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SPEAKERS PANEL (PLANNING)

Day:	Wednesday
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Date: 4 September 2019

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	1 - 4
	The Minutes of the meeting of the Speakers Panel (Planning) held on 31 July 2019, having been circulated, to be signed by the Chair as a correct record.	
4.	OBJECTIONS TO PROPOSED PARKING TRAFFIC REGULATION ORDERS, ASHTON TOWN CENTRE	5 - 14
	Report of the Assistant Director, Operations and Neighbourhoods, attached.	
5 .	PLANNING APPLICATIONS	
	To consider the schedule of applications.	
a)	19/00334/FUL - LAND AT RUTLAND STREET, ASHTON-UNDER-LYNE	15 - 46
b)	19/00067/FUL - HILL STREET WORKS, HILL STREET, HYDE	47 - 70
c)	18/00818/FUL - FORMER GLOBE WORKS, BROOK STREET, HYDE	71 - 108
d)	19/00245/REM - LAND TO THE WEST OF MILVERTON AVENUE, HATTERSLEY	109 - 136
e)	19/00545/FUL - SITE OF FORMER SAMUEL LAYCOCK SCHOOL, MERESIDE, STALYBRIDGE	137 - 150
6.	APPEAL DECISION NOTICES	
a)	APP/G4240/D/19/3230080 - 18 HOLLYBANK, DROYLSDEN. M43 7SP	151 - 152
b)	APP/G4240/W/3227157 - 40 ARDENFIELD, DENTON. M34 7LN	153 - 156
c)	APP/G4240/D/19/3228420 - 21 MANSFIELD ROAD, HYDE. SK14 5PF	157 - 158

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

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7. 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 or carolyn.eaton@tameside.gov.uk, to whom any apologies for absence should be notified.

SPEAKERS PANEL (PLANNING)

31 July 2019

Comm: 10.00am Term: 11.00am

Present: Councillor McNally (Chair)

Councillors: Choksi, Dickinson, Glover, Gosling, Lewis, Owen,

Ricci, Ward and Wild

Apologies for absence: Councillor Naylor

15. DECLARATIONS OF INTEREST

There were no declarations of interest declared by Members.

16. MINUTES

The Minutes of the proceedings of the meeting held on 19 June 2019, having been circulated, were taken as read and signed by the Chair as a correct record.

17. OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD, WYCH FOLD AREA, HYDE) (PROHIBITION OF WAITING) ORDER 2018

Consideration was given to a report of the Director, Operations and Neighbourhoods, outlining objections received to the proposed waiting and stopping restrictions.

It was explained that the Council had been approached by a company called Superior Food Machinery (SFM) that operated from premises on Wych Fold. For many years the company had experienced problems with obstructive parking as there was a propensity for vehicles to park both opposite and adjacent to their works entrance. This was restricting the access/egress for their delivery vehicles which ranged in size form transit sized vans to 40ft articulated lorries and the company reported that parked vehicles had been damaged as a consequence. Concerns had also been raised by The Werneth House Community Centre, also sited on Wych Fold. Visitors to the Centre reported that they often had difficulty accessing the Centre's off street disabled parking area, owing to the entrance being obstructed by parked vehicles.

In response to the issues raised, the Council proposed waiting restrictions on the east and west side of Wych Fold and at various junctions within the Stockport Road, Wych Fold area, as defined in the scheduled of works.

A scheme was advertised in February 2018 and 14 objections were received. However, one was discounted as no grounds for the objection were specified. The majority of objections raised concerns in respect of the limited availability of on street parking for visitors to local amenities and shops with the vicinity. Further concerns included: elderly/people with mobility problems would be unable to park in close proximity when visiting the community centre; and that the proposed restrictions around the junction of Enfield Street and Stockport Road would displace parking and increase non-residential parking leaving some residents unable to park near to their properties.

One objector suggested that if restrictions were necessary that they be restricted to between the hours of 08.00 to 18.00.

Representations had also been received from a resident on Hudson Road; the resident fully supported the proposals at this location in the interests of road safety but felt that the proposals were not extensive enough.

Officer responses to the objections were detailed in the report. No objections to the proposed scheme were received from the statutory consultees.

The Panel considered the views of Mr Goddard and Mr Mann, local residents, who addressed the Panel objecting to the proposals. They explained how the proposed restrictions would affect their ability to park outside their property. It was suggested, should restrictions be necessary, that they be limited to weekdays 08.00 - 18.00.

Discussion ensued with regard to the proposal and consideration was given to the information provided including the objections raised, responses given and representations made at the meeting, and it was:

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to make the following order: THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT RAOD, WYCH FOLD AREA, HYDE) (PROHIBITION OF WAITING) ORDER 2019 as follows:

SCHEDULE No Waiting Monday – Friday 08.00 – 18.00	
Stockport Road (north side)	from a point 10 metres west of its junction with Tatton Street to a point 10 metres east of that junction.
Stockport Road (north side)	from a point 10 metres west of its junction with Enfield Street to a point 15 metres east of the extended south easterly kerb line of Enfield Street with Stockport Road.
Enfield Street (both sides)	from its junction with Stockport Road for a distance of 15 metres in a north-easterly direction.
Wych Fold (west side)	from a point 15 metres south of its junction with Stockport Road to its junction with Hudson Road.
Wych Fold (east side)	from a point 27 metres south of its junction with Stockport Road for a distance of 18 metres in a southerly direction.
Wych Fold (east side)	from its junction with Hudson Road for a distance of 15 metres in a northerly direction.
Hudson Road (north side)	from a point 10 metres west of its northerly junction with Wych Fold to a point 5 metres east of that junction.
Hudson Road (south side)	from a point 28 west of its southerly junction with Wych Fold for a distance of 23 metres in a westerly direction

18. 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:	19/00334/FUL Richmond Fellowship
Proposed Development:	Demolition of existing buildings and construction of a supported housing scheme (use class C2) and associated landscaping and access. Land at Rutland Street, Ashton-under-Lyne
Speaker(s)/Late Representations:	Councillor Sidebottom and Mr Smith addressed the Panel in objection to the proposal.
•	Mr Sam Baird, Architect, addressed the Panel in support of the application.
Additional Information:	Mr Leigh, Development Manager, explained that post publication of the agenda, officers noted a drafting error: condition 16 referred to badgers but should refer to bats. However, also during this time, officers had been in discussions with the applicant regarding the wording of this condition, and therefore condition no 16 in the report be substituted by the following:
	16. The development shall be carried out in accordance with the precautionary measures detailed in Section 4.5 of the Preliminary Bat Survey report produced by Brimstone Ecology (version 3 dated 17 march 2019) submitted with the planning application).
Decision:	That consideration of the application be deferred to a future meeting to allow Panel Members to conduct a site visit to consider traffic issues, as raised by objectors both in the report and by representations at the meeting.

Name and Application No	19/00327/FUL Involvement Packaging Ltd
Proposed Development:	Erection of a single storey pitched roof warehouse to be used for storage and distribution purposes (Use Class B8).
	Land at car park to the north of Frederick House, Dukinfield Road, Hyde.
Speaker(s)/Late Representations:	Charlotte Fowler, agent, addressed the Panel in support of the application.
Decision:	That planning permission be approved subject to conditions as detailed within the submitted report.

Name and Application No	19/00399/FUL Onward Homes	
Proposed Development:	Enabling works including site clearance and engineering operations including removal of contaminants and reformation of site levels.	
	Site of Former District Centre, Land Bounded by Hattersley Road East, Mottram, Tameside. SK14 3EQ	
Speaker(s)/Late Representations:	Jason Dugdale, on behalf of the applicant, addressed the Panel in support of the application.	
Decision:	That planning permission be approved subject to conditions as detailed within the submitted report.	

19. APPEAL DECISIONS

Application reference/Address of Property.	Description	Appeal Decision
APP/G4240/D/19/3227164 9 Hawthorn Drive, Stalybridge. SK15 1UE	Re-modelling of rear garden area including construction of steps/raised platform and erection of 2.3m high boundary fence.	Appeal allowed.
APP/G4240/W/19/3226399 Land adjacent to 30 lvy Cottages, Denton. M34 7PZ	Use of an outbuilding as a two- bedroom bungalow.	Appeal dismissed. Award of costs refused.

20. CHAIR'S CLOSING REMARKS

The Chair announced that this was the last Speakers' Panel (Planning) meeting for the Head of Legal Services, Aileen Johnson, who was retiring at the end of August. He thanked Aileen for all her hard work and wished her well for the future.

CHAIR

Agenda Item 4

Report To: SPEAKERS PANEL (PLANNING)

Date: 4 September 2019

Reporting Officer: Emma Varnam - Assistant Director, Operations and

Neighbourhoods

Subject: OBJECTIONS TO PROPOSED PARKING TRAFFIC

REGULATION ORDERS, ASHTON TOWN CENTRE

Report Summary: This report outlines objections received from local businesses

and residents to proposed limited parking scheme for Ashton town centre which is designed to replace the paid parking

scheme.

Recommendations: That authority is given for the necessary action to be taken in

accordance with the Road Traffic Regulation Act 1984 to make the following order, as originally advertised, the TAMESIDE METROPOLITAN BOROUGH (STAMFORD STREET AREA, ASHTON UNDER LYNE) (RESTRICTION OF WAITING)

ORDER 2019 as detailed in 5.1 below.

Links to Community Strategy: Transport Infrastructure Schemes are linked to promoting

A safe environment

An attractive Borough and

A prosperous society

Policy Implications: This proposal supports the Council's policies to develop

economic growth and deliver a thriving retail offer in town centres by providing the necessary transport infrastructure, including the availability of affordable and accessible car parking

arrangements.

Financial Implications: The funding for this scheme is to be met by the Parking Services

budget

(Authorised by the Section 151

Officer)

Legal Implications: The Panel should have regard to s122 Road Traffic Regulation

Act 1987, which is at Appendix A

(Authorised by the Borough

Solicitor)

Governance arrangements:

Advertisement and implementation of Traffic Regulation Orders

(if applicable, the intended governance arrangements e.g. key decision, executive

decision)

Risk Management: Objectors have a limited right to challenge the Orders in the High

Court.

