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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 3 October 2018
Time: 10.00 am
Place: Guardsman Tony Downes House, Manchester Road,
Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Council.	
3.	MINUTES The Minutes of the meeting of the Speakers Panel (Planning) held on 5 September 2018, having been circulated, to be signed by the Chair as a correct record.	1 - 4
4.	APPEAL DECISION NOTICES	
a)	APP/G4240/D/18/3207684 - 17 SOUTHWAY, DROYLSDEN. M43 6GH	5 - 6
5.	PLANNING APPLICATIONS To consider the schedule of applications.	
a)	18/00188/FUL - SITE OF FORMER LITTLEMOSS SCHOOL, CRYER STREET, DROYLSDEN	7 - 52
b)	18/00626/FUL - LAND TO THE REAR OF 31 - 29 CARRHILL ROAD, MOSSLEY	53 - 84
c)	18/00582/FUL - COACH HOUSE, PARK BRIDGE, ASHTON-UNDER-LYNE	85 - 94
d)	18/00783/FUL - 65 GREEN LANE, ASHTON-UNDER-LYNE	95 - 110
6.	URGENT ITEMS To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Carolyn Eaton, Senior Democratic Services Officer, 0161 342 3050, carolyn.eaton@tameside.gov.uk, whom any apologies for absence should be notified.

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Agenda Item 3

SPEAKERS PANEL (PLANNING)

5 September 2018

Commenced: 10.00am

Terminated: 10.40am

Present:

Councillor McNally (Chair)

Councillors Choksi, Dickinson, Glover, Gosling, Pearce, Quinn, Robinson, Ricci, Ward, Wild and Wills.

18. MINUTES

The Minutes of the proceedings of the meeting held on 25 July 2018, having been circulated were taken as read and signed by the Chair as a correct record.

19. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

20. APPEAL DECISIONS

Application reference/Address of Property.	Description	Appeal Decision
APP/G4240/W/18/3201052 1 Bowland Road, Denton, M34 2GD	Erection of a detached dwelling.	Appeal dismissed
APP/G4240/Z/18/3201739 Land at Stockport Road (adjacent to Associations of Ukrainians, corner of Stockport Road and Birch Street), Ashton-under-Lyme, Tameside, OL7 0NP	Installation of LED digital advertising display	Appeal dismissed
APP/G4240/Z/18/3198296 Land adj to 64 Manchester Road, Tameside (Grid Reference: Easting 394464, Northing 395123)	Installation of illuminated digital display	Appeal allowed
APP/G4240/W/18/3201704 Greenside Lane DNS, Greenside Lane, Droylsden, Tameside, M43 7UT	Erection of 20m high HEL phase 5 streetworks pole and associated works	Appeal allowed

21. PLANNING APPLICATIONS

The Development Manager introduced the submitted planning applications. The Panel gave consideration to the schedule of applications submitted and it was:-

RESOLVED

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

Name and Application No:	18/00099/FUL Mr Dimesh Chinta
Proposed Development:	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 25 no. cycle storage spaces, associated car parking and amenity space. Land at Holly Grange, 17 Oxford Road, Dukinfield SK16 5PQ
Speaker(s)/Late Representations:	There were no representations in attendance.
Decision:	Planning permission be approved subject to conditions as detailed within the submitted report.

Name and Application No	18/00125/FUL Ms P. McDonald, The Green Funeral Services
Proposed Development:	Single storey rear extension, replacement external staircase to first floor flat and alteration to shop front. G O C Surfacing, 57 Lumb Lane, Audenshaw 121 – 123 Haughton Green Road, Denton
Speaker(s)/Late Representations:	The Development Manager circulated and read out an additional letter from residents of 12-24 Greendale Grove which raised concerns in relation to the application around an increase in traffic on Greendale Grove, specifically the health and safety of children playing near to the site, loss of habitat for wildlife and further impact on amenity with the potential loss of hedgerows. The applicant Ms P. McDonald addressed the Panel in relation to the application.
Decision:	Approved subject to the conditions as detailed within the submitted report.

Name and Application No:	18/00130/FUL Mr Mark Lucas
Proposed Development:	Erection of 4 dwellings on land adjacent to 301 Market Street, Droylsden
Speaker(s)/Late Representations:	Mr J. Butterworth, a local resident, addressed the Panel objecting to the submitted application. Mr J. Dugdale, an agent for the applicant, addressed the Panel in relation to the application.

Decision:	Approved subject to the conditions as detailed within the submitted report.
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Name and Application No:	18/00278/FUL Tameside MBC
Proposed Development:	Change of use from storage and distribution (Use Class B8) to office accommodation (B1), coffee shop (A3) and a new internal data centre (sui generis) with supporting sub-station and generator compound externally with, subject to separate application, a fence enclosure. Ashton Old Baths, Stamford Street West, Ashton
Speaker(s)/Late Representations:	There were no representatives in attendance.
Decision:	Approved subject to the conditions as detailed within the submitted report.

Name and Application No:	18/00321/LBC Tameside MBC
Proposed Development:	Internal works, repairs, restoration and alterations of the Ashton Old Baths- Phase 3 Annex including new contemporary office accommodation (B1), coffee shop (A3) and a new internal Data centre (sui generis) Ashton Old Baths, Stamford Street West, Ashton
Speaker(s)/Late Representations:	There were no representatives in attendance.
Decision:	Approved subject to the conditions as detailed within the submitted report.

Name and Application No:	18/00194/FUL Tameside MBC
Proposed Development:	The change of use of section of Fleet Street from highway to service yard, including the installation of a 2.4m high metal fence. Ashton Old Baths, Stamford Street West, Ashton
Speaker(s)/Late Representations:	There were no representatives in attendance.
Decision:	Approved subject to the conditions as detailed within the submitted report.

22. URGENT ITEMS

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

CHAIR

Appeal Decision

Site visit made on 11 September 2018

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2018

Appeal Ref: APP/G4240/D/18/3207684
17 Southway, Droylsden M43 6EH

- 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 Ritesh Suthar against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 18/00203/FUL, dated 7 March 2018, was refused by notice dated 2 May 2018.
 - The development proposed is a two storey side and rear and single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has requested that amended plans be considered which show internal alterations and the provision of an external ramp. However, I must assess the appeal on the basis of the plans determined by the Council.

Main Issue

3. The main issue in this case is the effect of the proposal on the living conditions of the occupiers of No. 36 Westway with particular regards to outlook.

Reasons

4. The appeal relates to a semi-detached dwelling which is located at the end of a row of houses. Directly to the south of the appeal dwelling sits the cul-de-sac of Westway. The nearest of the properties of this cul-de-sac is No. 36 Westway, which is a semi-detached bungalow sitting at right angles to the appeal dwelling at a significantly lower ground level. The outside space at the back of this bungalow is very shallow. As a result, its main garden is to the side, facing the side elevation of the appeal dwelling.
 5. The proposed two storey extension would sit flush with the front of the appeal dwelling, would be just under 3 metres wide and would extend beyond its rear elevation by some 4 metres. Even accounting for the fact that the ridge height of the rear section of the two storey extension would be lower than the ridge height of the host dwelling, it would be a substantial addition. It would sit
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about 4 metres from the boundary shared with No. 36 Westway, which exceeds the 1 metre minimum recommended by the Council's adopted Supplementary Planning Document titled '*Residential Design*' (SPD) for standard situations. However, this neighbouring bungalow sits at a much lower ground level and has a very shallow rear amenity area, as I have explained.

6. Given the height and depth of the proposed extension combined with its proximity to the neighbouring bungalow at No. 36 which sits at a much lower ground level, I consider that that its effect would be unduly overbearing for the occupiers of this property when viewed from the nearest room at the back of the bungalow and from its garden.
7. The appellant asserts that the proposal amounts to sustainable development. However, the National Planning Policy Framework explains that good design is a key aspect of sustainable development and for the reasons I have explained, the proposed extension does not amount to good design. On this basis, it cannot amount to sustainable development in the widest sense of the definition provided by the Framework.
8. In light of the above, I conclude that the proposed extension would unacceptably harm the outlook from No. 36 Westway. In such terms, it conflicts with the Framework, policy 1.3 of the Tameside Unitary Development Plan and the overall aims of the SPD, which amongst other considerations, seek to safeguard appropriate levels of residential amenity.

Other matters

9. The appellant argues that a 2 metre high wall or fence could be erected along the boundary with No. 36 Westway without planning permission and this would have a more overbearing effect. This scenario is outside of my control, but I do not agree that such a wall or fence would be as overbearing as the two storey extension before me, even accounting for the fact that it would sit 4 metres or so further away. I therefore attach very limited weight to this argument.
10. A number of additional concerns have been raised by third parties. I am satisfied that the distances between the extension and the properties to the rear are sufficient to ensure that any additional overlooking was within acceptable parameters, and that the development would not lead to any substantial loss of light. Given the limited depth of the single storey rear section of the extension and the fact that the two storey element would be set off the shared boundary with No. 15 Southway, I am also satisfied that the scheme would not be unduly overbearing and would not harmfully reduce the levels of natural light available to the occupiers of this dwelling.
11. The proposed extension would not affect existing car parking arrangements and in the absence of any technical evidence to the contrary, I consider that any drainage matters could be adequately addressed. Whilst concern has been raised about disruption during building works, this would be a temporary effect and it could be controlled by other legislation if was to become a nuisance.
12. In light of the above factors, and having considered all other matters raised, the appeal does not succeed.

David Fitzsimon INSPECTOR

Application Number 18/00188/FUL

Proposal	Construction of a new Secondary Free School (for ages 11-18) with associated sports facilities, external landscaping, car parking and access facilities.
Site	Site of the former Littlemoss School, Cryer Street Droylsden
Applicant	Education and Skills Funding Agency
Recommendation	Approve, subject to conditions, the prior completion of a Section 106 Agreement and referral to the Secretary of State for Housing, Communities and Local Government.
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 erection of a secondary school building, with associated facilities (including sports pitches and outside play areas), external landscaping, car parking and associated access arrangements.
- 1.2 The proposals involve the erection of a building with a gross internal floorspace of 10,145 square metres (providing for up to 1350 children aged 11-18 with 87 staff), an enclosed Multi-Use Games Area (MUGA), 3 grassed pitches and 2 running tracks.
- 1.3 The following documents have been submitted in support of the planning application:
 - Planning and Heritage Statement
 - Proposed landscaping scheme
 - Statement of Community Involvement
 - Landscape and Visual Impact Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Noise Impact Assessment
 - Transport Assessment and Travel Plan
 - Air Quality Assessment
 - Site Investigation Reports (Phase 1 & 2)
 - Tree Survey and Arboricultural Impact Assessment
 - Ecology Survey and Great Crested Newt Assessment
 - Sustainability Statement
 - Light Impact Assessment
 - Desk Based Archaeological Assessment
 - Site Waste Management Plan
 - Crime Impact Statement
 - Construction Management Plan
 - Coal Mining Risk Assessment

2. SITE AND SURROUNDINGS

- 2.1 The application site is the site of the former Littlemoss Boys School on the northern edge of Droylsden. The site is located in the Green Belt. The site is bound to the north by agricultural land and farm buildings, to the east by an area of open land (which separates the site from dwellings fronting Lumb Lane) and to the south by residential development on

Woodleigh Drive, Brookland Drive, Cryer Street, Wayne Close and Lumb Lane. The former Hollinwood branch of the Manchester and Ashton Canal (now derelict and partially in-filled) runs parallel with the western boundary of the site.

3. PLANNING HISTORY

- 3.1 18/00024/P4N - Prior Approval for use of the site as a temporary state funded school – approved 28.02.2018.
- 3.2 17/00927/ENV - Request for Screening Opinion. A New Secondary School (D1 Use) and Temporary School Buildings with Associated Access, Parking and Circulation Areas, Formation of Outdoor Sports Facilities, External Play Space, Landscaping, Boundary Treatment and Associated Works – EIA not required – decision letter dated 22.11.2017.

3. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

Allocated as a Major Development Site within the designated Green Belt

4.2 Part 1 Policies

Policy 1.3: Creating a Cleaner and Greener Environment.

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

C6: Setting of Listed Buildings

MW11: Contaminated Land

MW12: Control of Pollution

MW14 Air Quality

N2: Locally Designated Nature Conservation Sites

N3: Nature Conservation Factors

N4 Trees and Woodland

N5: Trees Within Development Sites

N6: Protection and Enhancement of Waterside Areas

N7: Protected Species

OL1: Protection of the Green Belt.

OL3: Major Developed Sites in the Green Belt

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

T11: Travel Plans.

T14 Transport Assessments

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 Guide Supplementary Planning Document

Trees and Landscaping on Development Sites SPD adopted in March 2007

4.5 **National Planning Policy Framework (2018) (NPPF)**

Section 2: Achieving sustainable development

Section 8: Promoting healthy and safe communities

Section 11: Making effective use of land

Section 12: Achieving well designed places

Section 13: Protecting Green Belt Land

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 Archaeology Advisory Service (GMAAS) – no objections to the proposals on the basis of the desk based assessment submitted with the planning application. No conditions are considered necessary as a result of the conclusions of the submitted assessment.
- 6.2 Sport England – initially objected to the proposals as the development would include the installation of hardstanding on part of the existing grassed area. Following the submission of additional information by the applicant, clarifying the nature of the proposed Multi-Use Games Area (MUGA), this objection has been withdrawn, subject to the imposition of conditions relating to the layout of this area and a Pitch Improvement Scheme for the turfed areas.
- 6.3 Transport for Greater Manchester (TfGM) – initial objection withdrawn, following the submission of additional information regarding capacity at a number of the major highway junctions within the vicinity of the site, subject to securing a financial contribution towards a package of mitigation measures (total contribution £19,450.)
- 6.4 Highways England – no objections to the proposals.
- 6.5 Borough Head of Access Services (Children's Services) - Without the proposed development, the Council would face significant issues in being able to meet predicted demand in September 2018 and subsequent years. This site presents the only realistic site in the north / north west of the Borough for a school of this size and will allow pupils to travel easily from Droylsden and Ashton using previous travel to learn patterns. The opening of the Laurus Rycroft free school is critical to meeting need for secondary school places in the Borough.
- 6.6 Coal Authority – no objections to the proposals. The application site is not located in an area designated as high risk in relation to coal mining legacy. An informative outlining the responsibilities of the applicant in this regard should be attached to any planning permission.
- 6.7 United Utilities – no objections to the proposals, subject to the imposition of conditions. The means of drainage to serve the development should accord with the principles set out in the

Flood Risk Assessment submitted with the planning application. The precise details of a sustainable drainage scheme (including management and maintenance) should be secured by condition. A 400mm water main crosses the application site and any impact arising during the construction phase will need to be appropriately mitigated. Development over the main or in close proximity will not be permitted and an informative to this effect should be attached to any planning permission.

- 6.8 Environment Agency – no objections raised to the proposals.
- 6.9 Local Highway Authority – no objections to the proposals (subject to the imposition of conditions and mitigation being secured through a Section 106 Agreement and traffic calming measures being secured through a Section 278 Agreement) following the receipt of further information regarding the safety of the proposed access arrangements and impacts of the development in terms of junction capacity. A number of conditions are recommended, including the submission and approval of a Green Travel and Transport Management Plan.
- 6.10 Borough Tree Officer – no objections to the proposals. The landscape plans show sufficient and appropriate tree, hedge and shrub planting for the development to adequately mitigate for the proposed tree removal.
- 6.11 Greater Manchester Ecology Unit (GMEU) – no objections to the proposals. The Great Crested Newt survey submitted with the application recorded the presence of the protected species on the site (albeit a low presence). The Reasonable Avoidance Measures detailed in the survey include a Method Statement which is considered to be acceptable. Compliance with these measures should be secured by condition. Conditions also required to ensure that the impact of the development on badgers, nesting birds and bats is appropriately mitigated and that biodiversity enhancements are secured as part of the scheme.
- 6.12 Borough Environmental Health Officer (EHO) – no objections to the proposals, subject to compliance with the mitigation measures detailed in the Air Quality and Noise Impact Assessments submitted with the planning application and a limit on the hours of work during the construction phase of the development.
- 6.13 Borough Contaminated Land Officer –no objection subject to further investigations being carried out in relation to potential soil contaminants on the site. The recommended condition would require any necessary remediation measures to be agreed and implemented prior to the commencement of development.
- 6.14 Greater Manchester Police (Designing out Crime Officer) – no objections to the proposals on the basis that the physical security measures in Section 4 of the Crime Impact Assessment submitted with the planning application are implemented, along with some additional measures which should be secured by condition.
- 6.15 Historic England – no comments to make on the application.
- 6.16 Natural England – no comments to make on the application.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 15 letters of objection have been received to the application, raising the following concerns (summarised):
 - Temporary accommodation has already been approved on the site, granting a permanent building is a foregone conclusion.

- Cryer Street is a narrow road and will not be able to cope with the additional traffic that would be generated by the proposed development.
- The congestion at drop off and pick up times will be significant and will result in a highway safety hazard.
- The site is clearly not big enough to cope with the development proposed – hence why the access arrangements require entry into the school and egress from it on different boundaries of the site. If there was more space around the site, one access road could be used to serve the development and there would be far less impact on the residential amenity of neighbouring properties as well as congestion on the highway.
- The traffic and noise associated with the development would occur 7 days a week given that the proposals would include public access to a number of the sports facilities.
- It is not clear why there is a need for this school. If the need is for provision in Tameside generally, there must be more appropriate sites than this for a development of this size, where the impact on highway safety would be less.
- There are concerns regarding the erection of a 2.4 metre high fence on the common boundary between the site and the rear of the properties on Woodleigh Drive.
- Whilst the site was previously occupied by a school, that school accommodated 500 pupils. The proposed development would be 3 times bigger and will therefore have a far greater impact in terms of noise and disturbance and the level of trip generation on local roads.
- The proposed entrance point for buses on the eastern boundary would be a highway safety hazard. The tight nature of the connection with Lumb Lane ensures that buses approaching the site from the south would need to overhang the other side of the carriageway in order to turn into the site. This would result in danger at peak times on the highway.
- Cryer Street is a very narrow road and is not suitable for large vehicles and yet the proposal is that buses would exit the site via Cryer Street to connect to Lumb Lane.
- To accommodate the number of children attending the proposed school, more than 20 buses will be making trips to and from the site each day – this will result in environmental harm, resulting in congestion which will further reduce air quality in the area. There will be a backlog of vehicles waiting to exit Cryer Street onto Lumb Lane due to the volume of traffic that is already on that road at peak times as a result of existing congestion problems on Market Street.
- The existing planning permission on the site is for a temporary use only and the buildings are limited to the southern part of the site and yet digging activity and tree removal is taking place on the wider site.
- The Environmental Impact Assessment screening opinion request did not refer to the installation of the new access road from Lumb Lane through the Green Belt land. This is considered to be a significant element of the proposals in environmental terms.
- The construction phase of the development will result in significant disruption which will be detrimental to the amenity of neighbouring residents and highway safety – what mitigation measures are to be put in place?
- It is understood that the highways assessment undertaken by the consultants supporting the project has demonstrated that the creation of the new entrance and junction is acceptable. We also understand that their traffic analysis indicates an average speed of 29mph on Lumb Lane but that this discounts the top 15% of speeds. Residents witness speeds considerably higher than the traffic consultant has recorded on a daily basis and there have been numerous very serious crashes on the corner where the new junction is proposed.
- There are concerns that the soft landscaping not mown by the farmer in the field opposite the Lumb Lane entrance will block the view of stationary traffic waiting to turn right. Can a maintenance agreement be enforced to make this safe? Has the existing entry and exit into The Old Schoolhouse, 19 Lumb Lane directly opposite

- been taken into account? The proposed drive entrance / exit could be relocated further south adjacent to the existing entrance to 19A.
- How will the new junction be managed during the construction process – it would appear that this will not be wide enough for HGVs to pass each other.
 - Provision should be made for safe crossings to be installed on Lumb Lane to improve safety for pedestrian traffic to the development.
 - What traffic calming measures/ parking restrictions are going to be put in place on the roads surrounding the site to mitigate the additional pressure provided by parents dropping off and picking children up during peak periods?
 - The construction material and drainage facilities installed along the proposed access road off Lumb Lane need to be considered to ensure that there is no displacement of surface water or surfacing material onto the existing highway, which would be a safety hazard.
 - There is a need to ensure that the external lighting to be installed along the access route and any installations within the development do not result in light pollution which would be detrimental to the residential amenity of neighbouring properties.
 - The construction process and tree removal associated with the proposed development may exacerbate structural problems which have previously been experienced by the neighbouring property at 172 Lumb Lane as a result of the trees on the land to the east of the site being poorly maintained.
 - The landscaping scheme along the eastern edge of the site should be improved to provide additional mitigation of the impact of the development on the occupants of the properties on Lumb Lane.
 - The proposed development does not make adequate provision for parking given that the school would include pupils aged up to 18.
 - Assessment of the impact of the development on the Market Street/Manchester Road and the Newmarket Road/A627 junctions should be considered as these junctions are already heavily congested at peak times and the development will result in further harm in this regard.
 - There are no details of the signage to be installed to direct people to the access points to serve the development.
 - The use of the facilities outside of school hours by members of the public will result in noise and disturbance that will be detrimental to the residential amenity of neighbouring properties and would exacerbate the negative highway safety impacts of the proposals.
 - Measures must be incorporated within the development to minimise the risk of crime.
 - This is a residential area where the streets are relatively narrow and enclosed. It is therefore not a suitable site for development on this scale.
 - The impact of the development on Cinderland Hall Farm should be fully considered – particularly given the precarious structural condition of the two curtilage listed barns.
 - There should be no floodlighting of sports pitches – to ensure that the amenity of neighbouring residents and the character of the area are preserved.
 - The proposed entrance point on the eastern boundary of the site would run immediately to the north of the rear garden of 172 Lumb Lane. This access point was used only for pedestrian and cycle access when the former boys school was in operation on the site, never for motor vehicles. The use of this route by motor vehicles for the proposed larger school would result in noise and disturbance that would be detrimental to the residential amenity of that property.
 - Vehicles do use the existing farm track which runs parallel with the existing footpath but the proposed use would be far more intensive and would therefore result in a greater impact.
 - Trees are proposed to be removed on the eastern edge of the site that would screen the development from neighbouring properties.
 - A safety audit should be undertaken of the proposed access from Lumb Lane to ensure that this access would meet the required safety standards.

- The comparison between the impact of the proposed development in relation to the impact of the previous school is misleading as the site has been cleared and so there is no 'fall back' position in terms of assessing the impact of the proposed development on the openness on the Green Belt.
- Additional capacity at existing school sites should be investigated prior to the erection of an entire new development in the Green Belt.
- The speed survey that forms part of the Transport Assessment was conducted by a spot gun – this may meet the guidelines but is limited in scope, given that the new access will affect traffic flow.
- Visibility splays from the proposed access would be affected by cars waiting to turn right into the site from Lumb Lane and the splays shown would appear to be crossing third party land.
- There does not appear to have been a tracking exercise undertaken to ascertain whether refuse wagons and buses would be able to turn left safely into the site.
- The proposed Transport Assessment does not take into account the fact that residents along Cryer Street park within the street, which in practical terms severely restricts the width of the highway.
- The drop off and pick up area within the proposed development is not of a size capable of accommodating the demand over a 20 minute period at peak times – which is considered more realistic given the scale of the development proposed.

8. ANALYSIS

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

- 1) The principle of development in the Green Belt
- 2) Impact on the purposes of the Green Belt
- 3) The impact on the character of the site and the surrounding area
- 4) The impact upon the residential amenity of neighbouring properties
- 5) The impact on highway safety
- 6) Flood risk/drainage implications
- 7) The impact on the ecological significance of the site and trees
- 8) The impact on environmental health
- 9) Other matters

9. PRINCIPLE OF DEVELOPMENT IN THE GREEN BELT

9.1 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 -214 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.

9.2 The site is located within the designated Green Belt. The NPPF, at paragraph 134, sets out the five purposes of Green Belt. These are:

- a. To check the unrestricted sprawl of large built-up areas;
- b. To prevent neighbouring towns merging into one another;
- c. To assist in safeguarding the countryside from encroachment;
- d. To preserve the setting and special character of historic towns; and
- e. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 9.3 Paragraph 142 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.4 Paragraph 144 of the NPPF states that ‘when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances’.
- 9.5 Paragraph 145 states that the construction of new buildings in the Green Belt should be regarded as inappropriate development unless one of the listed exceptions apply. The proposal would constitute the redevelopment of a brownfield site. However exception g) of paragraph 145 requires that development in these circumstances must not have a greater impact on the openness of the Green Belt than the existing development in order to be appropriate development.
- 9.6 Policy OL1 of the UDP states that the Green Belt will be protected from inappropriate development and approval will not be given for the construction of new buildings except in specific purposes. The wording of this policy is slightly at variance with updated guidance of the NPPF, however, the fundamental requirement to keep Green Belts open and only to allow built development for specific purposes or where very special circumstances can be demonstrated remains.
- 9.7 The key areas of consideration in assessing the principle of this development are; whether or not the development is appropriate or inappropriate development in the Green Belt and whether it is necessary to demonstrate very special circumstances to outweigh the harm to the Green Belt.
- 9.8 The site is allocated as a major developed site in the Green Belt under the provisions of policy OL3 of the UDP. The buildings that previously occupied the site have been demolished with only hardstanding and retaining structures remaining in the southern portion of the site and leading to the access points on the southern and eastern boundaries. The effect of the development upon the openness of the Green Belt is considered to be one of the key issues in determining this application. Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
- 9.9 Assessing the openness of the Green Belt is not a simple matter of comparing the existing measured volumes of the existing and proposed buildings on site as many factors are relevant and the visual impact of development on the Green Belt has been held (in *Turner vs SSCLG [2016]*) to be an implicit part of the concept of openness. The question is whether the proposed development would have a greater impact on openness than the existing hardstanding and retaining structures. This is essentially a matter of planning judgement based upon the relevant facts and available evidence.
- 9.10 Given the height of the proposed development, it is considered that the proposal would have a greater impact on the openness of the Green Belt than the existing development on the site. The additional impact of the development would result in more prominent development encroaching beyond the main settlement on this edge of Droylsden. The proposal is considered to exceed the parameters set by policy OL3, as part (d) stipulates that the proposed development should not exceed the height of existing buildings on the land – a requirement that would clearly be contravened in this case.
- 9.11 Development on the parts of the site that are not covered by hardstanding/retaining structures would be for sport and recreation purposes (MUGA and grassed sports pitches), which is appropriate development in the Green Belt. However, these facilities would have

perimeter fencing which would have an additional impact on the openness of the Green Belt and would therefore be inappropriate. On that basis, taken as a whole, the development would have an additional impact on the openness of the land and is therefore inappropriate development in the Green Belt.

- 9.12 In accordance with the guidance contained within paragraph 144 of the NPPF, planning permission should therefore be refused unless there are 'very special circumstances' which exist to approve the development. As stated previously, very special circumstances will only exist where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances.
- 9.13 Having already established that the majority of the development is inappropriate, the following paragraphs consider the 'other' harm that arises as a result of the development and then whether the very special circumstances that have been advanced by the applicant are sufficient to clearly outweigh the harm to the Green Belt. The proposals would not conflict with the fifth purpose of the Green Belt identified in paragraph 9.2 of this report given that the site constitutes previously developed land (where the new school building is to be located) on the edge of an urban settlement.

