### **4.6 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 The application has been advertised by means of neighbour notification letters dispatched on 13 March 2018 to 19 addresses in Dunkirk Street, Albert Street and Lines Road. Neighbours were re-notified on 13 April 2018 and again on 18 June following the plans being amended

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

- 6.1 The Head of Environmental Services (Public Protection) has no objection to the proposal and suggested that condition a restricting the hours of construction work be attached to any permission.
- 6.2 The Head of Environmental Services (Highways) has raised no objections to the proposal

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

- 7.1 Representations were received from 7 neighbours in response to notification of the original proposals. Of these 5 were objections: of the other 2; 1 expressed concerns about the existing situation regarding congestion along Dunkirk Street whilst the other raised no objection so long as the use of the building was for storage purposes only.

The reasons given for objecting are:

- impact on property values;
- the size of the building being out-of-keeping and dominating the site;
- the intensification of the use of the site would exacerbate existing problems of congestion and traffic flow along Dunkirk Street, as well as causing created disturbance through increased noise; and,
- the proximity of the buildings to gardens and houses causing over-shadowing and having an over-bearing impact.

- 7.2 Neighbours were re-notified following receipt of the first amended proposals and 2 objections, and the representation regarding the existing congestion along Dunkirk Street, were reiterated.

- 7.3 Four of the neighbours that objected originally objected again following the second amendment to the plans. The reasons given for objecting are:

- the building is designed to accommodate high-sided vehicles that will then be parked alongside the fence that bounds the bottom of gardens;
- there is already insufficient room within the site to park vehicles, which then overflow in to surrounding roads;

- resulting in an increase in vehicles visiting the site the proposal will add to air pollution;
- the appearance of the building is inappropriate;
- operations within the building will cause disturbance, particularly noise;
- the building will cause a loss of light to neighbouring houses; and,
- impact on property values.

## **8. ANALYSIS**

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

- 1) The principle of development
- 2) The impact upon the residential amenity of neighbouring properties
- 3) The impact of the design and appearance of the building
- 4) The impact on highway safety

## **9. PRINCIPLE OF DEVELOPMENT**

9.1 A key theme of the UDP is that attracting new, quality jobs into the Borough and securing the future of major existing employers must continue to be the priority, to offset expected further losses in mature industries and to diversify opportunities for local people. Flexibility to accommodate local employment initiatives, will contribute to this priority. To this end, according to UDP policy 1.1:

To counteract a continuing decline in the Borough's established employment base and to increase the earnings potential of work in the area, measures will be taken to create and maintain a healthy and diverse local economy and to attract quality jobs. ... This will include ... facilitating the retention of indigenous and expanding businesses.

9.2 With this aim UDP policy E5 states that:

The Council will permit developments ... which contribute to innovation, growth and diversity in the economy and generate local employment opportunities in areas of the Borough outside the "strategic employment sites" and "established employment areas" ... This is subject to the nature of the employment activities and the layout and design of any scheme not having an adverse effect on the amenities of surrounding residential areas or creating traffic problems.

9.3 The proposal would support the creation of at least 2 new full-time jobs and facilitate the retention and expansion of an existing indigenous business and so the proposal, on the unallocated site, can be considered acceptable and compliant with UDP policies 1.1 and E5, subject appraisal of the likely impact on existing residential amenities and highways issues. Although in an area of mixed uses, including residential, this is a long-established employment site and in this appraisal it is noteworthy that commercial operations on the site pre-date the neighbouring residential developments and the proposal does not represent the introduction of new commercial activities in to the locality where before there were none.

## **10. RESIDENTIAL AMENITY**

- 10.1 The proposed building would be located on the opposite side of the site from the neighbouring houses and be separated from the neighbouring block of flats by the car park associated with these. There would then be a distances of more than 28m between the new building and habitable room windows in the nearest house, in Lines Road, and of approximately 30m between the new building and habitable room windows in the flats at Medlock Place in Baguley Street. The new building would stand more than 6m, but less than 7m, tall and so according to the SPD, to prevent undue over-shadowing of neighbouring residential properties, a minimum distance of 21m separation is required. Being compliant empirically with the SPD, the impact of the development on residential amenities in terms of over-shadowing is considered acceptable and compliant also with UDP policy E6 (d) and the core principles of the NPPF.
- 10.2 It is not anticipated that the proposed use of the building for storage purposes would give rise to any undue increase in noise emanating from the site and, indeed, having been consulted on the application, the Head of Environmental Services (Public Protection) has no objection to the proposal. The impact of the development on residential amenities in terms of noise generation is therefore considered acceptable and compliant with UDP policy E6 (d) and the core principles of the NPPF.

## **11. DESIGN AND APPEARANCE**

- 11.1 Although taller, by approximately 1.5m, than the existing building next to which it would stand, the height of the proposed building is akin to the other steel portal frame building (building 2) on the site. The general design and appearance replicates that of both of existing portal frame buildings and is of a type one might reasonably expect to find in an established commercial site. It is therefore considered that the proposed development achieves the quality of design that is required by, and is compliant with, Section 7 of the NPPF, UDP policies 1.3, E6 (b) and the SPD.

## **12. HIGHWAY SAFETY**

- 12.1 The proposed building would be used to provide storage space and so facilitate the removal of the existing stacked containers, and others, within the site. The rationalisation of the site would not only allow for its more efficient operation but also the better arrangement of car parking facilities. An existing 2.4m high, timber panel and concrete post fence along the boundary with gardens of adjacent houses would remain.
- 12.2 Having been consulted on the application the Head of Environmental Services (Highways) has raised no objection. Being designed to facilitate the improvement and rationalisation of the current operation it is not anticipated that the new building would have a significant impact on traffic generation whilst adequate internal servicing and maneuvering facilities would remain. The residual cumulative impacts of development not being severe it is considered that, in terms of the impact on the local highway network, would be acceptable and compliant with Section 4 of the NPPF and UDP policy E6 (a).

## **13. OTHER MATTERS**

- 13.1 The issue raised by objectors about a possible impact on property prices is not a material consideration in determining the application.

## **14. CONCLUSION**

- 14.1 In conclusion, the proposal would support and facilitate the retention of an existing business within the borough without impinging unduly on any existing residential amenities and so, being considered compliant with Section 1 of the NPPF and policy 1.1 of the UDP, as well as other relevant policies, the recommendation is for approval.

## **15. RECOMMENDATION**

Grant planning permission subject to the following conditions:

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

The Location Plan, ref. 8117/Lpb, received on 30.03.2018

The General Arrangement Plan, ref. 8117/01 rev. E, received on 15.06.2018.

3. The materials to be used in the construction of the external surfaces of the building hereby approved shall match as closely as is practicable the corresponding materials in the existing steel arched buildings within the site.
4. 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 Council's 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.
5. During construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
6. The car parking facilities indicated shall be provided prior to the building hereby approved being first brought in to use and thereafter be kept available for the intended purpose at all times.
7. The existing close-boarded timber fence, or equivalent, at the boundary with houses in Lines Road, as indicated on the approved plan ref. 8117/01 rev. E, shall be maintained at all times.
8. The storage use hereby permitted shall be used only in association with, or ancillary to, the principle B2 use of the site.

Application Number: 18/00142/FUL

Photo 1



Photo 2



Photo 3



Photo 4







48

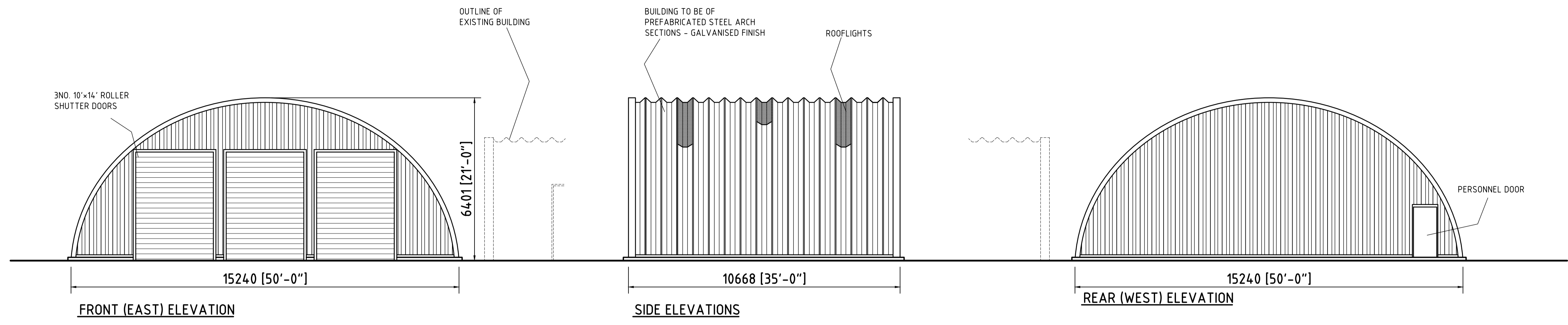
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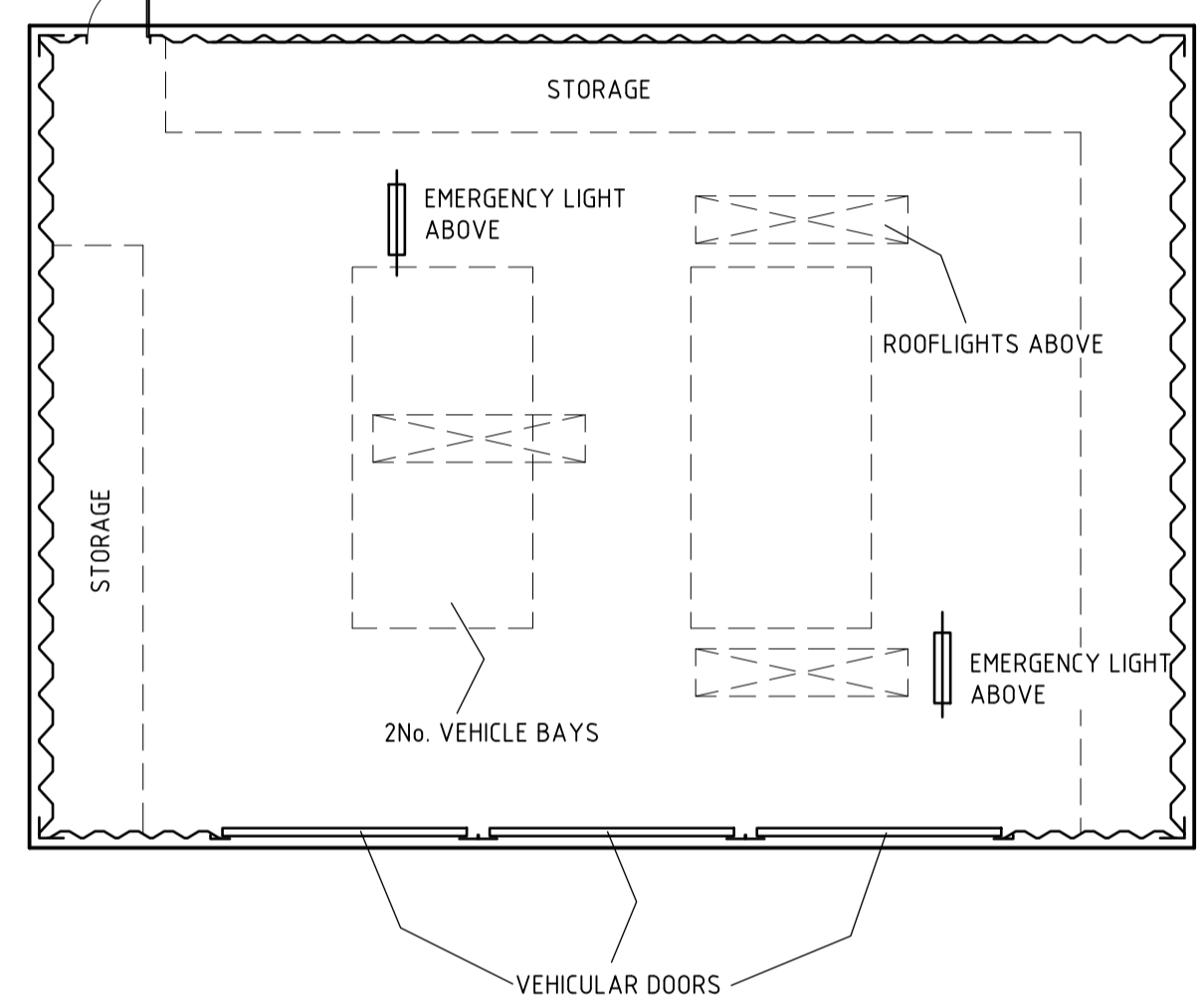
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**NOTES**