Access to Information: Appendix A – S.122 of Road Traffic Regulation Act 1984

All documentation can be viewed by contacting Alan Jackson

Head of Environmental Services (Highways and Transport) by:

Telephone:0161 342 2818

e-mail: alan.jackson@tameside.gov.uk

1. INTRODUCTION

- 1.1 A report was submitted to the Strategic Planning and Capital Monitoring Panel in 9 October 2017 which reported the objections received to a scheme to introduce Cashless Parking in 140 on street bays in Ashton Town Centre. The scheme relied on customers using the RingGo App to register their parking requirements and pay online.
- 1.2 The scheme had been supported by the Executive Board on 17 January 2017 and subsequently advertised for public objections and comments.
- 1.3 The Strategic Planning and Capital Monitoring Panel supported the introduction of the scheme with recommendations to review the scheme on a 6, 12 and 18 month basis.
- 1.4 The scheme was introduced on street on 1 November 2018 with a 'soft introduction' whereby drivers were not issued with ticket when offending and notices were put up to inform them of the parking duration and methods of payment. The scheme came in to full operation on the 19 November 2018.
- 1.5 Following a series of negative comments from both residents and the business community a decision to suspend the operation was made and came into effect at 2.00pm on 7 January 2019.
- 1.6 As a result of this suspension of cashless on-street parking, there is currently unregulated parking taking place at these locations and, although the Council is currently in the process of reviewing its car parking arrangements across the borough, this current situation must be addressed.
- 1.7 A Delegated Decision report was written and approval granted to advertise, for public comments and objections, a scheme re-introducing free limited waiting around Ashton town centre.

2. PROPOSALS

2.1 The Council advertised the proposals to introduce limited waiting on the roads listed in 5.1 below on 11 July 2019 and the final day for objections or comments was 2 August 2019.

3. OBJECTIONS

- 3.1 Six objections have been received and a breakdown of the points raised is below.
- 3.2 **Agreed with scheme** Three of the objectors agreed with the necessity of the scheme however, went on to request changes to the proposals.
- 3.3 **Two free hours to park, not one** Of the objectors above, two of them wanted the time available to park increasing to two hours instead of just one hour.
- 3.4 **Change time limits to end at 4pm, not 6pm** One objector wanted to be able to park after 4pm for longer than one hour. The proposals currently are 8am until 6pm.
- 3.5 **Objects to the scheme** One objector did not want the scheme to go ahead due to the cost of parking all day on car parks and the impact of removing free parking on the town centre.

3.6 **Objects to the scheme** – Two objectors did object to the scheme due to the restrictions on parking as they are residents. One of them wanted the council to consider parking permits for the residents to buy.

4. RESPONSES

- 4.1 **Two free hours to park, not one** The scheme that was in place prior to the on street paid parking scheme allowed parking for one hour, no return in two hours. This allowed a regular turnover of vehicles and anyone wishing to park longer used the car parks. Two hours free parking is considerably generous when compared with other boroughs and would reduce turnover.
- 4.2 Change time limits to end at 4pm, not 6pm The proposed time restraints of one hour from 8am until 6pm are a standard time to coincide with shopping / working districts and allow parking from 5pm until 9am without moving the vehicle. This is designed to maximise the area for shopping during the day and allow residents to park in the evening and through the night unimpeded. If the time were to be changed to 4pm, it would allow parking from 3pm until 9am. The reason for the change stated in the objection was to increase footfall. It is not clear how the change would increase footfall as the parking is still free and available. All it would increase is the duration that a vehicle can be parked, thereby reducing the available turnover of spaces.
- 4.3 **Objects to the scheme –** This was based on the cost of all day parking on the off street car parks, as the objector works in the town centre, as well as the impact of removing free parking on the town centre. Since the removal of the paid parking scheme, the parking bays have been unregulated and the majority of parking has taken place by vehicles staying all day. This is not the intention of the bays. They are there to provide short duration parking for visitors to the area to shop etc. It has been almost impossible to find a parking space on street due to the amount of long stay parking taking place and this has had a negative impact on the town centre. The cost of the off street parking is £2 per day and is amongst the cheapest in Greater Manchester.
- 4.4 **Objects to the scheme –** Residents of two areas affected by the proposals feel that this is unfair on them as they have enjoyed the free, unlimited parking that the recent removal of paid parking has allowed. They believe that their personal circumstances will deteriorate if this scheme is approved. The advertised proposals will allow them to park for free from 5pm until 9am each day. This is better for them than the paid parking scheme and generally the same as previously in place for many years. One of the objectors requested parking permits to park near their house and dedicated parking bays for this use. The parking provided for the town centre is designed for all visitors and users of the area, not just for residents. Generally the only designated spaces are for disabled and loading, with all other being open to general use. To have a space reserved for permit holders who may have gone to work for the day, leaving the bay empty, seems a less than efficient use of the bay. Whilst it is understood that the recent changes have made the parking better for the residents, it has always been understood that this was a temporary measure borne from the removal of the paid parking, it was never meant to be the final scheme.

5. CONCLUSION

5.1 The proposed scheme has the same limits in terms of effective hours as the original scheme, before paid parking, and this did not cause people problems that were insurmountable. The residents presumably occupied their properties whilst the original one hour limited parking was in place but have enjoyed free unlimited parking since January and understandably do not want this to change now. However it is not in the best interests of the town that free on street all day parking in the town centre is allowed to continue. It is

for this reason that it is recommended that the proposals remain unchanged as set out in the table below:

<u>Limit</u>	Limited Waiting to 1 hour no return in 2 hours, 8.00am to 6.00pm	
Road Name	Location	
Alexandra Road (north west side)	from a point 15 metres south west of its junction with Union Street for a distance of 20 metres in a south westerly direction	
Alexandra Road (south west side)	from a point 7 metres north east of its junction with Turner Lane to a point 15 metres south west of Union Street	
Booth Street (east side)	from a point 2 metres north of its junction with Wood Street to a point 2 metres south of its junction with Wellington Street	
Booth Street (east side)	from a point 5 metres north of its junction with Stamford Street Central to a point 3 metres south of its junction with Wood Street	
Booth Street (east side)	from a point 5 metres north of its junction with Fleet Street to a point 5 metres south of its junction with Stamford Street Central	
Booth Street (east side)	from a point 2 metres north of its junction with Wellington Street to a point 2 metres south of its junction with Wych Street	
Church Street (north side)	from a point 15 metres west of its junction with Grey Street for a distance of 15 metres in a westerly direction	
Church Street (north side)	from a point 65 metres west of its junction with Grey Street to a point 5 metres east of its junction with Warrington Street	
Church Street (north side)	from a point 15 metres west of its junction with Warrington Street to a point 45 metres east of its junction with Delamere Street	
Cotton Street East (north side)	from a point 13 metres east of its junction with Oldham Road to a point 40 metres west of its junction with Gas Street	
Cowhill Lane (east side)	from a point 5 metres south of its junction with Wimpole Street to a point 10 metres north of its junction with Penny Meadow	
Delamere Street (west side)	from a point 18 metres south of its junction with Fleet Street in a southerly direction to the cul de sac end	
Delamere Street (east side)	from a point 5 metres south of its junction with Stamford Street Central to a point 5 metres north of its junction with Fleet Street	
Delamere Street (west side)	from a point 20 metres south of its junction with Old Street to a point 3 metres north of its junction with Wellington Street	
Enville Street (east side)	from a point 5 metres north of its junction with Penny Meadow to its junction with Wimpole Street	
Fleet Street (south side)	from a point 29 metres west of its junction with Warrington Street for a distance of 9 metres in a westerly direction	
Fleet Street (south side)	from a point 10 metres west of its junction with Warrington Street for a distance of 15 metres in a westerly direction	

Fleet Street (south side)	from a point 10 metres west of its junction with Delamere Street to a point 50 metres east of its junction with Booth Street
Grey Street (west side)	from a point 5 metres south of its junction with Fleet Street to a point 5 metres north of its junction with Church Street
Mill Lane (west side)	from a point 5 metres south of its junction with Stamford Street to a point 5 metres north of its junction with Fleet Street
Newton Street (west side)	from a point 15 metres north of its junction with Penny Meadow to its junction with Wimpole Street
Old Street (south side)	from a point 75 metres east of its junction with George Street for a distance of 25 metres in an easterly direction
Old Street (south side)	from a point 20 metres east of its junction with George Street for a distance of 16 metres in an easterly direction
Old Street (south side)	from a point 45 metres east of its junction with George Street for a distance of 10 metres in an easterly direction
Old Street (south side)	from a point 30 metres west of its junction with Booth Street for a distance of 24 metres in a westerly direction
Old Street (north side)	from a point 14 metres east of its junction with Oldham Road to a point 43 metres east of its junction with Oldham Road
Penny Meadow (north side)	from a point 8 metres west of its junction with Wimpole Street to a point 8 metres east of its junction with Glebe Street
Penny Meadow (north side)	from a point 3 metres west of its junction with Newton Street to a point 3 metres east of its junction with Enville Street
Penny Meadow (north side)	from a point 3 metres west of its junction with Enville Street to a point 9 metres east of its junction with Cowhill Lane
Parking bay within the St Michaels Square parking area (west side)	between the easterly boundary of St Michael's Square and the eastern side of the southbound leg of the internal circulatory road, from a point 13 metres south east of its junction with Old Street for a distance of 16 metres in a southerly direction
Parking bay within the St Michaels Square parking area (east side)	a 3 metre wide strip to the east of the northbound leg of the internal circulatory road, from a point 10 metres south of its junction with Old Street for a distance of 24 metres in a southerly direction
Parking bay within the St Michaels Square parking area (south west side)	from a point 2 metres north of the north boundary of Stamford Street Central for a distance of 5 metres in a northerly direction and from the south western side of the northbound leg of the internal circulatory road in a westerly direction to a point approx. 2.7 metres from the frontage of 114 Stamford Street at the northern edge of the bay and to a point 4.6 metres from the frontage of 114 Stamford Street at the southern edge of the bay
Stamford Street Central (north side)	from a point 27 metres east of its junction with George Street for a distance of 51 metres in an easterly direction