OTHER HARM

10. PURPOSES OF INCLUDING LAND WITHIN THE GREEN BELT

- 10.1 The main proposed buildings would be restricted to the southern part of the site where the existing hardstanding is located. This would provide a sense of containment to the development within the context of the wider landscape. There would be some development in the northern portion of the land but this would be limited to fencing around the perimeter of the site, the proposed sports pitches and the proposed access route connecting to the eastern boundary of the site.
- 10.2 However, the proposal is considered not to result in urban sprawl as it would be confined to land within the boundaries of the previous school site, which is physically enclosed by the boundaries of neighbouring properties to the south, hedgerows on the eastern boundary, a public footpath and landscaping to the north and the former canal to the west.
- 10.3 A substantial area of open land would remain beyond the northern boundary of the site and the settlements of Failsworth and Woodhouses further north. The proposals would not therefore result in development on a scale that would result in the merging of neighbouring settlements. Whilst the development would result in encroachment into the countryside by virtue of its scale and massing, the fact that development would not extend beyond the boundaries of the former school site is considered to limit the impact of the encroachment into the Green Belt below a level that would harm that purpose of the designation.
- 10.4 The proposal is considered not to result in harm to the setting or special character of an historic settlement. Consideration must be given to the impact of the development on the setting of the grade II listed buildings at Cinderland Hall to the north east of the site, but this is a more localised impact than one that would result in harm to the relevant purpose of the Green Belt.
- 10.5 Following the above assessment, it is considered that the proposal would not conflict with the purposes of the Green Belt in broad principle terms, subject to a detailed assessment of all other material considerations.

11. CHARACTER OF THE SITE AND THE SURROUNDING AREA

- 11.1 The applicant has submitted a Landscape and Visual Appraisal in support of the planning application. The designation of the site within the Green Belt, the protected open space immediately to the east of the site, the hedgerow adjacent to the former canal running parallel with the western boundary of the site, the Medlock Mixed Valley Character Area (north of the site) and the open land within the site are considered to be of high value in landscape terms. The Assessment goes on to consider the magnitude of change to each of these landscape characteristics (and characteristics considered to be of medium and lower landscape value) and then draws conclusions on the impact of the anticipated changes.
- 11.2 The impact of the development on the character of the Green Belt and the open land in the northern portion of the site are the two areas considered to be highly sensitive to change in the Assessment. In relation to the impact of the development on the character of the Green Belt, the nature of the effects during the construction phase and following occupation of the development are considered to be moderately adverse. The longer term impact on the open part of the site would not be significant after the construction phase of the development, according to the Assessment.
- 11.3 The Assessment considers that there would be a minor effect on the landscape character of the protected open space to the east of the site due to the proximity of the proposed buildings to that land. A minor effect is also concluded in relation to the hedgerow on the western boundary of the site, which would be in close proximity of the fence to be erected along that boundary. According to the Assessment, a minor adverse impact is considered to arise to the setting of the Tameside Trail, which skirts the western edge of the site with the separation distance to the location of the proposed buildings considered sufficient to avoid a more severe impact.
- 11.4 In terms of visual amenity impacts, the Assessment considers the impact of the development during construction and once occupied. A total of 11 viewpoints were considered by the Assessment, reducing to 7 following further analysis. Not surprisingly, the Assessment indicates that there would be a high magnitude of change to views of the site from Cryer Street, immediately south of the site and from views of the site from the Memorial Gardens to the east of the site, although the impact from the latter is considered to be lower following the construction phase of the development. The impact on the visual amenity of the other 5 viewpoints, including longer range views of the site from public footpaths and views from Lodgeside Close (in excess of 700 metres to the south east of the site) was considered to be not significant.
- 11.5 In assessing the overall impact of the development, it is important to consider that where an adverse impact on visual amenity is concluded in the Assessment, this relates to the degree of change that will occur. The degree of change to a viewpoint or landscape characteristic does not necessarily equate to a degree of harm. In weighing up the planning balance, an assessment has to be made as to whether any harm arises as a result of the proposals, whether that harm can be mitigated and if the degree of harm is sufficient to outweigh the benefits of the proposals.
- 11.6 The school building itself would be limited to the previously developed part of the site, where hardstanding remains. This ensures that the new development would be viewed within the context of the built form of the existing residential development adjacent to the southern and eastern boundaries of the site. This would limit the extent of perceptible encroachment of development into the countryside, ensuring that there would not be a harmful impact on the character of the landscape on the edge of the settlement. The visual containment provided by the siting of the proposed main building would present a natural extension of the existing built environment and retain the strong break between development in the southern portion of the site and the largely undeveloped character of the northern portion of the land.

- 11.7 In terms of scale and massing, the building would be part 2 and part 3 storeys in height. The southern end of the building would be 2 storeys in height, with a significant recess to the 3 storey element. This aspect of the design would reduce the impact of the development in views of the site from Cryer Street. The siting of the building would also ensure that the direct line of sight from Cryer Street through the site would be across the car parking/drop off area in front of the building. Whilst this area would involve the activity associated with vehicles entering and leaving the site, the low height of development would allow appreciation of the undeveloped character of the land in the northern portion of the site. This assessment is made within the context of the fact that there is existing hardstanding on that part of the site.
- 11.8 The elevations of the proposed building would have a uniform appearance, with the brickwork around the glazing forming a 'grid' pattern and the rectangular flat roofed form giving the development a utilitarian character. The entrance on the front elevation would be given prominence by its protrusion above the ridge height of the main building and the double floor height and recessed nature of the glazed doorway. The orientation of the main span of the building north/south is considered to make effective use of the previously developed part of the land. The 'wing' extending westwards at the northern end of the development would be separated from the main bulk of the 3 storey building by a void above ground floor level, before a drop in height to the 2 storey sports hall. This design approach is considered to positively respond to the fact that the widest public views of the site are from the Public Rights of Way (PRoW) which run parallel with the northern and western boundaries of the site.
- 11.9 The MUGA to be located to the west of the buildings would be surrounded by 3 metre high mesh fencing. The boundary treatment to the MUGA would be relatively prominent from the PRoW which runs parallel with the western boundary of the site. However, the two storey height of the sports hall would form the immediate backdrop, with the 3 storey school building clearly visible, albeit recessed further into the site from those views. Within that context, it is considered that the means of enclosing the MUGA would not result in a detrimental impact on the character of the site or the surrounding landscape.
- 11.10 A 2.4 metre high mesh fence would form the treatment on the northern boundary and a 1.8 metre high fence would run along the western boundary of the site adjacent to the canal, both within close proximity of PRoW routes. The fencing would be located behind the existing landscaping along both of those boundaries of the site, which would form a relatively consistent natural screen and reduce the visual impact of the metal fencing (to be painted black) to an acceptable degree. The lower fencing along the western edge would help to retain the quality of the environment of the footpath along the western edge of the former canal. The fencing to be installed along the southern boundary of the site (common boundary with the properties on Woodleigh Drive that back on to the site) would be seen within the context of the backdrop provided by the neighbouring dwellings from public views of the site and on that basis would not be of a scale that would be harmful in landscape character terms.
- 11.11 Given that the proposed fencing would be painted black, it is considered that the treatments to be installed on the perimeter of the site would not be of a scale that would have an overbearing impact on the character of the surrounding landscape.
- 11.12 In overall design terms, the proposed development is considered not to result in an overbearing impact on the character of the site and the surrounding area.

12. RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

- 12.1 The southern elevation of the proposed development would be 21 metres from the rear elevation of the property at no. 2 Woodleigh Drive. The separation distances to the other

properties adjacent to that boundary of the site would exceed 21 metres. Given that the southern section of the building would be 2 storeys in height (with the 3 storey element significantly recessed), this separation would be sufficient to avoid unreasonable overlooking into those neighbouring properties, meeting the requirements of the Residential Design Guide. The recessed nature of the 3 storey element would also ensure that unreasonable overshadowing would be avoided to those properties, offsetting the fact that the proposed development would be situated due north of those properties.

- 12.2 The siting of the building would ensure that an oblique angle would be retained between the bulk of the development and the properties on the eastern side of Cryer Street ensuring that unreasonable overlooking into or overshadowing of those properties would be avoided. The development would be visible from the properties on Wayne Close to the south east of the site. However, the substantial separation distance to be retained and the oblique relationship between the site and a number of the dwellings on that street would ensure that no unreasonable overlooking or overshadowing would result to those properties. The open space to the east of the site would separate the development from the properties that front onto Lumb Lane further east, ensuring that unreasonable overlooking into or overshadowing of those properties would also be avoided.
- 12.3 A noise impact assessment has been submitted in support of the planning application. The report considers the impact of the plant equipment associated with the development, the impact of noise associated with the additional traffic movements along Cryer Street and the noise generated by the use of the outdoor sports pitches on the residential amenity of neighbouring properties. In relation to plant equipment, the assessment measures the existing background noise levels at the rear of the closest affected neighbouring properties on Woodleigh Drive and concludes that an adverse impact on the amenity of those properties would be avoided due to the substantial separation distance to be retained.
- 12.4 A condition can be imposed to limit the noise associated with the plant equipment to not more than 5 dB below the existing levels is recommended by the Assessment. However, as the assessment points out, final details of the type and location of the plant equipment to be installed has not yet been finalised. It is therefore considered more robust to condition details of the equipment to be installed, the means of enclosure and the attenuation measures required to ensure that any adverse impact from noise is appropriately mitigated.
- 12.5 In relation to the impact of noise associated with the use of the outdoor pitches and MUGA, the assessment compares the predicted noise levels from people using the facilities to the existing background noise levels. A level of 65dB was established as the 'worst case scenario' for the existing background noise level of the properties on Cryer Street, Woodleigh Drive, Wayne Close and Lumb Lane. The anticipated noise levels were concluded to be 10dB below existing background levels due to the mitigation provided by the substantial separation distances to be retained to the neighbouring properties.
- 12.6 In relation to the impact of additional traffic movements resulting from the proposed development on Cryer Street, the assessment models the impact in a scenario where all anticipated movements happen during the peak periods, on the properties on Cryer Street and those adjacent to the Cryer Street/Lumb Lane junction. The report concludes that in this worst case scenario, the proposed development would result in a 3dB increase in the existing background noise levels measured at the most sensitive facades of those properties. As this is below the generally accepted guidance that exceeding existing background noise levels by up to 5dB would not result in harm to the residential amenity of the affected property, the impact of the proposed development is considered not to be significant in this regard.
- 12.7 The Borough EHO has not raised any objections to the conclusions of the Assessment. However, it is acknowledged that the access connecting to Lumb Lane would be used more intensively in the proposed development than the pedestrian and cycle access for which it

was used when the previous school was in operation. Whilst the scheme has been amended to relocate the footpath running alongside the vehicular access to the southern edge of the road, it is considered necessary to ensure that acoustic fencing is installed on the common boundary with the neighbouring properties at 172 -186 Lumb Lane, to ensure that the impact of the noise generated by vehicular traffic on the amenity of the occupiers of those properties is reduced to an acceptable degree. The details of the extent and specification of the fencing can be secured by condition.

- 12.8 External lighting is proposed along the entrance route into the site from Lumb Lane on the eastern boundary but none of the outdoor sports facilities would be flood lit. Following revisions to the soft landscaping strategy, additional trees would be retained within the site, close to the access point. The lighting columns on the eastern edge of the route would be limited to 1 metre in height, those on the western edge would be 4 metres in height. Lighting columns to be installed within the car park area to the east of the building would be 6 metres in height. Wall mounted lighting would be installed on the exterior of the building at 3.5 metres above ground floor level. The EHO has not raised any objections in terms of the impact of light pollution on the residential amenity of neighbouring properties.
- 12.9 Given the greater extent of retention of existing landscaping in the revised scheme, the separation distance to be retained between the lighting in the car park area and the extent of proposed landscape planting to be installed on the eastern boundary of the site, it is considered that the proposed lighting scheme would not be of a scale or siting that result in a detrimental impact on the residential amenity of neighbouring properties or the character of the surrounding area.

13. HIGHWAY SAFETY

- 13.1 A Transport Assessment and Travel Plan have been submitted in support of the planning application. The proposed development would be served by one way access arrangements, with the entrance into the site to be gained from Lumb Lane on the eastern boundary and exit from the site would connect to Cryer Street on the southern boundary, where the existing vehicular site access is located.
- 13.2 A vehicle speed survey was undertaken to ascertain the appropriate location for the access point on Lumb Lane. The survey concluded that a speed of just below 30mph was appropriate for calculating the required stopping sight distance and this data has been used to form the design of the proposed access. A service lay by is proposed, to be located on the western side of the internal access road within the pupil drop off zone – an area approximately 52 metres in length, within the site, with a walkway connection from this area connecting to the entrance to the building. The main pedestrian and cycle access to the school would be from Cryer Street, with a separate gated entrance proposed to the west of the vehicular access. This access would be 2.5 metres in width, with a 1.8 metre wide pedestrian link is proposed adjacent to the vehicular access on Lumb Lane.
- 13.3 In relation to trip generation, the Transport Assessment concludes that, on the application of TRICS modelling, there would be approximately 189 arrivals to and 117 departures from the site during the AM peak period. During the period between 1500 and 1600 (i.e. peak period around school closure), 70 trips to and 123 trips from the site are anticipated, with 36 trips to and 74 from the site between 1600 and 1700. The Assessment considers the impact of the additional traffic flow on a number of junctions within close proximity of the site. These are:
- Market Street/Medlock Street (to the south west of the site);
 - Market Street/Greenside Lane (further to the south west);
 - Lumb Lane/Cryer Street (immediately south of the exit point from the site);
 - Lumb Lane/Stannybrook Road/Newmarket Road (north east of the site); and
 - Newmarket Road/Oldham Road (A627)/Wilshaw Lane (further east of the site).

- 13.4 Surveys of each of the above junctions were undertaken during school term time, during the peak morning and after school periods. The report concludes that with the exception of the Newmarket Road/Oldham Road/Wilshaw lane junction, all of the other junctions listed above would continue to operate within capacity if the trips to and from the site are distributed in the way that the modelling suggests. In relation to that junction, the Assessment concludes that traffic associated with the development would result in the capacity of that junction being exceeded, but that queuing time would not be significantly affected overall.
- 13.5 TfGM initially objected to the proposals due to concerns regarding the impact of the additional traffic on the capacity of the Manchester Road/Market Street and the Greenside Lane/Market Street junctions. Concerns remain in relation to the likelihood of congestion, with TfGM considering that 90% saturation rates would occur as a result of the impact of the development, as opposed to the 60% figure produced by the modelling in the submitted Assessment.
- 13.6 TfGM also highlight the substantial difference in the traffic flow counts between the survey conducted in May and the repeat survey in July during the morning peak period, a factor which makes reliable forecasting of the impact more difficult. There was however greater consistency between the surveys in relation to the counts during the PM peak during both surveys. TfGM consider that further information is not required however, as the clear conclusion from their perspective is that, on the basis of the information submitted and additional survey work undertaken, both junctions would be operating above capacity once the proposed development is in operation.
- 13.7 The NPPF states at paragraph 108 that when assessing planning applications Local Planning Authorities should ensure that (amongst other things) 'any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.' It is clear from the contents of the Transport Assessment and the comments from the statutory consultees that the development would result in a significant impact in this regard.
- 13.8 In their consultation response to the additional survey information submitted by the applicant, TfGM consider that the impact of the development could be made acceptable if the following mitigation measures are implemented:
- Revalidation of the software used to manage the signalling at the Manchester Road/Market Street junction; (contribution of £5250)
 - Revalidation of the system to control the lighting at the Oldham Road/Wilshaw Lane junction (£9200)
 - A financial contribution towards the installation of a CCTV camera to monitor flows at the Manchester Road/Ashton Road/Market Street junction (£5000)
- 13.9 The applicant has submitted a safety audit for the proposed access arrangements to serve the development. The audit refers to the inclusion of keep clear road markings on Lumb Lane and Cryer Street and 20mph traffic zone signage on Lumb Lane. A number of potential concerns are highlighted and recommendations are made to address each of these. For example, the risk of vehicles queuing at the gates overhanging onto Lumb Lane was identified and as a result, the gates have been pulled further into the site, away from the edge of the highway. Another risk identified was that no proposed pedestrian dropped crossing points across the access from Lumb Lane were originally proposed.
- 13.10 This situation would result in pedestrians having to negotiate a full height kerb, increasing the risk of trips/falls and creating manoeuvrability issues for those with pushchairs and wheelchairs. Additionally, the adjacent existing private accesses results in a large expanse where there was no footway nor appropriate crossing points for pedestrians in the original scheme. The recommended solution is to include pedestrian dropped crossings with buff

coloured tactile paving across the access from Lumb Lane, within the site. These measures have been incorporated into the revised proposals.

- 13.11 As a result of the audit, the scheme has been amended to address other concerns raised in the report, including widening of the zebra crossing within the car park area to reduce the potential for conflict between pedestrian and vehicular traffic within the site and the relocation of the footway from the northern to the southern edge of the vehicular access from Lumb Lane.
- 13.12 The Local Highway Authority concurs with the opinion expressed by TfGM that the Manchester Road/Market Street and the Greenside Lane/Market Street junctions would be operating above capacity according to the modelling information submitted by the applicant. In addition to the measures identified by TfGM, which would seek to mitigate the impact of the development on the wider network, and the measures identified in the safety audit which have been incorporated into the revised scheme, Engineers have identified an appropriate location for a pedestrian crossing to be installed across Lumb Lane, close to the junction with Cryer Street. The costs of installing a puffin crossing in this location would be approximately £60,000 and this contribution can be secured via the Section 106 Agreement..
- 13.13 Securing this contribution is considered to meet the CIL regulations in that the pedestrian crossing is necessary to make the development acceptable in planning terms and directly related to the development (given the volume additional traffic to be generated by the development and the need to encourage pedestrian trips to the site in a safe environment) and proportionate given the intensification of the use beyond that which previously occupied the site. A condition requiring this infrastructure to be implemented prior to the first operation of the school is attached to the recommendation to ensure that the impact of the development is mitigated from the first use of the development
- 13.14 Highways Engineers consider that a 20 mph zone should be established around the site (as recommended in the road safety audit undertaken by the applicant), to operate only during school terms, which could be secured via Section 278 Agreement. Complementary Traffic Regulation Orders are also considered necessary to restrict on street parking in the locality. These measures would need to be secured under the provisions of the Highways Act as opposed to planning legislation.
- 13.15 In relation to parking provision, the proposed layout indicates that 111 car parking spaces for staff and visitors (including 10 disabled spaces) and 3 minibus spaces are to be provided to serve the development. In addition, a layby for 4 buses and a drop off area would also be provided within the site. A total of 144 cycle parking spaces would be provided in the area to the front of the school building. Policy T10 of the UDP requires 1.5 spaces per classroom as a maximum standard. Given that 67 classrooms are to be provided within the development, 101 car parking spaces would be sufficient to meet this requirement.
- 13.16 However it is considered reasonable that visitor parking would be in addition to this number of spaces, given the need to avoid parking within the highway, which would represent a safety hazard. The level of cycle parking provision proposed would be sufficient to meet the requirement of 1 space per 10 pupils and 1 per 10 members of staff as required by policy T10 and this would represent part of the mitigation measures to encourage trips to the site by alternative means to the private car.
- 13.17 In addition to the above mitigation measures, the Local Highway Authority has recommended that a number of conditions be attached to any planning permission granted. Conditions requiring the approval of a construction environment management plan and the laying out of the car parking arrangements shown on the submitted plans prior to the first operation of the development are considered to be reasonable and are attached to the

recommendation. Conditions requiring the completion of survey of the condition of the highway and details of the road works and traffic management measures necessary to secure safe access to the site are matters that can be controlled under powers available to the Council under the Highways Act. Details of the construction of the access arrangements can be secured by condition.

- 13.18 A Travel Plan has been submitted with the planning application. The Plan proposes a number of physical infrastructure improvements and management measures to reduce reliance on the private car and promote more sustainable modes of transport to access the development. The Plan highlights the provision of pedestrian access into the development connecting to the existing footway network and the provision of appropriate delineation of pedestrian routes within the site. The provision of secured cycle storage is highlighted as a means of promoting this mode of transport to the development.
- 13.19 In relation to the 'soft' measures, a Travel Plan Co-ordinator is to be appointed to implement the measures contained within the Plan. The role of the Co-ordinator is to ensure promotional material for sustainable travel is up to date and to be the main point of contact for travel and access information. The material promoting sustainable means of transport will be displayed on communal notice boards and will be contained within the Travel Information Welcome Pack, the distribution of which will be the responsibility of the Travel Plan Co-ordinator. The Travel Plan also outlines a number of measures to be implemented to promote walking amongst staff and pupils.
- 13.20 Given the intensification of trip generation that will result over and above the previous school that occupied the site, it is considered necessary to secure further specific measures to be implemented to increase the proportion of journeys to the site via sustainable modes of transport. Details of traffic management measures to be put in place once the development becomes operational can also be included in the Travel Plan. These details can be secured by condition.
- 13.21 Some of the neighbour representations received have referred to pupils travelling to the site from Stockport. For the avoidance of doubt, whilst the Academy Trust that would operate the school (and currently operate other sites) is based in Cheadle, the school would be attended by pupils from within Tameside. It is important to acknowledge that a range of transport modes are likely to be used to make trips to the site therefore, as opposed to all pupils accessing the site by private school buses.
- 13.22 In bringing highways matters to a conclusion, it is acknowledged that the level of trip generation associated with the development would have an impact on the capacity of junctions adjacent to the site and the degree of congestion at these junctions during peak periods. However, the guidance in the NPPF is clear that the impact if a development has to be considered severe for planning permission to be refused on highway safety grounds. The NPPF also advises that where appropriate mitigation can be secured to address a significant impact to an acceptable degree, planning permission should not be withheld.
- 13.23 Whilst the development would result in some of the adjacent junctions operating beyond theoretical capacity at peak times, TfGM and the Local Highway Authority consider that the mitigation measures outlined above would prevent the impact of the development reaching a severe level. Accordingly, in line with national planning policy, planning permission should not be refused on this basis, subject to the mitigation measures being secured by condition and legal agreement.

14. FLOOD RISK/DRAINAGE IMPLICATIONS

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

confirms that the land level on the application site is approximately 1 metre higher than the level of the disused canal which runs parallel with the western boundary of the site. The FRA confirms that the closest river (River Medlock) is approximately 250 metres to the northwest. The application site sits on a level in excess of 20 metres higher than that river.

- 14.2 The FRA concludes that the overall risk of flooding can be managed through the adoption of a number of mitigation measures. These measures include finished floor levels being a minimum of 150mm above existing ground levels, the development of a sustainable drainage strategy to dispose of surface water from the site and the need to include measures to control the rate of surface water run-off from the site. The Environment Agency has not raised any objections to the proposals in relation to flood risk.
- 14.3 United Utilities has not raised any objections to the proposals, subject to a condition requiring the submission and approval of a sustainable drainage strategy to serve the development and details of the management and maintenance of the installation being approved prior to the commencement of development. Given the scale of the development these requirements are considered reasonable although on-going management of the drainage system is considered to be more effectively controlled through inclusion with the Section 106 Agreement.
- 14.4 In relation to foul water, United Utilities have requested a condition stipulating that any variation in the discharge rate of foul water from the development should be approved. It is considered necessary to condition the submission and approval of the means of draining foul water from the development as the proposed use would represent a significant intensification in terms of impact on the capacity of the sewerage network when compared to the previous school. Such a condition is attached to the recommendation.

15. THE IMPACT ON THE ECOLOGY AND TREES

- 15.1 An ecological appraisal of the site has been submitted with the application, which acknowledges the presence of the Hollinwood Branch Canal Site of Special Scientific Interest (SSSI) which runs parallel with the western boundary of the site. Natural England have not raised any objections to the proposals. GMEU have reviewed the findings of the survey and consider that the potential impact of the development on the SSSI would be reduced by the retention of a significant 'buffer' of undeveloped space (with the exception of the erection of boundary fencing) on the western edge of the development. The submission and approval of a management plan to mitigate any potential pollution of the SSSI during the construction phase of the development is considered necessary and a condition to this effect is attached to the recommendation.
- 15.2 The report assesses the potential impact on badgers and GMEU are content with the suggested mitigation measures, which would involve pre-construction surveys being undertaken to ascertain the location of badger activity on the site and the approval of any necessary mitigation prior to the commencement of development. These measures can be secured by condition along with a limit on the timing of tree/vegetation removal from the site, in order to avoid harm to nesting birds. GMEU have also recommended a condition be imposed to ensure that lighting is installed in locations and to a specification that would prevent any adverse impact on the flight paths and feeding/foraging routes of bats. This is considered to be reasonable and is attached to the recommendation.
- 15.3 The surveys undertaken by TEP submitted with the planning application confirm the presence of Great Crested Newts at the site, albeit at a low detectability. The ecological consultants therefore conclude that the works can be undertaken using Reasonable Avoidance Measures and have included a Method Statement detailing the required measures. GMEU consider that the Method Statement is acceptable and compliance with the mitigation measures detailed within the statement can be secured by condition.

- 15.4 GMEU have indicated that biodiversity enhancements need to be secured to mitigate the impact of the development, as encouraged by paragraphs 141 (specifically in relation to the redevelopment of Green Belt land) and 175 of the NPPF. The proposed plans indicate that a Habitat area is to be incorporated into the development, adjacent to the southern boundary of the site. Given the scale of the development proposed and the fact that some of the existing grassed area would be developed for a hard surfaced MUGA, it is considered that further enhancements are required to mitigate the impact of the development in this regard. Such a condition is therefore attached to the recommendation.
- 15.5 The applicant has provided a tree survey, removal plan and proposed landscaping scheme as part of the planning application. The survey indicates that 20 no. Category B trees (trees of amenity value where the presumption should be to retain) are currently present on the site. Three groups of trees with this category would be removed to make way for the proposed development. Two of these groups are located within the previously developed part of the site and one group is located immediately adjacent to the proposed access from Lumb Lane in the north eastern corner of the site.
- 15.6 The proposed landscaping scheme includes trees lining either side of the access road linking to the access from Lumb Lane and new trees would be planted along the eastern boundary of the site, as well as within the proposed car parking area and to the west of the main school building. The majority of the existing trees on the southern boundary (including a group of category B specimens) would be retained as part of the scheme. A greater proportion of the trees on the eastern edge of the site would be retained in the amended scheme. The species of trees to be planted include Silver Birch, White beam, White Willow, Wild cherry and Black Poplar.
- 15.7 The Borough Tree Officer considers that these species are appropriate and that the proposals would adequately mitigate for the trees to be lost to make way for the development. Conditions are attached to the recommendation to secure the planting of the soft landscaping scheme and detailing the requirements in relation to on-going management and maintenance. Details of the materials and finishes to be applied to the hard surfaced areas of the development can also be secured by condition.

16. THE IMPACT ON ENVIRONMENTAL HEALTH

- 16.1 The EHO has not raised any objections to the proposals, subject to a condition limiting the hours of work during the construction phase of the development and the limit on the noise emitted by external plant equipment covered previously in the report.
- 16.2 An Air Quality Assessment has been submitted with the planning application. The assessment of potential impacts to air quality during the demolition and construction phases identified that the activities, together with the location of nearby sensitive receptors (residential properties), result in a high risk of impacts in the absence of suitable mitigation. Mitigation would be provided through a series of measures set out in a detailed dust management plan secured as part of the wider Construction Environmental Management Plan. On this basis the potential for residual effects would be reduced to at worst temporary slight adverse and for the most part would be expected to be negligible.
- 16.3 In relation to the impact on air quality once the school is in operation, the potential impacts would arise from emissions from the proposed developments energy centre and traffic generation. The resulting emissions are considered to result in a slight adverse impact at two off-site receptors (a neighbouring property to the south of the site and one to the north east of the site) with negligible impacts at all other modelled receptors. The report considers that the air quality at all of the receptor locations is predicted to be within the prescribed guidelines. The EHO has raised no objections to the conclusions of the

Assessment, subject to a condition requiring the submission and approval of a construction environment management plan prior to the commencement of development. Such a condition is attached to the recommendation.