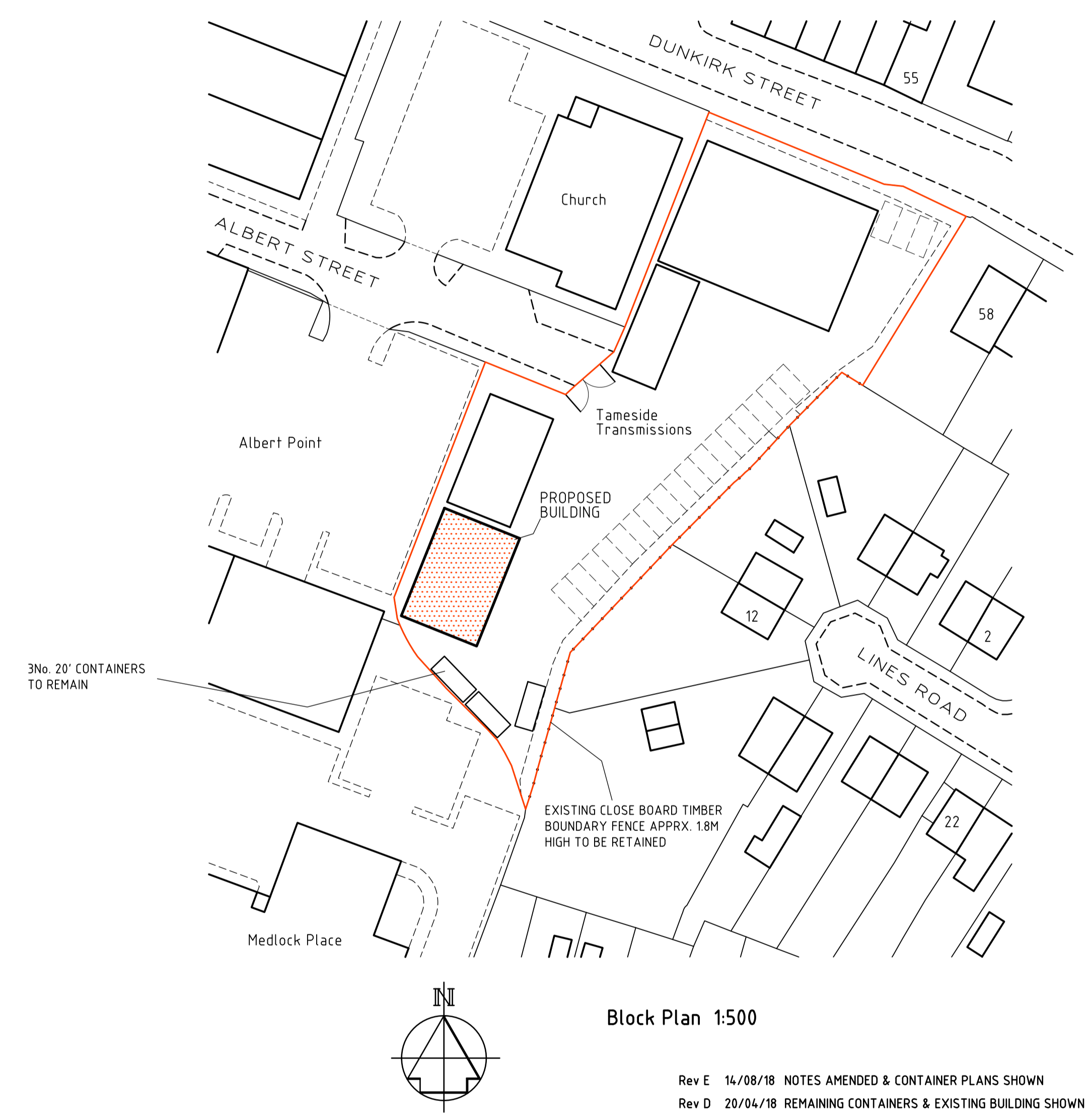
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2. THIS PROJECT IS SUBJECT TO C.D.M LEGISLATION. A PLANNING SUPERVISOR SHOULD BE APPOINTED BY THE CLIENT.
3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE ASSOCIATED PETER WADE CONSULTANCY DRAWINGS AS LISTED ON THE DRAWING ISSUE REGISTER. RECIPIENTS OF ALL DRAWINGS ARE TO ENSURE THAT THEY ARE WORKING TO CURRENT REVISIONS OF ALL DRAWINGS AND THAT THE REVISION HAS BEEN APPROVED FOR CONSTRUCTION BEFORE WORKS COMMENCE.
4. ALL WORKS TO COMPLY WITH PETER WADE CONSULTANCY CONDITIONS WHERE APPLICABLE.
5. PLEASE NOTE THAT ANY DEVIATION FROM THIS DRAWING MAY INVALIDATE STATUTORY APPROVALS AND WILL INVALIDATE PI INSURANCE.
6. ALL WORKS TO BE TO THE SATISFACTION OF THE BUILDING INSPECTOR. ANY CHANGES TO BE NOTIFIED TO PWC IN ADVANCE OF CARRYING OUT THE WORK.



FIRE EXIT WITH PANIC BAR OPENER AND LEVEL THRESHOLD



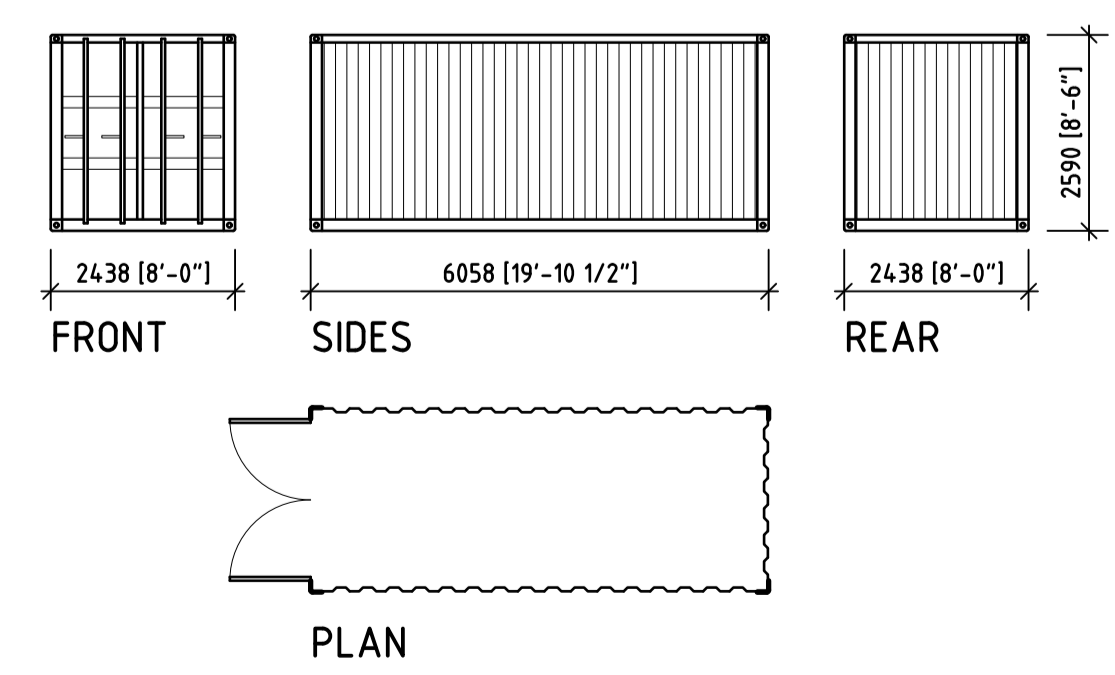
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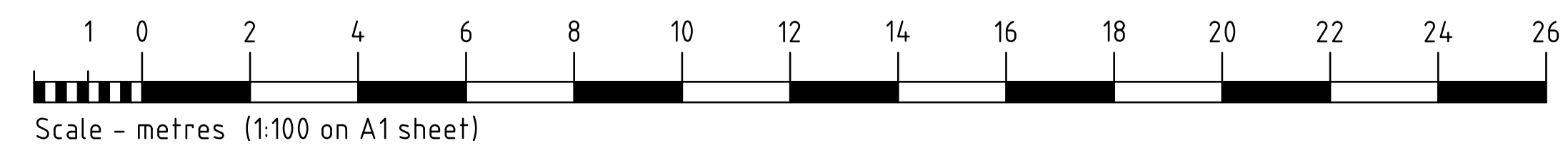
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- |       |          |  |    |
|-------|----------|--|----|
| Rev E | 14/08/18 | NOTES AMENDED & CONTAINER PLANS SHOWN          | RS |
| Rev D | 20/04/18 | REMAINING CONTAINERS & EXISTING BUILDING SHOWN | RS |
| Rev C | 30/03/18 | BUILDING REDUCED IN SIZE AND LOCATION ADJUSTED | RS |
| Rev B | 29/03/18 | BUILDING RELOCATED, RSD TO REAR REMOVED        | RS |
| Rev A | 19/02/18 | RSD ADDED TO REAR ELEVATION                    | RS |

CLIENT: TAMESIDE TRANSMISSIONS Ltd.  
 PROJECT: PROPOSED WORKSHOP  
 ALBERT STREET  
 DROYLSDEN, MANCHESTER M43 7BA.  
 TITLE: GENERAL ARRANGEMENT



**CONTAINERS**  
Scale 1:100



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 DRAWING STATUS: PRELIMINARY ISSUE  
 NOT FOR CONSTRUCTION

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**Application Number** 18/00304/FUL

<b>Proposal</b>	Erection of a 48 bedroom extension with link bridge connecting to the existing Village Hotel Ashton including reconfiguration of the existing car park, landscaping and associated works.
<b>Site</b>	Village Hotel Ashton, Pamir Drive, Ashton-Under-Lyne, OL7 0LY
<b>Applicant</b>	VUR Village Trading No 1 Limited
<b>Recommendation</b>	Grant planning permission subject to conditions and completion of a section 106 agreement to secure offsite highway improvements.
<b>Reason for report</b>	A Speakers Panel decision is required because the application constitutes a major development.