Stamford Street Central (north side)	from a point 23 metres west of its junction with George Street for a distance of 73 metres in a westerly direction
Stamford Street Central (north side)	from a point 10 metres west of its junction with Warrington Street for a distance of 46 metres in a westerly direction.
Stamford Street Central (north side)	from a point 10 metres west of its junction with Delamere Street to a point 21 metres east of its junction with Booth Street
Stamford Street Central (north west side)	from a point 15 metres west of its junction with Booth Street to a point 10 metres east of its junction with Mill Lane
Turner Lane (west side)	from a point 88 metres north of its junction with Wellington Road for a distance of 48 metres in a northerly direction
Turner Lane (east side)	from a point 15 metres south of its junction with Union Street for a distance of 45 metres in a southerly direction
Warrington Street (east side)	from a point 5 metres south of its junction with Fleet Street to a point 5 metres north of its junction with Church Street
Warrington Street (east side)	from a point 5 metres south of its junction with Stamford Street Central to a point 5 metres north of its junction with Fleet Street
Wellington Street (south side)	from a point 5 metres east of its junction with Booth Street for a distance of 15 metres in an easterly direction
Wellington Street (south side)	from a point 28 metres east of its junction with Booth Street for a distance of 26 metres in an easterly direction
Williamson Street (south side)	from a point 31 metres east of its junction with Oldham Road for a distance of 12 metres in an easterly direction

6. RECOMMENDATION

As set out on the front of this report.

APPENDIX 'A'

Section 122 Road Traffic Regulation Act 1984

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



Agenda Item 5a

Application Number 19/00334/FUL

Proposal Demolition of existing buildings and construction of a supported

housing scheme (use class C2) and associated landscaping and

access

Site Land at Rutland Street, Ashton-Under-Lyne

Applicant Richmond Fellowship

Recommendation Grant planning permission subject to conditions

Reason for report A Speakers Panel decision is required because the application

constitutes major development.

1.0 UPDATE TO PREVIOUS REPORT

1.1 Members will recall that this application was first presented to the Speakers Panel at the July 2019 meeting. At that meeting, Members resolved to defer the application in order to conduct a site visit. That site visit was held on 27 August 2019. The report remains unchanged from that presented at the July meeting, save for corrections to the ecology comments and the compliance condition in relation to the protection of Bats during the demolition phase (these corrections were referred to verbally at the July meeting) and the addition of a condition relating to the sedum roof to be installed over the single storey element of the proposed building.

2.0 APPLICATION DESCRIPTION

- 2.1 The applicant seeks full planning permission for the demolition of the existing buildings on the site and the construction of a supported housing scheme (use class C2), with associated landscaping and access. The scheme would include 20 units of accommodation, in the form of 16 self-contained apartments and 4 bedsits and staff living accommodation.
- 2.2 The applicant has provided the following documents in support of the planning application:
 - Crime Impact Statement
 - Design and Access Statement
 - Ground investigation report
 - Planning Statement
 - Transport Statement
 - Noise and Vibration Assessment
 - Hard and Soft Landscaping scheme
 - Phase I Habitat Survey

3.0 SITE & SURROUNDINGS

3.1 The application site is located on Rutland Street, situated on the south eastern edge of Ashton. There are a collection of industrial buildings on the site, which is located on the southern side of Rutland Street. One of the buildings fronting Rutland Street is located immediately on the back edge of the footway and is constructed of brick elevations, with a slate roof. That building was occupied by an electrical wholesale

business at the time that the application was submitted, although it has since been vacated.

3.2 Another building with brick elevations is adjoined to the rear corner of that building and extends to the eastern boundary of the site. Buildings fill the northern portion of the site and the majority have profile sheet roofs. Residential properties on Rutland Street and Corkland Close abut the eastern boundary of the site. Playing fields, which include a hard surfaced games area, are located to the west of the site and separate the western boundary of the land from the properties on Marshall Court. The railway line runs parallel with the southern boundary of the land.

4.0 PLANNING HISTORY

4.1 None relevant to the determination of this planning application.

5.0 RELEVANT PLANNING POLICIES

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Planning Practice Guidance (PPG)

5.3 Tameside Unitary Development Plan (UDP) Allocation

Not allocated, within the settlement of Ashton

5.4 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6 Securing Urban Regeneration; and,
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

5.5 **Part 2 Policies**

- E3: Established Employment Areas;
- H2: Unallocated sites;
- H4: Type, size and affordability of dwellings;
- H5: Open Space Provision;
- H7: Mixed Use and Density (Density being relevant to this proposal);
- H10: Detailed Design of Housing Developments;
- OL10: Landscape Quality and Character;
- T1: Highway Improvement and Traffic Management;
- T10: Parking;
- T11: Travel Plans:
- C1: Townscape and Urban Form;
- N7: Protected Species;
- MW11: Contaminated Land;
- MW12: Control of Pollution;
- U3: Water Services for Developments;
- U4 Flood Prevention; and,
- U5 Energy Efficiency.

5.6 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making policies across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; Trees and Landscaping on Development Sites SPD adopted in March 2007; and, Employment Land SPD.

5.7 National Planning Policy Framework (NPPF)

Section 2: Achieving sustainable development;

Section 8 Promoting healthy and safe communities;

Section 11: Making efficient use of land;

Section 12: Achieving well designed places; and,

Section 15: Conserving and enhancing the Natural Environment.

5.8 Planning Practice Guidance (PPG)

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

6.0 PUBLICITY CARRIED OUT

6.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

7.0 RESPONSES FROM CONSULTEES

- 7.1 Local Highway Authority no objections to the proposals, subject to conditions requiring the laying out of the car parking spaces as indicated on the approved plans prior to occupation of the development, details of an external lighting scheme and the submission and approval of a condition survey of the highway.
- 7.2 United Utilities no objections to the proposals, subject to the imposition of conditions requiring the submission and approval of a sustainable drainage strategy to serve the development (including management arrangements) and specifying that foul and surface water should be drained from the site via separate mechanisms.
- 7.3 Greater Manchester Ecological Unit No objections to the proposals, subject to conditions requiring adherence to the precautionary measures detailed in the Bat Survey submitted with the planning application relating to the demolition process and the provision of biodiversity enhancement measures within the development.
- 7.4 Borough Contaminated Land Officer No objections to the proposals subject to the imposition of a condition requiring the submission and approval of an assessment

- into sources of ground contamination on the site and details of any necessary remediation in this regard.
- 7.5 Borough Environment Health Officer No objections to the proposals subject to conditions requiring details of the storage and collection of refuse associated with the development to be submitted and approved and limiting the hours of work during the construction phase of the development.
- 7.6 Borough Tree Officer No objections to the proposals as most of the existing significant vegetation is to be retained and the proposed new tree planting and landscaping would be appropriate to the scheme. Exact details of proposed landscaping scheme and details of maintenance should be secured by condition.
- 7.7 Network Rail (Town Planning Technician) no objections subject to a number of informatives being attached to any planning permission granted explaining the responsibilities of the landowner when developing within close proximity to the railway line.
- 7.8 Greater Manchester Police (Design Out Crime Officer) no objections to the proposals subject to the imposition of a condition requiring the crime reduction measures listed in the Crime Impact Statement submitted with the planning application being incorporated into the development.
- 7.9 Coal Authority No objections to the proposals, subject to the imposition of a condition requiring the undertaking of an intrusive site investigation into potential land stability issues associated with coal mining legacy and the carrying out of any necessary remediation prior to the commencement of development.
- 7.10 Greater Manchester Archaeology Advisory Service no objections to the proposals and no conditions considered to be necessary.
- 7.11 Borough Council Economic Development section the site is cut off from the major industrial area to the south by the railway lines and is in a poor state of repair. The street is considered to be on a quiet corridor, away from major transport routes. As such, protection of the site as employment land is considered not to be viable.

8.0 SUMMARY OF COUNCILLOR AND THIRD PARTY RESPONSES RECEIVED

- 8.1 87 letters of representation objecting to the proposals (total number of comments received to both the original submission and the amended plans) have been received. The responses raise the following concerns (summarised):
 - The proposal will result in a greater volume of traffic in the area, which will add to the existing problems of congestion and will be detrimental to highway safety. Rutland Street provides a connection between Granville Street and Corkland Street. Adding further demand for on street parking will result in a highway safety hazard.
 - Concerns regarding the impact of the development in terms of anti-social behaviour, which is already a concern in the locality.
 - There is a children's play area immediately adjacent to the site, raising the question as to whether this is the correct location for a facility housing people with mental health disorders.
 - The scale and massing of the development will result in overlooking into and overshadowing of neighbouring properties.

- The area is dominated by family housing and is therefore considered not to be an appropriate location for a facility accommodating vulnerable people.
- A 3 storey apartment development would not reflect the character of the surrounding area which is made up of predominantly 2 storey dwellings.
- The proposals will increase the fear of crime in the local area, to the detriment of the quality of life of existing residents, including children and older people.
- The proposal does not include sufficient parking provision 8 spaces will not be adequate and this will increase pressure for on street parking, which will add to the existing problems in this regard on Rutland Street.
- A residential area is not considered to be an appropriate location for a secure facility.
- Introducing this type of facility in a residential area will cause property values to fall
- There is a similar facility to the proposal on Currier Lane, within walking distance of this site and that development has resulted in increased anti-social behaviour problems in the locality a situation that would be made worse by the addition of the proposed development.
- There are bird nests within the eaves of the existing buildings and evidence of bats on the site. Demolition of these structures may cause harm in relation to protected species therefore.
- The closure of access from Stamford Street to streets surrounding Rutland Street, including Corkland Street adjacent to the application site has created a quieter and safer environment in the locality. This would be undermined by the increased traffic that would result from the proposed development.
- The crime impact assessment submitted with the planning application focusses on the security of the proposed development as opposed to assessing the impact on the surrounding area.
- The vulnerable people supported by the Richmond Fellowship may have access to facilities in the locality that would be detrimental to their health e.g. off licenses, public houses and betting shops.
- The proposed 2.1m fencing that will be placed along the boundary of the site with the properties on Corkland Close will be positioned on top of the existing 1.4m wall separating the properties.
- This type of facility should be located close to a hospital site, not within a residential area.
- The submitted plans do not appear to take into account the fact that there is a brick retaining wall on the shared boundary between the properties on Corkland Close and the application site. This would need to be replaced to facilitate the provision of the 2.1 metre high fence that is shown on the proposed plans.
- The plans also fail to show that properties along Corkland Close, are set 1.4 meters below the site of the proposed development and therefore it is difficult to make an accurate assessment as to the impact of potential overlooking from the development into those neighbouring properties. The changes in level also present concerns in terms of flood risk/ surface water run-off.