- 16.4 The Borough Contaminated Land Officer has not raised any objections to the proposals, subject to further investigations being carried out in relation to potential soil contaminants on the site. 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 part of the site where most of the construction work is to be undertaken. The site is considered to be located in a low risk area in relation to coal mining legacy. The Coal Authority has not raised any objections to the proposals. An informative can be added to any planning permission granted advising the applicant of their responsibilities in this regard.
- 16.5 The scheme includes public access to the indoor sports facilities and the MUGA. The grassed pitches would not be made available for public use and the lack of floodlighting to the MUGA would naturally limit the times during which that facility would be in use. Given the distance between the proposed MUGA and the neighbouring properties to the southern boundary of the site, it is considered that noise associated with the use of that facility outside of school hours would not result in an adverse impact on the amenity of those neighbouring properties, subject to a condition preventing use beyond 20:00 during the week and 18:00 at weekends. These time restrictions would limit the impact associated with trips to and from the site as well as use of the facilities at noise sensitive times.
- 16.6 Concerns have been raised by a number of residents in relation to the noise and disturbance caused to neighbouring properties during the construction phase of the development. Whilst it is acknowledged that there will be an impact arising from deliveries to the site and noise associated with construction work, this would be temporary and can be mitigated to an acceptable degree through the imposition of conditions limiting the time of work and requiring a management plan to be approved for this phase of the development. Given the temporary nature of the impact, any harm arising would not outweigh the long term benefits associated with development, primarily meeting an identified need for additional secondary school placed in the Borough.

17. OTHER MATTERS

- 17.1 Sport England initially objected to the proposals on the basis that further information regarding the use of the proposed MUGA was required to ensure that the development did not result in development over grassed pitches without adequate replacement of those facilities. Following receipt of clarification from the applicant that this area would be formally laid out for hard court games, this objection has been withdrawn, subject to the imposition of conditions relating to the design of the MUGA and the condition and on-going maintenance measures to be applied to the grassed pitches. These conditions are considered to be reasonable and are attached to the recommendation.
- 17.2 Sport England has commented that the community use of the indoor facilities is a positive element of the scheme, which should be extended to all of the outdoor sports facilities. Whilst this would expand the range of sports facilities available to the community, it would also further increase the intensification of the use of the site. Given the impact of the trips generated by the development as currently proposed, it is considered that the environmental and amenity impact of further traffic would outweigh the benefits of wider public use of the facilities on the site.
- 17.3 Given the substantial separation distance to be retained between the proposed school building and Cinderland Hall Farm to the north east of the site and the fact that the fencing to be installed would be screened in part by the soft landscaping on the outer edge of the

common boundary, it is considered that the development would not result in any adverse impact on the setting of that grade II listed building. This assessment is corroborated by the lack of objection from Historic England to the proposals.

- 17.4 In relation to the risk of crime associated with the proposed development, the applicant has submitted a Crime Impact Assessment in support of the planning application. Greater Manchester Police have commented that a number of measures need to be included within the development to ensure that the risk of crime is adequately mitigated, in addition to those included within the submission. These include, access controls being fitted to the inner and outer lobby doors of the three main entrances and all external doors and ground floor windows being certified to a Secured by Design recognised security standard. It is considered reasonable to condition the submission and approval of confirmation that Secured by Design accreditation has been achieved prior to the first operation of the development.
- 17.5 In relation to refuse storage, the applicant has indicated that 1100 litres bins will be provided for general and recyclable waste and 1 x 750 litre bin will be provided for food waste. The information indicates that refuse collection vehicles would utilise the same one way system as other vehicular traffic entering and egressing the site. The location of the enclosed refuse store, adjacent to the exit onto Cryer Street, is shown the proposed landscaping plan. The EHO has raised no objections to the proposals in this regard. A condition requiring the approval of the details of the means of enclosure and the installation of the storage facilities in the location indicated on the submitted plans is attached to the recommendation.
- 17.6 There is the potential for obstruction of the PRow which runs parallel with the northern boundary of the site and, to a lesser degree, the designated route which runs to the west of the disused canal adjacent to the western boundary of the site, during the construction phase of the development. The proposed access connecting to Lumb Lane would run parallel with the route adjacent to the northern boundary but would at no point overlap it, ensuring that there would no permanent obstruction of this route. The fence on the western boundary would not result in any infringement of that route. A condition requiring details of the measures to be undertaken during the construction works to ensure that the right of ways remain unobstructed is attached to the recommendation.
- 17.7 Objectors have referred to the implications of the existing temporary use of the site as a state funded school in relation to the determination of this planning application. The temporary facilities on the site were granted via a prior approval application under the provisions of Schedule 2, Part 4, Class CA of the Town and County Planning (General Permitted Development) (England) (Amendment Order) 2017. The temporary consent lasts for 2 academic years and so will expire on 31 July 2021 and cannot be renewed via the same regulations. The reason that the applicant applied for that temporary consent was to allow a school to open on the site at the start of the 2018/2019 academic year, in order to begin to meet the identified need for places.
- 17.8 The prior approval application for the temporary school building does not have a significant bearing on the outcome of this planning application. The principle of development is a critical part of the assessment of this application for the permanent school. Conversely, the fact that the site is located in the Green Belt was not material to the assessment of the prior approval application for the temporary development, where the only criteria that an application is assessed against are those listed in the regulations. Furthermore, the impact of the permanent development being proposed in this application (which exceeds the size limit of development that can be considered under the prior approval procedure) would be more significant than the development which has been granted temporary consent due to the scale of development, the level of trip generation and the environmental consequences. For that reason, no weight has been given to the fact that there is an extant consent for temporary school buildings on the site in the assessment of this planning application.

- 17.9 An environmental standards statement has been submitted with the application, which considers the feasibility of incorporating various renewable energy measures into the development to reduce carbon emissions once the building becomes operational. The technologies investigated included photovoltaic panels, solar thermal installations, wind turbines, biomass and air and ground source heat pumps. The report indicates that control measures are to be put in place to minimise water and electricity consumption. The use of air source heat pumps in conjunction with the installation of a ventilation plant to control air temperature in a more energy efficient manner are considered by the statement to be the most suitable options for this development. Details of the specification of the air source heat pumps, a plan showing the location of the installations within the site and a noise assessment demonstrating that existing background levels at the site boundaries will not be exceeded during the operation of these units can be secured by condition.
- 17.10 There are no objections to the proposals from GMAAS, who have reviewed the Archaeological Appraisal submitted with the planning application. No further survey work or conditions are considered necessary in this regard.

18. VERY SPECIAL CIRCUMSTANCES

- 18.1 The applicant has advanced a case that the following factors combined result in very special circumstances which, in their opinion, clearly outweigh the harm to the Green Belt by virtue of the inappropriate nature of the development:

- There is an established and critical need for new secondary school places in the Borough
- There is an absence of an appropriate, available and developable alternative site for the development outside of the designated Green Belt, within the Borough
- There are educational benefits arising from a modern secondary school facility
- There are wider benefits arising from the development – namely access to new sporting facilities which are to be made available for public use.

The Planning Statement submitted in support of the application provides further detail on each of the above and these are discussed in more detail below.

- 18.2 In relation to the need for the additional school places, the statement refers to the report published in July 2016 to the Tameside MBC Educational Attainment Improvement Board, which identified that in September 2017, a total of 2,732 places would be available for those entering secondary education. The number of children seeking places in the Borough was projected in the report by September 2018 to rise to 2,912 and by 2023, the projections indicated that 3,190 places would be required. On that basis, there would be a deficit of 458 spaces in the Borough by 2023 for that age group alone.
- 18.3 The applicant has also pointed to the admissions data for the Borough which indicate that the 15 state funded schools were capable of providing a maximum of 2,761 places for pupils entering secondary education. A total of 2,732 places were allocated for the 2017 academic year, indicating that these schools were operating at 98.9% capacity, with only 29 spaces available. This followed 95.3% of spaces being allocated in 2016 and 92.2% of capacity being allocated in 2015.
- 18.4 These statistics indicate the rising level of demand within the Borough, supporting the evidence behind the projected population increases identified above and the lack of additional capacity within the existing infrastructure to accommodate this growth. This evidence is corroborated by the Borough's Head of Access Services, who confirms that, without the proposed development, the Council would face significant issues in being able to meet predicted demand in September 2018 and subsequent years.

- 18.5 The temporary buildings that are being erected on the site now (following the granting of the prior approval in February 2018) would meet the immediate need. Those would not however be of sufficient scale to meet capacity beyond the 2 year period for which the prior approval consent lasts. The Head of Access Services also considers that the application site represents the only realistic site in the north/north west of the Borough which would be big enough to accommodate the development and that is located appropriately to serve Ashton and Droylsden, where the main identified shortfall in places exist.
- 18.6 The NPPF makes clear at paragraph 94 that local planning authorities should take a proactive, positive and collaborative approach to provide sufficient choice of school places and should give great weight to the need to expand schools through decisions on planning applications. Given the content of the previous paragraphs, it is clear that the applicant has identified a need for the additional school places and that this weighs in favour of the proposals.
- 18.7 In order for the identified need to form a very special circumstance, evidence is required to demonstrate that there are not available sites within the Borough outside of the designated Green Belt, that could also be developed to meet this need. To this end, the applicant has included details of a site search undertaken prior to the progression of the proposed development. A number of screening criteria were established to guide the search, based on the physical size required to provide the school buildings and associated outdoor space, the terms of any lease on the land (to ensure that temporary accommodation could be provided in order to meet part of the immediate demand from September 2018) and a focus on sites in the centre and north of Ashton due to the level of need in that part of the Borough.
- 18.8 The applicant refers to capacity analysis undertaken by Tameside's Education Attainment Improvement Board which indicates that Ashton is the town in the Borough where primary school places have increased at the fastest rate since 2008/9. On that basis, sites within the western parts of the Borough were considered best located to meet the identified demand. Extension of the three existing school sites in Droylsden (Fairfield High School for Girls, Droylsden Academy and Audenshaw School), or any of the other existing schools in the Borough, was discounted due to the scale of development required to meet the identified need.
- 18.8 Following application of these screening criteria, a total 17 sites within the Borough were identified as worthy of detailed assessment. Of the 17 sites, 4 were discounted due to the site area falling below the size required to accommodate the development. Issues were identified with the availability of 6 of the sites to accommodate the development within the defined timeframe. Given that there is evidence of a substantial need within the short term, this is considered to be an acceptable reason for discounting those sites as the definition of 'deliverable' in the NPPF requires land to be '..available now (and) offer a suitable location for development now...'
- 18.9 A number of the sites were discounted due to the extent of remediation works required to address contaminated land issues, and for planning policy based reasons, including undeveloped land in the Green Belt and land designated as protected open space. Viability is a material planning consideration and local and national planning policy provides safeguards against the loss of allocated public open space.
- 18.10 Sites within the Green Belt, particularly undeveloped land, are unlikely to be more suitable than the application site given that its part previously developed status is acknowledged within the UDP allocation (albeit that the proposed development would extend beyond the parameters set out in policy OL3 as previously identified.) This assessment is made on the basis that all of the technical matters associated with developing the application site can be overcome through the imposition of conditions/contributions, as evidenced by the lack of objection from any of the statutory consultees.

- 18.11 The site of the former Two Tress School has been included in the site search. The Council's Estates department has confirmed that this site is not currently on the market and is not therefore 'available' to be developed at the time of assessing this application. The former Mossley Hollins and Samuel Laycock school sites were also included in the search. Outline planning permission (granted in November 2017) has been approved on the former and development has commenced on the latter following the approval of reserved matters for residential development of that site, also in November 2017. These sites can also reasonably be discounted as not available for the proposed development as a result.
- 18.12 Following the above assessment, it is considered that the applicant has demonstrated that there are currently no other reasonably available and deliverable sites within the Borough to meet the identified immediate and longer term need. When combined, these factors are considered to constitute 'very special circumstances' because there is no evidence to suggest or planning application currently being considered that would result in the shortfall in education provision within the Borough being met in the necessary timeframe. The 3rd very special circumstance of providing educational benefits from a modern secondary school facility is considered to be part of the overall case in relation to the need for additional school places, but is considered not to be a very special circumstance on its own as the redevelopment of existing school sites within the Borough could potentially achieve the same benefit.
- 18.13 Whilst providing public access to sports facilities to be included within the proposed development (sports hall, fitness studio, dance studio and MUGA) would be a social benefit, this element of the scheme alone would not clearly outweigh the harm caused by the inappropriate nature of the overall development in the Green Belt. This assessment is made on the basis that there is no evidence to suggest that those benefits could not be achieved through development of sites outside of the Green Belt.
- 18.14 Taking the very special circumstances case as whole, it is considered that the applicant has provided sufficient evidence to demonstrate that there is an identified need for additional secondary school places within the Borough and that there are no suitable alternative sites that are available and deliverable for the development proposed within Tameside, at the time that this application is being determined. The combination of these circumstances is considered to indicate that without development of this site, the Council would not be providing sufficient school places to meet demand.
- 18.15 On that basis and given that the 'other harm' arising from the development can be appropriately mitigated (as assessed in detail previously in this report), it is considered that very special circumstances do exist which clearly outweigh the harm to the Green Belt, despite the proposals constituting inappropriate development.

19. CONCLUSION

- 19.1 The proposal would constitute inappropriate development in the Green Belt. The main bulk of the development would be limited to the previously developed part of the site. However, the development would have a greater impact on the openness of the Green Belt by virtue of the fact that only the hardstanding and retaining walls associated with the previous use remain on the land. In accordance with national and local planning policy, very special circumstances must exist, which clearly outweigh the harm to the openness of the Green Belt by virtue of the inappropriate nature of the development and any other harm arising from the proposals.
- 19.2 The very special circumstances advanced by the applicant have been assessed in detail in the main body of this report. Officers are satisfied that the application has provided sufficient evidence to demonstrate that there is a need for the additional school places within the Borough, that the evidence suggests the greatest need is within the part of the

Borough in which the application site is located and that there are no alternative deliverable sites to achieve the proposed development. The sequential test submitted to demonstrate the latter point is considered to be comprehensive and the potential alternative sites have been discounted for reasons that legitimately fall with the categories of being either not available now or not suitable for development now (or both).

- 19.3 In relation to the harm to the openness of the Green Belt, it is considered that the scale, siting and detailed design of the proposals are appropriate and would not result in a detrimental impact on the character of the landscape. In particular, the reduction of parts of the northern and southern ends of the development to 2 storeys is considered to respond to the most sensitive public views from the PRowS which run parallel with the northern and western boundaries of the site.
- 19.4 It is considered that the proposals would not result in an adverse impact through unreasonable overlooking into or overshadowing of neighbouring properties to the south and east of the site. Subject to a condition limiting the hours of use of the MUGA, it is considered that the development would not result in noise or disturbance that would result in harm to the amenity of neighbouring residents, once operational. The impact of the construction phase on the amenity of neighbouring properties can be controlled through conditions being attached to the planning permission to limit the hours of work and require the approval of a construction environment management plan.
- 19.5 Following the submission of additional information, there are no objections from TfGM or the Local Highway Authority in relation to the impact of the proposals on highway safety. Subject to the measures detailed in the main body of this report being secured through a Section 106 Agreement and Section 278 Agreement under the Highways Act (where appropriate), it is considered that the impact of the development can be mitigated to avoid a severe impact on highway safety. In accordance with the guidance within the NPPF, planning permission should not therefore be refused on this basis.
- 19.6 A number of conditions are recommended to mitigate the other impacts associated with the proposed development, including in relation to ecology, contaminated land, environmental health, surface and foul water drainage and trees. Subject to these conditions being imposed, there are no objections from any of the statutory consultees to the proposals. On that basis, it is considered that the 'other harm' arising from the development can be adequately mitigated through reasonable planning controls.
- 19.7 In conclusion, it is considered that the very special circumstances do exist that clearly outweigh the harm to the openness of the Green Belt by virtue of the inappropriate nature of the development and the other harm caused.

20. RECOMMENDATION

Grant planning permission subject to the following:

Referral to the Secretary of State for Housing, Communities and Local Government as the application proposed development of more than 1000 square metres on Green Belt land;

The prior completion of a Section 106 Agreement to secure the following:

- Financial contribution of £60,000 to fund the installation of a puffin crossing across Lumb Lane, adjacent to the junction with Cryer Street
- Financial contribution towards the revalidation of the software used to manage the signalling at the Manchester Road/Market Street junction' (contribution of £5250)
- Financial contribution towards the revalidation of the system to control the lighting at the Oldham Road/Wilshaw Lane junction (£9200)
- A financial contribution towards the installation of a CCTV camera to monitor flows at the Manchester Road/Ashton Road/Market Street junction (£5000)

- Defining Management arrangements for the surface water drainage system to serve the development;
-

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 (ref. P5013_01100 Rev. C)
 Proposed sections plan (ref. P5013_1400 Rev. E)
 Proposed site sections plan (ref. RYE-DHL-Z0-Z0-DR-L-2002 Rev. P04)
 Levels Strategy plan south area (ref. RYE-DHL-Z0-Z0-DR-L-2003 Rev. P04)
 Levels Strategy plan north area (ref. RYE-DHL-Z0-Z0-DR-L-2013 Rev. P02)
 Proposed Plans – GA- Ground Floor (ref. P5013_1200 Rev. J)
 Proposed Plans – GA- First Floor (ref. P5013_1201 Rev. H)
 Proposed Plans – GA- Second Floor (ref. P5013_1202 Rev. H)
 Proposed Plans – GA- Roof Plan (ref. P5013_1203 Rev. F)
 Proposed Plans – GA- Elevations (ref. P5013_1350 Rev. F)
 Proposed Landscape Masterplan (ref. RYE-DHL-Z0-Z0-DR-L-2001 Rev. P06)
 Proposed Planting Plan (ref. RYE-DHL-Z0-Z0-DR-L-2004 Rev. P04)
 Proposed boundary treatments and fencing general arrangement plan (ref. RYC-DHL-Z0-Z0-DR-L-2006 Rev. P05)
 Proposed External Sports Provision Plan (ref. RYC-DHL-Z0-Z0-DR-L-2011 Rev. P03).
 Proposed Levels setting out (north area) plan (ref. RYC-DHL-Z0-Z0-DR-L-2013 Rev. P02)
 Proposed Levels setting out (south area) plan (ref. RYC-DHL-Z0-Z0-DR-L-2003 Rev. P04)
 Impact on Trees Plan (ref. RYC-DHL-Z0-Z0-DR-L-2005 Rev. P02)
 Air Quality Assessment Dated March 2018 produced by Ramboll
 Lighting Impact Assessment Dated 04 June 2018 (Rev. P02) produced by Ramboll
 Detailed Lighting Layout Plan (drawing no. D34542/AE/E)
 Noise Impact Assessment Dated 2 March 2018 produced by Ramboll
 Ecological Survey and Assessment Dated October 2017 produced by ERAP
 Great Crested Newt Assessment; Technical Report dated 10 August 2017 produced by TEP (ref. 2017-284)
 GCN Assessment Technical Report dated May 2018
 GCN Reasonable Avoidance Measures dated June 2018
 Amphibian Assessment letter dated 08 January 2018
 Stage 1 Road Safety Audit produced by Six:TEN Highways and Traffic Ltd
 Travel Plan produced by Via Solutions Dated March and 2018 Response to the Stage 1 Road Safety Audit by Via Solutions dated 19 July 2018
 Proposed speed and parking controls plan (Drawing no. 18069101a)

3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted and approved in writing by the Local Planning Authority:

- I. Further soil sampling and analysis, shall be undertaken at the site. Prior to undertaking the sampling a detailed strategy shall be submitted to the EPU for approval.
- II. Following the undertaking of additional soil analysis, a detailed assessment of all soil analysis data shall be undertaken in order to determine the risk posed by contamination to all receptors.
- III. Where necessary, a remediation strategy, giving full details of any remedial works required and how they are to be undertaken shall be approved in writing by the Local Planning Authority prior to implementation. The development shall be carried out in accordance with the approved details.
- IV. Should any evidence of contamination and / or unusual ground conditions (including deep made ground and significant organic materials) be encountered during the construction phase, works shall cease and further risk assessment and/or remedial strategy to deal with the contamination / materials shall be submitted to the Local Planning Authority. Construction works shall not recommence until the strategy has been approved in writing with the Local Planning Authority and shall proceed in accordance with the approved details.

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

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:
 - a) externally on the buildings;
 - b) in the construction of all boundary walls, fences and railings; and
 - c) in the finishes to all external hard-surfaces (including pedestrian access routes)

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. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved Proposed Landscape Masterplan (ref. RYE-DHL-Z0-Z0-DR-L-2001 Rev. P06) prior to the opening of the hereby approved school for its first full academic year and shall be retained free from obstruction for their intended use thereafter. Following first occupation of the development hereby approved, equivalent temporary car parking provision to that which serves the existing temporary school on site (22 spaces) shall be made available until such time as the approved permanent car park is completed.
6. The boundary treatments to be installed as part of the development hereby approved shall be installed in the locations indicated and to the specification shown on approved plan ref. RYC-DHL-Z0-Z0-DR-L-2006 Rev. P05, (with the exception of further details to be approved for acoustic fencing to be installed along the common boundary with no. 172-186 Lumb Lane, as required by condition 11 of this planning permission), prior to the first occupation of any part of the development hereby approved.
7. 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.

8. Prior to the first occupation of the development hereby approved, details (including scaled plans and details of the construction material and finish) of the means of enclosure of the bin storage area to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The bin storage arrangements shall be laid out in the location indicated on the approved plans and with the approved means of enclosure prior to the first occupation of the development hereby approved.
9. The approved scheme of landscaping shall be implemented before the opening of the school for its first full academic year 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 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.
11. Prior to the first operation of the development hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - scaled plans showing the exact location and elevations of the acoustic fencing to be installed along the common boundary with no. 172-186 Lumb Lane (north eastern corner of the site, to the south of the proposed access road) and a manufacturers specification of the fencing.

The noise mitigation measures shall be implemented in accordance with the approve details, prior to the first operation of the development and shall be retained as such thereafter.

12. No development shall commence until an Environmental Construction Method Statement detailing how pollution of the disused Canal adjacent to the western boundary of the site is to be avoided during the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

13. Prior to the first operation of the development hereby approved, a Green Travel and Transport Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include specific measures to be implemented to encourage trips to and from the site via alternative modes of transport to the private car and specific measures to be implemented to ensure that vehicles adhere to the one-way access and egress arrangements associated with the development. The development shall be carried out in accordance with the measures detailed in the approved Green Travel and Transport Management Plan and the measures detailed in the Travel Plan submitted with the planning application.
14. No development above ground level shall commence until details of the measures to be included in an application for Secured by Design status have been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any part of the development hereby approved, confirmation that Secured by Design status has been achieved shall be 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.
15. The proposal shall be carried out in accordance with the mitigation measures detailed in the Air Quality Assessment submitted with the planning application and shall be retained as such thereafter.
16. No tree felling or vegetation removal shall take place during the optimum period for bird nesting (March to July inclusive) unless otherwise agreed in writing with the Local Planning Authority.
17. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of each of the site access points where they meet 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. Prior to the occupation of any part of the development hereby approved, details of Biodiversity enhancement measures to be installed as part of the development hereby approved shall be 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 operation of the development and shall be retained as such thereafter.
19. Prior to the occupation of any part of the development hereby approved, details of the Habit area (as identified on the approved landscape masterplan) to be incorporated into the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
 - The species mix to be planted in the area
 - Details of the means of enclosure (including scaled elevation plans)
 - Details of a scheme for on-going management and maintenance of the habitat area (including the pond.)

The Habitat area shall be installed in accordance with the approved details prior to the first operation of the development and shall be retained in accordance with the approved management arrangements 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. The Multi –Use Games Area to be installed as part of the development hereby approved shall not be open to members of the public outside of the hours of between 09:00 and 20:00 Monday to Friday and between 09:00 and 18:00 on Saturdays and Sundays and Bank/Public Holidays. No part of the site shall be open to members of public outside of the hours of between 07:00 and 22:00 Monday to Friday and between 09:00 and 18:00 on Saturday and Sunday.
22. Prior to the first occupation of the development hereby approved, details of the specification of the air source heat pumps, a scaled plan showing the location of the installations within the site and a noise assessment demonstrating that existing background levels at the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details, prior to the first occupation of the development and shall be retained as such thereafter.
23. No development shall commence until a management plan detailing the measures to be adopted to prevent obstruction of the Public Rights of Way running parallel with then northern and western boundaries of the site during the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. The measures contained within the approved management plan shall be implemented prior to the commencement of development and retained for the duration of the construction works.
24. Prior to the commencement of development relating to the installation of the Multi-Use Games Area (to be hard surfaced), details of the design and layout of the Multi-Use Games Area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
25. Prior to the first use of the natural turf pitches to be included as part of the development hereby approved, a scheme detailing the construction of the pitches and on-going management measures shall be submitted to and approved by the Local Planning Authority. The Scheme shall comprise a written specification of each pitch with plans illustrating the drainage scheme, dimensions of each pitch, maintenance regime and the implementation timetable. The pitches shall be implemented in accordance with the scheme, prior to the first use of any of the pitches and shall be retained as such thereafter.
26. 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.

27. The secured cycle storage to be provided as part of the development hereby approved shall be laid out in accordance with the details shown on the approved Proposed Landscape Masterplan (ref. RYE-DHL-Z0-Z0-DR-L-2001 Rev. P06) prior to the opening of the hereby approved school for its first full academic year, and shall be retained a such thereafter. Following first occupation of the development hereby approved, existing temporary cycle storage provision on site (36 spaces) shall continue to be made available until such time as the approved final cycle storage provision is completed.
28. Prior to the installation of any plant equipment to as part of the development hereby approved, details of the equipment to be installed shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
- scaled plans indicating the location of the equipment to be installed;
 - scaled elevation plans of the means of enclosure (fully screening the installations from public view);
 - a manufacturers specification to the equipment; and
 - a noise assessment demonstrating that the noise level when the equipment is operational does not exceed existing background noise levels by more than 5dB

The plant equipment and means of enclosure shall be installed in accordance with the approved details, prior to the first occupation of the development and shall be retained as such thereafter.

29. No development above ground level shall commence until details of the construction of the vehicular and pedestrian/cycle access roads/footways 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 (including details of the existing and proposed ground levels) with vehicle and pedestrian visibility splays labelled and details of the construction materials. The access arrangements shall constructed in accordance with the approved details prior to the first operation of the development and shall be retained as such thereafter.
30. No development shall commence (including demolition, ground works, vegetation clearance) until additional survey work has been undertaken to assess the potential impact of the development on badgers has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation measures and shall be retained as such thereafter.
31. No development shall commence (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) detailing the measures to be installed to mitigate the impact of the construction phase of the development on the Hollingworth Branch Canal Site of Special Scientific Interest (SSSI) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.
- a) A Risk Assessment identifying the potentially damaging construction activities.
 - b) Identification of biodiversity protection zones to be kept free from any activity (including the storage of any machinery or material) during the construction phase of the development .
 - c) A method statement detailing the measures (both physical measures and sensitive working practices) to be implemented to avoid pollution of or debris entering the SSSI during the construction phase of the development.

- d) The times during construction when specialist ecologists need to be present on site to oversee works and details of how that process would be managed
- e) Plans showing the location and specifications of protective fences, exclusion barriers and warning signs to be erected during the construction process to protect the route of the SSSI.

The mitigation measures contained within the approved CEMP shall be implemented on the commencement of development and shall be retained as such for the full duration of the construction phase of the development.

32. Notwithstanding the details shown on the approved plans, prior to the first operation of the development hereby approved, details of the external lighting to be installed as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) identification of those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) scaled plans showing where external lighting is to be installed (including lighting contour plans and technical specifications) demonstrating that areas to be lit will not disturb or prevent the protected species using their territory or having access to their breeding sites and resting places.
- c) scaled plans showing the height and design of the columns on which the lighting is to be erected.