## 1. APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission for the construction of a five storey extension to the exiting village hotel. The extension would accommodate 48 bedrooms increasing the overall accommodation within the hotel to 168 bedrooms. The extension would be located on the eastern elevation of the building across the existing car park. Undercroft parking would be provided in addition to landscaping works.
- 1.2 The application has been accompanied with the following documents in support of the planning application:
  - Planning and Design and Access Statement;
  - Flood Risk and Drainage Impact Assessment;
  - Arboricultural Impact Assessment;
  - Arboricultural Survey;
  - Transport Statement;
  - Preliminary Ecological Appraisal;
  - Sustainability Statement;
  - Full Plans Package including 3D montage;
- 1.3 The supporting statement identifies that occupancy levels within the Hotel have been consistently approaching 100% throughout 2017. The additional accommodation would therefore respond directly to meeting this demand.
- 1.4 As a major planning application the site meets the qualifying criteria for developer contributions towards Highway improvements. These contributions would be secured within a section 106 agreement.

## 2. SITE & SURROUNDINGS

- 2.1 The Village is an established hotel within the Ashton Moss complex. The main hotel building stands at five storeys in height with a single storey conference facility to the rear. The building occupies a prominent position fronting Lord Sheldon Way within the Ashton Moss leisure complex. In addition to overnight accommodation the hotel offers a modern banqueting suite, Gym and Pub/Restaurant facilities. The building has a very distinct design within the principle elevation comprising of a large louvered glazed façade. There is a large surface car park located to the front and side of the building which is set within a landscaped boundary.
- 2.2 Levels across the site are flat, it is bordered by the embankment to the M60 motorway to the west, Lord Sheldon Way to the north, commercial and leisure developments to the east

to the rear of the building there is a large landscaped area and pond beyond which is the Manchester / Huddersfield Railway line.

- 2.3 The nearest residential properties (Thornway Drive) are located approximately 140m to the south east of the site. These are separated by the railway line.
- 2.4 The site is located off Junction 23 of the M60 and is accessible by a range of transport options. Ashton West Metrolink tram stop is located within a 5 minute walk to the north.

### **3. PLANNING HISTORY**

- 3.1 The Ashton moss complex was established under an outline planning consent granted by the Secretary of State following a Public Inquiry in June 1999.
- 3.2 06/01840/REM – Construction of De Vere Village hotel comprising 123 bedrooms, health and fitness facilities and ancillary banqueting and conference facilities - RESERVED MATTERS – Approved 19.02.2007
- 3.3 11/00183/ADV – Replacement Sign – Approved 06.05.2011
- 3.4 14/00394/FUL – Erection of a temporary marquee from 14th November to 9th January on an annual basis – Approved 16.06.2014

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

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 **Tameside Unitary Development Plan (UDP) Allocation**  
Strategic Employment Development Site
- 4.4 **Part 1 Policies**
  - 1.1: Capturing Quality Jobs for Tameside People;
  - 1.3: Creating a Cleaner and Greener Environment;
  - 1.5: Following the Principles of Sustainable Development;
  - 1.6 Securing Urban Regeneration;
  - 1.8: Retaining and Improving Opportunities for Sport, Recreation and Leisure;
  - 1.12: Ensuring an Accessible, Safe and Healthy Environment;
- 4.5 **Part 2 Policies**
  - E1: regional Investment Site / Strategic Regional Site
  - S8: Built Recreation, Leisure and Tourism Developments;
  - S9: Detailed Design of Retail and Leisure Developments;
  - T1: Highway Improvement and Traffic Management;
  - T7: Cycling;
  - T10: Parking;
  - T11: Travel Plans;
  - N5: Trees within Development Sites;
  - U3: Water Services for Developments
  - U4 Flood Prevention
  - U5 Energy Efficiency
- 4.6 **Other Policies**  
Trees and Landscaping on Development Sites Supplementary Planning Document

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

- Section 1 Delivering sustainable development
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 11: Conserving and enhancing the natural environment

**4.8 Planning Practice Guidance (PPG)**

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

**5. PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.
- 5.2 Local residents and businesses were notified in writing on the 12<sup>th</sup> April 2018.
- 5.3 A press notice was published on the 19<sup>th</sup> April 2018
- 5.4 A site notice was erected on the 18<sup>th</sup> April 2018 on a lamppost opposite the site entrance.

**6. RESPONSES FROM CONSULTEES**

- 6.1 Local Highway Authority – No objections to the proposals subject to conditions requiring the parking to be laid out as shown on the approved plans prior to the occupation of the development. Recommend that conditions are applied to secure cycle parking and the provision of electric vehicle charging points.
- 6.2 Greater Manchester Ecology Unit – No objections. The submitted ecology appraisal concludes that the site to be generally of low ecological interest. Based on the findings of the report, recommendation that biodiversity enhancement measures are secured by a condition.
- 6.3 Environmental Health Officer – No objection subject to construction hours being restricted.
- 6.4 Greater Manchester Police (Design Out Crime Officer) – no objections to the proposals as no communal parking areas or rear alleyways are proposed.
- 6.5 Tree Officer – Confirms that the two trees to be removed are of low amenity value and the loss will have a negligible effect on the area. The replanting proposed is limited but adequate for the nature of the development.
- 6.6 United Utilities – No objections recommend that the recommendations of the submitted Flood Risk Assessment are carried out / secured by a planning condition.

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

- 7.1 One letter of objection including a request to speak has been received the reasons for which are summarised as follows:

- Noise and disturbance during and post construction of the extension;
- Pollution from work vehicles and extra traffic whilst building works are taking place;
- Increase in traffic and impact upon road safety;
- Loss of light and views to residential property;
- Loss of trees;
- Loss of open space;
- Impact upon wildlife in the area as we have newts/birds and other wildlife in our garden as well as bats/squirrels and others in the immediate area; and,
- Loss of privacy to residential property.

## **8. ANALYSIS**

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

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The site has an established C1 (Hotel Use) which also includes an events and conference venue and gymnasium. The Hotel has operated from the site for over 10 years and makes a significant contribution to the local economy. Whilst located outside of the defined Town Centre Boundary for Ashton, Saved UDP policy E1 allocates the site along with that of the wider Ashton Moss area as part of a Regional Investment Site/Strategic Regional Site. Policy E1 identifies appropriate land uses outside of traditional employment functions to include C1 Hotel uses.
- 9.2 The additional 48 bedrooms which are proposed represents a 40% increase in the onsite accommodation. Paragraph 24 of the National Planning Policy Framework [NPPF] requires the sequential test is applied to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. Hotels are identified as a town centre use.
- 9.3 Whilst Policy E1 precedes the publication of the NPPF the policy nonetheless endorses a town centre first strategy. It is noted that the policy places a restriction on B1a Uses (in the interests of the Health and Vitality of Ashton centre) but this does not extend to Hotel (C1) uses. For the purposes of the decision making process the applicants view is supported in that the Hotel use / expansion is consistent with the sites allocation policy negating the need for a sequential assessment to be undertaken. The proposals are therefore not considered to be in conflict with policy S8 which strives to locate new leisure and tourism proposals within existing town centres.



- 9.4 The subtext of UDP policy S8 identifies the importance of the leisure and tourism industry to the local economy. Traditionally Tameside had underperformed in this sector, the development of the Ashton Moss leisure complex and arrival of the Metro-link service sought address this imbalance and has on reflection been very successful. The applicant confirms that the Hotel has been operating at near 100% capacity, the multiplier effect of this will result increased spend within the local economy. There are currently 434 hotel rooms offered within Tameside, the proposed 48 rooms would increase this total by 11%. It is accepted that there is growing local and regional need for further hotel accommodation. The additional rooms would contribute to meeting local demand by complimenting nearby employment uses as well as the wider visitor economy, which analysts identify generates up to £8.1bn to the Greater Manchester economy. The principle of the development is therefore supported.

## **10. LAYOUT AND DESIGN**

- 10.1 The Council's adopted UDP policy C1 requires new buildings to reflect the character and style of the area, it promotes the enhancement of landmark buildings which form distinctive elements within the local skyline and townscape. The Village Hotel is locally distinctive. At five storeys in height it stands above many of its contemporaries and presents a prominent elevation to Lord Sheldon Way. As such, it is considered to be a landmark building within the Ashton Moss mixed Use development.
- 10.2 The design has evolved through discussions with the applicant. It is recognised that the existing hotel has a purposeful design which has a distinctive balance and symmetry to its form, this is impressed by its horizontal emphasis, fenestration treatment, detail of external materials and lighting strategy. The design has been revisited and refined from the original submission. The initial concerns were that the extension would upset the balance and appearance of its host, appearing in comparison somewhat monolithic due to its simple form.
- 10.3 To address concerns a glazed link has been provided to the host building, the intention of which is to provide a visual 'break' and allow the extension to read more as a 'standalone' structure. In addition to this, the extension would be recessed from the front elevation of the host building, and would have a depth of approximately one third of the hotel which taken with the presence of the undercroft parking would ensure that it assumes a subservient appearance. As a reference to the host building the front elevation would be clad with a 'brise soleil' which mirrors the host building, further to this horizontal emphasis would be achieved through the detailing of the external cladding materials, along with the addition of the recessed fenestration and parapet detailing would provide welcomed texture to the elevations.
- 10.4 The majority of the extension would be accommodated on the sites existing car park and would result in the loss of minimal areas of soft landscaping. The position within the site means it would not have an overly domineering appearance the five storey nature sits comfortably within the context of the site and would forge a successful relationship to the existing hotel. Overall the extension would form a contemporary addition which would complement the appearance and setting of the existing hotel. Subject to materials being approved prior to the commencement of development then no objections are taken to the design and the visual impact would be acceptable with regard to UDP policy C1.

## **11. ACCESS AND HIGHWAYS**

- 11.1 The hotel is currently served by 304 parking spaces 18 of which are disabled spaces. The car park layout is to be reconfigured in part to accommodate the extension which would result in the loss of 14 car parking spaces. There would be a total of 290 car parking

spaces retained at the site. The access and servicing arrangements would remain unchanged from the current situation.

- 11.2 The proposals would see accommodation at the site increased by 40% and the resultant car parking losses would equate to a 4.6% onsite reduction. The application has been accompanied with a Transport Statement which reviews the highways and access arrangements. This also includes a parking survey which identifies current occupancy levels as being approximately 69%.
- 11.3 UDP policy T10 (Parking) established the parking standards for all development. It recommends that 1 space is provided for each bedroom on hotel developments but that additional consideration should also be given to conference or other public facilities. Even with the loss of the 14 spaces the overall onsite parking provision would exceed the parking guidelines of policy T10 by a total of 22 spaces.
- 11.4 The site is within a sustainable location benefiting from good connectivity to Ashton Town Centre, motorway and public transport networks. Bus and Tram connections are located within 350m of the site and there are also established pedestrian and cycle routes within the immediate vicinity. It is reasonable to assume that a proportion of staff and visitors alike would arrive by sustainable means.
- 11.5 The highways officer comments that there is adequate capacity on the local network. The loss of the parking spaces can be tolerated recognising that there is current parking capacity within the site and that direct mitigation is provided by the sites access to the public transport network. It is recommended that the provision of additional onsite (covered) cycle storage for 18 cycles. In addition, an updated Travel Plan (to be conditioned) would provide further mitigation to encourage sustainable travel.
- 11.6 The applicant has agreed to enter into a section 106 agreement to secure payment of £16,992. Highways have requested that this is allocated towards cycle improvements on Lord Sheldon Way. The monies would help to encourage sustainable travel in accordance with policy T1 and T7.
- 11.7 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such in the absence of any demonstrable adverse impacts, and subject to recommended conditions, the development is considered to adhere to the provisions of policies T-1, T-7, T10 and the relevant chapters of the NPPF.