Councillors Fairfoull, Sidebottom and Cartey have objected to the proposals as Ward Councillors, raising the following comments:

- Concerns regarding the location of the development adjacent to a public park area and the railway line.
- Concerns regarding the loss of an established employment site.
- There are more preferable sites for this development to be located within the Borough.

Network Rail on behalf of the Rails Industry's Suicide Prevention Programme has objected to the proposals on the basis that the scheme places a supported living accommodation unit that will support vulnerable people near the railway line and close to Stalybridge Station. This presents a risk to the rail network. A recent analysis of the incidents on our whole network since December 2017 demonstrated that 66% of individuals who have taken or attempted to take their life on had a mental health history. Due to the key facts and figures and the impact presented as a Rail Industry we feel that we have demonstrated the risk to the network and consequently object to this planning application.

Tameside and Glossop NHS Clinical Commissioning Group has written in support of the application, raising the flowing points:

- There is an NHS contract in place with the applicant to provide specialist supported rehabilitation for 32 people with long term, complex mental health needs in three buildings on sites within the Borough. Richmond Fellowship have been delivering the service since 2011, successfully retendering for the renewed contract from April 2018.
- The current contact requires the Richmond Fellowship to develop a new site to replace the existing Manchester Road facility, which currently comprises mainly shared accommodation and therefore does not provide the standard of accommodation we want to provide for our mental health services within Tameside and Glossop.

9.0 ANAYLSIS

- 9.1 The key issues to be assessed in the determination of this planning application are:
 - 1) The principle of development;
 - 2) The impact of the design and scale of the development on the character of the site and the surrounding area;
 - 3) The impact upon the residential amenity of neighbouring properties;
 - 4) The impact on highway safety;
 - 5) The impact on flood risk; and
 - 6) Other matters.

10.0 PRINCIPLE OF DEVELOPMENT

- 10.1 The site is not allocated as an established employment site on the UDP proposals map but the established planning use of the land is for employment purposes. Given that the proposed use would not fall into one of the traditional employment use classes (those being B1, B2 and B8), the proposal would result in the loss of an employment site and as a result, the provisions of policy E3 of the UDP do apply.
- 10.2 The policy states that the conversion of employment sites to residential or mixed use development will not be permitted unless it is considered that the need for housing and the regeneration benefits of such development outweigh the need to retain the site for employment purposes. The policy states that, in making this assessment, the following factors should be considered:
 - (a) The quality and type of employment sites and premises available in the area;
 - (b) Evidence of demand for employment sites and premises in the area;

- (c) The suitability of the site for further employment use in terms of size, physical characteristics, access, traffic impact, and sensitivity of surrounding land uses; and.
- (d) The opportunity which may be presented for new forms of employment as part of a mixed use scheme.
- 10.3 In relation to criterion (a) and (b), there is an extensive area to the south of the railway line beyond the southern boundary of the site which is allocated as an Established Employment Area. The Employment Land Review of 2013 indicated that the supply of industrial use properties was greater than demand for such premises in the Borough. The surplus of employment land has been reduced since that time, through the inclusion of some allocated employment land within the Strategic Housing Land Availability Assessment (SHLAA) (i.e. there is an assumption that some of these sites would be redeveloped for residential use).
- 10.4 In relation to the demand for the redevelopment of the site for alternative employment uses, the applicant has provided details of the marketing exercise that has been undertaken in relation to the land. The information appended to the Planning Statement indicates that the site has been marketed for approximately 12 months, with an asking price of £350,000. The site has been advertised on the agent's website, other property websites, via a board on the site and through a targeted mailing campaign.
- 10.5 The summary letter from the agent indicates that the interest received during the marketing campaign was predominantly from developers seeking to redevelop the site for residential purposes. A few generic enquiries were made although none were pursued due to the significant capital outlay involved in redeveloping the site. The price at which the site was marketed is considered to be high, (equivalent to approximately £500,000 an acre) given the condition of the site. The PPG is clear that hope value should not be included when establishing a land value and it would appear in this case that this guidance has not been followed in this case.
- 10.6 However, the marketing campaign must be considered alongside the extent of allocated employment land within close proximity to and in a more accessible location than the application site. The assessment of the Economic Development section of the Council is that the constraints provided by the limited access arrangements and the severance provided by the railway line, which separates this land from the adjacent employment area, render this site unsuitable for protection as an employment site.
- 10.7 In addition to these constraints, the works required to redevelop the site for a modern employment use and the fact that the site is on a predominantly residential street are factors which are considered to render an employment use on the site unviable. It is considered reasonable to conclude that these constraints acted as a deterrent to potential investors, given that no offers even below the asking price were pursued.
- 10.8 Paragraph 121 of the NPPF states that 'Local planning authorities should also take a positive approach to applications for alternative uses of land which are currently developed but are not allocated for specific purposes in plans, where this would help to meet identified development needs. In particular, they should support proposals to (criteria relevant to this application):
 - (a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and

- viability of town centres and would be compatible with other policies in the framework.'
- 10.9 This proposal is for a care facility and not dwellings and so the proposal would not contribute to the deficit in the housing supply within the Borough. However, the Richmond Fellowship currently occupies 3 sites within the Borough and one of these sites (Manchester Road) is considered to no longer be fit for purpose. The scheme would provide a larger replacement that the existing development on Manchester Road (which contains 4 self-contained units and 11 bedrooms with shared communal facilities), indicating that there is demand for this type of accommodation.
- 10.10 Tameside and Glossop Clinical Commissioning Group have written in support of the application. The representation from the Group explains that there is an NHS contract in place with the applicant to provide specialist supported rehabilitation for 32 people with long term, complex mental health needs in three buildings. The Richmond Fellowship have been delivering the service since 2011, successfully retendering for the renewed contract from April 2018.
- 10.11 The representation from the Group states that Richmond Fellowship has been a leading provider of specialist mental health services in England since 1959. Nationally, Richmond Fellowship manages over 150 services and has been commissioned to provide supporting housing service in Tameside and Glossop since 2013. The current contact requires the Richmond Fellowship to develop a new site to replace the existing Manchester Road facility, which currently comprises mainly shared accommodation and therefore does not provide the standard of accommodation that the NHS requires for health services within Tameside and Glossop.
- 10.12 The fact that there is a contractual arrangement in place with the NHS indicates that there is clear demand for the services being provided by the applicant and there is a service based need to find an alternative site. The site is not specifically allocated as an employment site in the UDP and the development would be meeting an identified need through the redevelopment of a brownfield site. These factors are considered to be positive elements that are worthy of significant weight in the determination of this application. Whilst the marketing exercise is considered to have been limited by the price attributed to the land, the harm arising from this is considered to be weakened by the environmental constraints of the site from an employment land perspective, as highlighted by the Council's Economic Development team. This evidence suggests that the loss of the employment use would not undermine key economic sectors within the Borough, as required by paragraph 121 of the NPPF.
- 10.13 In weighing up the principle of development, it is considered that the benefits of providing a viable re-use of a now vacant brownfield site that is constrained in relation to re-use for employment outweigh the limited harm arising from the loss of the unallocated employment land, given the guidance within the NPPF quoted above.
- 10.14 The need for the development, as demonstrated by the comments provided by the Tameside and Glossop Clinical Commissioning Group is considered to outweigh the limited harm arising from the loss of the employment site, therefore complying with the caveat in UDP policy E3, representing a regeneration benefit. As such, the principle of development is considered to be acceptable, subject to all other material considerations being satisfied.

11.0 CHARACTER

- 11.1 It is acknowledged that the building would be taller than the existing structures on the site and taller than the height of the adjacent 2 storey residential properties. However, the amended plans indicate that the eaves height of the proposed building would be below the ridge height of the existing pitched roof building located in the north eastern corner of the site. The first and second floor elements of the proposal would be set off the eastern boundary of the site by approximately 13 metres, by the width of the single storey entrance and storage area, which itself has been set a further metre from the site boundary in the amended scheme.
- 11.2 The separation distance between the taller element of the building (the ridge height of which has been reduced by approximately 0.5 metres in the revised scheme) and the properties adjacent to the eastern boundary of the site, in addition to the fact that there is an area of public open space to the west, ensure that the site sits within its own context within the streetscene, visually distinct from neighbouring development. Given this combination of factors, it is considered that the height of the development would not be detrimental to the character of Rutland Street.
- 11.3 The front building line of the proposed development would be set behind the front building line of the existing dwellings to the east of the site, further emphasising the distinction between the site and those neighbouring properties and reducing the prominence of the 3 storey element on the streetscene. The ridge height of the two 'wings' of the building would be taller than the existing structures on the site. However, the bulk of the design would be reduced to an acceptable degree by the fact that a shorter flat roofed central section would link the two elements and that the roofs would hip away from the eastern and western boundaries of the site.
- 11.4 The elevational treatment of the building would be relatively simple, with a regular pattern to the window openings, which would give the development a vertical emphasis. Whilst gable frontages are not a common feature on the existing streetscene, the simple design and regular form would ensure that the design approach would not be detrimental to the character of the surrounding area.
- 11.5 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the area, subject to conditions requiring the submission of details of the construction materials and the hard and soft landscaping scheme to serve the development. Such conditions are attached to the recommendation.