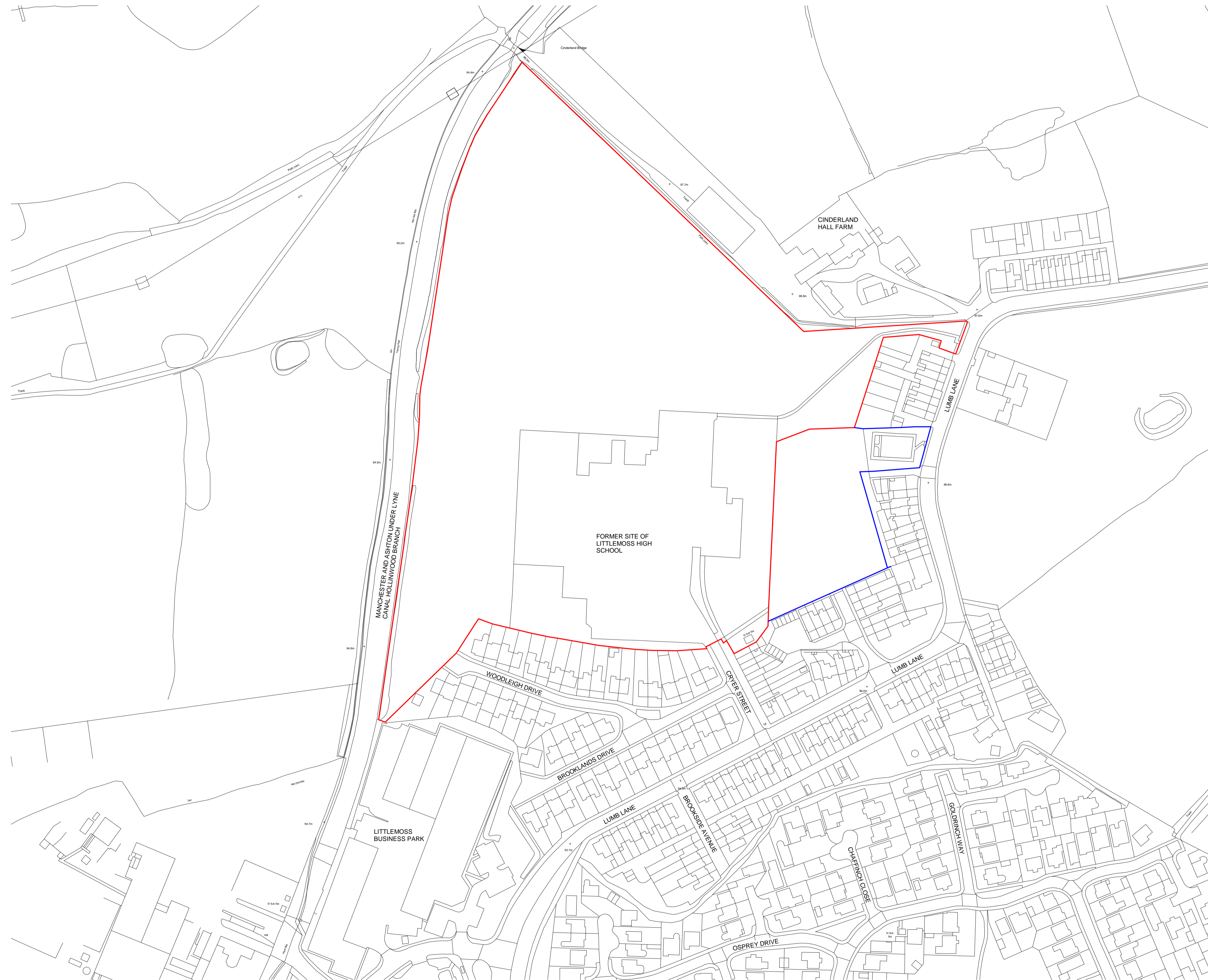
The external lighting shall be installed in accordance with the approved details, prior to the first operation of the development and shall be retained as such thereafter.

33. The development shall be carried out in accordance with the energy efficiency measures detailed in section 3 of the Energy Environmental Standards statement produced by Ramboll dated March 2018 submitted with the planning application and shall be retained as such thereafter.

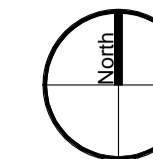
34. No development shall commence until tree protection measures to meet the requirements of BS5837:2012 have been installed around all of the trees on the site to be retained within the site. These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.

35. No development shall commence until a scheme for the provision of a pedestrian crossing across Lumb Lane, adjacent to the junction with Cryer Street, has been submitted to and approved in writing by the Local Planning Authority. The pedestrian crossing shall be installed in accordance with the approved details prior to the first operation of the development.

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Location Plan
1 : 1250



Notes
The Contractor is to check all dimensions and conditions on site before commencing. Do not scale from this drawing.
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Scale Bars TO BE USED ONLY AS GUIDANCE

1:100	mm	0	1000	2000	3000	4000
1:250	m	0	10	20	30	40
1:1250	m	0	10	20	30	40

— Planning Application Red Boundary Line

— Land in same ownership

Taken from:
Tameside Metropolitan Borough Plan - prepared by Bill Boarden 18/7/2017
Ordnance Survey map reference: SJ9199NW

C	Ownership boundary line added	LY	28/02/18
B	Planning Submission	LY	20/02/18
A	Issue to Durwoody	LY	15/02/18

Rev	Description	By	Date

Client: **BAM Construct UK Limited**

JD: **Laurus Rycroft**

Drawn: **Planning - Location Plan**

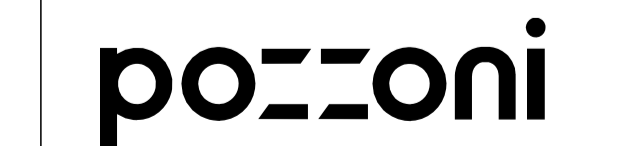
P5013_01100 Rb C

BAM-PAL-XX-00-DR-A-01100

Date: 01/10/18 Scale: 1 : 1250 @ A1

Author: GK LY AP

Planning	Tender	Construction
Design	Contract	As Built



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115 Golden Lane
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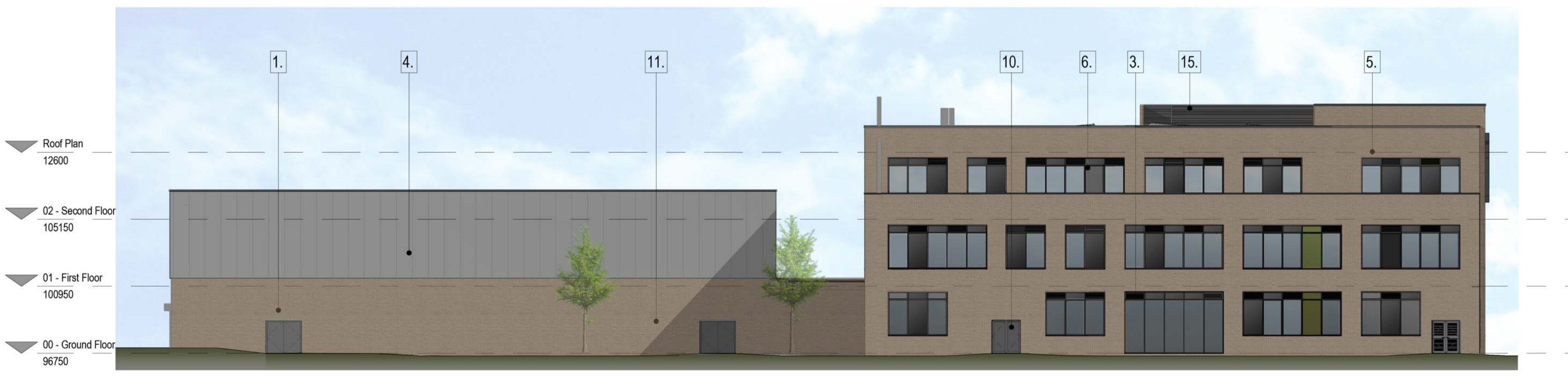
1 East Elevation (Front)
1 : 200



2 West Elevation (Rear)
1 : 200



3 North Elevation
1 : 200

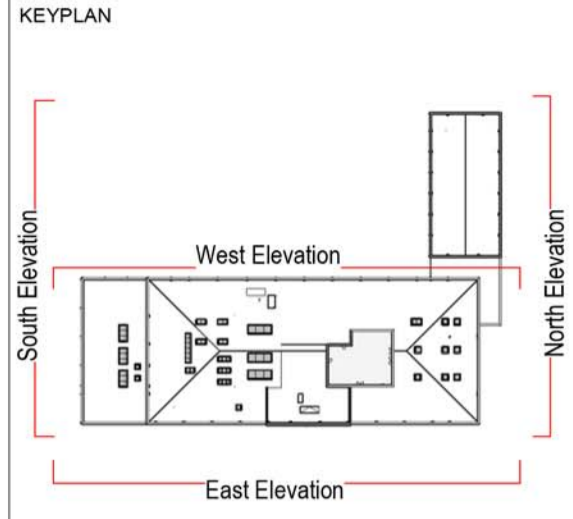


4 South Elevation
1 : 200

Notes
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Scale Bars TO BE USED ONLY AS GUIDANCE:

1:100	mm	0000	5000	5000
1:200	mm	0000	5000	5000
1:500	m	0	15	25
1:1250	m	0	50	70



- Materials**
- Light Brick tbc
 - Darker Brick tbc
 - Curtain Walling
 - Coloured Cladding Panel colour tbc
 - PPC Coated Spandrel Panel colour tbc
 - Window Louvres: PPC Aluminium colour tbc
 - Roof: Kingspan KS 1000mm TD Topdek or similar
 - Roof Terrace: Hot Melt Inverted Roof with Pavours including flat insulation
 - Roof Lights colour tbc
 - External Doors: PPC Metal colour tbc
 - External Doors: Steel
 - Indicative Signage (Illuminated)
 - External Doors: Louvred Doors
 - Main facing brick inset 50mm colour tbc
 - Louvred Plant Screen colour tbc
 - Plantroom Louvres colour tbc

F	Revised elevations for Planning	LY	08/06/18
E	Changing room louvres, brick annotation and levels revised.	LY	28/02/18
D	Planning Submission	LY	20/02/18
C	ITT Submission	TC	09/01/18
B	Updated elevation for ITT submission	TC	02/01/18
A	Materials Key added	ALM	22/12/17

Client	BAM Construct UK Limited		
Job	Laurus Ryecroft		
Drawn	Proposed GA Elevations		
Rev	P5013_1350	Rev	F
Date	22/12/17	Scale	As indicated @ A1
Author	CH	Check	TC
Project	Planning	Tender	Construction
	Design	Contract	As Built

pozzoni

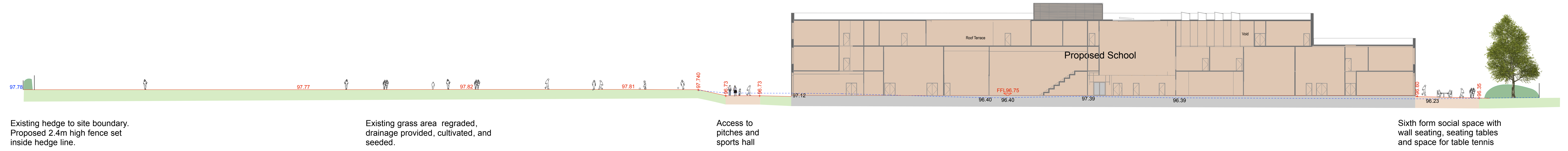
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115 Golden Lane
London
EC1Y 0TJ

Woodville House
2 Woodville Road
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WA14 2FH

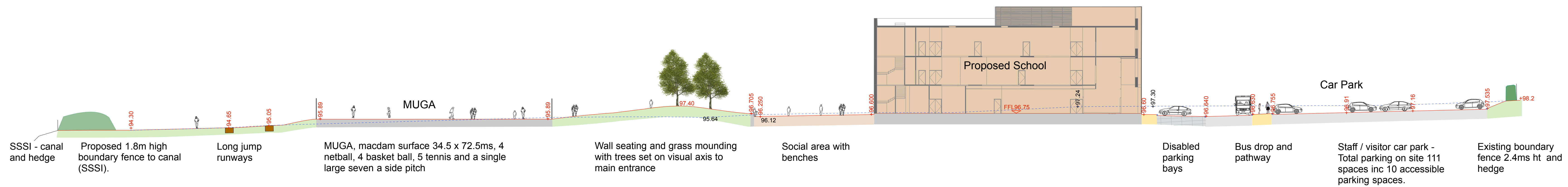
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Section A



Section B

- 94.30 Existing levels
- Existing ground level (where different to proposed)
- 94.30 Proposed levels
- Proposed ground level



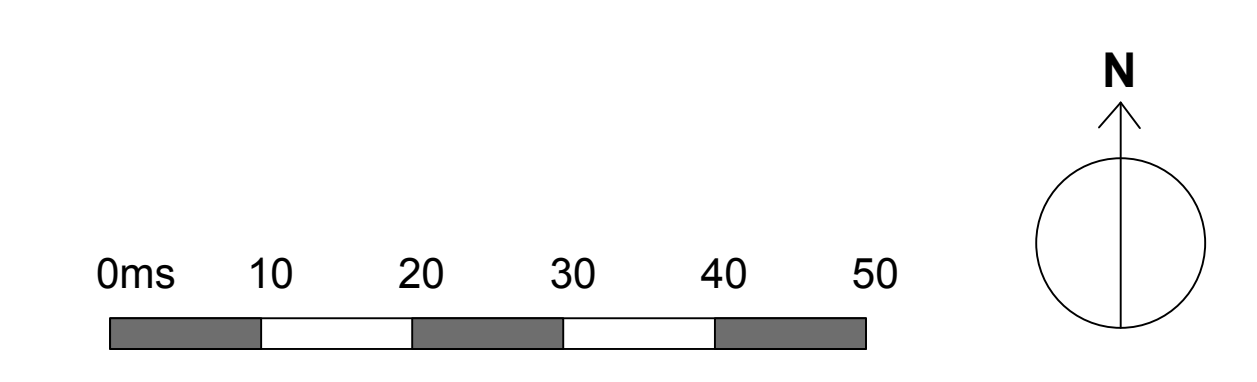
P04	27/06/18	Contractors Proposals - FFL amended to 96.75
P03	27/03/18	Contractors Proposals - FFL amended to 97.0
P02	21/02/18	Planning Issue - FFL amended to 96.5
Rev	Date	Notes
<p>DHLA Daily Henderson Landscape Architects Ltd. Sotho Works Leadmill Road Sheffield S1 4BE Tel: 0114 241 2730 info@dalyhenderson.co.uk www.dalyhenderson.co.uk</p>		
Client	BAM Construction UK Ltd.	
Project	Ryecroft School	
Dwg. title	Site sections	
Dwg. No.	RYC-DHL-Z0-Z0-DR-L-2002	
Rev	P04	Date June 18 Scale 1:250@A0

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Species	No.	Spacing	Size	Notes
AMENITY PLANTING				
Cornus alba 'Siberica' Variegata	120	4/m.sq.	10 Ltr pot 80/100cm	
Cornus stolonifera 'Flaviramea'	50	4/m.sq.	10 Ltr pot 80/100cm	
Prunus laurucerasus 'Otto Luyken'	30	4/m.sq.	10 Ltr pot 60/80cm	
TREES				
Acer campestre	7	As shown	14-16cm	H.S, RB
Aesculus hippocastanum	5	As shown	14-16cm	H.S, RB
Alnus glutinosa	3	As shown	14-16cm	H.S, RB
Betula pendula	5	As shown	14-16cm	H.S, RB
Fagus sylvatica	2	As shown	14-16cm	H.S, RB
Populus nigra	7	As shown	14-16cm	H.S, RB
Pinus sylvestris	3	As shown	14-16cm	H.S, RB
Prunus avium 'plena'	5	As shown	14-16cm	H.S, RB
Quercus ilex	2	As shown	14-16cm	H.S, RB
Quercus robur	3	As shown	14-16cm	H.S, RB
Salix alba	5	As shown	14-16cm	H.S, RB
Sorbus aria 'Majestica'	15	As shown	14-16cm	H.S, RB
Sorbus torminalis	1	As shown	14-16cm	H.S, RB
Tilia cordata 'Greenspire'	6	As shown	14-16cm	H.S, RB
HEDGES				
Fagus sylvatica	345	400 centres, 3 rows set 450mm apart	80-100cm 1+2	Bare root
Native Hedgerow		400 centres, 3 rows set 450mm apart	80-100cm 1+1	Bare root
10% Acer campestre	17			
10% Cornus alba	17			
20% Corvulus avellana	33			
40% Crataegus monogyna	64			
10% Ilex aquifolium	17			
10% Viburnum opulus	17			

GRASS AREAS
 General amenity grass seed mixture: 'General Outfield' mix ref A9 from GERMINAL (01522 868714)
 Pitches to Pitch specialist recommendations.
 Amenity grass seeded 'Wear and Tear' mix ref A24 from GERMINAL (01522 868714)



- Existing trees
- Proposed trees
- Proposed shrub / hedge planting.
- Proposed grass seed - Germinal Seeds Amenity Grade A24 "Wear and Tear". Q30/305. To include any areas requiring making good not indicated.
- Proposed grass seed - Germinal Seeds Amenity Grade A3 "Embankments" - Q30/310
- Proposed grass seed - Germinal Seeds Amenity Grade A9 "General Outfield" - Area and specification to be confirmed with Pitch Specialist. Q30/315
- Existing grass retained

P04 28/06/18 Parking layout base updated.
 P03 27/06/18 Access road and footway from Lumb Lane adjusted. Trees to be removed around Lumb Lane access amended. Proposed tree locations adjusted to suit.
 P02 05/04/18 Contractors Proposals - Key updated grass types indicated. Plant schedule updated.
 Rev Dates

DHLA Daily Henderson Landscape Architects Ltd.
 Suite Works
 Leadmill Road
 Sheffield S1 4SE
 Tel: 0114 241 2730
 info@dalyhenderson.co.uk
 www.dalyhenderson.co.uk

Client: BAM Construction UK Ltd.
 Project: Ryecroft School
 Dwg. title: Planting Plan
 Dwg. No: RYC-DHL-Z0-Z0-DR-L-2004
 Rev: P04 Date: June 18 Scale: 1:500@A0

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Application Number: 18/00118/FUL

Photo 1 – looking up Cryer Street towards the proposed exist from the school site



Photo 2 – looking east along Lumb Lane from the Lumb Lane/Cryer Street junction



Photo 3 - looking west along Lumb Lane from the Lumb Lane/Cryer Street junction



Photo 4 – view into site from Cryer Street access point



Photo 5- view of rear of properties fronting Lumb Lane beyond the open space immediately adjacent to the eastern boundary of the site



Photo 6 – view of the rear of properties on Wayne Close (south east of the site)



Photo 7- view looking westwards across the rear part of the site, where the playing fields would be located.



Photo 8 – view of the rear of properties fronting Lumb Lane adjacent to the proposed access from Lumb Lane (to be sited in the foreground)



Photo 5- view of rear of properties fronting Lumb Lane beyond the open space immediately adjacent to the eastern boundary of the site



Photo 6 – view of the rear of properties on Wayne Close (south east of the site)



Photo 7- view looking southwards along Lumb Lane from point adjacent to proposed access into the proposed development



Application Number 18/00626/FUL

Proposal Erection of 2no residential dwellings including means of access and landscaping.

Site Land Rear of 31 to 39, Carrhill Road, Mossley, OL5 0QT

Applicant Mr Stephen Pritchard

Recommendation Approve, subject to conditions

Reason for report 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 full planning permission for the erection of 2 detached dwellings on the land. The properties are of a split level design and would front on to a private driveway located off Milton Street. The split level design accounts for the change in levels across the site, the properties would represent a form of dormer bungalow albeit with a stepped front entrance. The dwellings would have a raised enclosed terrace enclosed by the two properties. The proposal is to construct the dwellings from natural stone with a slate roof, Quoins to front elevations and artstone Lintols and Cills to windows and doors.

2. SITE AND SURROUNDINGS

2.1 The application site is roughly rectangular in shape and is located at the rear of 31-41 Carrhill Road. The land is currently an unallocated greenfield site, that was historically allotment gardens, this use has since been cleared. The site slopes steeply downwards from north to south and there are retaining walls, which help stabilise the site adjacent to Milton Street. Vehicular access is off Mill Lane via Milton Street, which is to the south of the site and is also shared with St Johns Primary School. There is no direct vehicular access from Carrhill Road via Milton Street, which is to the north-east of the site. Access from here is pedestrian only.

2.2 The nearest houses are to the north of the site on Carrhill Road and comprise three-storey terraced houses some of which have retaining abutments within the site. Woodmeadow Court contains six detached houses and is located to the west of the site, Milton St also serves John's Church of England School which is located south of the site, the school buildings are located either side of the highway.

3. PLANNING HISTORY

3.1 12/00678/OUT - Proposed two detached bungalows (Outline) – Refused 22/11/2012

3.2 13/00134/OUT - Construction of three detached bungalows (Outline) – Refused 30/05/2013. This application was subsequently allowed at appeal Ref APP/G4240/A/13/2201574 dated 15 January 2014

- 3.3 16/00980/OUT - Outline planning application (all matters reserved) for the residential development of 0.16 Ha of land – Approved 05/01/2017

4. RELEVANT PLANNING POLICY

4.1 Tameside Unitary Development Plan (UDP) Allocation

The site is not allocated and is located within the settlement of Mossley.

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

Part 2 Policies

- H2: Unallocated sites
- H4: Type, size and affordability of dwellings
- H5: Open Space Provision
- H7: Mixed Use and Density.
- H10: Detailed Design of Housing Developments
- OL4: Protected Green Space
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management.
- T10: Parking
- C1: Townscape and Urban Form
- N4: Trees and Woodland.
- N5: Trees Within Development Sites.
- N7: Protected Species
- MW11: Contaminated Land.
- U3: Water Services for Developments
- U4 Flood Prevention
- U5 Energy Efficiency

4.2 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.

4.3 National Planning Policy Framework (NPPF)

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting safe and healthy communities
- Section 11: Making effective use of land
- Section 12: Achieving well designed places
- Section 15: Conserving and enhancing the natural environment

4.4 Planning Practice Guidance (PPG)

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

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 – No objections to the proposals, subject to a number of conditions including improvements to the carriageway of Milton Street.
- 6.2 Borough Environmental Health Officer – No objection subject to the imposition of a condition limiting the hours of work during the construction phase of the development.
- 6.3 Borough Tree Officer – There is no significant trees or vegetation on the footprint of the site. The supplied landscape plan is appropriate to the development and should be secured by a condition.
- 6.4 Borough Contaminated Land Officer – Recommends that a standard contaminated land condition is attached to any planning approval granted for development at the site, requiring the submission and approval of an assessment into potential sources of contamination and a remediation strategy.
- 6.5 Greater Manchester Ecology Unit: No objections are raised, recommend that a conditions is applied for a walkover ecology survey to establish what biodiversity enhancements can be secured within the sites landscaping scheme.
- 6.6 Structural Engineer – Supports the recommendations of the accompanying ground reports. Site investigations should be conditioned as part of a recommendation for approval.
- 6.7 United Utilities - No objection to the proposals, subject to the imposition of conditions requiring surface and foul water to be drained from the site via separate mechanisms and the submission of a surface water drainage strategy. There is a sewer under the land which is owned by United Utilities. This sewer must not be built over and an easement will be required either side of the route of the infrastructure at ground level to allow space for maintenance.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 11 letters of objection have been received to the proposals which raise the following concerns (summarised):
- Disturbance during construction process, Milton Street Residents may have access problems to their cars.
 - The properties are likely to be let than owner occupied which could result in deterioration in the character of the area over time.
 - Further vehicles on Milton Street would conflict with Children using the school
 - The size of the properties are significantly larger than those within the area and would appear overdeveloped / out of character with the area.
 - The properties could be let as HIMO's
 - Permitted Development rights should be removed from the properties.
 - The previously approved bungalows would not have had such an adverse impact on the area.
 - Has a Road Safety audit been undertaken to ensure that vehicles would not conflict with the high number of pedestrians which use Milton Street.
 - The area in question is unsuitable for housing - it is on a difficult slope and there is a danger of subsidence which may affect nearby housing.

- This is an area rich in wildlife which would be destroyed, along with many trees and as it is one of the few remaining open spaces left in the area it should be preserved as such.
- The Ground Stability Assessment brings concern regarding the severity of landslip, further assessments and appraisals should be carried out such as Ground Slope Stability, Settlement Assessments to satisfy that all risks have been actioned and all protection measures are in place. Further ground investigations should be undertaken prior to determining the application.
- The landscaping outlined includes non native plants which would not help local wildlife.
- There is a footpath that seems to run through part of this site that needs to be maintained as such.
- Concerns over the level of consultation undertaken by the LPA
- The plots will be directly overlooked by surrounding properties.
- The houses will not be affordable
- The site is Greenfield the development of Brownfield Sites should be considered first as a priority.
- Parking is a problem within the area and this will add to the issues.
- The site cannot be safely developed
- There is not sufficient local infrastructure to meet the needs of more housing.

8. ANALYSIS

8.1 The key issues 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 the surrounding area
- 4) The impact on highway safety
- 5) The impact on trees and ecology
- 6) Ground Stability

9. PRINCIPLE OF DEVELOPMENT

9.1 Section 38 of the Planning and Compulsory Purchase Act 2004 states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 - 217 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies.

9.2 Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development and Section 5 of the NPPF requires Local Planning Authorities to support the delivery of a wide choice of quality homes in sustainable locations.

9.3 The site has somewhat of a chequered planning history. Previous planning applications have been refused by the Authority but the principle of residential development has since been established when application Ref 13/00134/OUT was allowed at appeal. At present it remains that outline planning application ref 16/00980/OUT is extant, like the preceding application (13/00134/OUT) it indicated a residential development of 3 detached bungalows being undertaken at the site.

9.4 Recognising that the site benefits from an extant outline planning approval, the principle of residential development remains acceptable. There have been no material changes to the

sites conditions or circumstances and the revisions to the NPPF would also not require the principle to be reconsidered.

- 9.5 It therefore remains that residential development is a compatible land use at the site. The site is considered to be a sustainable location recognising the services, amenities and public transport options which are on-hand within the Mossley area. The proposals would make a positive contribution to housing supply in line with National Planning Guidance.

10. RESIDENTIAL AMENITY

- 10.1 The Residential Design 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.
- 10.2 Whilst the site shares boundaries to properties on Milton Street, Carrhill Road and Woodmeadow Court, its position is such that it sits in relative isolation to the surrounding housing stock. The fall in levels means that the properties would be positioned at a much lower level to those on Carrhill Road, accounting for this and the split level design the outlook of these residents would be uninterrupted and existing levels of privacy retained.
- 10.3 The position of the properties follows a building line similar to Woodmeadow Court which is located directly to the west. The nearest of the proposed dwelling would have a blank gable on its facing elevation which would be approximately 15m from the side elevation of no.3 Woodmeadow Court. The remaining properties on Milton Street are positioned at both an oblique angle and higher elevation to that of the site. Levels of outlook and privacy would therefore also not be altered from that of present levels enjoyed.
- 10.4 In terms of consideration to levels of noise and activity which could be associated with the development then this should not be readily distinguishable for residents of neighbouring properties. The split level design dictates that usable gardens would be provided to the southern elevation, the properties would enclose the raised terrace ensuring privacy to future inhabitants and that no overlooking would occur to existing residents.
- 10.5 Subject to the safeguarding of the recommended conditions it is considered that levels of amenity and overall privacy of existing residents would be acceptable.