## **12. RESIDENTIAL AMENITY**

- 12.1 The Hotel represents an established use within the Ashton Moss Leisure Complex. The nearest residential properties are those located to the south east on Thornaway Drive which is approximately 140m away. This distance is separated by car parking and a railway line in addition to boundary treatments and partial tree planting. It is noted that a representation has raised concerns over the design and scale of the extension and the influence which this might have upon amenity levels. In this regard the extension would be sited at an oblique angle to the nearest properties. The intervening distance mitigates the impact in terms of overlooking and shadowing to ensure that acceptable levels of outlook and privacy would be retained.
- 12.2 In comparison to the existing hotel and level of activity associated across the wider Ashton Moss complex the extension represents a modest addition. The activity associated with this would be absorbed by that already taking place at the complex consequently it is not considered that it would give rise to additional disturbance to residents. This view is

supported through the consultation with the Environmental Health Officer. The proposals therefore satisfy the requirement of policy 1:12.

### **13. TREES & ECOLOGY**

- 13.1 The site is an established urban environment. Commensurate to the current use the area of car parking where the extension would be sited is laid mainly to hard standing. A small landscaping strip would be lost to the development which includes 2 ornamental trees and shrub planting. The trees are not of high amenity value, a single replacement tree would be planted which is considered adequate to satisfy the requirements of UDP policy N5.
- 13.2 With respect to biodiversity value then a preliminary ecological appraisal was carried out in March 2018 and submitted with the application. The habitats within the site boundary are low in species diversity and are considered to have low ecological value with negligible-low potential for protected/notable species. The offsite but directly adjacent pond has some potential to support newts. The report recommends that bat and bird boxes are installed within the vicinity of the pond and this supported by the GMEU Ecologist.

### **14. DRAINAGE**

- 14.1 In terms of assessing drainage and flood risk Policy U4 applies. In recognition of the site area a FRA has been prepared. The site is not in an area classed to be at risk of flooding and United Utilities have confirmed that the foul water drainage flows from the development can be accommodated into the existing network. Surface water from the hotel extension would discharge to the existing SUDS pond located to the rear of the Hotel.
- 14.2 Albeit for some incidental areas of soft landscaping, the site is in the main completely hard-surfaced in its current capacity, this situation will therefore not be altered significantly. Subject to details being conditioned no objections are raised from a drainage perspective.

### **15. OTHER ISSUES**

- 15.1 Noise:- The majority of noise is transport based. The railway line to the south and M60 to the West of the site are the main generators. The EHO is satisfied that the accommodation will be appropriately insulated. With regard to existing residents and the representation made then all plant would be accommodated within the building. Noise would be commensurate to that of existing ambient levels. Some disturbance could be attributed to that associated with the construction phase but the application of a Construction Management Plan (condition) could ensure that best practice measures are employed to ensure disturbance is at a minimum in accordance with UDP policy 1.12.
- 15.2 Ground Conditions:- The site is not within a vulnerable location to former mining works. The ground was suitable remediated as part of the original Ashton Moss development. No issues are therefore raised in this regard.

### **16. CONCLUSION**

- 16.1 The site has an established Hotel Use. The extension would contribute positively to local hotel capacity which would in turn complement the Business and Leisure economy.
- 16.2 The design has evolved in a response to initial concerns to create a proportionate addition to the site. The overall scale, siting and appearance of the extension has been approached in a sensitive manner and would not result in any visual harm.

- 16.3 The site has sufficient car parking capacity and the location is well served by public transport which will offset any additional visitor demand by sustainable means. The extension would be wholly compatible with the sites' land use allocation and would also be readily compatible with the commercial nature of adjoining uses.
- 16.4 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission.

## 17. **RECOMMENDATION:**

Members Resolve to grant planning permission subject to the completion of a section 106 agreement securing offsite highway improvements and the imposition of the following conditions:

Grant planning permission, subject the following conditions:

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

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

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

Site Location Plan 1:1250 Rev B  
Existing Site Layout Plan 1:500 Rev B  
Existing Site Layout Plan (extension area) 1:100 Rev A  
Proposed Site Layout 1:500 Rev C  
GA - Level 00 1:100 Rev E  
GA - Level 01 1:100 Rev F  
GA - Level 02 1:100 Rev A  
GA - Level 03 1:100 Rev A  
GA - Level 04 1:100 Rev A  
GA - Level 05 Roof 1:100 Rev A  
GA - Elevations 1:100 Rev H  
GA - Elevations 1:100 Rev H  
GA - Sections 1:100 Rev E

Design and Access Statement  
Transport Statement (WYG March 2018)  
Arboricultural Survey Rev B Dated 19/03/2018  
Preliminary Ecological Appraisal Rev C 19/03/2018  
Flood Risk and Drainage Impact Assessment March 2018

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies E1: regional Investment Site / Strategic Regional Site, S8: Built Recreation, Leisure and Tourism Developments; S9: Detailed Design of Retail and Leisure Developments; T1: Highway Improvement and Traffic Management; T7: Cycling; T10: Parking; T11: Travel Plans; N5: Trees within Development Sites; U3: Water Services for Developments; U4 Flood Prevention; U5 Energy Efficiency

3. No above ground development shall take place until full details of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and visual amenities of the locality, in accordance with UDP C1: Townscape and Urban Form.

4. Prior to the completion of the extension details shall be submitted to the Local Planning Authority for the design and location of at least one Electric Vehicle Charging point. The electric charging point shall be provided prior to the first occupation of the approved extension and thereafter maintained.

Reason: In the interest of highway safety, in accordance with UDP policy T1Highways Improvement and Traffic Management and T10 Parking.

5. The parking/manoeuvring facilities, indicated on the submitted plan, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the extension being brought into use, and shall be retained for that sole purpose at all times.

Reason: In the interest of highway safety, in accordance with UDP Policy T1Highways Improvement and Traffic Management and T10 Parking.

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Means of access for construction traffic
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel washing facilities
- Measures to control the emission of dust and dirt during construction
- Measures to control noise levels during construction

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies 1:12 and T1Highways Improvement and Traffic Management

7. No work shall take place in respect to the provision of cycle parking within the site until details of proposals to provide the following cycle parking facilities within the site have been submitted to and approved in writing by the Local Planning Authority:

- 1) Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 18 cycles

The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies T10 Parking.

8. The approved development shall not be occupied until a travel plan for the development has been submitted to and approved in writing by the Local Planning Authority and has been brought into operation. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan.

Reason: To ensure that measures are implemented that will enable and encourage the use of alternative forms of transport to access the site, other than the private car, in accordance with Policies, T-1 Highways Improvement and Traffic management and T10 Parking.

9. Prior to commencement of development full details of the mitigation measures identified in the Ecological Survey prepared by Viewpoint Associates LLp Rev C, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with UDP Policy N3 Nature Conservation Factors.

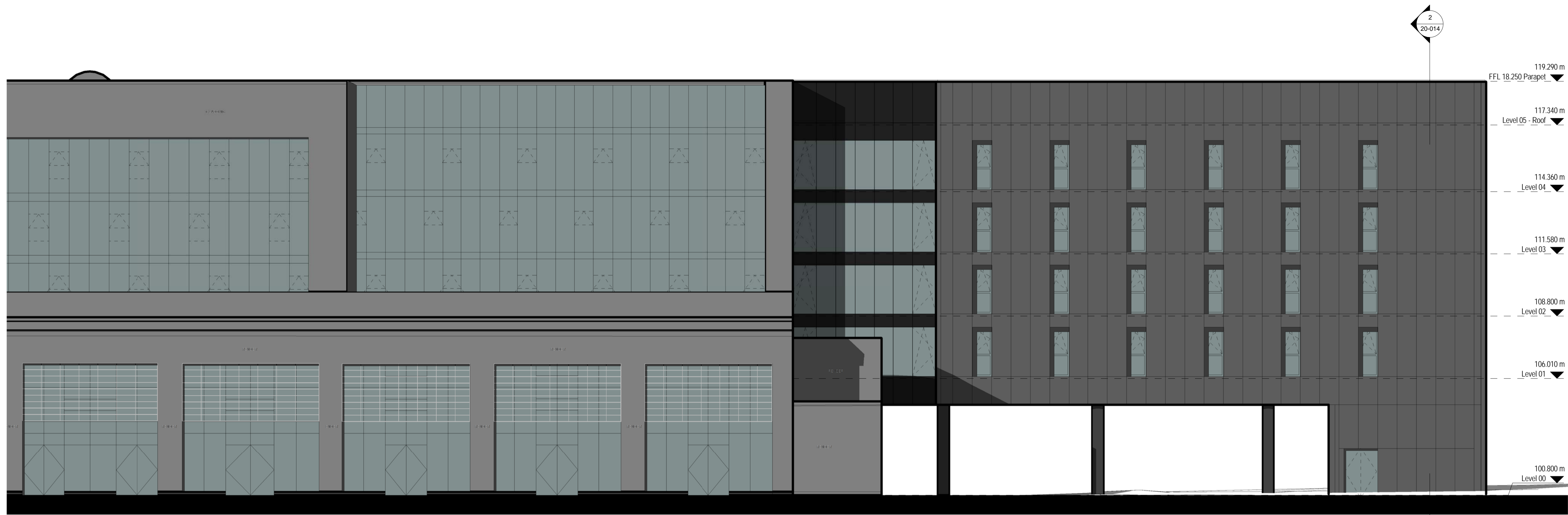
10. In accordance with the approved details there shall be no plant or equipment externally mounted onto the building.

Reason: In the interest of visual and residential amenity in accordance with Part One UDP policy 1:12

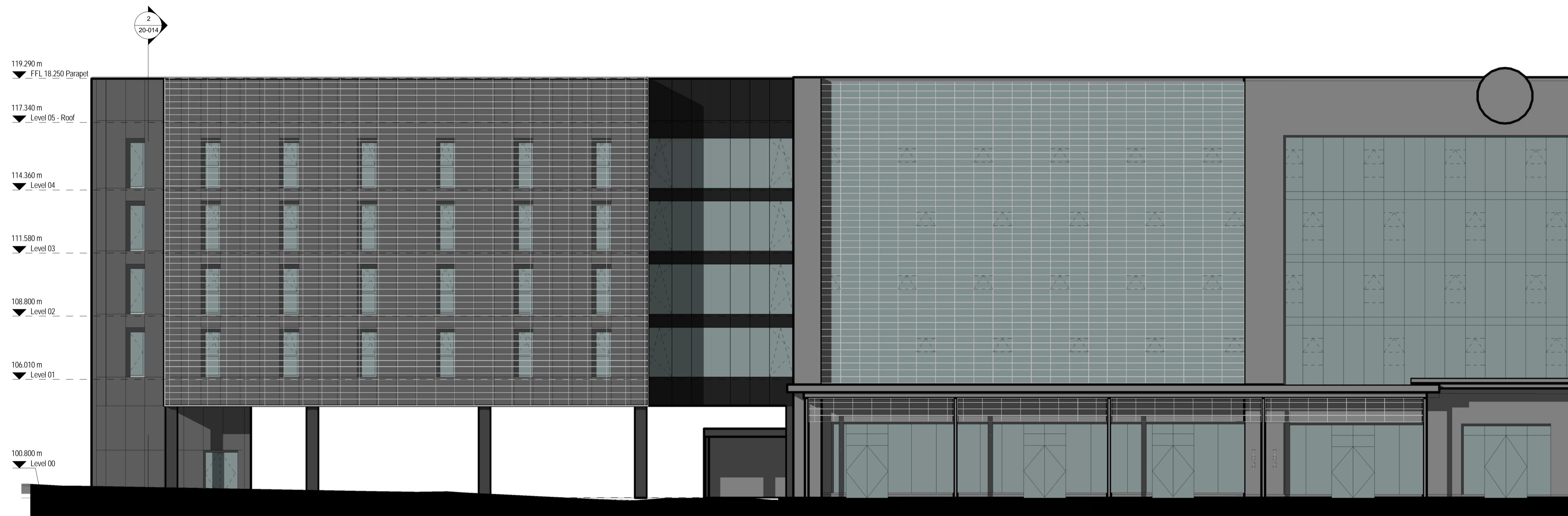


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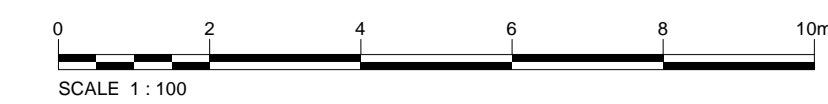