12.0 RESIDENTIAL AMENITY

- 12.1 The scheme has been amended to pull the building further off the eastern boundary of the site, increasing the separation distance retained between the eastern elevation of the development and the rear elevations of the neighbouring properties at 26 and 28 Corkland Close to 24 metres. The section of the eastern elevation adjacent to the boundaries with those neighbouring properties has been amended so that north and south facing windows would serve those rooms to provide outlook (via a projecting element extending from the main eastern elevation of the building), allowing the secondary windows facing the neighbouring properties to be obscurely glazed. Windows facing northwards and southwards in this location would not prejudice the future development of any neighbouring site.
- 12.2 On the basis that these windows are fixed shut (which can be reasonably be secured by condition), there would be no opportunities for direct overlooking from those

rooms within the development into those neighbouring properties. The remainder or the eastern elevation to the south of this point would not contain any openings and the nearest windows to the north of this point would be over the single storey element, which would have a sufficiently oblique relationship with no. 26 or 28 Corkland Close, to the extent that would prevent unreasonable overlooking into those neighbouring properties.

- 12.3 These amendments ensure that the scheme would comply with the requirements of the Residential Design Guide (RDG), which requires a separation distance of 24 metres to be retained between a 3 storey building and a neighbouring 2 storey building, where habitable rooms face each other. An additional 2 metres are to be added in this case to reflect the drop in levels between the application site and Corkland Close.
- 12.4 As the proposed windows that would have that relationship with those neighbouring properties would be obscurely glazed and fixed shut, the required separation distance reduces to 19 in total. The amended scheme exceeds this separation distance by 5 metres. Following amendments to the original submission, the proposals would not result in adverse overlooking into or overshadowing of those neighbouring properties therefore.
- 12.5 The western gable of the property at 39 Rutland Street, adjacent to the north eastern corner of the site, contains a door with glazing panel in the side elevation of the rear extension to that property. That door serves a room which contains windows on the south facing rear elevation of the extension. As such, the window within the door on the side elevation is a secondary window and any overlooking into that opening would not adversely affect the residential amenity of that dwelling, as the primary windows on the southern elevation are set at 90 degrees from the eastern elevation of the proposed building. The separation distance to be retained (approximately 15 metres) between the eastern elevation of the proposed building and the common boundary would prevent unreasonable overshadowing of that neighbouring dwelling.
- 12.6 The separation distance between the rear elevations of the properties on Marshall Court to the west of the site and the western boundary of the land would be in excess of 30 metres. The separation distances to be retained to each of those dwellings would prevent unreasonable overlooking into or overshadowing of those properties.
- 12.7 The recessed position of the front elevation of the building would ensure that a separation distance in excess of 22 metres would be retained to the corresponding elevations of the properties on the northern side of Rutland Street. This separation distance would ensure that there would be no unreasonable overlooking into or overshadowing of those properties.
- 12.8 A substantial separation distance would be retained between the southern elevation of the building and the properties on the opposite side of the railway line to the south of the site, ensuring that the proposed scheme would not result in an adverse impact on the residential amenity of any of those properties.
- 12.9 In relation to the impact of the proposed boundary treatment, it is acknowledged that a significant proportion of the 2.1 metre high fence would be visible above the height of the boundary treatments within the gardens of the neighbouring properties on Corklands Close. However, given the length of the gardens of those properties (each being in excess of 10 metres) and the fact that a 2 metre fence could be installed on this boundary without requiring planning permission, it is considered that this element

- of the proposals would not result in an overbearing impact or overshadowing that would harm the residential amenity of those neighbouring properties.
- 12.10 Following the above assessment, it is considered that the amended scheme would preserve the residential amenity of neighbouring properties and the future occupants of the proposed development.

13.0 HIGHWAY SAFETY

- 13.1 The scheme includes provision for 8 car parking spaces. Policy T10 of the UDP indicates that 1 car parking space should be provided per 4 bedrooms within a care/nursing home. Given that the proposal includes accommodation for care staff to stay on the premises, it is considered that the provision of 7 standard and 1 disabled parking spaces would achieve the requirement of the UDP in relation to car parking requirements. Provision is also made for cycle storage within the single storey element of the building, adjacent to the entrance, which would provide an alternative mode of transport to the private car for employees making trips to and from the site.
- 13.2 The Local Highway Authority has raised no objections to the proposed access arrangements or the impact of the trips generated by the development, as set out in the Transport Statement submitted with the planning application. Whilst the concerns raised by local residents regarding congestion in the locality are noted, the impact of trips generated by the proposed development and associated demand for parking must be considered within the context of the extant use of the site.
- 13.3 Whilst only part of the former industrial site has been occupied until recently, in excess of 1300 square metres of floor space has an extant B2 (general industrial use) on the site. Using the Council's Developer Contributions calculator, this size of industrial space is anticipated to generate approximately 180 daily trips. The Transport statement submitted with the application indicates that the largest building attracted between 20 and 30 trips a day and so the reality on this site may have been less than the calculator. Given that an MOT testing facility has also operated on the site in the past, it is reasonable to assume at least 50 daily trips to and from this site when in commercial use. In comparison, given the nature of the occupation of the proposed development, it is considered that the maximum daily trip rate would be significantly less (anticipated to be 32 two way trips in the Transport Statement). HGV movements would also be far less frequent in relation to the proposed use in comparison to the extant situation.
- 13.4 The Local Highway Authority has recommended conditions be attached requiring the laying out of the car parking spaces as indicated on the approved plans prior to occupation of the development, details of an external lighting scheme to serve the development and the submission and approval of a condition survey of the highway. The conditions relating to car parking layout and external lighting are considered reasonable to ensure that the development preserves highway safety and the amenity of the surrounding area. A condition survey of the highway is considered not to be necessary as any impact in this regard during the construction phase of the development can be addressed under powers available to the Council as Local Highway Authority. Details of a construction environment management plan, to mitigate any adverse impact on the amenity of neighbouring residents, can also be secured by condition.
- 13.5 On the basis of the above assessment, it is considered that the proposals would not result in a severe impact on highway safety. In accordance with the guidance

contained within paragraph 109 of the NPPF, planning permission should therefore not be refused on highway safety grounds.

14.0 FLOOD RISK

14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have raised no objections to the proposals, subject to a condition requiring the submission and approval of a sustainable drainage strategy. This requirement, along with the details of on-going management and maintenance can be secured by condition.

15.0 OTHER MATTERS

- 15.1 A condition requiring an investigation into sources of contamination on the site is recommended by the Borough Contaminated Land Officer. Such a condition is considered to be reasonable given the industrial nature of the previous uses of the site. This condition can be adapted to include a similar investigation into coal mining legacy, as requested by the Coal Authority.
- 15.2 In relation to ecology, the Greater Manchester Ecology Unit has raised no objections to the proposals, subject to the imposition of conditions requiring adherence to the precautionary measures listed in the Bat Survey in relation to potential bat activity on the site during the demolition phase of the development and the provision of biodiversity enhancement measures within the scheme. These conditions are considered to be reasonable and can be attached to the decision notice. It is also considered reasonable to condition the submission of details of the species to be incorporated within the sedum roof to be installed over the single storey flat roofed element of the scheme and details of the ongoing management and maintenance of this roof to ensure that it represents a biodiversity enhancement
- 15.3 The Borough Tree Officer has raised no objections to the proposals on the basis that most of the existing significant vegetation on the site is to be retained and the proposed new tree planting indicatively shown on the proposed plans would be appropriate to the site. The specific details of proposed landscaping scheme in terms of species, location and number of specimens to be planted, along with details of maintenance can be secured by condition.
- 15.4 In relation to designing out crime, a Crime Impact Assessment (CIA) has been submitted with the planning application. The CIA highlights a number of positive elements in relation to the design approach, including the redevelopment of a vacant site, the fact that the use would include on site management on a full time basis and that the design would allow natural surveillance of the front entrance to the site from Rutland Street. Recommendations have been made in relation to improvements that could be made, including the treatment of the northern boundary of the site, the introduction of external lighting and physical measures to be installed within the building/ as part of the fabric. Greater Manchester Police have reviewed the CIA and have raised no objections to the proposals, subject to the imposition of a condition requiring compliance with the measures detailed in Section 4 of the report. Such a condition is considered to be reasonable and is attached to the recommendation.
- 15.5 In relation to bin storage, an area is indicatively shown adjacent to the northern boundary of the site for the storage of all refuse. It is considered reasonable to attach a condition requiring details of the exact size and details of the means of enclosure of

this external storage area, as recommended by the EHO. Such a condition is attached to the recommendation, as is a condition limiting the hours of work during the construction phase of the development.

- 15.6 Network Rail on behalf of the Rails Industry's Suicide Prevention Programme has objected to the proposals on the basis that the scheme places a supported living accommodation unit which will support vulnerable people, near the railway line and close to Stalybridge Station. Their concern relates to the fact that the proposed facility could be used to accommodate people with mental health issues and that a relatively high proportion of those committing suicide on the railway network since 2017 have had a history of such issues.
- 15.7 Whilst those concerns are noted, the proposal is to provide a managed facility, which would include the installation of a 2.4 metre high fence on the southern boundary of the site, adjacent to the railway line. The nature of the proposed use and the physical stature of the proposed boundary treatments are considered sufficient to reduce the likelihood of vulnerable individuals being able to access the railway line. On that basis, officers are of the view that the risk to the safety of the railway network is not sufficient to demonstrate harm that would warrant refusal of the application.
- 15.8 In relation to the comments made by objectors not already covered in this report, it is important to acknowledge that the material planning considerations are limited to the impact of the proposed use and the physical building only. A use falling within class C2 of the Use Classes Order relates to a facility where full time care is provided on site, with the specific needs of the individuals in receipt of care not being specified in the Order. A C2 use could therefore be an elderly persons nursing home or people with a range of medical needs which require them to reside in a care home.
- 15.9 As such, whilst it is the case that the applicant is a supplier of care for people with mental health conditions, the nature of those conditions is not material to the assessment of the planning application. The fact that the facility would be staffed at all times and would include communal living areas as well as self-contained units clearly distinguishes the development from C3 dwellings. The layout has been endorsed as appropriate by the NHS, who would be in charge of managing the contract awarded to the facility. The material planning considerations relate solely to the environmental impacts of the development, which have been assessed in this report.
- 15.10 The comments from the local Ward Councillors regarding the suitability of the location are noted. This application has to be determined on its individual merits. There is no planning based reason to require the applicant to undertake a sequential test into potential alternative sites for the development, as the site is not located in the Green Belt or in an area at a higher risk of flooding. The surrounding area is characterised by residential development and the proposal is for a residential institution.
- 15.11 This is considered not to be an incompatible use in planning terms in this location therefore. Whilst the accommodation would not take the form of open market dwellings, the impact on the amenity of neighbouring properties through noise and disturbance would not be dissimilar to such a use and traffic generation is likely to have less impact than a C3 use. Officers therefore consider that the application can be determined in its current form without requiring the applicant to undertake a sequential test.