11. CHARACTER OF THE SITE AND SURROUNDING AREA

- 11.1 The proposal would involve the erection of 2 dwellings on a site area of 0.19 hectares, which equates to 10.5 dwellings per hectare. The fall in levels across the site presents a significant constraint and it would not be desirable to see numbers increased.
- 11.2 Policy H10 is clear in its expectations of achieving high quality development that enhances a locality and contributes to place making. In terms of design reference points, as alluded to previously, the site sits in relative isolation from surrounding properties.
- 11.3 A bespoke approach has been taken to the design of each of the proposed dwellings. There are subtle differences between the properties but essentially these would be split level, accommodate rooms within the roof space, and be sited in an 'L' shape centred around a raised outside terrace. The access and parking areas would be taken from the frontage with access achieved via a stepped entrance. The split level design seeks to minimise ground works and is considered an effective solution to a constrained site. As per plans indicated on previous proposals the properties would present a frontage, albeit at a

raised level, to Milton Road. The use of traditional materials would reference the local vernacular whilst the design of the properties would be viewed independently.

- 11.4 Insofar as the scale of the development then the site lends itself as a logical infill plot which can support 2 good sized family dwellings. Existing vegetation can be retained, which taken with proposed landscaping would also uplift the setting of the properties and uplift the overall appearance of the locality as a whole. The proposed levels of soft landscaping would break up front parking areas to the enhancement of the setting of the properties. The use of resin bonded driveways and natural stone for boundary treatments are acceptable subject to conditional approval.
- 11.5 Having full consideration to the design merits of the proposal and the layout of the scheme it is considered that the development would deliver an attractive residential environment which would enhance the existing area. The bespoke approach to the properties style gives them a strong independent appearance, whilst providing good quality family housing. It is therefore, considered that the proposal adheres to the objectives of UDP policies H4, H7 and H10 which stress the importance of residential development being of an appropriate design, scale, density and layout.

12. HIGHWAY SAFETY

- 12.1 The site would be accessed from Milton Street; an unadopted road which also serves as access to Johns Primary School and garages belonging to Milton Street Terraces. The Roads condition is mixed, it is tarmacked for the first 100m (approx.) before then becoming an unmade surface. As such, in its present condition it would not be suitable for serving additional residential development and upgrading works will be required, this has been established on previous planning consents.
- 12.2 The proposed improvements to the carriage and footways would not only be of benefit to the future inhabitants but it would also improve the safety of existing pedestrian and vehicle users of Milton Street. The potential conflict between road users and St John's school was previously tested at appeal. The inspector determined that the proposed highway improvements, taken with existing traffic calming measures, is sufficient to mitigate against the impacts of the proposed development. Given that the proposals are now for a reduced number of properties then the associated vehicle movements would be reduced from levels previously deemed acceptable.
- 12.3 The Highways department comment that the access arrangements are suitable to protect all road users. The traffic calming measures ensure that vehicles would approach the site at low speeds. Exact details of the improvement measures will need be determined by a planning condition. Further (pre-commencement) conditions will require the submission and approval of a construction environment management plan and that the driveways are constructed from a bound material with appropriate levels of drainage.
- 12.4 The plans indicate that 2 in curtilage car parking spaces would be provided for the dwellings which accords with the guidelines of UDP policy T10. Traffic movements to and from the site would be acceptable in terms of local capacity. The Highways officer comments that these arrangements are sufficient. The accessible location means that it is well served with access to public transport, services and relevant amenities within reasonable walking distance.

13. TREES & ECOLOGY

- 13.1 In relation to the impact of the development on trees, the Tree Officer has raised no objections to the proposed development. Trees present within the site are generally located towards the boundaries, they can be retained although their overall amenity value is low. Details of the species mix to be planted in a proposed landscaping scheme have been submitted and are considered to be acceptable. Compliance with these details can be secured by condition.
- 13.2 In relation to ecology, GMEU have not raised any objections to the proposals, subject to conditions being imposed on any permission granted. These conditions would limit the timing of tree/vegetation removal on the site to outside of the bird breeding season to ensure that there would be no adverse impact on protected species and a requirement that biodiversity enhancements are included as part of the development, this would be determined following a walkover survey. These conditions are considered acceptable.

14. GROUND CONDITIONS

- 14.1 Levels fall across the site to the southeast, properties to the north (Carrhill Road) occupy an elevated position and have also undertaken additional retaining works. The properties would be offset from the retaining wall of the higher properties. The proposals can be viewed in the context of the Woodmeadow Court development located to the west, an infill development which addressed a similar change in levels.
- 14.2 An initial desktop study has been undertaken which recommends further ground intrusive investigations are undertaken, the finding of this will ultimately determine the engineering solution to the development. This will be addressed via a pre-commencement condition the details of which will be reviewed the Councils Structural Engineer. Development will ultimately not be able to proceed until it is demonstrated that there would be no risk to surrounding property. This approach would be consistent with previous planning decisions at the site.

15. OTHER MATTERS

- 15.1 In relation to flood risk, the site is located within Flood Zone 1 and is therefore at a lower risk of flooding. In terms of drainage, United Utilities has raised no objections to the proposals, subject to a condition requiring foul and surface water to be drained from the development via separate mechanism and the submission and approval of a sustainable surface water drainage system.
- 15.2 The EHO has raised no objections to the proposals, subject to the imposition of a condition limiting the hours of works during the construction process. This is considered reasonable and can be included as part of the construction management plan conditions that is proposed.
- 15.3 Details of the bin storage arrangements to serve the development have been submitted and are deemed acceptable. A condition will be applied to ensure their implementation.
- 15.4 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 undeveloped nature of the site. The Coal Authority has confirmed that the site is located in a low risk area with regard to coal

mining legacy and as such they have no objections to the proposals. An informative can be added to the decision notice advising the applicant of their responsibilities on this regard.

- 15.5 In accordance with the Written Ministerial Statement (WMS) of 28 November 2014, no tariff based contributions are to be sought in relation to affordable housing, 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, as required by Section 5 of the NPPF, it is considered that financial contributions are not necessary to make the scheme acceptable in planning terms.
- 15.6 In relation to comments made by objectors these are not considered to raise issues above those considered on the previous planning approval at the site.

16. CONCLUSION

- 16.1 The site has an extant planning approval for its development for residential purposes. The proposals are considered to be in the spirit of the previous consent. The redevelopment for residential purposes would be readily compatible with the residential nature of adjoining uses, would make use of largely underutilised site within an established urban area and would add to contribute to the Boroughs housing in a period of under supply.
- 16.2 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.
- 16.3 There are no objections from any of the statutory consultees and the proposals are considered to accord 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
Proposed Plans & Elevations Dwg no.s 5435 S P1A, P2A, P3A, P4A, P5A, P6A, P7A, P8A, P9A, P10A
Landscape Details Dwg no.s 5435L
3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
 - i) A preliminary risk assessment to determine the potential for the site to be contaminated shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.

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

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

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

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

4. As per the recommendations of the submitted Phase 1 Desk Study REF GRM Development Solutions Ref P8353 Prior to commencement of development a ground intrusive investigation and risk assessment to assess the nature of the sites ground conditions shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

(i) a survey of the ground conditions and geotechnical characteristics;

(ii) an assessment of the potential risks to:

- property (existing or proposed)
- adjoining land,
- groundwaters and surface waters,

(iii) an appraisal of slope stability, engineering options, and details of the preferred option(s).

This must be conducted in accordance with BS10175:2011 and BS5930:215 and comprise of either window sampling or trial potting to confirm the sites ground conditions.

The development shall be carried out in accordance with the approved report including any engineering recommendations.

5. 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.

6. Prior to the first occupation of any of the dwellings hereby approved, details of the boundary treatments to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the treatments and details of the construction material and the finish to be applied. The boundary treatments for each dwelling shall be installed in accordance with the approved details prior to the first occupation of that dwelling.

7. 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.

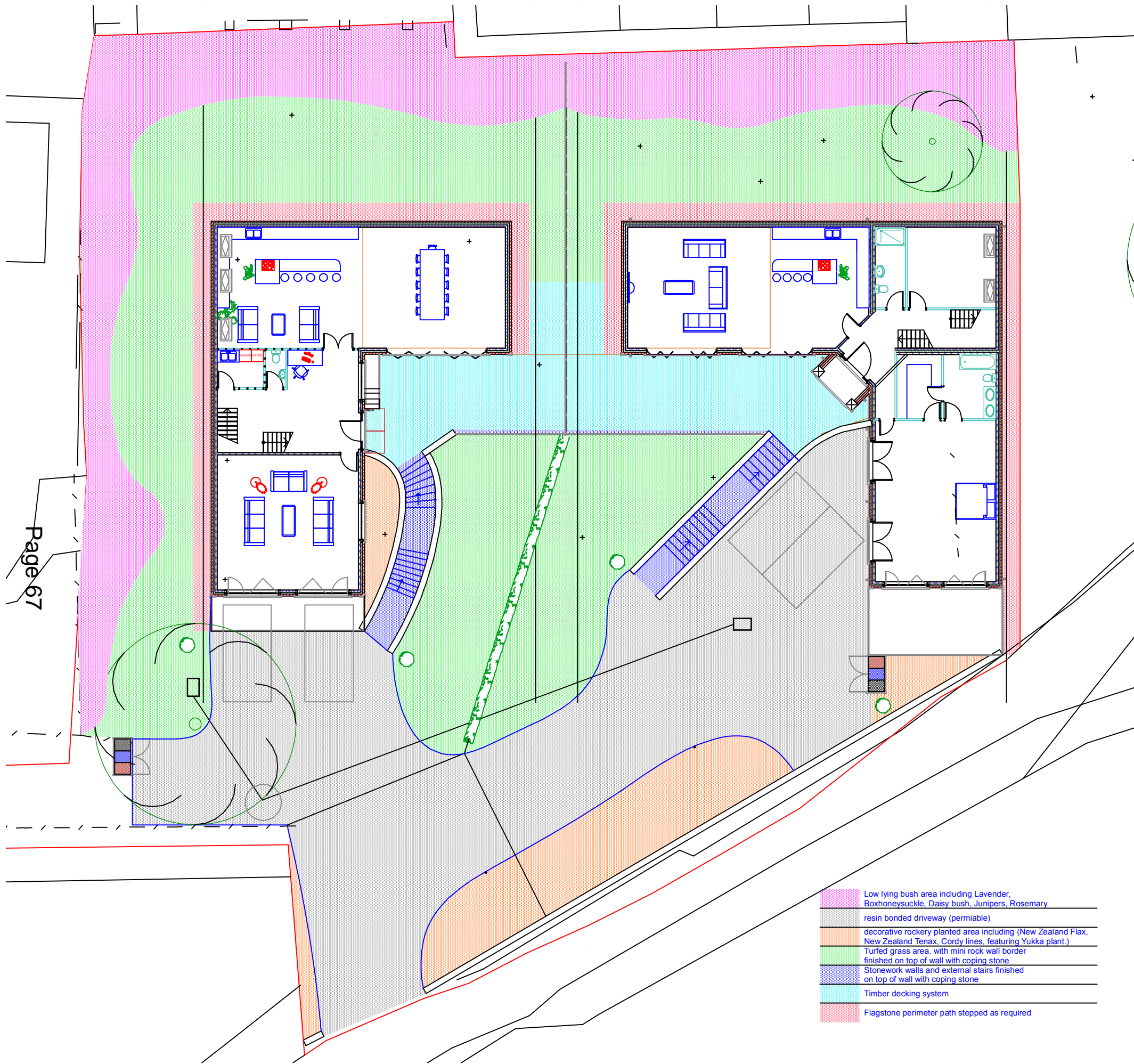
8. No construction or site clearance works shall take place until a scheme for the management of deliveries and vehicular movements associated with such works, avoiding periods when children are entering or leaving the school, has been submitted to and agreed in writing by the local planning authority.
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 Holidays.
10. The development shall not commence until details of the road works and traffic management measures necessary to secure satisfactory access to the site have been submitted to and approved in writing by the Local Authority. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.
11. Prior to the first occupation of any of the dwellings hereby approved, details of measures to be employed to ensure appropriate management and maintenance of the trees outside of the curtilage of any of the properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include provision for the replacement of any tree that is damaged, diseased or dies within the next planting season. The development shall be maintained in accordance with the approved details.
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. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drg no. 5435S P9/10), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
14. 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.

15. No development above ground level shall commence until a ecological walkover survey has been conducted. The survey shall make appropriate recommendations for 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.
16. 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.
17. The driveways to serve each of the dwellings hereby approved shall be constructed from a bound material and on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.
18. None of the dwellings hereby approved shall be occupied until details of the bin storage arrangements to serve the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the bin stores and elevations of the means of enclosure and shall provide details of the construction material and colour finish. The bin storage arrangements for each shall be erected in accordance with the approved details, prior to the first occupation of that dwelling and shall be retained as such thereafter.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and subsequent amendments express planning consent shall be required for any development referred to in Schedule 2, Part 1, Class A, Class B, Class C and Class E of that Order.

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- Low lying bush area including Lavender, Boxhoneysuckle, Daisy bush, Junipers, Rosemary
- resin bonded driveway (permeable)
- decorative rockery planted area including (New Zealand Flax, New Zealand Tenax, Cordy lines, featuring Yukka plant.)
- Turfed grass area. with mini rock wall border finished on top of wall with coping stone
- Stonework walls and external stairs finished on top of wall with coping stone
- Timber decking system
- Flagstone perimeter path stepped as required



Common name: British lavender
 Scientific name: *Lavandula angustifolia*
 Higher classification: Lavender



Common name: Box honeysuckle
 Scientific name: *Lonicera nitida*
 Higher classification: Honeysuckle



Common name: Daisy Bush
 Scientific name: *Olearia*
 Higher classification: Daisy family



Common name: Junipers
 Scientific name: *Juniperus*
 Higher classification: Cypress



Common name: Rosemary
 Scientific name: *Rosmarinus officinalis*
 Higher classification: Rosmarinus

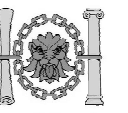


Common name: New Zealand Flax
 Scientific name: *Phormium*
 Higher classification: Hemerocallidoideae

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 Tel : 0161-652-5629

Scale: 1/200

Client: Mr S Pritchard

Date: 05/03/2018

Address: Land @ Rear of Carr hill Rd., Mossley (approx OL5 0QT)

Dwg. Rev. Page
 5435 L P1/2

Title: 2 No. New Build Domestic



Common name: New Zealand Flax
 Scientific name: *Phormium*
 Higher classification: Hemerocallidoideae



Common name: New Zealand Tenax
 Scientific name: *Phormium tenax*
 Higher classification: New Zealand flax



Common name: Cordyline
 Scientific name: *Cordyline*
 Higher classification: Lomandroideae



Common name: Yucca
 Scientific name: *Yucca*
 Higher classification: Agavoideae



Common name: British lavender
 Scientific name: *Lavandula angustifolia*
 Higher classification: Lavender



Common name: Box honeysuckle
 Scientific name: *Lonicera nitida*
 Higher classification: Honeysuckle



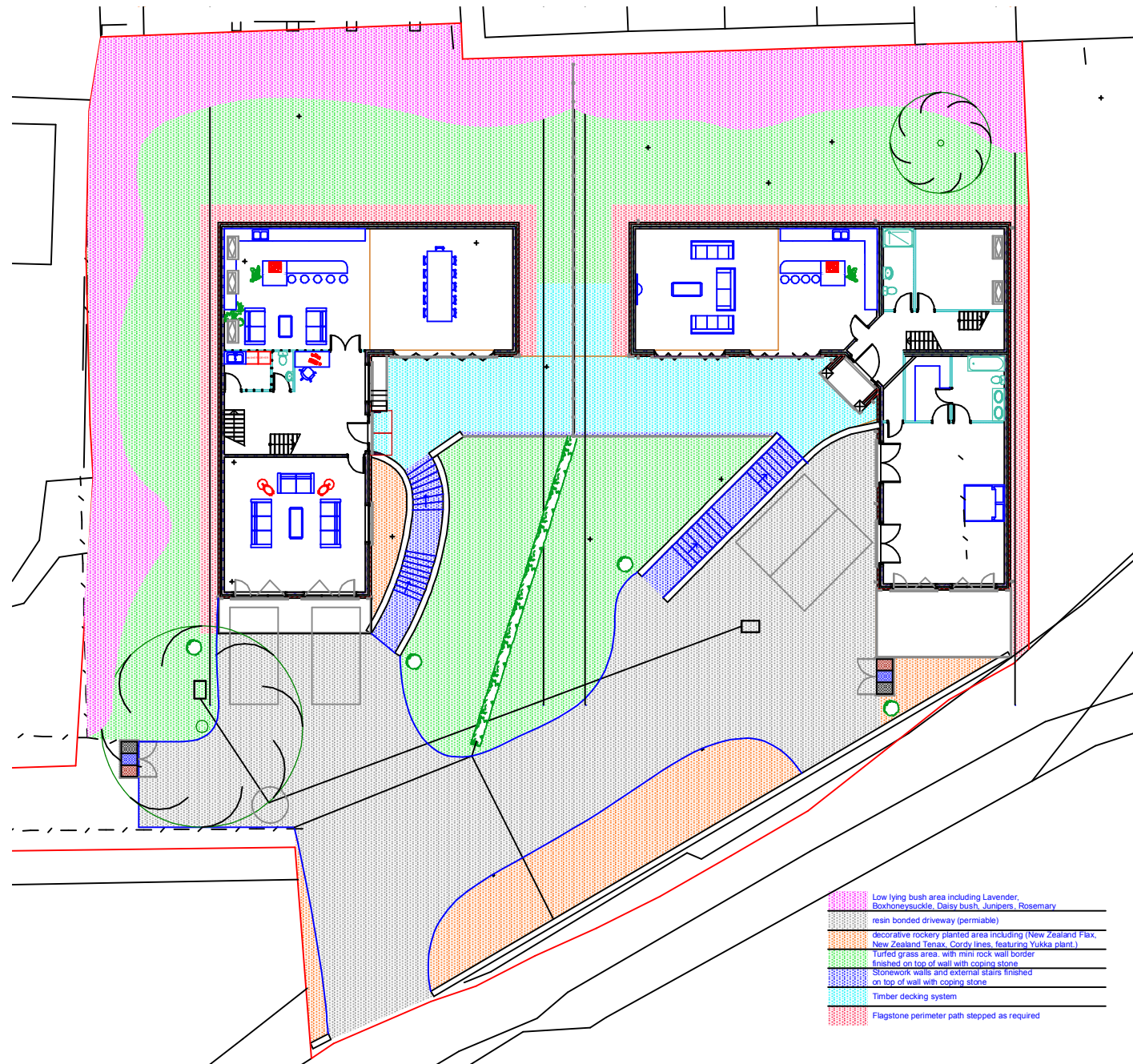
Common name: Daisy Bush
 Scientific name: *Olearia*
 Higher classification: Daisy family



Common name: Junipers
 Scientific name: *Juniperus*
 Higher classification: Cypress



Common name: Rosemary
 Scientific name: *Rosmarinus officinalis*
 Higher classification: Rosmarinus



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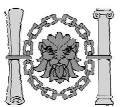
Mr S Pritchard

Address: Land @

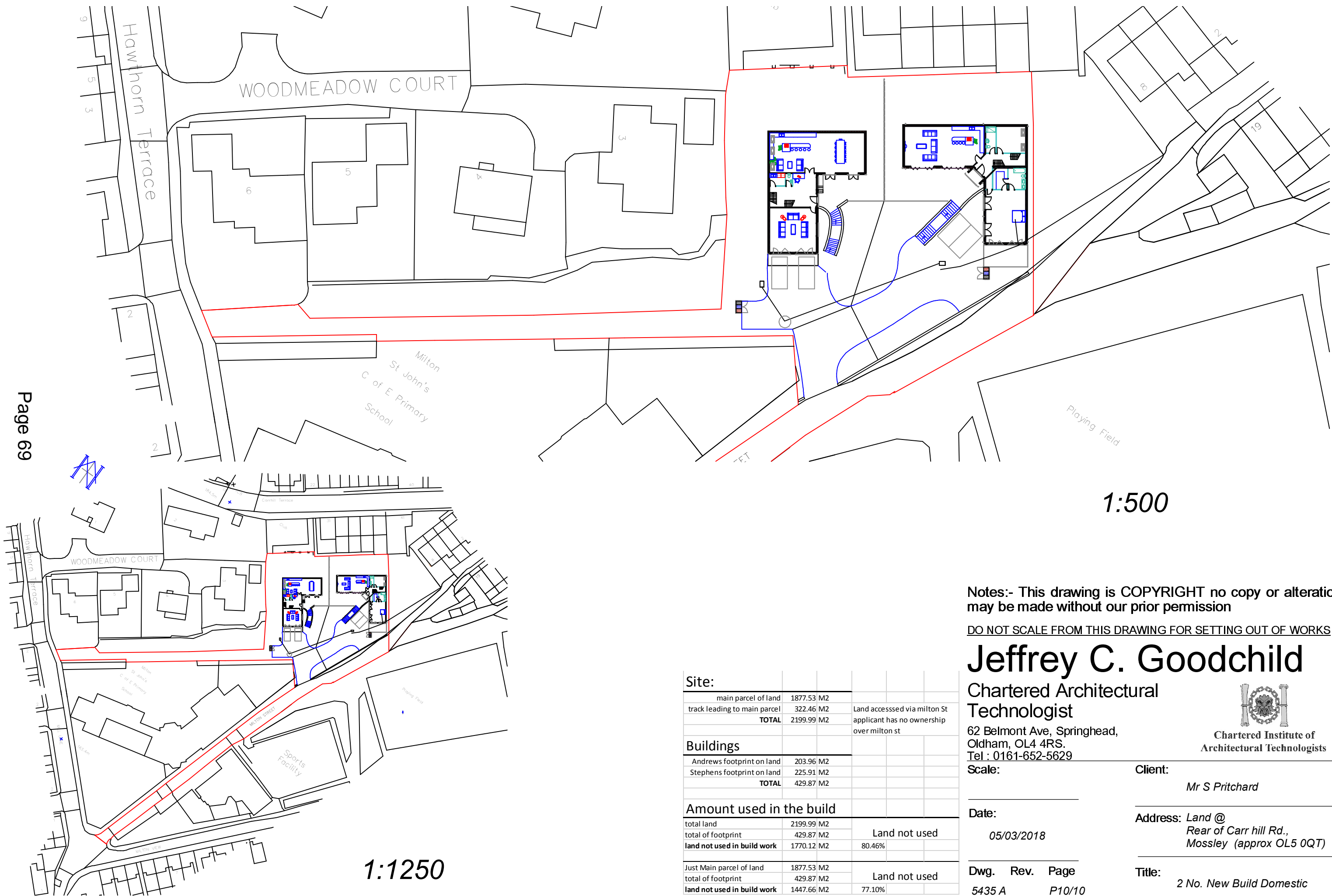
Rear of Carr hill Rd., Mossley (approx OL5 0QT)

Title:

2 No. New Build Domestic



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1:500

1:1250

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Mr S Pritchard

Date:

05/03/2018

Address: Land @
Rear of Carr hill Rd.,
Mossley (approx OL5 0QT)

Dwg. Rev. Page
5435 A P10/10

Title:
2 No. New Build Domestic

Site:

main parcel of land	1877.53 M2	
track leading to main parcel	322.46 M2	Land accessed via milton St
TOTAL	2199.99 M2	applicant has no ownership over milton st

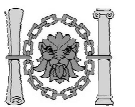
Buildings

Andrews footprint on land	203.96 M2
Stephens footprint on land	225.91 M2
TOTAL	429.87 M2

Amount used in the build

total land	2199.99 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1770.12 M2	80.46%

Just Main parcel of land	1877.53 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1447.66 M2	77.10%



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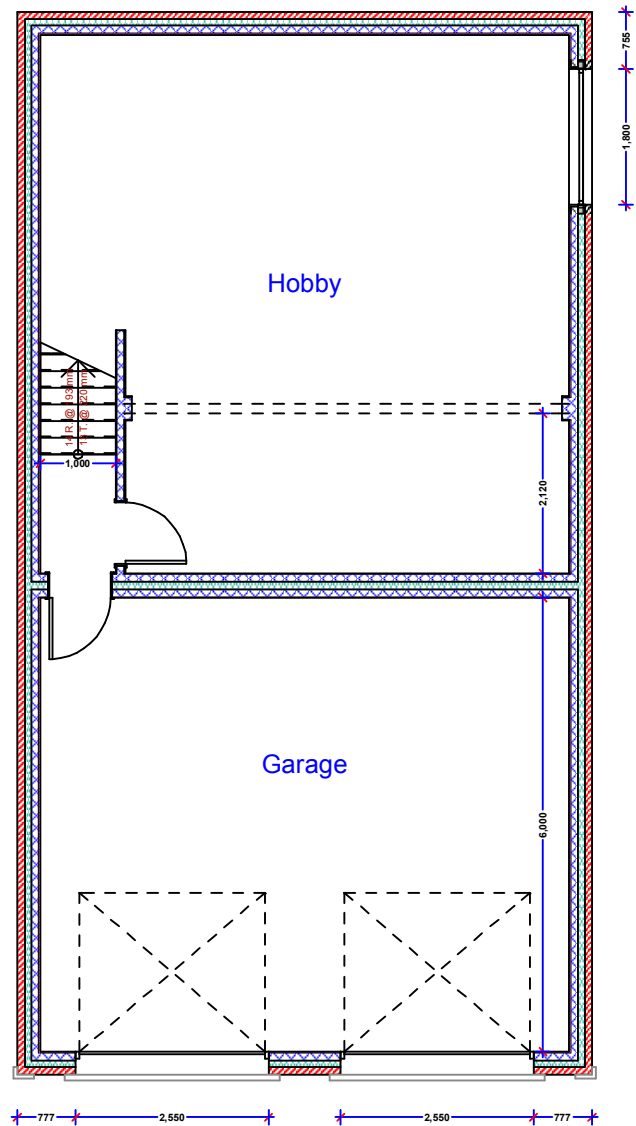
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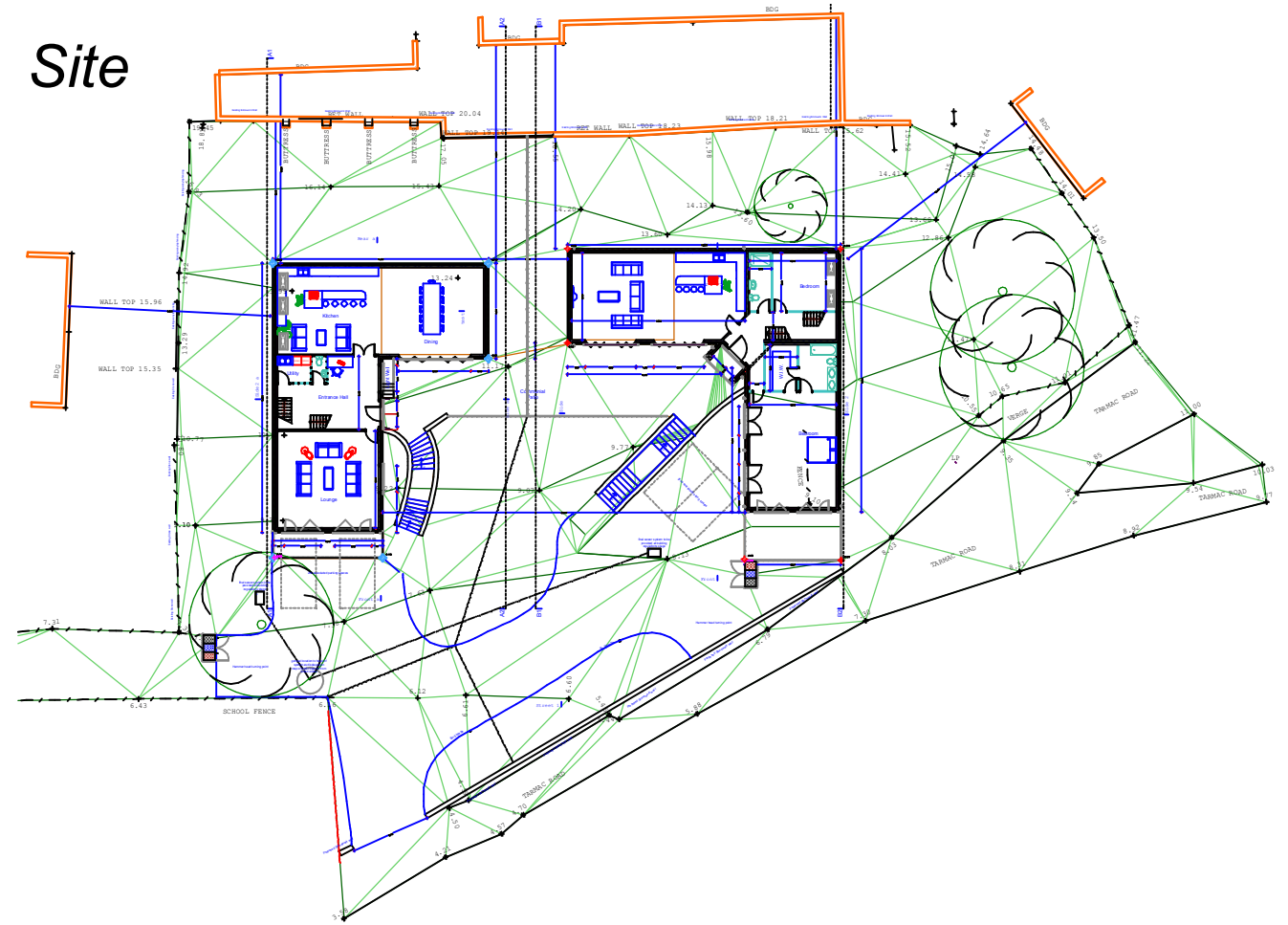