1 Back Elevation  
1:100



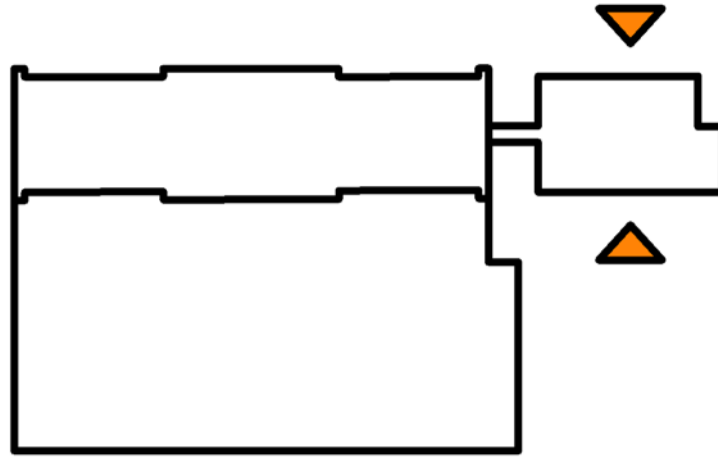
2 Front Elevation  
1:100



Notes

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Materials key:

- Black metal cladding to match existing Village Hotel
- Tinted Glass Windows
- Back painted black glass spandrel
- Existing Village Hotel

H	05.07.18	Elevation amendments	DB
G	04.07.18	Elevation amendments	DB
F	28.05.18	Glazed link amendments	DB
E	16.03.18	Planning issue	DB
D	07.02.18	Room layout amended	DB
C	19.12.17	New cladding to the link between buildings	DB
B	08.12.17	New car park layout proposal	DB
A	01.12.17	First issue	DB

Revisions

Status

Planning

Client  
Village Hotel

Project  
Village Hotel Extension - Ashton Moss

Title  
GA - Elevations

Scale	Size	Date	Drawn	Checked
1:100	A1	12/01/17	DB	CD

3DReid  
www.3DReid.com  
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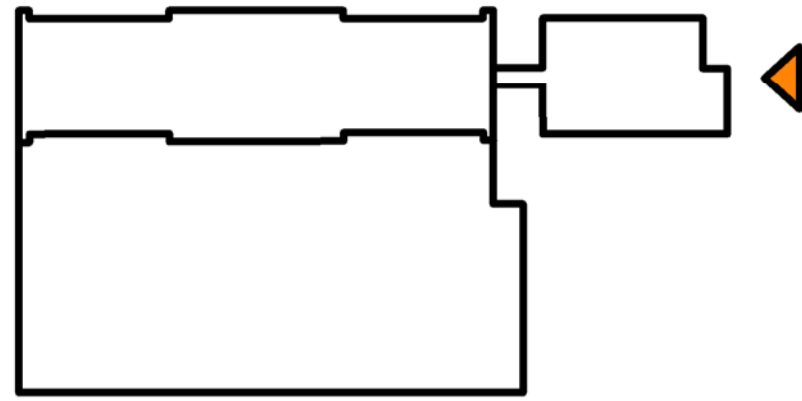
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Notes

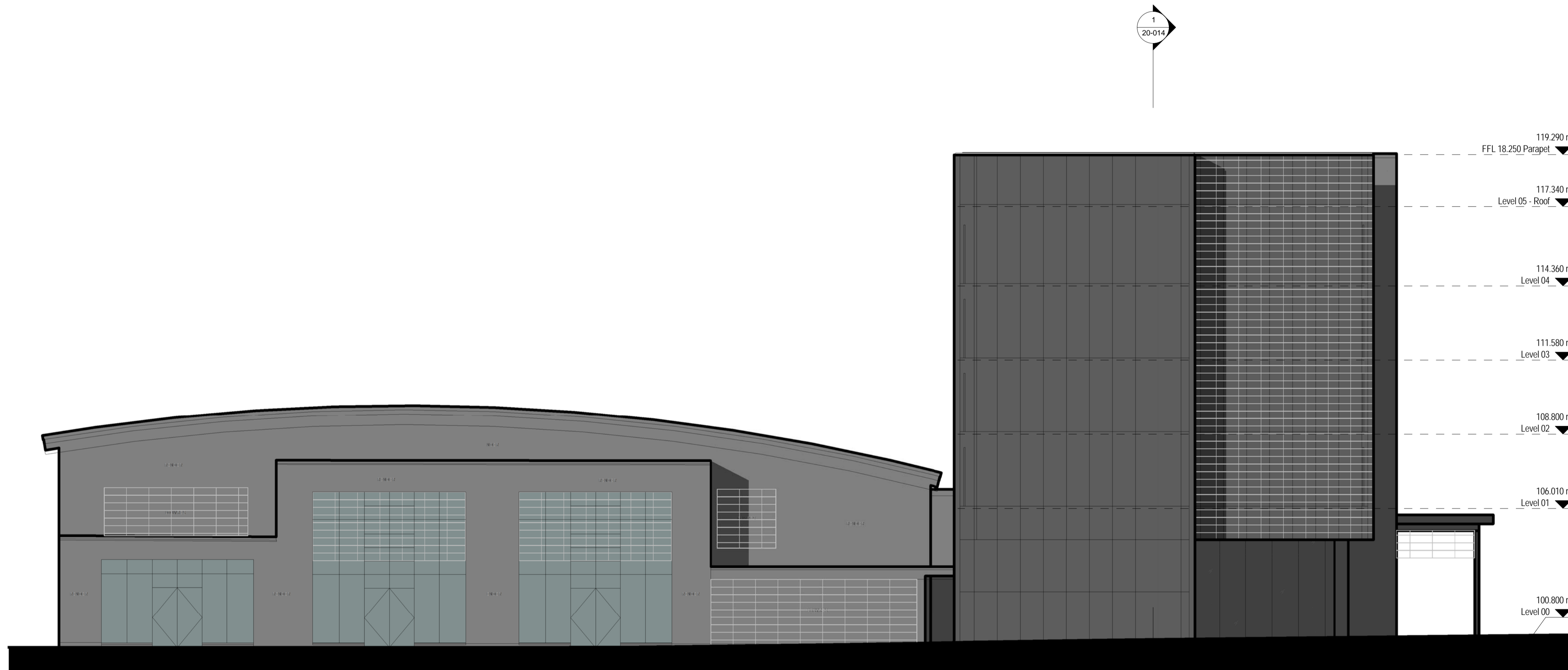
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Materials key:

- Black metal cladding to match existing Village Hotel
- Tinted Glass Windows
- Back painted black glass spandrel
- Existing Village Hotel



1 Side Elevation  
1 : 100

H	05.07.18	Elevation amendments	DB
G	04.07.18	Elevation amendments	DB
F	28.05.18	Glazed link amendments	DB
E	16.03.18	Planning issue	DB
D	07.02.18	Room layout amended	DB
C	19.12.17	New cladding to the link between buildings	DB
B	08.12.17	New car park layout proposal	DB
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Planning

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Village Hotel Extension - Ashton Moss

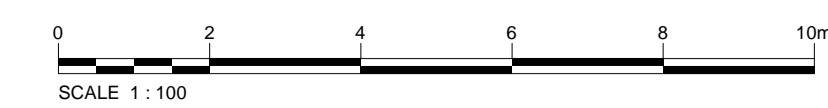
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GA - Elevations

Scale	Size	Date	Drawn	Checked
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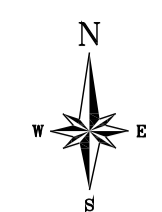
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Architecture Interiors Masterplanning



Drawing No. 170230-3DR-XX-DR-A-20-013 Rev. H



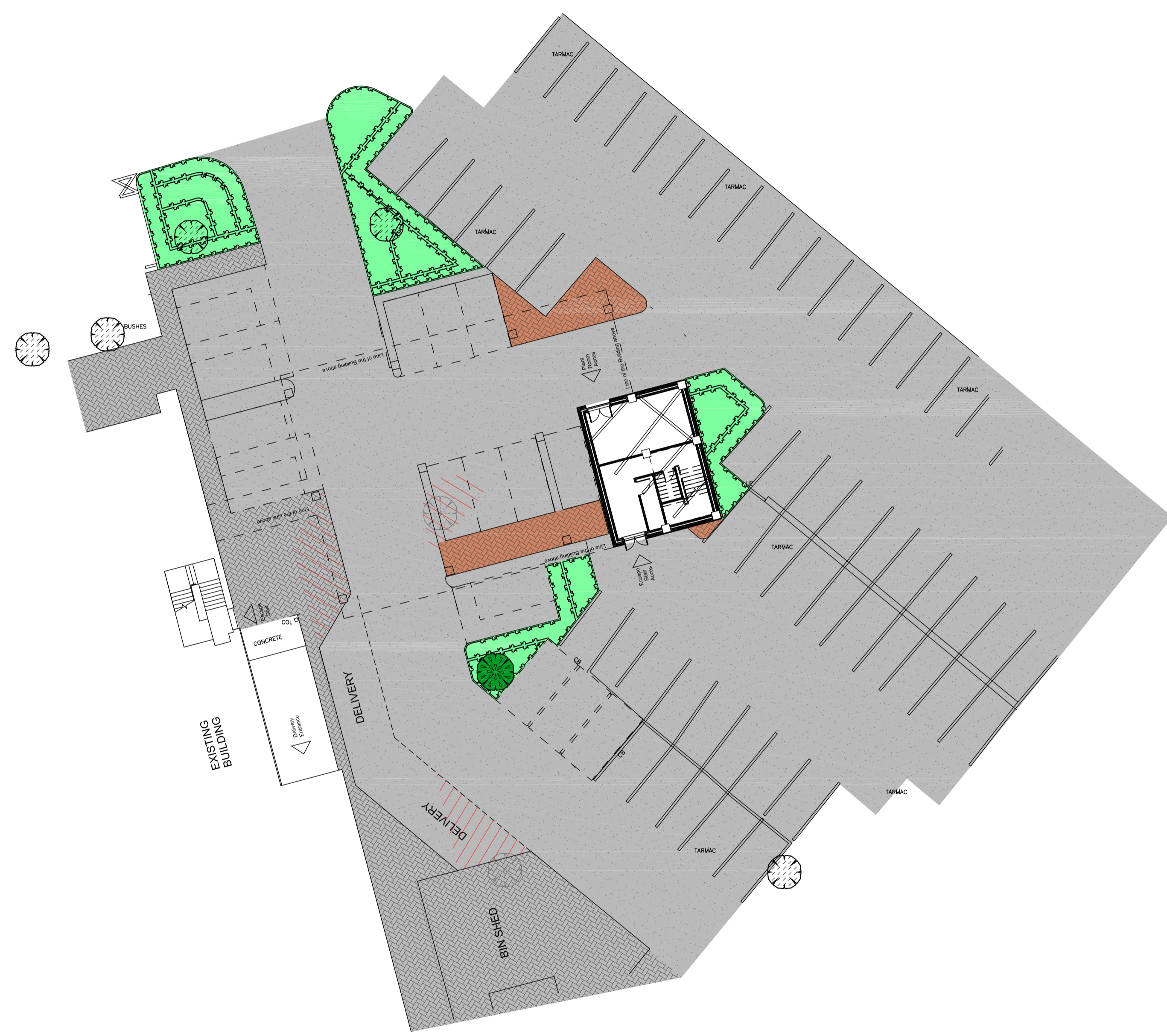
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- Hard Landscaping.**
- New block paved access / trims.
  - Existing block paved access.
  - Existing block paved access to be extended to suit new layout. blocks to match existing.
  - Existing Macadam.
  - New areas of Macadam.