16.0 CONCLUSION

- 16.1 The development is considered to be acceptable in principle. The proposal would result in the redevelopment of a former employment site for a use falling outside of the B use classes (traditional employment uses). Whilst the site has been marketed for approximately 12 months, the price at which it was marketed appears to have included an element of 'hope' value, which is contrary to the PPG. As such, the weight to be given to the lack of demand recorded during this exercise for retaining the site in employment use in conducting the planning balance is reduced.
- 16.2 Nevertheless, the constrained nature of the site in terms of redevelopment for employment use is recognised, particularly in relation to the close proximity of neighbouring residential properties and any uses involving HGV movements from a highway safety and amenity perspective. In addition, the Economic Development team's response to the application has highlighted the weakness provided by the site's severance from the major industrial area to the south by the railway line.
- 16.3 The harm arising from the loss of the employment site must also be weighed against the benefit of providing a development which the NHS has indicated is required in order to replace an existing facility in the Borough and provide the required standard of accommodation for vulnerable people. Whilst not a traditional employment use, it is also the case that the proposal would include some element of employment and would not constitute open market residential development. On the basis of these factors, the harm arising from the loss of the employment site is considered to be worthy of less weight than the benefits arising from the proposals.
- 16.4 The proposed development would not result in an adverse impact on the character of the surrounding area for the reasons detailed in section 11 of this report. Following amendments to the scheme, the separation distances to the dwellings to the east of the site is considered to preserve the residential amenity of those properties, with no other dwellings adversely affected by the scheme.
- In relation to highway safety, there are no objections to the proposals from the Local Highway Authority. The level of parking provision is considered to be adequate for the proposed use and whilst the concerns of local residents regarding congestion are noted, the trip generation resulting from the extant industrial development would be significantly greater than the proposed use. This assessment is corroborated by the lack of objection from the Local Highway Authority.
- 16.6 There are no objections from any of the statutory consultees, other than from Network Rail on behalf of the Rails Industry's Suicide Prevention Programme. For the reasons given in paragraph 15.7 of this report, it is considered that this objection could not be substantiated at appeal as a reason for refusing planning permission.
- 16.7 Following the above assessment, the proposals are considered to comply with the national and local planning policies quoted previously in this report.

RECOMMENDATION

Grant planning permission, subject 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:

Amended proposed site plan (Ref. 1063 A 001 Rev. B)
Amended proposed ground and first floor plans (Ref. 1063 A 002 Rev. B)
Amended proposed second floor and roof plans (Ref. 1063 A 003 Rev. B)
Amended proposed elevations plan (Ref. 1063 A 004 Rev. B)
Amended proposed boundary treatments plan (Ref. 1063 A 006 Rev. B)
Refuse store plan and elevations (Ref. 1063 A 108)

- 3. No development, other than site clearance and site compound set up, shall commence until such time as the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority.
 - i) A preliminary risk assessment to determine the potential for the site to be contaminated and/or affected by coal mining legacy issues shall be undertaken and approved by the Local Planning Authority. Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any coal mining legacy effects/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, land stability and the environment (including controlled waters) shall be approved by the Local Planning Authority prior to implementation.
 - iii) Any additional or unforeseen contamination and/or coal mining legacy issues encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 - iv) Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

4. Notwithstanding any description of materials listed in the application or detailed on the approved plans, no above ground construction works shall take place until samples and/or full specification of materials to be used: externally on the buildings; in the construction of all boundary walls, 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.

The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Ref. 1063 A 001 Rev. B), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.

- 5. The boundary treatments to be installed as part of the development hereby approved shall be installed in accordance with the details shown on plan ref. approved plans 1063 A 006 Rev. B prior to the first occupation of any part of the development and shall be retained as such thereafter.
- 6. 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; and, Details of on-site storage facilities.

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

- 7. The refuse storage arrangement to serve the development hereby approved shall be installed in accordance with the details shown on approved plan ref. 1063 A 108 (refuse store plan and elevations), in the location identified on plan ref. 1063 A 001 Rev. B (proposed site plan) prior to the first occupation of the development and shall be retained as such thereafter.
- 8. Notwithstanding the details submitted with the planning application, no above ground development shall commence until full details of a scheme of hard and soft landscaping to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following specific measures:
 - A plan showing the location of all trees/hedges/shrubs to be planted, details of the species mix, the number of specimens to the planted, spacing between them and their height on planting
 - A plan showing the location and construction material of all hard surfacing.

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

- 9. The approved scheme of landscaping scheme shall be implemented before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
- 10. Prior to the 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 occupation of any part of the development hereby approved, details of a scheme for external lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a scale plan indicating the location of the lighting to be installed, a LUX contour plan indicating the levels of light spillage and scaled elevations of lighting columns/supporting structures. The external lighting scheme shall be implemented in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.
- 12. Prior to the first occupation of any part of the development hereby approved, the crime reduction measures detailed in Section 4 of the Crime Impact Assessment submitted with the planning application shall implemented and evidence that Secured by Design accreditation has been achieved shall be submitted to and approved in writing by the Local planning Authority. The development shall be retained as such thereafter.
- 13. 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.
- 14. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
- 15. No development above ground level shall commence until details of renewable energy generation measures to be incorporated into the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the specifications of the measures to be installed and information demonstrating the extent of the energy requirements of the development that will be provided by renewable sources. The renewable energy generation measures shall be installed in accordance with the approved details prior to the first occupation of any part of the development and shall be retained as such thereafter.
- 16. The development shall be carried out in accordance with the precautionary measures detailed in Section 4.5 of the Preliminary bat Survey report produced by Brimstone Ecology (version 3 dated 17 March 2019) submitted with the planning application.
- 17. During demolition/construction no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.

18. Prior to the first occupation of any part of the development, the windows marked 'opaque' on the following approved plans shall be fitted with obscured glazing (meeting Pilkington Standard level 3 in obscurity) and shall be fixed shut:

Amended proposed ground and first floor plans (Ref. 1063 A 002 Rev. B) Amended proposed second floor and roof plans (Ref. 1063 A 003 Rev. B)

The development shall be retained as such thereafter.

- 19. The secured cycle parking facilities indicated on plan ref. 1063 A 002 Rev. B (Amended proposed ground and first floor plans) shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby approved and shall be retained free from obstruction for their intended purposes thereafter.
- 20. No development above ground level shall commence until details of the sedum roof to be installed on the single storey element of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
 - Scaled plans (including sections) showing the extent of the areas to be covered by the sedum roofs
 - The species mix to be incorporated into the sedum roof
 - Details of a scheme for on-going management and maintenance of the sedum roofs.

The sedum roof shall be installed in accordance with the approved details prior to the first occupation of any of the apartments and shall be retained in accordance with the approved management arrangements.

Application Number: 19/00334/FUL Rutland Street

Photo 1 – view of existing building in north eastern corner of the application site



Photo 2 – view of properties fronting Rutland Street adjacent to the north eastern corner of the site.



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Photo 3 - view of properties on the opposite side of Rutland Street to the north of the site.



Photo 4 – view looking towards western boundary of the site across the public open space located to the west of the site.



Photo 5 – view looking towards the site from within the rear garden of 26 Corkland Close to the east of the site.

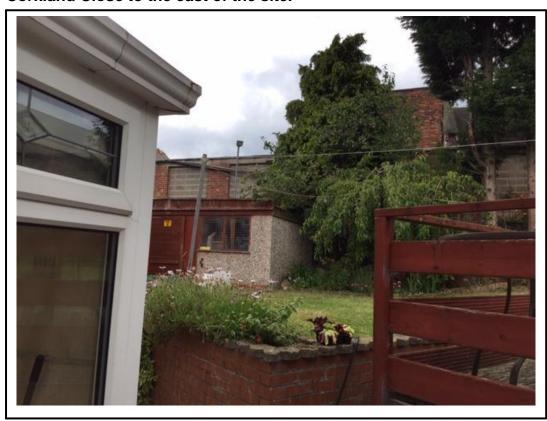


Photo 6 – view looking from eastern boundary of the site back to the dwelling at 26 Corkland Close – demonstrating the approx. 2 metre drop in levels.