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*Sub Entrance Floor
Andrew Pritchard*

Site



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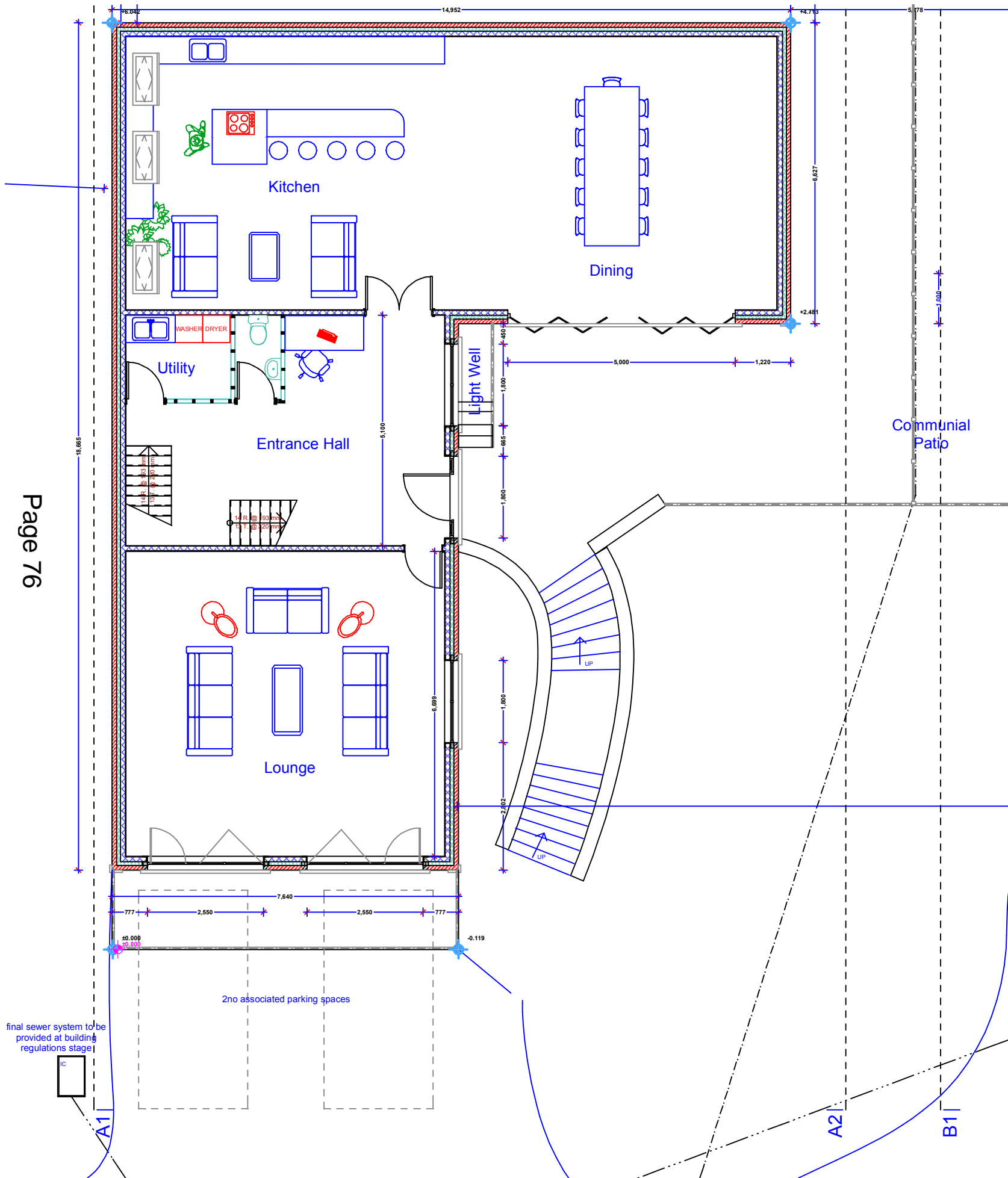


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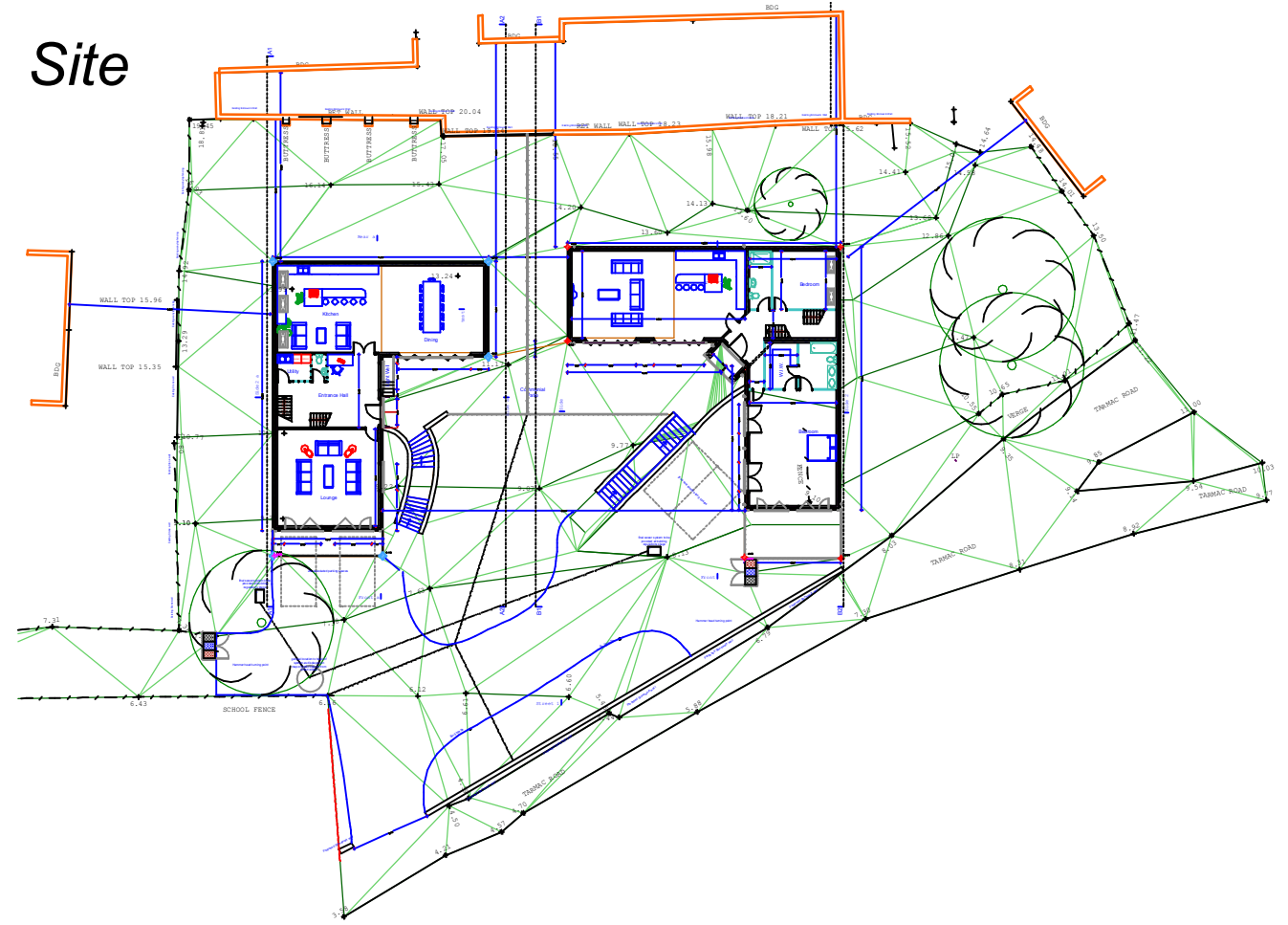
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Title:
2 No. New Build Domestic



Site



Entrance Floor
Andrew Pritchard

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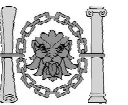
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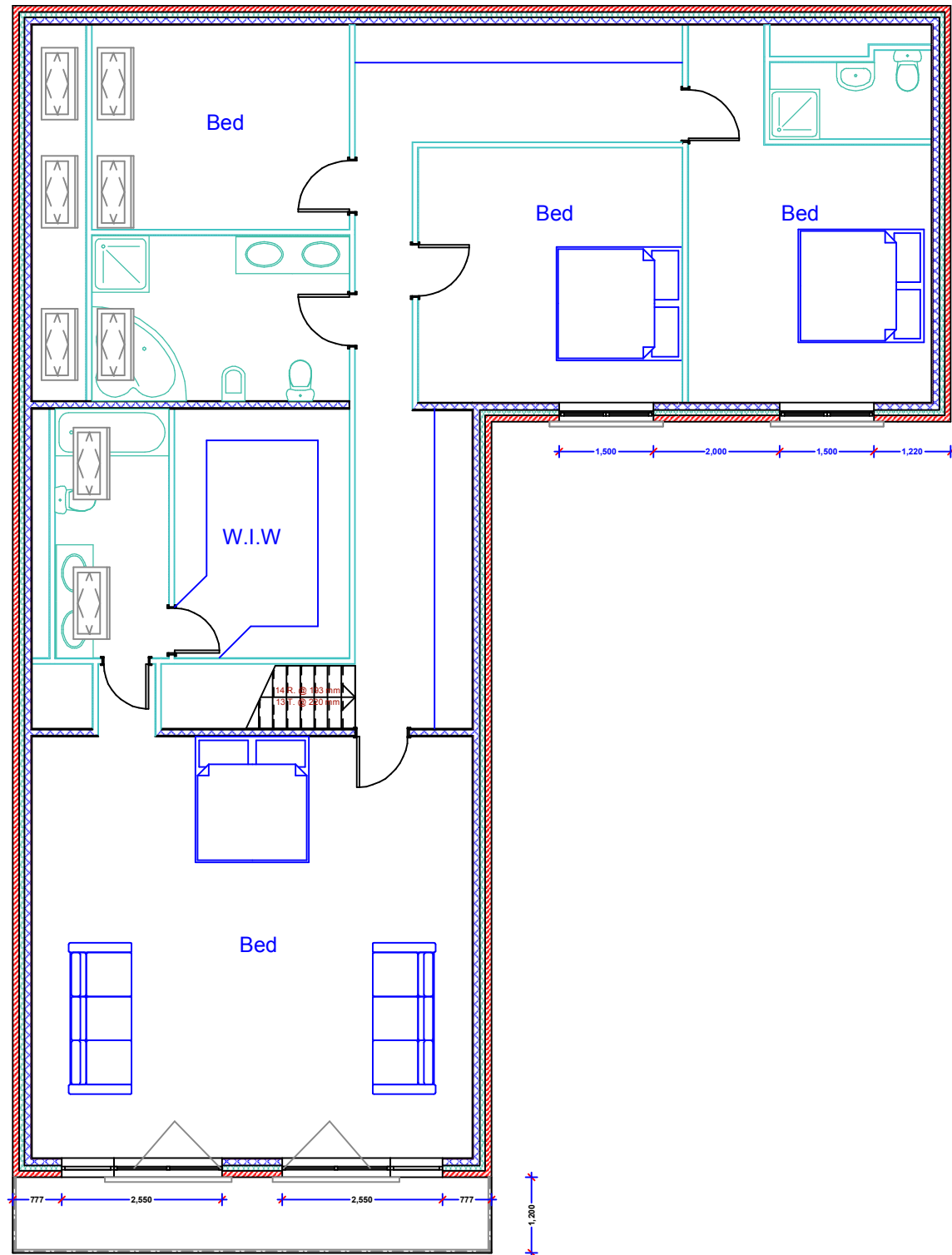
Client:
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Title:
2 No. New Build Domestic

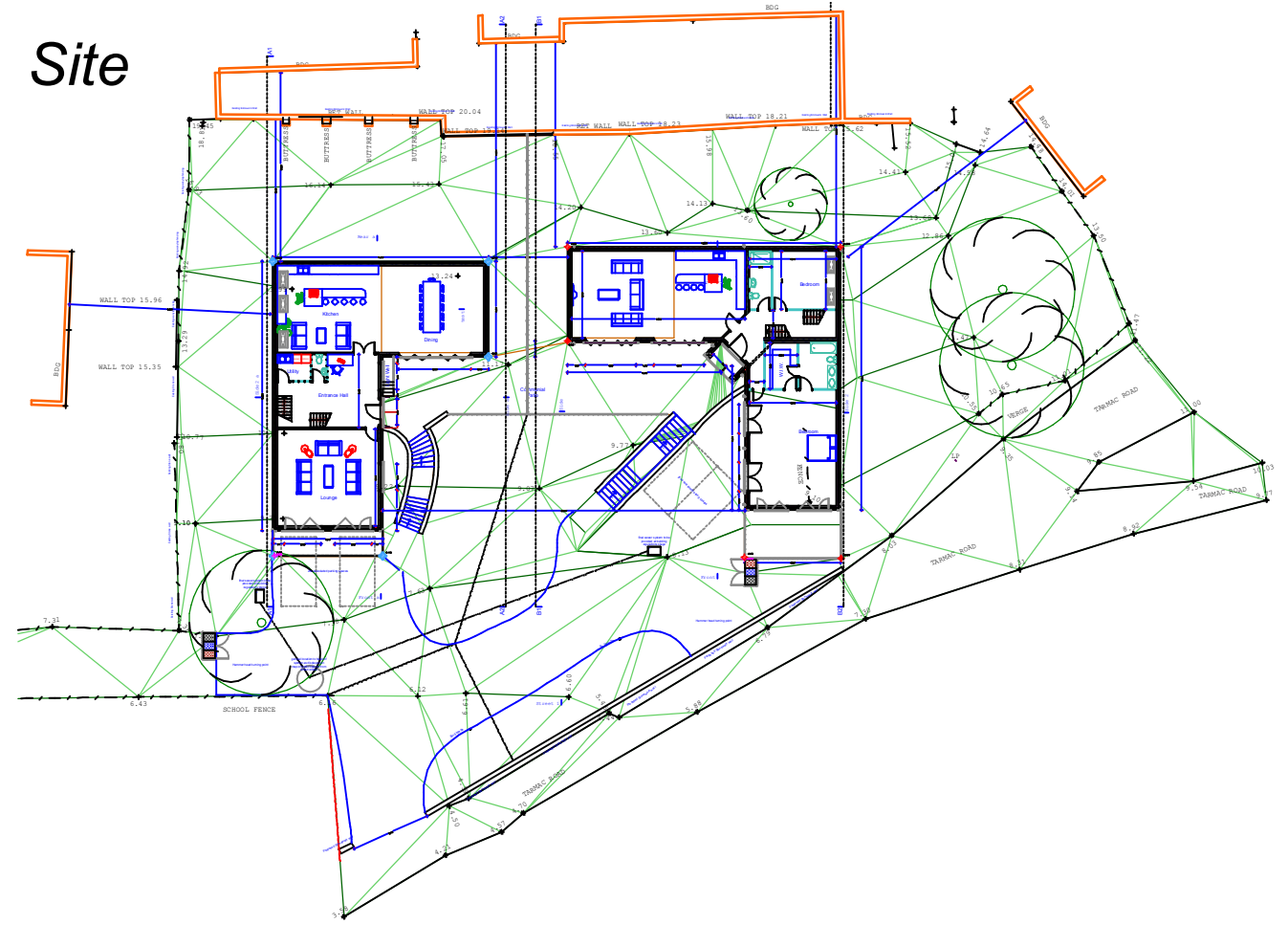


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*First Floor
Andrew Pritchard*

Site



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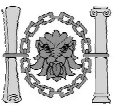
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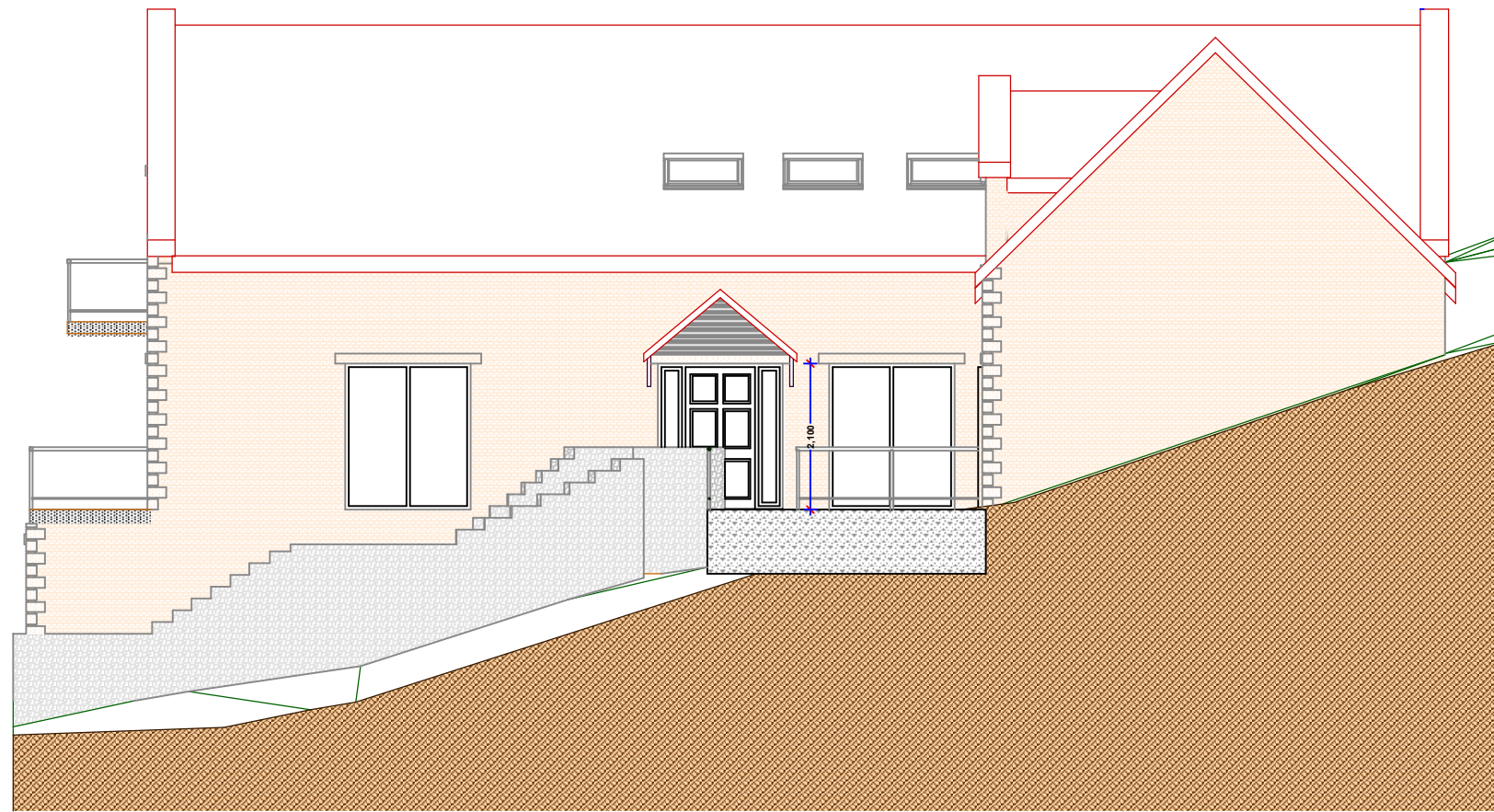


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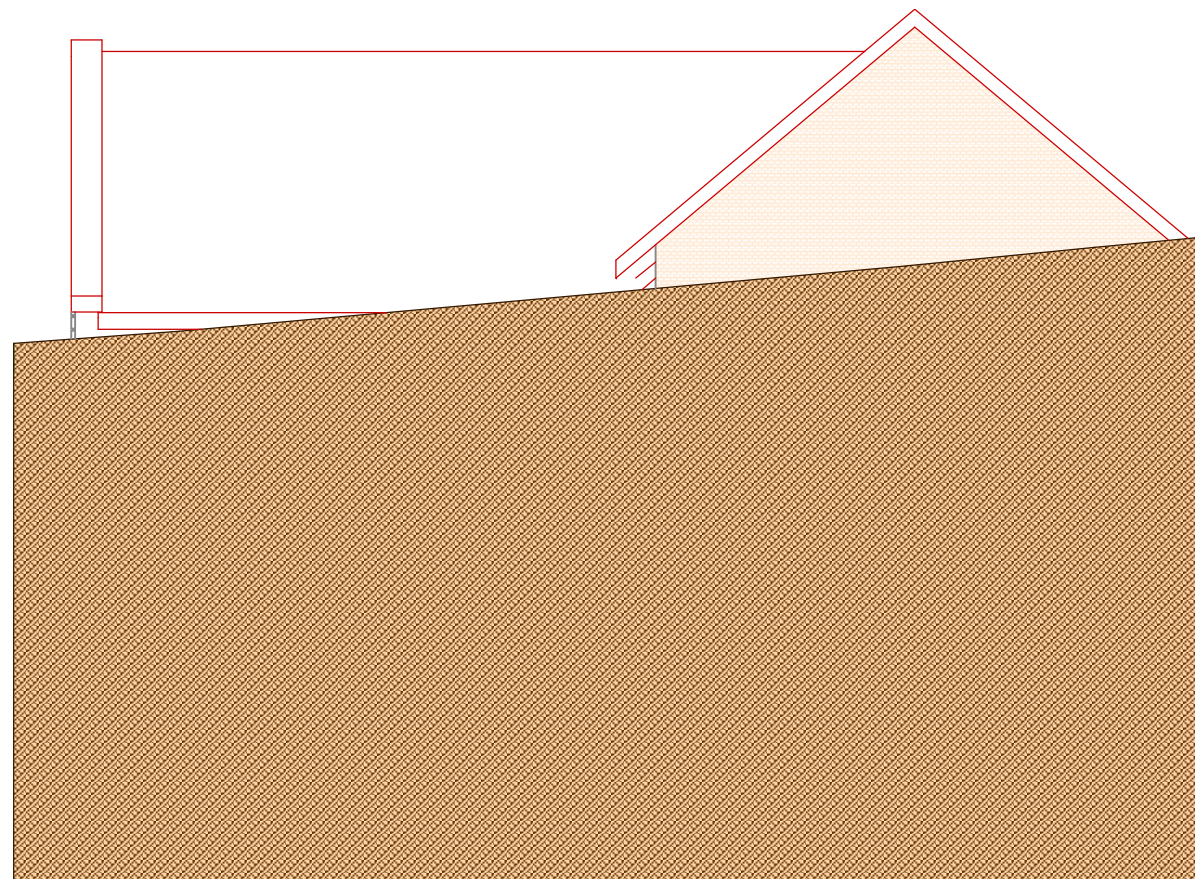
Client:
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Address: Land @
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Mossley (approx OL5 0QT)

Title:
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Side Elevation Andrew Pritchard



Rear Elevation Andrew Pritchard

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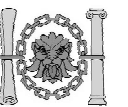
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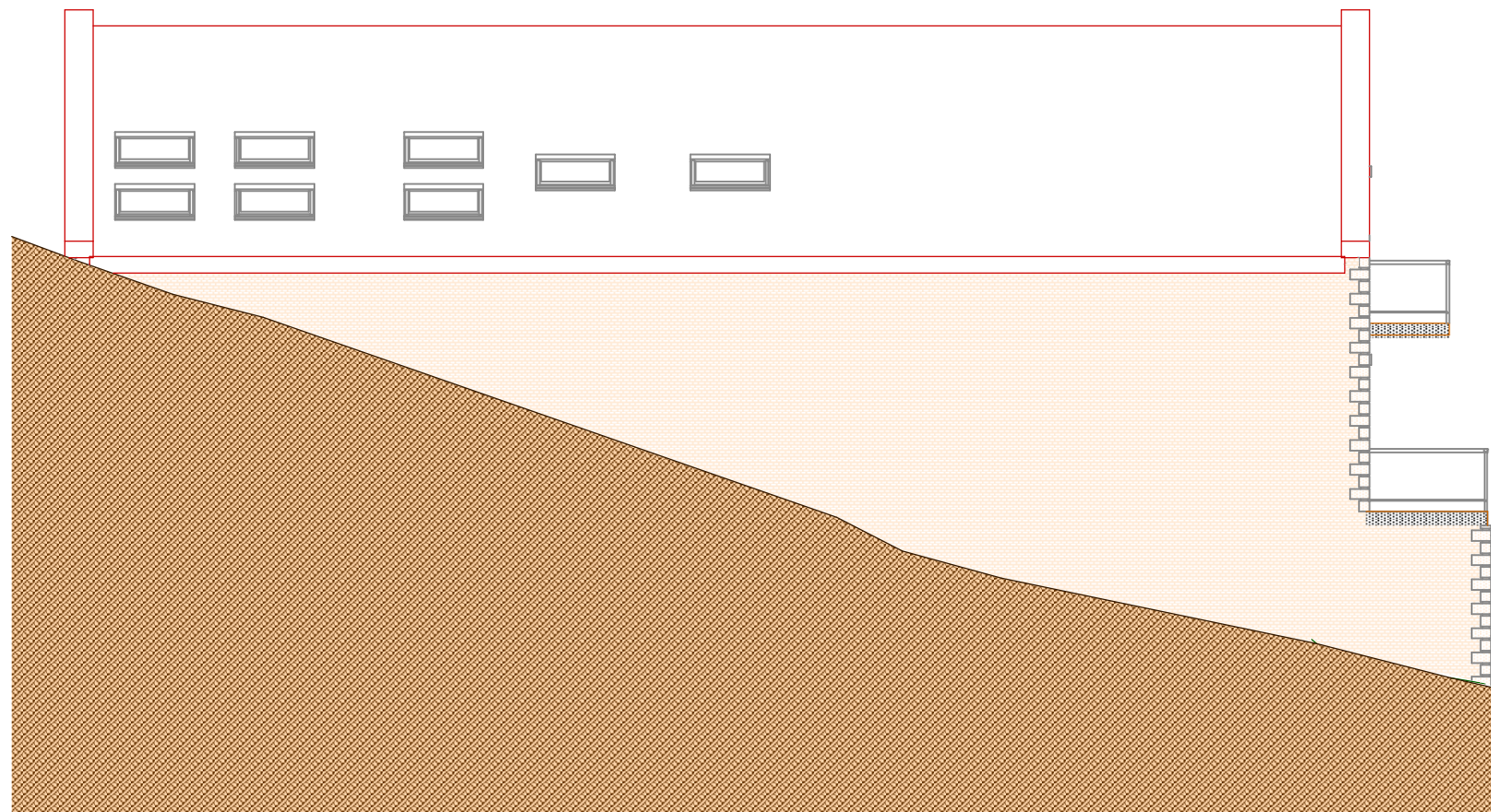
Client:
Mr S Pritchard