- Soft Landscaping.**
- Shrubs.
  - Existing Landscaping to be retained.
  - Proposed Tree.
  - Existing Tree to be retained.
  - Existing Tree to be removed.

**NOTES:**  
 Ornamental and ground cover shrubs to be 2 / 3 litre stock, planted at a density of 3 to 5 No. plants/m<sup>2</sup> depending on species.  
 Specimen plants as indicated.  
 Any planting within 'Vegetation Splay' shall be maintained below 600mm in height.  
 All shrub areas to be mulched to a depth of 50mm with 'Makout Ornamental Bark Mulch' (ref. product code 5020).



**HEALTH & SAFETY INFORMATION**

- To be read in conjunction with Viewpoint's Designer Hazard Identification Checklist - Risk Assessment for existing & proposed services positions see architects & engineers drawings. In addition to the hazards and risks normally associated with the type of construction work, the following risks should be noted:
- Highway adjacent to the site:  
 Hoarding required to protect pedestrians & vehicles within the highway.  
 Oversight of plant & machinery is strictly prohibited without the prior agreement of the local authority.
  - Existing services within the site:  
 In areas to be excavated, the contractor is to locate services prior to construction, by hand digging.
  - Existing services adjacent to site:  
 In areas to be excavated, the contractor is to locate services prior to construction, by hand digging.

Rev.	Description	Date	Drawn	CHK'd
B	Minor amendments to base plan.	28-03-2018	C.M.H.	S.B.
A	Issued for approval.	07-03-2018	C.M.H.	S.B.

**viewpoint associates llp**  
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Client:  
**Village Hotels**

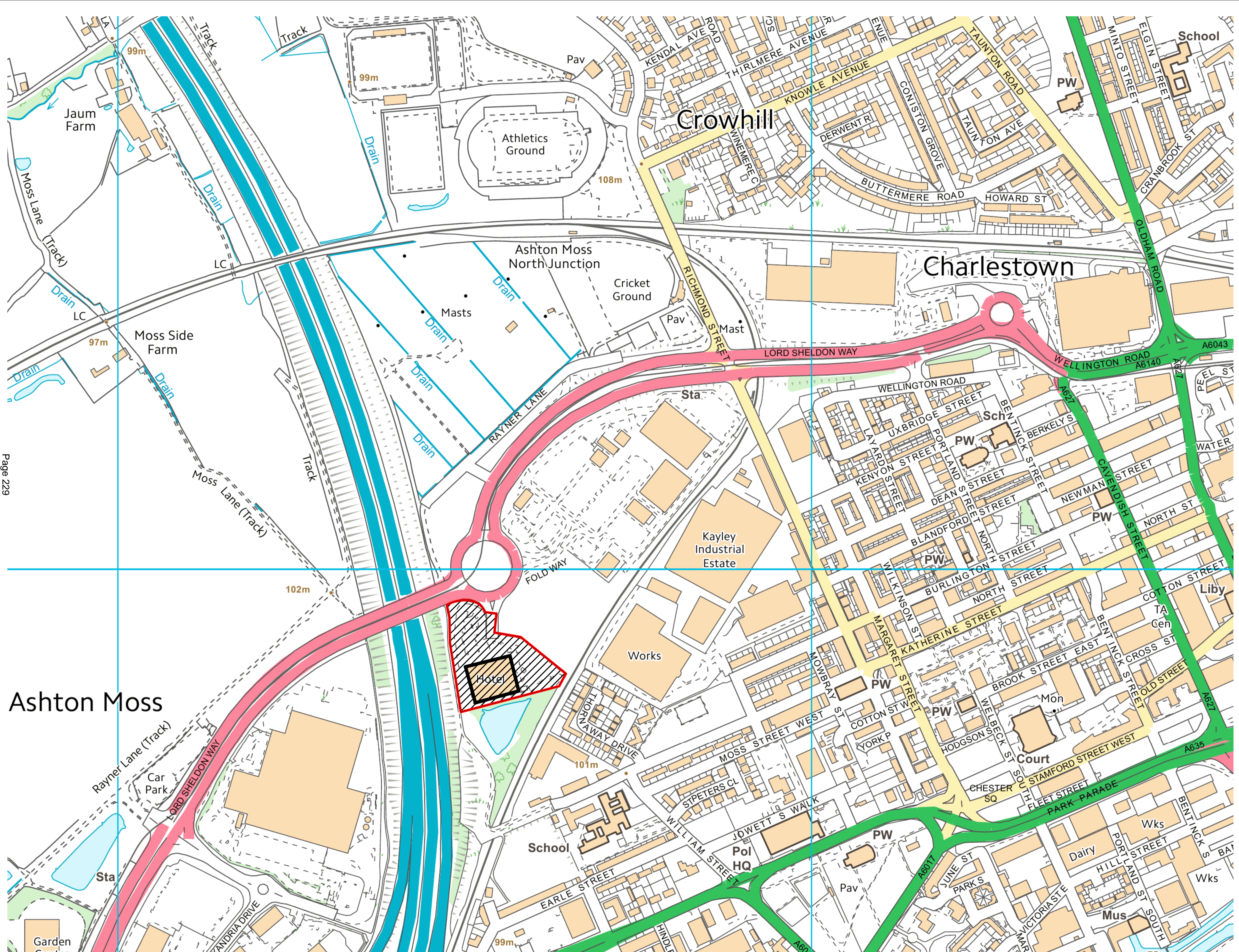
Title:  
**Pamir Drive, Ashton Moss  
 Layout showing proposed  
 hard & soft landscape general  
 arrangements.**

Drawn By: C.M.H.	Date: 07-03-2018	Do Not Scale If In Doubt Ask	
Checked By: S.B.	Date: 07-03-2018	Scale: @A1 1:200	

Drawing No.  
**1506d-01**

Revision:  
**B**

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**Notes**  
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**Key note:**  
 - Site Boundary  
 - Existing Buildings

**Note:**  
 SITE AREA  
 3.89 ACRES approx

B 16.03.18 Planning issue DB  
 A 13.12.17 First issue DB

Status  
**Planning**

Client  
**Village Hotel**

Project  
**Village Hotel Extension - Ashton Moss**

Title  
**Site Location Plan**

Scale	Size	Date	Drawn	Checked
As indicated	A1	12/13/17	DB	CD

3D REID  
 www.3DReid.com  
 Architecture Interiors Masterplanning

Drawing No. 170230-3DR-XX-DR-A-10-005 Rev. B

**1** Site location plan  
 1:2500

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**Application Number** 18/00099/FUL

**Proposal** Change of use of 27 bedroom residential care home (use class C2) to a house in multiple occupation (use class sui generis) of 27 rooms, including the allocation of 30 no. cycle storage spaces, associated car parking and amenity space.

**Site** Holly Grange, 17 Oxford Road, Dukinfield SK16 5PQ

**Applicant** Mr Dinesh Chinta

**Recommendation** Approve

**Reason for report** A Speakers Panel decision is required as the application constitutes major development.

## REPORT

### 1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the change of use of the building from a residential care home (use class C2) to a House in Multiple Occupation (Use class sui generis).
- 1.2 The applicant has provided the following documents in support of the planning application:
  - Design and Access Statement

### 2. SITE & SURROUNDINGS

- 2.1 The application site comprises a two storey building constructed from brick elevations, with a rendered section in the north western corner fronting onto Oxford Road. Vehicular access to the site is gained via Lodge Lane, which runs parallel with the eastern boundary of the site. The main part of the building occupies the western part of the plot, with soft landscaping and a car parking area in the eastern portion of the land. Commercial development is located to the south and west of the site. Oxford Road runs parallel with the northern boundary of the land.

### 3. PLANNING HISTORY

- 3.1 There is no planning history on the site that is relevant to the determination of this application.

### 4. RELEVANT PLANNING POLICIES

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

The site is not allocated and is located within the settlement of Dukinfield

#### 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
- H7: Mixed Use and Density.

H10: Detailed Design of Housing Developments  
OL10: Landscape Quality and Character  
T1: Highway Improvement and Traffic Management.  
T10: Parking  
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  
U4 Flood Prevention  
U5 Energy Efficiency

#### 4.5 **Other Policies**

Greater Manchester Spatial Framework - Publication Draft October 2016;  
Residential Design Supplementary Planning Document; and,  
Trees and Landscaping on Development Sites SPD adopted in March 2007.

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

Section 1 Delivering sustainable development  
Section 6 Delivering a wide choice of high quality homes  
Section 7 Requiring good design  
Section 8 Promoting healthy communities  
Section 11: Conserving and enhancing the natural environment

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

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

### 5. **PUBLICITY CARRIED OUT**

- 5.1 Neighbour notification letters were issued to all neighbouring properties and a notice displayed on site in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

- 6.1 Local Highway Authority – Raises no objections to the proposals and no conditions are recommended.
- 6.2 Greater Manchester Police (Designing out Crime Officer) – no objections, subject to the incorporation of a number of security measures into the proposals. Measures include: gating the access to the site from Lodge Lane, securing the communal bike storage area, the installation of locks on external doors and windows and external security lighting. A management plan relating to the use of the external amenity areas will also be required.
- 6.3 Borough Environmental Health Officer (EHO) – no objection to the proposals subject to the imposition of a condition limiting the hours of work during the construction phase of the development.

- 6.4 Borough Contaminated Land Officer – No objection subject to an informative outlining the applicant’s responsibilities should sources of ground contamination be discovered during any construction works.

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

- 7.1 No third party responses have been received to the application

## **8. ANALYSIS**

- 8.1 The issue to be assessed in the determination of this planning application are:
- 1) The principle of development
  - 2) The impact upon the residential amenity of neighbouring properties
  - 3) The impact on the character of the site and the surrounding area
  - 4) The impact on highway safety
  - 5) Other matters

## **9. PRINCIPLE OF DEVELOPMENT**

- 9.1 The site is located within close proximity of public transport services. Regular bus services run along Oxford Road, providing access to regular services to Hyde and Ashton. The site is within walking distance of a foodstore and the other services and facilities in Dukinfield town centre. This is therefore considered to be a sustainable location for a house in multiple occupation.
- 9.2 The proposal would include accommodation for a manager of the premises to live permanently on the site. Space is also allocated on the ground floor for a manager’s office. This provision would allow appropriate management of the facility and would ensure that activity on the site is regularly monitored. Specific details of the management arrangements and a restriction on the occupation of the accommodation to the manager of the facility and their family only can be secured by conditions, which are attached to the recommendation.
- 9.3 The NPPF sets a presumption in favour of sustainable development. The proposal would boost the supply of residential accommodation in the Borough through the re-development of a brownfield site. Given these factors and the above assessment, officers conclude that the principle of development is acceptable, subject to all other material considerations being satisfied.