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	Windows Revised Following Planning Comments Revised Following Planning Comments	18.07.2019 04.07.2019	SJB SJB
ev	Description	Date	Ву

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



manchester: 0161 336 5011 liverpool: 0151 665 0112 Richmond Fellowship

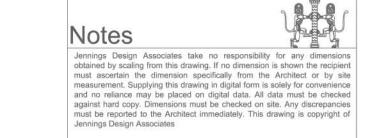
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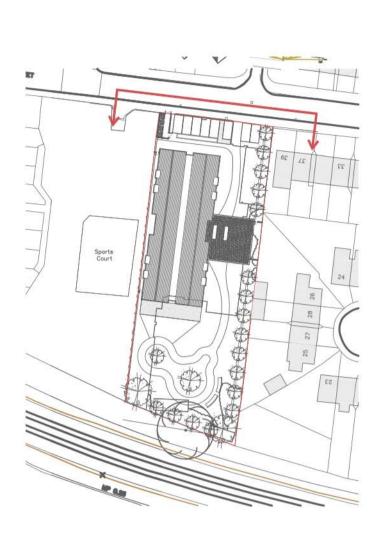
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1063 A 001		001	Proposed Site Plan	

Dashed line indicates existing industrial building









В	Building lowered due to planning comments	11.07.2019	TD
Α	Revised Following Planning Comments	04.07.2019	SJB
Rev	Description	Date	Ву

С	Concept	G	Contract	
D	Planning	J	Construction	
E	Building Regs	L	As Built	
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1063 A 005		005	Proposed & Existing Street	В	

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Notes

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B Windows Revised Following Planning Comments
A Revised Following Planning Comments 04.07.2019 SJB Date By Description

Concept
Planning
Building Regs
Tender J Construction
L As Built
Sk Sketch

jda

jda architects info@jda-architects.com

www.jda-architects.com manchester: 0161 336 5011 liverpool: 0151 665 0112

Richmond Fellowship

Rutland Street, Ashton Under Lyne

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B Windows Revised Following Planning Comments A Revised Following Planning Comments 04.07.2019 SJB Date By

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

jda architects jda

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Rutland Street, Ashton Under Lyne

Proposed Second Floor And Roof B

9 1m 2m Scale 1:100

age Proposed Roof Plan 1:100



Proposed East Elevation



Proposed South Elevation



Proposed West Elevation Proposed North Elevation



B Windows Revised Following Planning 18.07.2019 DH Comments
A Revised Following Planning Comments 04.07.2019 SJB Date By

Contract D Planning
E Building Regs
F Tender J Construction
L As Built
Sk Sketch

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Agenda Item 5b

Application Number 19/00067/FUL

Proposal Demolition of existing buildings and erection of 8 houses

Site Hill Street Works, Hill Street, Hyde.

Applicant D Woodman Developments Ltd

Recommendation Refuse

Reason for report A Speakers Panel decision is required because, in accordance with the

Council's Constitution, the applicant has requested the opportunity to address the Panel before a decision is made. Accordingly, an objector, or

their agent, has been given the opportunity to speak also.

1. APPLICATION DESCRIPTION

- 1.1 The application seeks full planning permission to demolish and remove all of the existing buildings and to redevelop the site to provide a terrace of eight houses. The houses at either end of the terrace would be two-storey and those in-between would rise to three storeys. Although the road rises from north-west to south east, so that the ridge heights of the houses would be staggered, the terrace would have a symmetrical appearance: the two end houses would have the same design; the next two, on either side, would be the same as each other; and, the two houses in the middle, rising to a forward facing gable, would correspond with each other. The houses would be brick-built with tiled roofs.
- 1.2 The two end houses would both have an integral garage and driveway in front with a garden at the side. The houses in-between would each have a driveway, with space enough to park two cars, and gardens in front. Each house would have a rear garden. Discreet bin stores would be provided or else provision would be made to store bins at the rear and to transport these to the front for collection.

2. SITE & SURROUNDINGS

- 2.1 The site comprises approximately 0.18ha of land that is occupied currently by a number of disparate but connected buildings that together form the factory premises owned and operated by Newton Sports Ltd, manufacturers of sports kits. The factory is set within an established, primarily-residential area approximately 200m to the north-west of Gee Cross village centre.
- 2.2 The site is situated behind and, as the land rises, at a higher level than terraced houses in Stockport Road to the north-west. To the south-west the site abuts a pair of semi-detached houses, at the junction with Stockport Road, in Baron Road and then a public car park, before a terrace of two-storey flats. There are terraced houses on the opposite side of Baron Road that face towards the site. To the south-east there are more recently developed detached and semi-detached houses that are at a higher level as the land rises. There is a scout hut in an elated position on the north-eastern side of Hill Street.

3. RELEVANT PLANNING POLICIES

3.1 Tameside Unitary Development Plan (UDP) Allocation Unallocated

3.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.9: Maintaining Local Access to Employment and Services; and,
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

3.3 Part 2 Policies

H2: Unallocated Sites:

E3: Established Employment Areas;

H4: Type, Size and Affordability of Dwellings;

H7: Mixed Use and Density;

H10: Detailed Design of Housing Developments;

T1: Highway Improvement and Traffic Management;

T10: Parking; and,

MW11: Contaminated Land.

3.4 National Planning Policy Framework (NPPF)

Section 2. Achieving sustainable development;

Section 5 Delivering a sufficient supply of homes;

Section 9. Promoting sustainable transport;

Section 11. Making effective use of land; and,

Section 12. Achieving well-designed places.

3.5 Other Polices

Employment Land Supplementary Planning Document.

Residential Design Supplementary Planning Document.

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

3.6 Planning Practice Guidance (PPG)

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

4. PUBLICITY CARRIED OUT

4.1 As part of the planning application process 30 notification letters were sent out to neighbouring properties and a notice was posted at the site on 1st February 2019. A notice was published in a local newspaper on 7th February 2019.

5. RESPONSES FROM CONSULTEES

5.1 The Head of Environmental Services (Environmental Protection) has raised no objection and has suggested that a condition restricting the hours of work during the demolition and construction be attached to any permission.

- 5.2 The Head of Environmental Services (Highways) has raised no objection and has suggested that conditions regarding car parking and cycle storage provision, a highways survey, street lighting and temporary vehicle facilities, and informative notes: regarding postal addresses; the construction, alteration or removal of a pavement crossing; and, working near to a highway, be attached to any permission.
- 5.3 United Utilities has no objection and suggested a number of conditions to ensure a sustainable system of drainage be attached to any permission.
- 5.4 The GM Archaeological Unit has no record of any features of archaeological interest on the site.
- 5.5 The GM Ecology Unit has no objection and suggests that informative notes regarding disturbance to bat roosts and nesting birds be attached to any permission.

6. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

6.1 Representations have been received from six neighbours. In two instances the principle of the proposed redevelopment of the site for residential purposes is welcomed but concerns are expressed about the impact on views over the valley, that on-street parking that is available currently in Hill Street would be lost, and disturbance during demolition and construction. Concerns about loss of views, the on-street parking that is available currently, and disturbance during demolition and construction are reiterated in the other representations received.

7. ANAYLSIS

- 7.1 The key issues to be assessed in the determination of this planning application are:
 - 1) The principle of development and the loss of the existing employment site;
 - 2) Design and appearance;
 - 3) Impact on existing residential amenities;
 - 4) Residential environment created;
 - 5) Impact on highway safety and the road network; and,
 - 6) Other Matters.

8. Principle of development

- 8.1 The applicant's stated reason for making the application is that the premises are unsuitable to sustain the continued operation: the premises are too large for the current needs of the applicant and, being multi-levelled, the movement of goods is difficult, and maintenance and heating of the poorly insulated building are costly. The sale of the site for residential purposes would then facilitate the relocation of the applicant's operations to new premises.
- 8.2 Although not allocated specifically as an established employment area the premises remain in use for employment generating purposes and so the proposal is subject to consideration with regard to UDP policy E3 which aims to retain employment generating sites in such use unless a number of factors indicate otherwise. These factors include: the benefits arising from new residential development; the quantity, type, evidence and demand of employment sites and premises in the area; the suitability of the site in its present form for further employment; and, the opportunity which may be presented for new forms of employment. Such an approach is consistent with the NPPF (paragraph 121) which states that:

Local planning authorities should ... take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites.

- 8.3 Additionally, in order to reduce the need to travel longer distances from outlying areas and to help create vitality and diversity in predominantly residential areas, according to UDP policy 1.9, opportunities will be taken wherever possible to retain and increase the availability of local employment.
- 8.4 The Council's estimated supply of land available for employment use across the borough has reduced considerably over several years which means that the further release of land for non-employment uses should be considered carefully to ensure that the opportunity for retained or replacement employment opportunities has been fully considered. Many manufacturing and commercial sites have been lost to residential and retailing uses and the much higher land values associated with these uses are putting pressure on remaining sites. The Council wants to encourage employment development in sustainable locations to enable more enterprise and job opportunities.
- 8.5 When considering proposals for the release of employment land to alternative uses the starting point is to determine the need to retain sites in employment use and the supply of employment land. Given the reduction in land available for employment development within the borough, this consideration weighs heavily against the release of sites to alternative uses.
- 8.6 The policy is supported by the Employment Land Supplementary Planning Document (SPD) that provides more detail on the Council's approach towards proposals that involve the loss of employment land and premises. The application site is less than 2ha which may not be considered significant in terms of overall scale for employment purposes but nevertheless it is important to fully judge the implications and the individual merits of the proposal. Cumulatively, the increasing loss of employment sites across the borough would cause significant harm to the Council's strategy to provide a sufficient supply of employment land. The burden of proof is on the applicant to demonstrate why a site is no longer suitable for continued employment use and a properly-argued justification is required which details the reasons why the site could be released.
- 8.7 The Employment Land SPD acknowledges that in certain cases an applicant may be able to demonstrate that buildings are unsuitable for continued employment use due to their current state of repair. Consideration must then be given to other options that would enable the site to remain in employment use. Before considering release the Council will need to be satisfied that either refurbishment of the buildings for employment uses or redevelopment of the site for further employment use are not viable. A statement appraising the extent and nature of options for the site must be submitted with the planning application including a development appraisal or residual valuation for each option. Viability Assessments submitted with the application explore various options for the application site. These are described below and it is considered that each is unsound.

Option A: Redevelopment to Provide Modern Commercial Premises:

8.8 An indicative scheme has been considered so as to provide an option of redevelopment of the application site for further employment uses. The option includes a building that is smaller than the existing and includes car parking provision that exceeds the maximum standards that are applied normally with reference to UDP policy T1 and the Employment Land SPD. The applicant's assessment of this option envisages the new premises being made available for rent. The build cost included in the assessment [£85/sqft (or £909/sqm)] is considered excessive. What is considered a more realistic estimate of build cost

(£770/sqm) would reduce the overall cost by approximately £130,000. It is therefore considered that the build cost is over-estimated.