Address: *Land @ Rear of Carr hill Rd., Mossley (approx OL5 0QT)*

Title:
2 No. New Build Domestic



Front Elevation Andrew Pritchard



Side Elevation Andrew Pritchard

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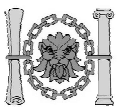
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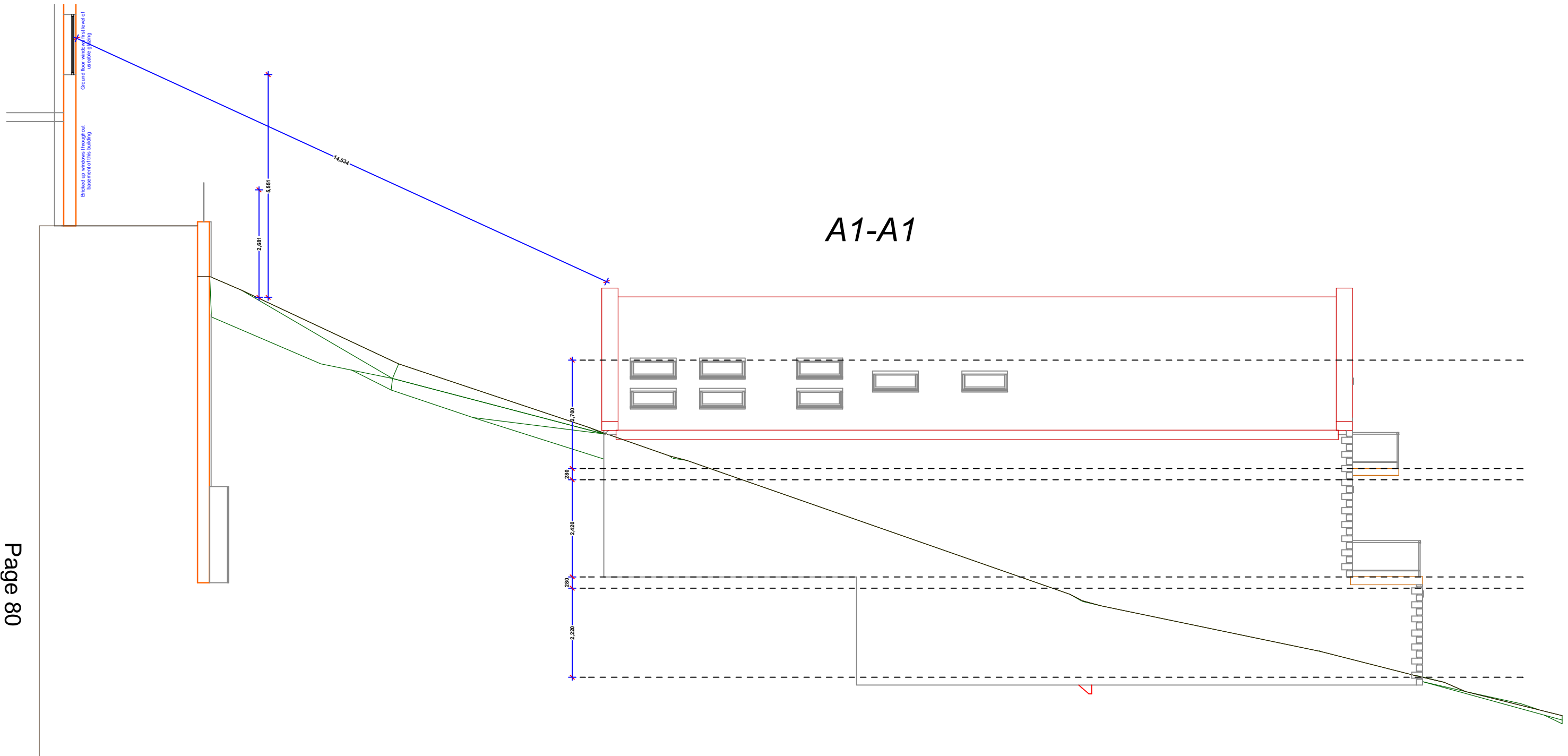


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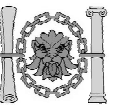
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Scale:

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Client:

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Date:

05/03/2018

Address: Land @

Rear of Carr hill Rd., Mossley (approx OL5 0QT)

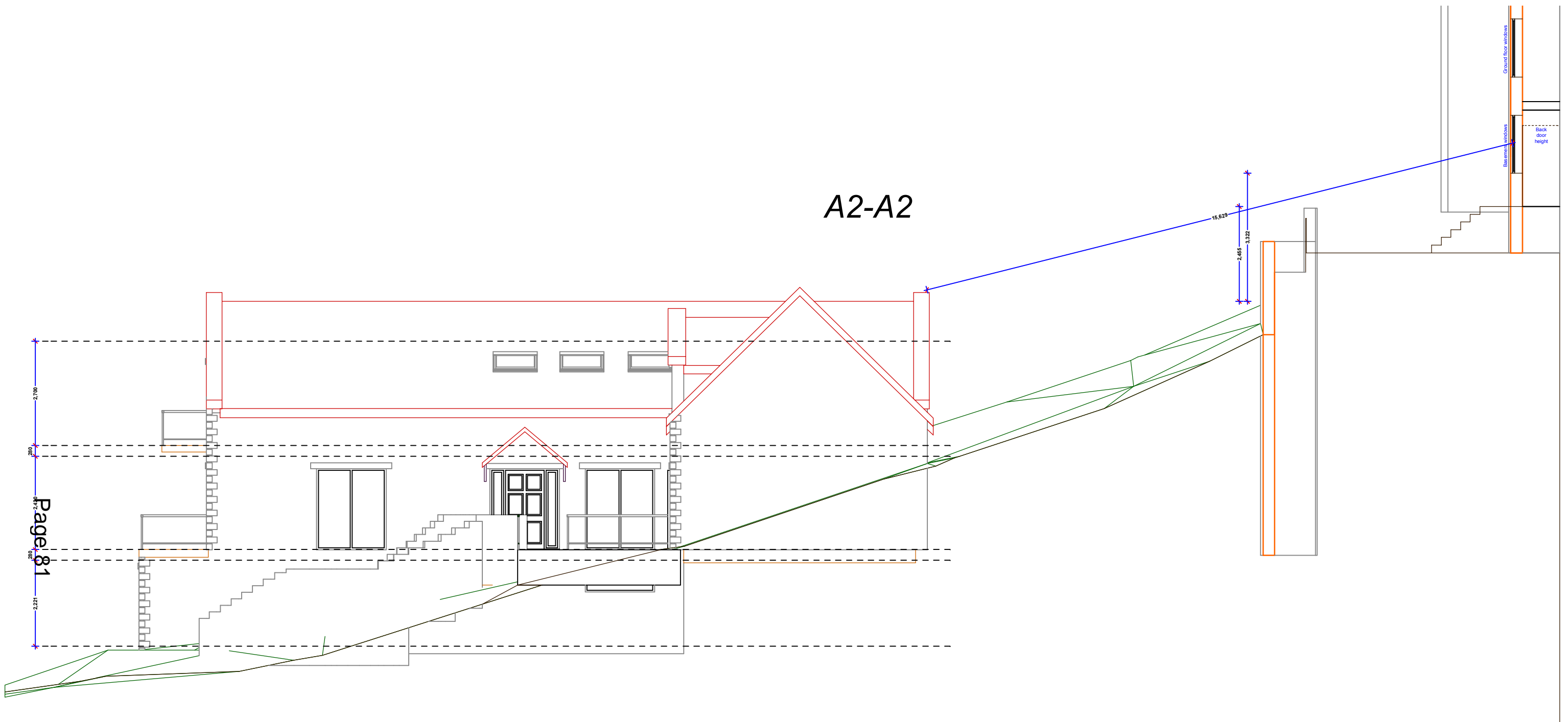
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P6/10

Title:

2 No. New Build Domestic



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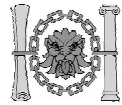
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Jeffrey C. Goodchild

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Chartered Institute of Architectural Technologists

Scale: 1/100

Client: Mr S Pritchard

Date: 05/03/2018

Address: Land @ Rear of Carr hill Rd., Mossley (approx OL5 0QT)

Dwg. Rev. Page
5435 A P7/10

Title: 2 No. New Build Domestic



Street scene

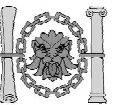
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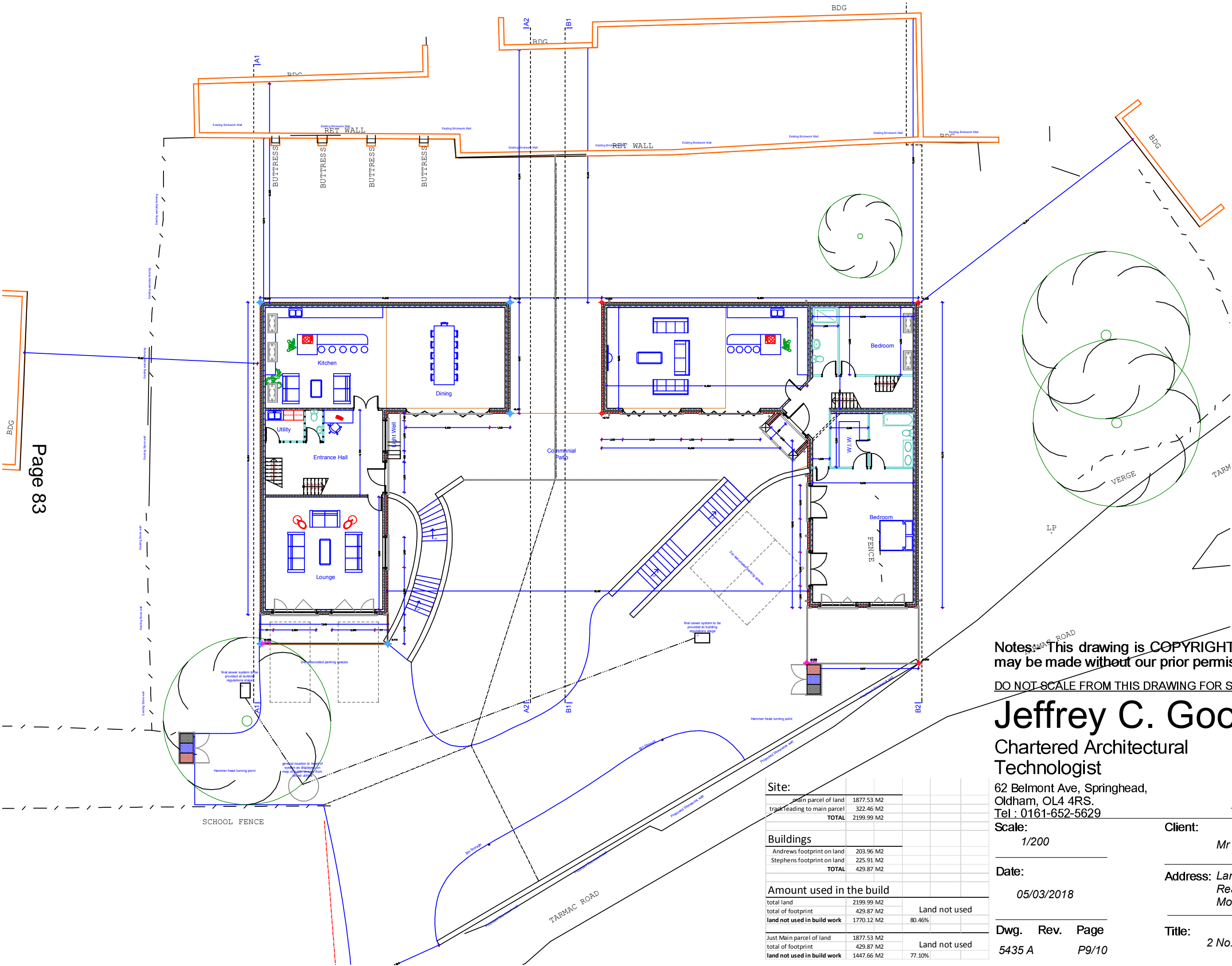
Client:
Mr S Pritchard

Date:
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Rear of Carr hill Rd.,
Mossley (approx OL5 0QT)*

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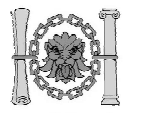
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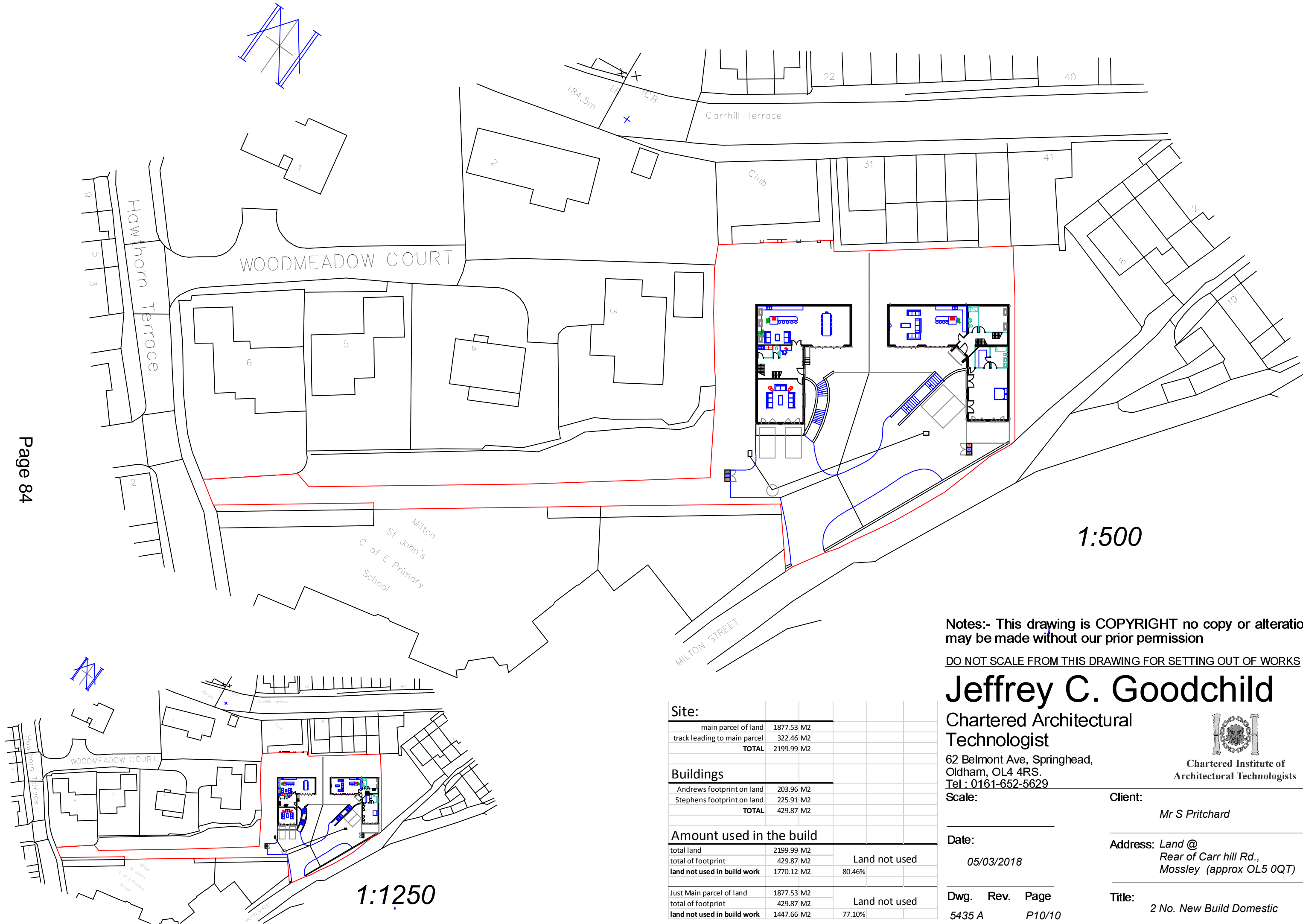
Date: 05/03/2018

Address: Land @ Rear of Carr hill Rd., Mossley (approx OL5 0QT)

Dwg. Rev. Page
5435 A P9/10

Title: 2 No. New Build Domestic

Site:		
main parcel of land	1877.53 M2	
track leading to main parcel	322.46 M2	
TOTAL	2199.99 M2	
Buildings		
Andrews footprint on land	203.96 M2	
Stephens footprint on land	225.91 M2	
TOTAL	429.87 M2	
Amount used in the build		
total land	2199.99 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1770.12 M2	80.46%
Just Main parcel of land	1877.53 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1447.66 M2	77.10%



1:500

1:1250

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Scale:

Client:

Mr S Pritchard

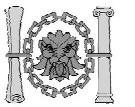
Date:

05/03/2018

Address: Land @
Rear of Carr hill Rd.,
Mossley (approx OL5 0QT)

Dwg. Rev. Page
5435 A P10/10

Title:
2 No. New Build Domestic



Chartered Institute of Architectural Technologists

Site:

main parcel of land	1877.53 M2
track leading to main parcel	322.46 M2
TOTAL	2199.99 M2

Buildings

Andrews footprint on land	203.96 M2
Stephens footprint on land	225.91 M2
TOTAL	429.87 M2

Amount used in the build

total land	2199.99 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1770.12 M2	80.46%

Just Main parcel of land	1877.53 M2	
total of footprint	429.87 M2	Land not used
land not used in build work	1447.66 M2	77.10%

Application Number 18/00582/FUL

Proposal Change of use of the building from a dwelling house (use class C3(a) to a care home (use class C2)

Site The Coach House, Park Bridge, Ashton under Lyne OL6 8AJ

Applicant Kamran Abassi, 1 Stuart Road, Bredbury, Stockport SK6 2SR

Recommendation Approve

Reason for report 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 planning permission for the change of use of the building from a residential dwelling (use class C3 (a)) to a care home (use class C2). The care home would be occupied by up to 4 residents and 2 carers.
- 1.2 The applicant has provided the following documents in support of the planning application:
 - Planning Statement

2. SITE & SURROUNDINGS

- 2.1 The application site comprises a five bedroomed detached, 2 storey stone built dwelling located in the Green Belt in Park Bridge to the north of Ashton under Lyne. There is a neighbouring property (Dean House) located to the east, the terraced properties on Dean Terrace are located to the west and the buildings converted into the Park Bridge Heritage Centre is located to the south west.

3. PLANNING HISTORY

- 3.1 18/00436/CPUD - Certificate of Lawfulness for a proposed use as a home for up to four children or young people with up to two full-time resident carers – refused.
- 3.2 14/00058/FUL - Demolition of existing garage, stable and hardstanding and erection of a new dwelling – approved but not implemented (now expired)

4. RELEVANT PLANNING POLICIES

4.1 Tameside Unitary Development Plan (UDP) Allocation

The site is located in the designated Green Belt

4.2 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

4.3 Part 2 Policies

- OL1: Protection of the Green Belt.
- OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.
T10: Parking
C1: Townscape and Urban Form
N3: Nature Conservation Factors
N4: Trees and Woodland.
N5: Trees Within Development Sites.
N7: Protected Species
MW11: Contaminated Land.
U3: Water Services for Developments
U4 Flood Prevention
U5 Energy Efficiency

4.4 **Other Policies**

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

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

Section 2: Achieving sustainable development
Section 11: Making efficient use of land
Section 12: Achieving well design places
Section 13: Protecting Green Belt Land
Section 15: Conserving and enhancing the Natural 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 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 – no objections raised to the proposals.
- 6.2 Borough Environmental Health Officer (EHO) – no objections raised and no conditions considered necessary.
- 6.3 Borough Tree Officer - There are a number of highly significant trees of considerable amenity and habitat value within the footprint of, and adjacent to, the site. The change of use should not affect these, but no excavation or material storage should be permitted within the root protection zones of these trees.
- 6.4 Coal Authority – no comments received.

7. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 50 letters of objection have been received to the application from nearby residents, raising the following concerns (summarised):

- The site is situated in an isolated location, which is only conveniently accessible by car. The site is not within close proximity of public transport and there are no footpaths along Dean Terrace. The property is just round the corner on a blind bend in the highway. The intensification of the use would result in an adverse impact on highway safety.
- The area is remote and poorly lit. There are already regular occurrences of anti-social behaviour in the area and there is a risk that this will be made worse by the proposed development.
- The proposed development conflicts with the use of Park Bridge as a unique area of quiet informal recreation for residents and its many visitors, individuals and families (over 30,000 annually), and prejudices the functions of the wider area. The increased noise from the property associated with its use as a care home will have a negative impact on the area's amenity and the peace, relaxation and tranquillity that visitors expect and value from a visit to Park Bridge.
- We sympathise with the need for vulnerable children to be given the best possible care, but we feel that Park Bridge in general, and this house specifically, is an unsuitable location for a children's home.
- Park Bridge has little in the way of entertainment or amenities or public transport. This may lead to boredom, groups of young people hanging around with nothing to do, possibly leading to criminal or anti-social behaviour. This could have a conflicting effect as the residents of Park Bridge who are vehemently protective could enforce self-policing measures.
- Concerns regarding how the occupants of the property will be monitored and measures to be put in place to prevent a rise in crime and anti-social behaviour in the area.
- The levels of anti-social behaviour in the area ensure that this is not a suitable location for vulnerable children to live.
- This village already has parking problems. Both Dean and Dingle Terrace are high density with room for just one car on the house frontage. Parking capacity in the area is already severely restricted and would be made worse by these proposals.
- This is not a sustainable location for a children's care home – the nearest school is over 1 mile away and there are no opportunities for social activity or employment within reasonable walking distance of the site.
- Concerns regarding the credentials of the applicant and their ability to operate a children's care home successfully.
- The grounds of Dean House (east of the site) extend to the rear of the application site – what measures are going to be put in place to protect the residential amenity of neighbouring properties?

8. ANALYSIS

- 8.1 The key issues to be assessed in the determination of this planning application are:
- 1) The principle of development in the Green Belt
 - 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 IN THE GREEN BELT

9.1 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material

considerations indicate otherwise. Consideration will also be necessary to determine the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 212 -214 of the NPPF set out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 213 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.

- 9.2 The site is located within the designated Green Belt. The NPPF, at paragraph 134, sets out the five purposes of Green Belt. These are:
- a. To check the unrestricted sprawl of large built-up areas;
 - b. To prevent neighbouring towns merging into one another;
 - c. To assist in safeguarding the countryside from encroachment;
 - d. To preserve the setting and special character of historic towns; and
 - e. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.3 Paragraph 142 of the NPPF states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.4 Paragraph 144 of the NPPF states that ‘when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances’.
- 9.5 Paragraphs 145 and 146 state that the construction of new buildings in the Green Belt should be regarded as inappropriate development unless one of the listed exceptions apply.
- 9.6 Policy OL1 of the UDP states that the Green Belt will be protected from inappropriate development and approval will not be given for the construction of new buildings except in specific purposes. The wording of this policy is slightly at variance with updated guidance of the NPPF, however, the fundamental requirement to keep Green Belts open and only to allow built development for specific purposes or where very special circumstances can be demonstrated remains.
- 9.7 This proposal would result in the re-use of a permanent building and therefore meets criteria d) of paragraph 146. Given that the proposals would not result in extensions to the building, the proposals would not result in an additional impact on the openness of the Green Belt over and above the existing situation. On that basis, the proposal is considered to constitute appropriate development in the Green Belt.
- 9.8 Subject to the development being considered sustainable in terms of its environmental impact and the satisfaction all other material planning considerations, the principle of development is considered to be acceptable.

10. RESIDENTIAL AMENITY.

- 10.1 The scheme does not include any extension or external alterations to the building and would retain the separation distance to Dean House and the greater separation distances to the other neighbouring properties. Given these factors, it is considered that the proposals would not result in unreasonable overshadowing into, overlooking of or noise and disturbance to any of the neighbouring properties that would be harmful to residential amenity. This assessment is corroborated by the lack of objection from the EHO to the proposals.

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 proposals would not involve any changes to the existing access arrangements serving the site. It is considered that the level of trips generated by the proposed use as a care home would not be significantly different to that of a five bedrooomed dwelling. This assessment is made with regard to the fact that the majority of the occupants of the use would be in receipt of supervised care and are therefore unlikely to be making regular independent journeys from the site. This assessment is corroborated by the lack of objection from the Local Highway Authority.
- 12.2 In relation to parking, there is a detached garage on the site and sufficient space for a minimum of 3 cars to park on hardstanding within the curtilage of the property. This level of provision would far exceed the requirements of the UDP in relation to C2 uses, which suggests that 1 space per 4 beds would be acceptable. It is therefore considered that proposals would not result in a reliance on on-street parking or result in a highway safety hazard in this regard.
- 12.3 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 109 of the NPPF, planning permission should not be refused on this basis.

13. OTHER MATTERS

- 13.1 Neither the Environmental Health or Contaminated Land Officer have raised any objections to the proposals and given that there are no physical works proposed, no conditions are considered necessary in that regard. It is considered that there is adequate space within the site for the storage of bins and therefore no further details are considered necessary in this regard. The site is located within an area of high risk with regards to coal mining legacy but does not involve any works that would involve excavations below ground level. There is nothing to suggest that ground stability would be adversely affected therefore. An informative can be attached to any planning permission granted explaining the responsibilities of the applicant in this regard.
- 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 There is a group Tree Preservation Order on the land. The Borough Tree Officer has not raised any objections to the proposals given that the footprint of built development on the site would not change beyond the existing situation. A condition can be attached to the permission to ensure that during any internal works necessary to convert the building to the proposed use, protection measures are installed around the protected trees, to prevent damage to the root protection area of the specimens.

- 13.4 A number of objectors have raised concerns regarding the potential risk of increased crime and anti-social behaviour in the area arising from the proposed development. Whilst reducing opportunities for crime through the design of development is a material planning consideration, the risk of crime rates increasing in an area is not something that can be controlled through the planning system. In this case, there are no physical alterations to be undertaken to the building and so no opportunities for crime would be created by built environment factors. It is considered reasonable to condition the submission and approval of a management plan for the facility to ensure that the impact on the residential amenity of neighbouring properties minimised. The planning application could not however reasonably be refused on the hypothetical assertion that the change of use would lead to a risk of crime or that existing anti-social area would be detrimental to the amenity of the future occupants of the development.