## **10. RESIDENTIAL AMENITY.**

- 10.1 The scheme does not include any extension or external alterations to the building. An oblique relationship would be retained with the residential properties to the north west of the site, on the opposite side of Oxford Road. The substantial separation distances to the properties to the east, on the opposite side of Lodge Lane and on Hyde Street to the north east would also be retained. On that basis, the proposals would not result in any adverse impact through unreasonable overshadowing or overlooking of any of those neighbouring properties.
- 10.2 The commercial uses to the south and west of the site are considered not to be of a scale that would result in an adverse impact on the future occupants of the proposed development. This assessment is corroborated by the lack of objection from the Environmental Health Officer, who has not suggested any conditions in terms of noise impact.

- 10.3 The proposed room sizes are shown on the submitted plans. Certain rooms would be below the 11.5 square metres required for double rooms laid out in the national space standards. However, all of the bedrooms would meet the minimum 7.5 square metres required for single bedrooms to comply with the guidance and a number of the rooms would be substantially greater than 11.5 square metres in size. The communal rooms are considered to be of sufficient size to provide an adequate level of amenity to occupants of the development, following the inclusion of additional kitchen facilities in the amended scheme. On that basis, there is no evidence to suggest that the living accommodation is sub-standard or of an unsatisfactory quality.
- 10.4 A licence is not currently required for the proposed development at the time of determining this planning application as the accommodation would be over 2 storeys (only HMO's over 3 or more levels of accommodation currently require a licence.) As of October 2018, the licensing regime is changing and a licence will be required for the HMO. However, this is a matter separate from the planning system and the planning application must be determined against assessment of the relevant material considerations. In any case, details of the measures to be put in place to monitor the occupation of the premises can be secured as part of a wider management plan for the development.
- 10.5 It is considered that a condition limiting the total number of residents occupying the development at any one time would not be enforceable, given that people could reasonably be visiting residents and the difficulty in demonstrating harm from a planning perspective if an arbitrarily prescribed threshold was exceeded. The condition requiring the approval of management arrangements prior to occupation would allow specific measures to be agreed and a base from which any potential future breaches could be enforced.

## **11. CHARACTER OF THE SITE AND SURROUNDING AREA.**

- 11.1 Given that the proposals would not result in any extensions or external alterations to the building, it is considered that the proposals would not result in an adverse impact on the character of the site or the surrounding area.

## **12. HIGHWAY SAFETY**

- 12.1 The Local Highway Authority has not raised any objections to the proposals. The proposal would increase trip generation over and above the existing use as a care home, particularly during AM and PM peak periods. However, due to the nature of the proposed accommodation, the total number of trips throughout the day would be more limited than if the scheme proposed self-contained family dwellings (e.g. trips to school are less likely to feature in the proposed development.)
- 12.2 Approximately 10 car parking spaces could be safely provided within the hardstanding area in the eastern portion of the site (7 in front of the 'wing' which runs parallel with the northern boundary of the site and 3 adjacent to the southern boundary.) Following revisions to the scheme, this would result in less than 50% car parking provision for the development. Policy RD8 of the Residential Design Guide advises that one 1 car parking space be provided per 1 bed property, with 1 also set as the maximum provision in locations such as this. However, the application of maximum parking standards is no longer in accordance with national planning guidance.
- 12.3 The amended scheme also makes provision for 30 secure cycle stands, in addition to the car parking spaces to be provided on site. There are bus stops immediately to the north of the site on Oxford Road, providing access to regular services to Hyde and Ashton, as noted earlier in this report. These circumstances would improve the prospect of occupants of the

development making trips to the services, facilities and employment in Ashton town centre via alternative means of transport to the private car.

- 12.4 Given these factors and in recognition of the limited weight to be attributed to the deficit in car parking provision in relation to the maximum requirements of policy RD8, it is considered that the proposed levels of parking provision would not be harmful to highway safety. A condition requiring exact details of the car parking arrangements to serve the development can be secured by condition.
- 12.5 It is therefore considered that the proposals would not result in a severe adverse impact on highway safety and in accordance with the guidance within paragraph 32 of the NPPF, planning permission should not be refused on this basis.

### **13. OTHER MATTERS**

- 13.1 The Environmental Health Officer has not raised any objections to the proposals, subject to conditions limiting the hours of work during the construction phase of the development. This condition is considered to be reasonable and necessary due to the close proximity of neighbouring properties and can be attached to the decision notice. A condition requiring the refuse storage arrangements serving the development to be implanted prior to the occupation of the development is also recommended to ensure that these facilities are provided and maintained.
- 13.2 In relation to drainage, the applicant has indicated on the application form that surface water and foul would be disposed of via connection to the mains sewerage network. Given the existing use of the site, it is considered that no further information is required in this regard to determine the planning application as further approvals will be required under the Building Regulations.
- 13.3 The Borough Contaminated Land Officer has not raised any objections to the proposals. An informative can be attached to the decision notice advising the applicant of their responsibilities should sources of contamination be encountered during the construction process.
- 13.4 In relation to crime impact, Greater Manchester Police have suggested a number of measures to be considered in the implementation of the development. The measures include gating the access to the site from Lodge Lane, securing communal bike storage area, the installation of locks on external doors and windows and external security lighting. A management plan relating to the use of the external amenity areas is also recommended. It is considered reasonable to impose a condition requiring the approval and implementation of measures to achieve 'Secured by Design' accreditation prior to the occupation of the development. Management arrangements for the external areas can be included in the strategy relating to the overall development as referred to previously in this report.
- 13.5 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to open space or education provision, as the proposal would not exceed 1000 square metres in floor area. The WMS is a material planning consideration, forming part of the Planning Practice Guidance and given the need to boost the supply of housing in sustainable locations (such as this site which is within walking distance of a regular bus services, the public open space at Dukinfield Park and the facilities in Dukinfield town centre), as required by Section 6 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.

## **14. CONCLUSION**

- 14.1 The proposal is considered to be acceptable in principle given that the development would not involve significant alterations to the existing building or the site and residential use would not conflict with any of the neighbouring uses. Given that the windows within the building serve bedrooms in the existing established use of the building, it is considered that the proposals would not result in unreasonable overlooking of neighbouring properties to an extent that would be harmful to residential amenity. There would be no adverse impact on the character of the site or the surrounding area as no substantial changes are proposed to the exterior of the building.
- 14.2 The proposals are considered not to result in an adverse impact on highway safety. Whilst the level of parking provision would fall short of the maximum standards set out in the Residential Design Guide, the harm arising from this situation is considered to be reduced by the provision of 30 secured cycle parking spaces and the close proximity of regular public transport services to Ashton and Hyde. This mitigation, along with the close proximity of the services and facilities (including a foodstore) are considered to outweigh the conflict with local policy and avoid a 'severe' level of harm to highway safety.
- 14.3 Following the above assessment, it is considered that the proposals would comply with the aims and objectives of the national and local planning policies quoted above

## **15. RECOMMENDATION**

Grant planning permission, subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plans:
  - 1:1250 site location plan
  - Amended proposed ground floor plan (drawing no. SAK-D-001 Rev. A)
  - Amended proposed first floor plan (drawing no. SAK-D-002 Rev. A)
  - Proposed landscaping and outdoor seating plan (drawing no. P106 Rev. A)
3. Notwithstanding the details on the approved plans, prior to the first occupation of any part of the development hereby approved, scaled plans showing the location of a minimum of 10 car parking spaces within the curtilage of the building shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of any part of the development hereby approved. The car parking arrangements shall be implemented in accordance with the approved details prior to the first occupation of any part of the development and the spaces shall be retained free from obstruction for their intended use at all times thereafter
4. Prior to the first occupation of any part of the development hereby approved, details of the measures to be put in place to ensure that the house in multiple occupation is managed to preserve the residential amenity of neighbouring properties and the visual amenity of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The details shall include measures to manage areas both within and external to the building within the site and details of how the occupation of the premises is to be monitored. The management arrangements shall be implemented



in accordance with the approved details upon first occupation of the development and shall remain in force at all times thereafter

5. The part of the development hereby approved labelled 'manager's accommodation' on the approved ground floor plan (drawing no. SAK-D-001 Rev. B) shall be occupied only by the manager of the facility and the partner, spouse or dependant(s) of that person.
6. Prior to the first occupation of any part of the development hereby approved, a Crime Impact Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall indicate how the design of the development meets the requirements of the document Secured by Design Homes 2016 or guidance which supersedes that document. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.
7. Prior to the first occupation of any part of the development hereby approved, details (including scaled plans and details of the construction materials) of the means of enclosure of the bin storage arrangements to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The bin storage arrangements shall be installed in the location indicated on the approved site plan (drawing no. SAK-D-001 Rev. B), in accordance with the approved details, prior to the first occupation of any part of the development hereby approved and shall be retained as such thereafter.
8. The construction materials used in any external works to the building to facilitate the use hereby approved shall match in type, colour and external appearance the construction materials of the existing building on the application site on the date of this notice.
9. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank or Public Holidays.
10. The secure cycle storage spaces indicated on the approved ground floor plan (drawing no. SAK-D-001 Rev. A) shall be provided prior to the first occupation of the building for the use hereby approved and shall be retained as such thereafter.

Reasons for conditions:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt.
3. To ensure that the development is served by adequate parking provision.
4. To ensure that the use hereby approved preserves the residential amenity of neighbouring properties and the character of the site and the surrounding area.
5. To ensure that a management presence is maintained on the site at all times.
6. To ensure that the development is designed to minimise opportunities for crime.
7. 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.

8. To ensure that the development reflects the character of the site and the surrounding area.
9. In order to protect the amenities of nearby residents in accordance with Unitary Development Plan policies 1.12 and H10.
10. To ensure adequate provision is made for secured cycle parking.

**Application Number: 18/00099/FUL Holly Grange Dukinfield**

**Photo 1 – view of entrance to the site from Lodge Lane**



**Photo 2 – view looking north west from site entrance towards Lodge Lane/Oxford Road junction.**



**Photo 3 – view looking south east from site entrance along Lodge Lane**



**Photo 4 – view of existing building from entrance to the site**



**Photo 5 – view of car parking area to the front of the building**



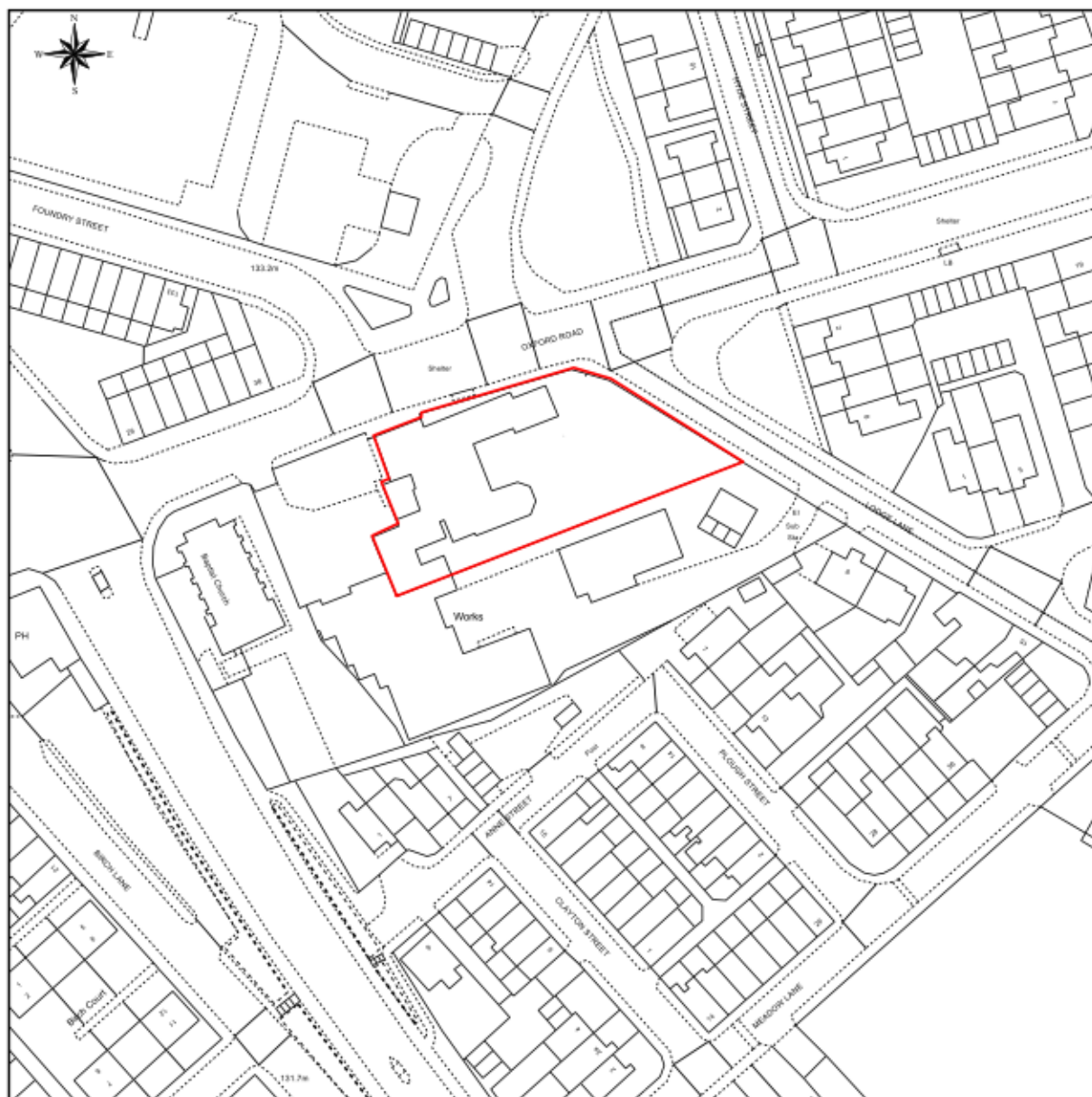
**Photo 6 - view looking westwards along northern boundary of the site with Oxford Road**



**Photo 7 - view of commercial uses to the south of the site**



# Holly Grange Rest Home



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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4

P101

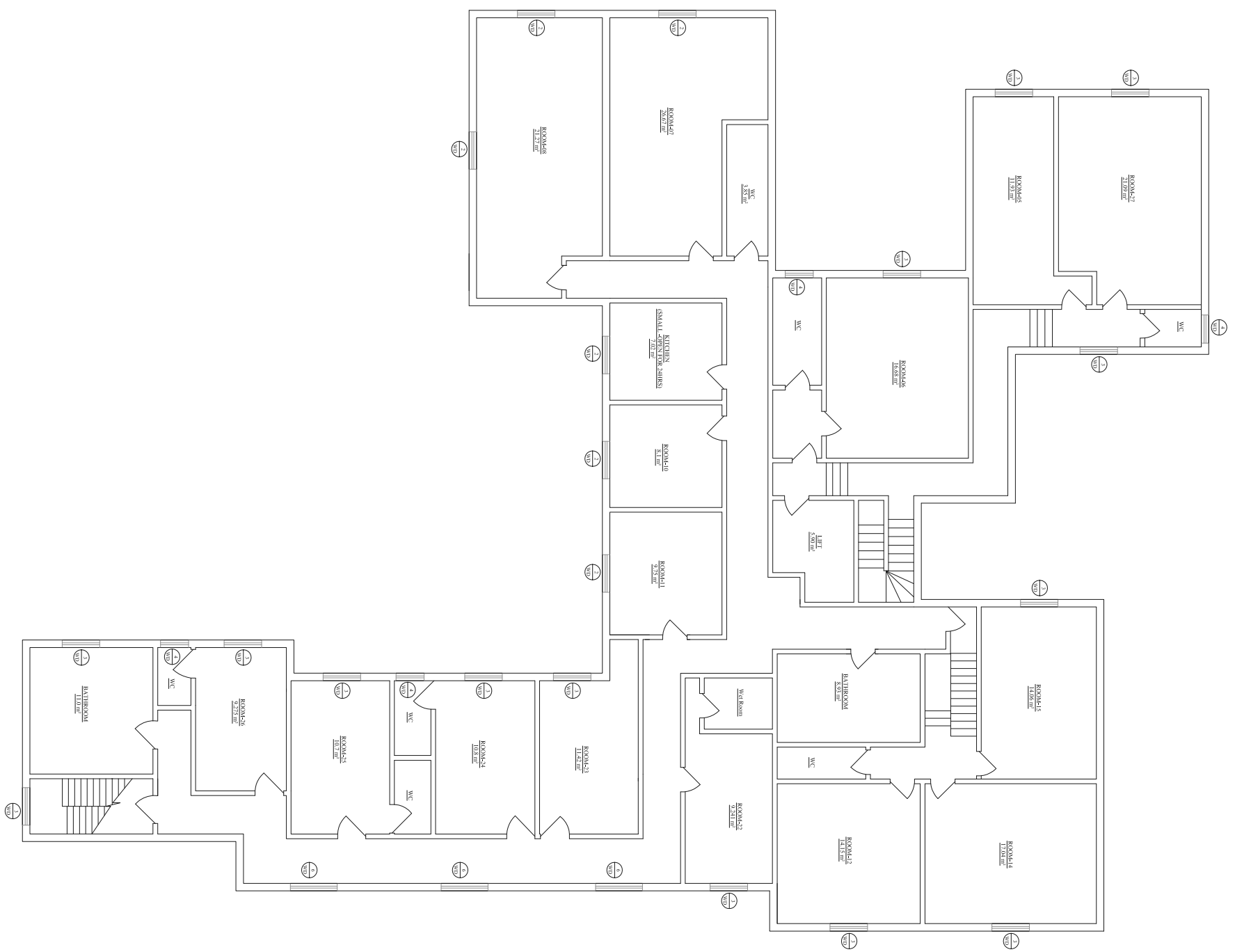
Location and Site plan

17 Oxford Road  
Dukinfield  
Tameside  
SK16 5PQ



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**PROPOSED FIRST FLOOR PLAN**

NO.	DATE	DESCRIPTION	BY	CHECKED	DATE
1	08/01/18	FOR APPROVAL	WJMS	XXX	XXX
2			OWN	CHD	APR 18

FOR APPROVAL

OWNER:  
**HOLLYGRANIE HOUSE DUKINFELD LTD**

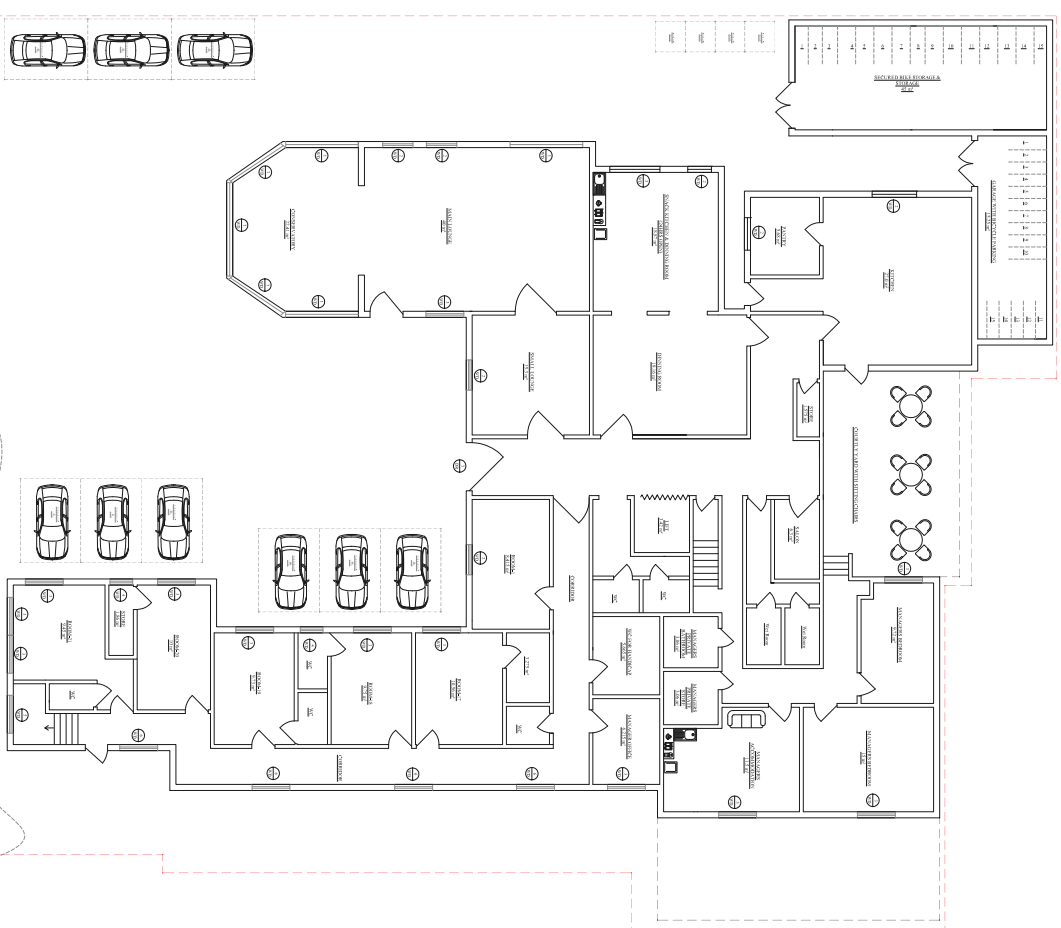
PROJECT TITLE:  
**Change of Use (Care Home to HMO)**

ADDRESS:  
Holly Grange Rest Home  
17, Oxford Road  
Dukinfield, SK16 5PQ

**PROPOSED FIRST FLOOR PLAN**

SCALE	REF. NUMBER	DATE	BY	CHECKED	DATE
1/25	SKC-D-002		WJMS	XXX	XXX

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# PROPOSED GROUND FLOOR PLAN

REF.	DATE	DESCRIPTION	BY	CHECKED	DATE
1	08/06/17	FOR APPROVAL	MMMS	XXXX	XXXX
2			OWN	CHGD	APPR

FOR APPROVAL

OWNER: HOLLYGRANE HOUSE DUKINFIELD LTD

PROJECT TITLE: Change of Use (Care Home to HMO)

ADDRESS: Holly Grange Rest Home  
17, Oxford Road  
Dukinfield, SK16 5PQ

## PROPOSED GROUND FLOOR PLAN

SCALE	REF. NUMBER	REV.	SHEET NO.
1/75	SK-D-001	Rev. A	1/1

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