14. CONCLUSION

- 14.1 The development would not result in inappropriate development in the Green Belt. There would not be an adverse impact on the openness of the Green Belt or the character of the site or surrounding area as no physical alterations are proposed. Given the separation distances to be retained, there would not be any unreasonable overlooking into or overshadowing of neighbouring properties and the level of intensification of activity in the site would not lead to noise or disturbance that would harm the amenity of neighbouring properties. There are no objections from any of the statutory consultees and officers consider that there are no material planning reasons to refuse the application.
- 14.2 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
3. Prior to the first occupation of the property for the use hereby approved, details of the measures to be put in place to ensure that the care home 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 on the first occupation of the development and shall remain in force at all times thereafter.
4. Prior to the commencement of any construction works on the site, tree protection measures to meet the requirements of BS5837:2012 shall be installed around all of the trees on the site to be retained. These measures shall remain in place throughout the duration of the demolition and construction phases of the development, in accordance with the approved details.

Application Number: 18/00582/FUL

Photo 1 – image showing the site in context with surrounding development



Photo 2 – view looking eastwards along the northern boundary of the site showing the existing dwelling

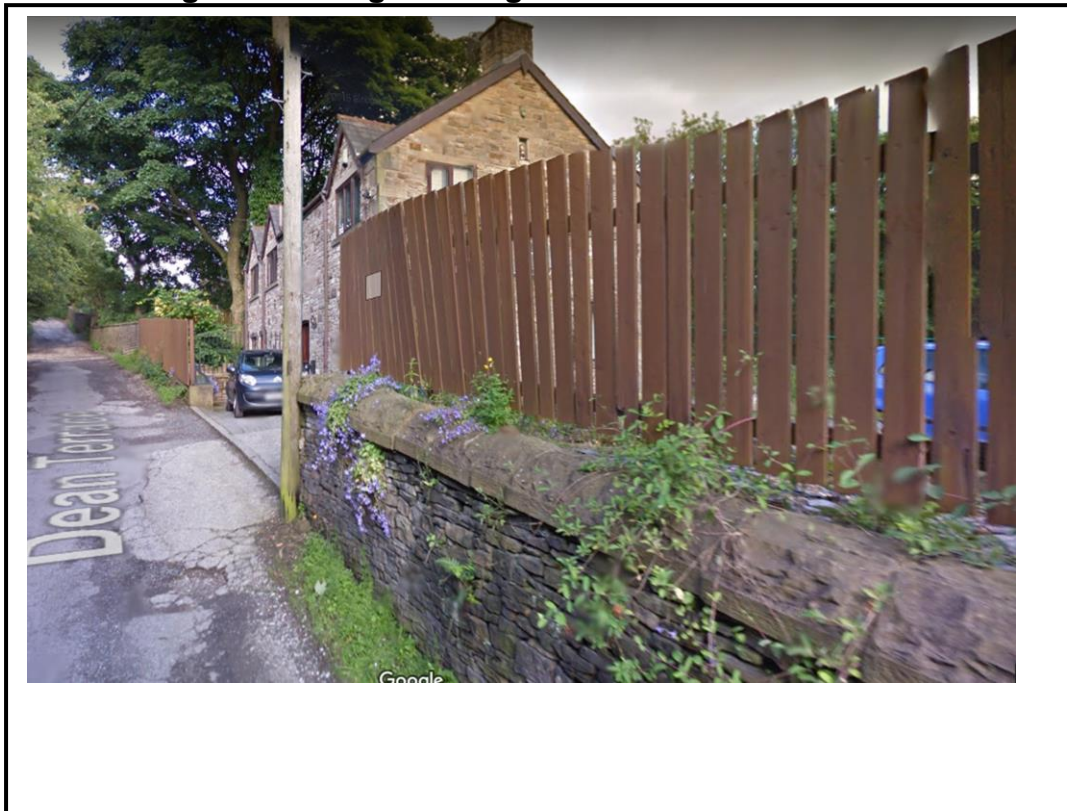


Photo 3 – view looking westwards along the northern boundary of the site to the bend in Dean Terrace

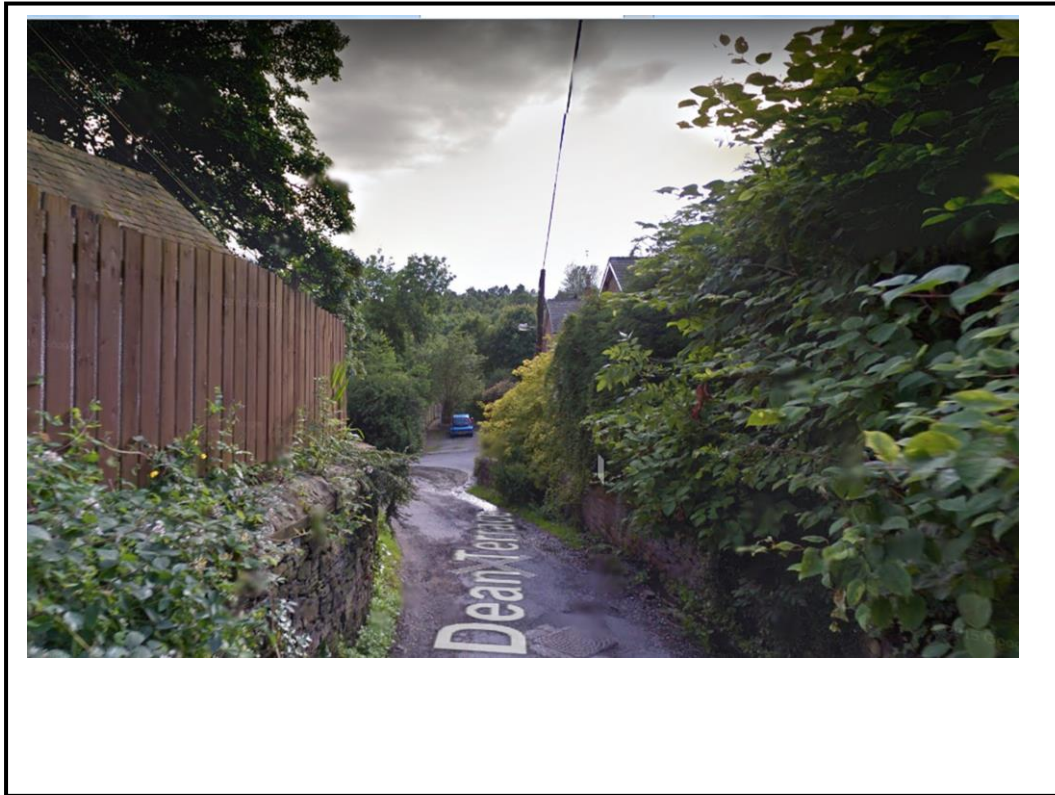
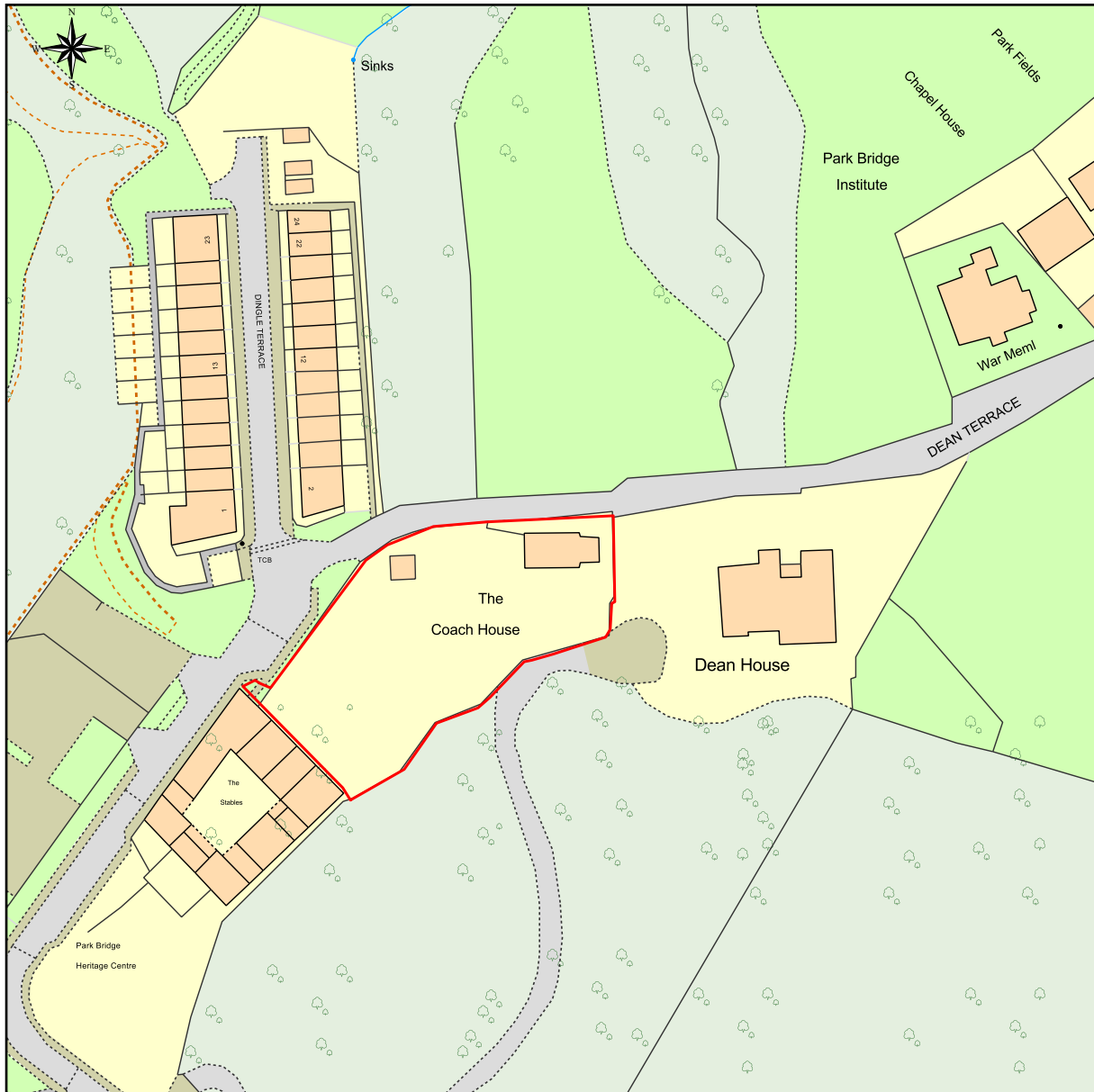


Photo 4 – view of the western boundary of the site adjacent to the junction between Dean Terrace and Dingle Terrace.



Location Plan of The Coach House, OL68AJ



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

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Coach House, Dean Terrace



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Application Number:	18/00783/FUL
Proposal:	Construction of a timber gazebo outbuilding (retrospective)
Site:	65 Green Lane, Ashton-Under-Lyne, OL6 8TE
Applicant:	Mrs Dolores Lewis, 65 Green Lane, Ashton-Under-Lyne OL6 8TE
Recommendation:	APPROVE
Reason for report:	The applicant is an elected member of Tameside Council

1. APPLICATION DESCRIPTION

- 1.1 The applicant seeks retrospective planning permission for the erection of a timber gazebo within the rear garden of No.65 Green Lane. The gazebo has a maximum height of 3.04m, a maximum width of 3.2m and an eaves height of 2.3m. It is situated to the North West corner of the garden on top of a raised patio area, which is no more than 0.25m above natural ground level. The gazebo directly abuts the shared boundary with No.67 Green Lane and the cycle path to the rear.
- 1.2 The timber gazebo features a hipped roof design with felt shingles, with three open elevations and one timber elevation with three glass windows facing No.65 Green Lane.

2. SITE & SURROUNDINGS

- 2.1 No.65 Green Lane is a semi-detached brick built dwelling which forms part of a wider residential cul-de-sac in Ashton-Under-Lyne. The property benefits from a front garden with a larger garden to the rear, a paved driveway to the side of the dwelling and detached garage adjacent to the boundary with No.67 Green Lane.
- 2.2 Residential properties surround the site, with a former rail line (now cycle path) beyond the boundary to the rear.

3. PLANNING HISTORY

- 3.1 There is no relevant planning history relating to the application site.

4. RELEVANT PLANNING POLICIES

- 4.1 Tameside Unitary Development Plan (UDP) Allocation
- 4.2 Unallocated, within the Ashton Hurst Ward.
- 4.3 **Part 1 Policies**
 - 1.3: Creating a Cleaner and Greener Environment.
 - 1.5: Following the Principles of Sustainable Development
- 4.4 **Part 2 Policies**
 - H10: Detailed Design of Housing Developments
 - C1: Townscape and Urban Form

4.5 **Other Policies**

Tameside Residential Design Supplementary Planning Document
The Town and Country Planning (General Permitted Development) (England) Order 2015
(as amended)

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

Section 2: Achieving sustainable development

Section 12: Achieving well-designed places

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 and a site noticed was displayed 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.

6. **RESPONSES FROM CONSULTEES**

6.1 None.

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

7.1 In response to the original notification, 1 letter of objection was received from the adjacent property, No.67 Green Lane. Main points raised:

- The outbuilding has taken light from their garden
- Spoilt the view of the background trees
- Eyesore when viewed from the patio area and kitchen window
- Should be located two metres from any boundary as per the law.
- Huge gazebo belongs in the middle of the garden
- Built on a raised patio area
- Large conifer tree on the shared boundary casts a huge shadow on the garden and leaves falling debris
- Overall congestion on the boundary line contributing to additional shade

8. **ANAYLSIS**

8.1 In accordance with the revised NPPF and Tameside UDP policies 1.3, C1 and H10, the main issues raised by the application relate to the following:

- Impact on the character and appearance of the surrounding area;
- Impact on residential amenity; and,
- Impact on highway safety

8.2 The above matters are considered in more detail below.

9. CHARACTER OF THE SURROUNDING AREA

- 9.1 In terms of its detailed design, there are no specific local policies which relate to outbuildings within the curtilage of a dwellinghouse; however Section 12 of the revised NPPF makes clear the importance of good design in new development and Part 1 Policy 1.3 of the UDP states that “all developments must achieve high quality design which is sensitive to the character of the local area, particularly in the relationship between buildings, between buildings and adjoining spaces, and in associated landscaping”.
- 9.2 The design and appearance of the gazebo is considered to be acceptable, for the reason that it is small scale, located some 20m west from No. 65 and the neighbouring properties and is constructed from a natural timber material with a sympathetic mottled grey coloured hipped roof. The gazebo is not considered to be of detriment to the character and appearance of the surrounding area, in accordance with the revised NPPF and UDP Policies 1.3 and H10.

10. RESIDENTIAL AMENITY

- 10.1 Paragraph 127 of the revised NPPF outlines the importance of planning in securing a high standard of amenity for existing and future occupiers of land and buildings. Saved UDP Policy H10 seeks to ensure that new development does not result in any detrimental impact on the residential amenities of existing occupiers through loss of privacy, overshadowing or outlook.
- 10.2 Under Class E (Part 1, Schedule 2) of the Town and Country Planning General Permitted Development Order, an outbuilding can be erected within the curtilage of a dwellinghouse, but will be limited to a height of 2.5m if within 2m of any boundary. In this particular case, the gazebo only requires planning permission by virtue it being located within 2m of the boundary and extending 3.04m in height. This is a strong material planning consideration in the determination of this application.
- 10.3 It is acknowledged by Officers that the gazebo directly abuts the shared boundary with No.67 Green Lane and therefore the hipped roof, which protrudes approximately 1m above the fence line, is visible from that property and the associated rear garden. However, given that the gazebo is located some 20m in distance from the rear habitable room windows of that property, it is not considered to be unduly overbearing or unduly harmful to the neighbour's quality of outlook.
- 10.4 No.67 Green Lane is served by a large rear garden (approximately 20m x 14m) and so the gazebo, which is small in scale, would not cause such a significant level of overshadowing than in turn would be of detriment to the enjoyment of the neighbour's amenity space.
- 10.5 Officers are satisfied that the gazebo would not result in overlooking and cause a loss of privacy to the detriment of the neighbour's amenity, as it is sufficiently screened by the boundary fencing.
- 10.6 Loss of a view is not a material planning consideration and does not hold any weight in the determination of this planning application.

11. HIGHWAY SAFETY

- 11.1 There would be no impact on Highway Safety.

12. OTHER MATTERS

- 12.1 Objectors have raised concerns that large tree in the rear garden of No.65 Green Lane, casts a shadow on the rear garden of No.67 Green Lane. However the tree is not protected by a Tree Preservation Order, nor is the site located within a Conservation Area, and as such is not in the remit of planning control and not a matter which can be taken into account as part of this planning application.

13. CONCLUSION

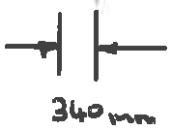
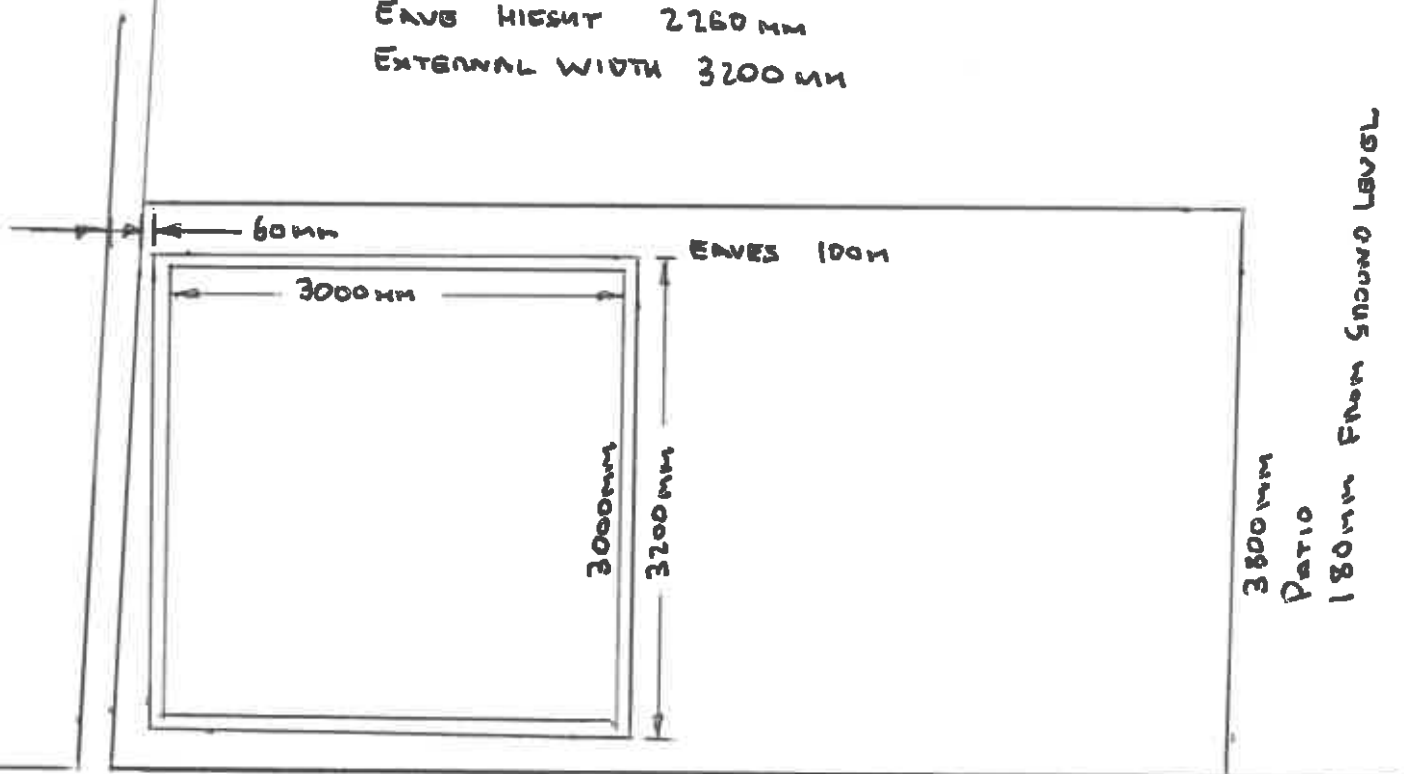
- 13.1 To conclude, it is considered that the application is in accordance with the revised NPPF, UDP policies 1.3, C1 and H10 together with the Councils adopted SPD on Residential Design and is therefore recommended for approval.

14. RECOMMENDATION:

Grant planning permission.

65 GREEN LANE
ASHTON UNDER LYNE
1:50m SCALE

PATIO 180mm FROM GROUND LEVEL
GAZEBO HEIGHT 2040mm
EAVE HEIGHT 2260mm
EXTERNAL WIDTH 3200mm



65

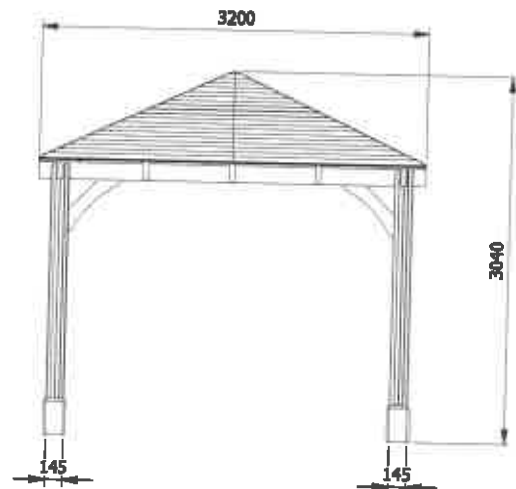
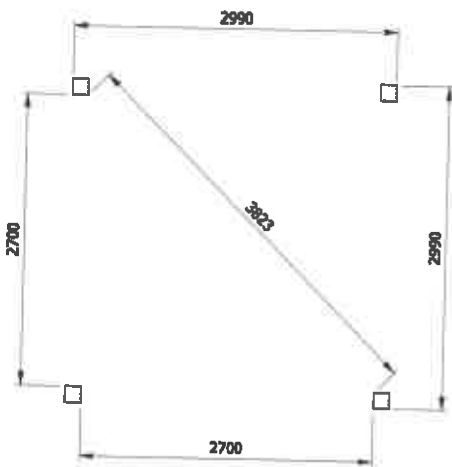
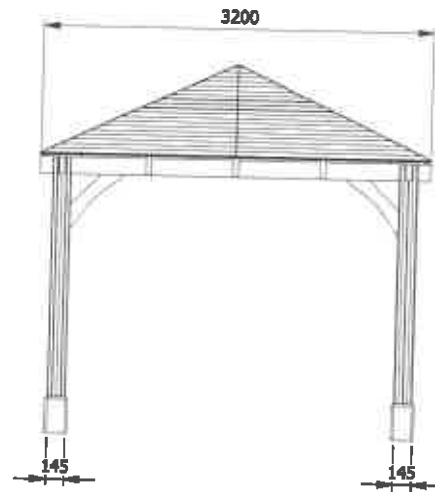


PATIO AREA

GAZEBO



Atlas Open Gazebo W3.2m x D3.2m



DIMENSIONS:

External Width: 3.20m (10' 5")
External Depth: 3.20m (10' 5")
Internal Eaves Height: 2.26m (7' 4")
Uprights: 145mm x 145mm
Overall Height: 3.04m (9' 11")

FEATURES:

Roof Covering Options: None, Felt or Shingles
Timber: Spruce
Roof: 19mm Tongue and Groove
Walls: Optional Timber or Glass Panels
Fully Pressure Treated



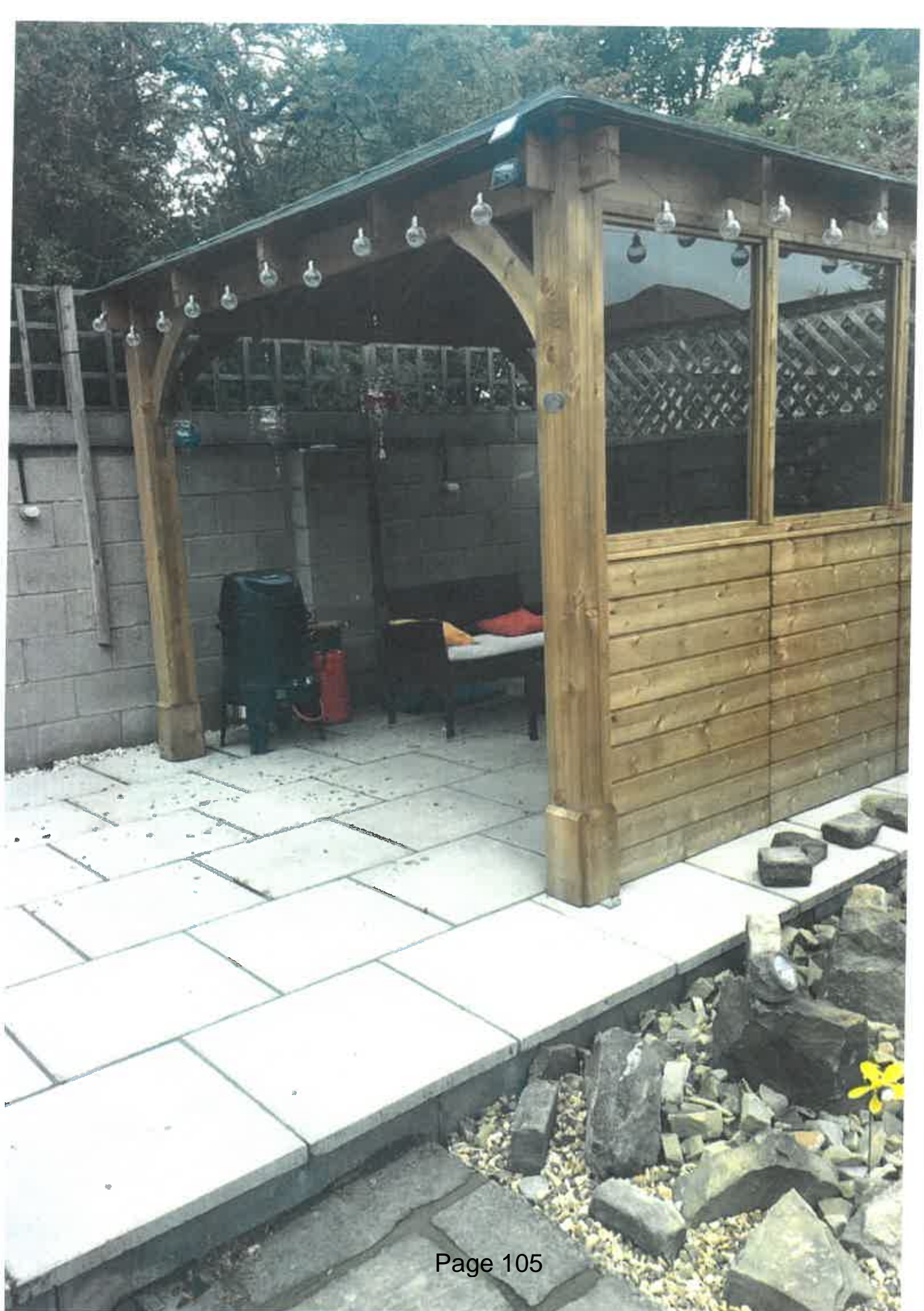
Atlas Open Gazebo W3.2m x D3.2m

Everything you need for your
**PERFECT
GARDEN**



<p>SCALE: 1 : 1250</p> <p>USER ID:</p> <p>DATE: 20/08/2018</p> <p>EXTRACT DATE: 13/08/2018</p> <p>MAP REF: SD88300</p> <p>CENTRE: 388727, 400399</p> <p><small>Units: examples of Point Source:</small></p>	<p>LP MANS</p> <p>MP MANS</p> <p>P MANS</p> <p>LIP MANS</p>	<p>Out of Standard Service</p> <p>Material Change</p> <p>Diameter Change</p> <p>Syphon</p> <p>Depth of Cover</p>	<p>MAPS Viewer Version 5.8.0.1</p> <p>Local Machine</p> <p>This plan is reproduced from or based on the OS map by Cadent Gas Ltd, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved.</p>
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