Option B: Redevelopment to Provide Modern Commercial Premises and Applicant to Remain on Site:

8.9 The option envisages redevelopment to provide a single building sub-divided so as to accommodate two units, one of which would be occupied by the applicant. As in the case of Option A, the building envisaged is smaller than the existing and includes car parking provision that exceeds the maximum standards that are applied normally with reference to UDP policy T1 and the Employment Land SPD. The applicant's assessment of the cost of this option includes a bank loan to finance the redevelopment and the price of the new build. One or the other should be included; if a bank loan was obtained to finance the redevelopment it would cover the price of the new build. The inclusion of both constitutes double counting. It is therefore considered that the overall cost of the redevelopment is over-estimated

Option C: Redevelopment to Provide a Mixed Use Development, including new build commercial premises and 2 semi-detached houses:

8.10 The estimated purchase price of the land included in this option is increased by £25,000 above the value included in Option A. The applicant's justification for this increased valuation is the residential aspect of this option. As is the case in Option A, the applicant's assessment of this option envisages the new premises being made available for rent and the build cost included in the assessment [£85/sqft (or £909/sqm)] is considered excessive. It is therefore considered that the build cost is over-estimated.

Option D: Refurbishment of the Existing Building:

- 8.11 The option considers the purchase of the site and the refurbishment and sub-division in to two units that would be available for rent. Whilst the cost of refurbishment is considered too great, the option of the premises being refurbished by the applicant for their continued use is not explored. The option of refurbishment is therefore considered incomplete.
- 8.12 In each case the options assessed are for redevelopment or refurbishment and then the leasing of the premises. The option of the site being redeveloped or refurbished by a prospective new end user is nowhere explored.
- 8.13 The premises have not been actively marketed as available for rent or purchase for employment generating purposes and so it is not possible therefore to substantiate a robust conclusion that every reasonable attempt has been made to secure a suitable business use; whether there is any market demand for the site for these purposes has not been tested. Instead, it is considered that the application falls short of a persuasive case to demonstrate that the premises or site are no longer required, nor that there is a reasonable prospect of these being used for employment generating purposes in the future.
- 8.14 The Council cannot currently demonstrate a 5 year housing land supply and this is a material planning consideration in respect of the application of Policy E3 referred to in paragraph 8.2. This is also relevant for the purposes of applying the requirements of paragraph 11 of the Framework which requires that applications should only be approved in such circumstances where any adverse impacts of doing so would be significantly and demonstrably outweighed by the benefits, when assessed against the policies in this Framework taken as a whole.
- 8.15 It is acknowledged that the proposal would make a contribution, albeit limited to eight dwellings, to the borough's housing supply. There would also be limited economic, social

and environmental benefits that would accrue from the provision of jobs and spending during the construction phrase. However, due to the site's relative inaccessibility and restricted access to services, there would be more limited benefits through spending in the local economy by future occupants. There would be improvements to the residential environment and amenities enjoyed by neighbouring residents in Baron Road and, particularly, Stockport Road, but these might be achieved by an alternative scheme that retains employment opportunities on the site. The improvements would not be wholly dependent upon the site being redeveloped for residential purposes.

8.16 Given the above it is considered that the limited contribution the proposal would make to meeting the borough's housing requirements would not outweigh the potential of the site in its present form for further employment use that would contribute to the economic growth objectives of the borough. It therefore conflicts with the economic aims of Policy E3 of the UDP and the Framework and, therefore, the principle of the proposed development is unacceptable.

9. Design and appearance

- 9.1 There is no distinct vernacular beyond the nearby buildings being predominantly 2-storey. The majority of nearby houses are terraced; mostly brick-built but some are stone. The newer houses to the south-east, being brick-built, are a mixture of detached and semi-detached and the two houses immediately adjacent to the application site rise to 3 storeys.
- 9.2 The proposed houses would be of a traditional design and appearance, and would be brick-built with tiled roofs, which, despite rising to 3-storeys, would not appear out-of-keeping the setting within the established residential area. Windows in the fronts of the houses would be constructed with heads and sills. Not appear out-of-keeping in their setting and so not causing undue harm to the local area, the proposal is considered acceptable in terms of the design and compliant with: Section 12 of the NPPF; policies 1.3, H10(a) and C1 of the UDP; and, policy RD2 of the SPD.

10. Existing residential amenities

- 10.1 In order to prevent undue over-shadowing and over-looking of neighbouring properties the Residential Design SPD requires that minimum distances, measured from habitable room windows, be maintained. In relation to 2-storey buildings, the normal standard is that 21m be maintained between directly facing habitable room windows and that 14m be maintained between a habitable room window and a blank wall. The distances should be increased by 1m for every 1m difference in levels.
- 10.2 The distance between the blank, 2-storey gable in the proposed development and windows in the rear of houses in Stockport Road to the north-west would increase slightly from the 8.4m that exists currently between the existing houses and the 2-storey factory wall. The garage on the side of the new house would encroach to a distance of approximately 5.8m from the rear of the existing houses.
- 10.3 There is currently a distance of approximately 12m between the rear wall of the existing factory building and windows in the rear of houses that front on to Baron Road and back on to the north–eastern corner of the site. Albeit that these are glazed with frosted glass, there are windows in the wall of the factory wall facing towards the houses in Baron Road. There would then be a distance of approximately 18m between windows in the rear of the proposed houses and windows in the rear of the existing houses.
- 10.4 There would be a distance of approximately 13m between the blank, facing gable in the proposed terrace and habitable room windows in the existing neighbouring house in

Orchard Rise to the south-east. The garage on the side of the new house would encroach to a distance of little more than 10m from the rear of the existing houses.

- 10.5 The Planning Statement submitted with the application contends that the siting of the proposed houses conforms in the main to the Residential Design SPD in terms of the relationship with existing houses. This contention is based on the assumption that variations, or relaxation, of the spacing distances required normally can be considered appropriate where there are differences in levels and where existing buildings are closer to existing houses than would be proposed houses.
- 10.6 Whilst the distances involved are sub-standard, the spacing between the proposed houses and the existing houses in Stockport Road and Baron Road is considered acceptable because the impact on the existing houses would be significantly less than that of the existing factory. This is particularly the case in respect of the impact on the houses in Stockport Road where windows in the factory wall over-look the rear of the houses and the existing building forms a continuous wall along the boundary.
- 10.6 In relation to the existing houses in Orchard Rise, the contention in the Planning Statement that the siting of the proposed houses conforms in to the spacing required by the Residential Design SPD assumes that because the development site is approximately 1m lower than the existing houses a 1m reduction in the normal standard (14m) can be applied. In fact, the SPD does not allow for such instances and the proposed spacing is substandard.

11. Residential environment created

11.1 Reflecting the requirement of Section 12 of the NPPF, that developments create places with a high standard of amenity for existing and future users, UDP policy H10(a) requires that the design of proposed housing developments, which are acceptable in relation to other relevant policies in the plan, meets the needs of the potential occupiers. To this end policy RD18 of the Residential Design SPD recommends minimum floor areas that residential developments should achieve. The proposal would provide a minimum single-bedroom size of 8sqm and a minimum double-bedroom size of 13sqm. Providing total useable internal areas of 109sqm in the 2-storey houses and 127sqm in the 3-storey houses achieves the requirements of nationally prescribed Technical Housing Standards. Each house would be provided with commensurate private amenity space. In terms of the amount of living accommodation that would be provided the proposal is therefore considered of an adequate size to comply with policy H10(a) of the UDP and Section 12 of the NPPF.

12. The impact on highway safety and the road network

12.1 Although there are bus routes along Stockport Road close to the site services cease in the early evening. Local services in Gee Cross centre are limited. Each house would then be provided with 2 off-street parking spaces and cycle stores. Despite the location not being considered particularly accessible by modes of transportation other than motor car it is accepted that the impact of the proposed development on highway safety and the road network would not be severely detrimental over and above that of the existing industrial use and the traffic this generates and so it is accepted that the proposal is compliant with policies H10(b), T1 and T10 of the UDP and Section 9 of NPPF.

13. Other issues

13.1 Views from existing houses and opportunities to park on-street are not safeguarded. The impact on views over the valley, and that on-street parking that is available currently in Hill Street would be lost, are not a material considerations in determining the application. Whilst there is bound to be some disturbance during the period of demolition and construction this is controlled by other legislative requirements and, again, not a material consideration.

14. Conclusion

- 14.1 Constituting the redevelopment of a brownfield, or previously-developed site, the proposal is, in this respect, considered a sustainable development and compliant with the core principles and Section 2 of the NPPF and policy 1.5 of the UDP. There is, however, a clear need to retain productive employment sites and there is a quantitative need to resist proposals for alternative uses on these sites unless a case for redevelopment can be demonstrated.
- 14.2 That fact the Council cannot demonstrate a five-year supply of deliverable housing sites in a recently adopted plan or in any annual position statement, as is required by paragraph 74 of the NPPF, is not disputed. For decision-taking this means that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. It is not considered that the application proposals achieve such benefits for the reasons identified above.
- 14.4 The principle of the release of the land for alternative, non-employment generating uses is considered to not to have satisfied the requirements of UDP policy E3 and so cannot be accepted. Instead, in the absence of a sufficiently robust appraisal of the extent and nature of options for retaining the site in employment-generating use, the harm to the provision of employment land to support the local economy would significantly and demonstrably outweigh the benefits that would arise, and the does not comprises sustainable development defined by the NPPF.

15. RECOMMENDATION

Refuse planning permission for the following reason.

The application fails to demonstrate in a sufficiently robust manner that the benefits that would arise from the development would significantly outweigh the harm that the release of the land for alternative, non-employment generating uses would have to the provision of employment land to support the local economy. For this reason, it not being demonstrated that the benefits would outweigh the harm, including the impact on the neighbouring house on Orchard Rise, the proposal is contrary to policies H10, 1.9 and E3 of the Tameside Unitary Development Plan and the Council's Employment Land Supplementary Planning Document and fails to comprise sustainable development as is required by the National Planning Policy Framework.

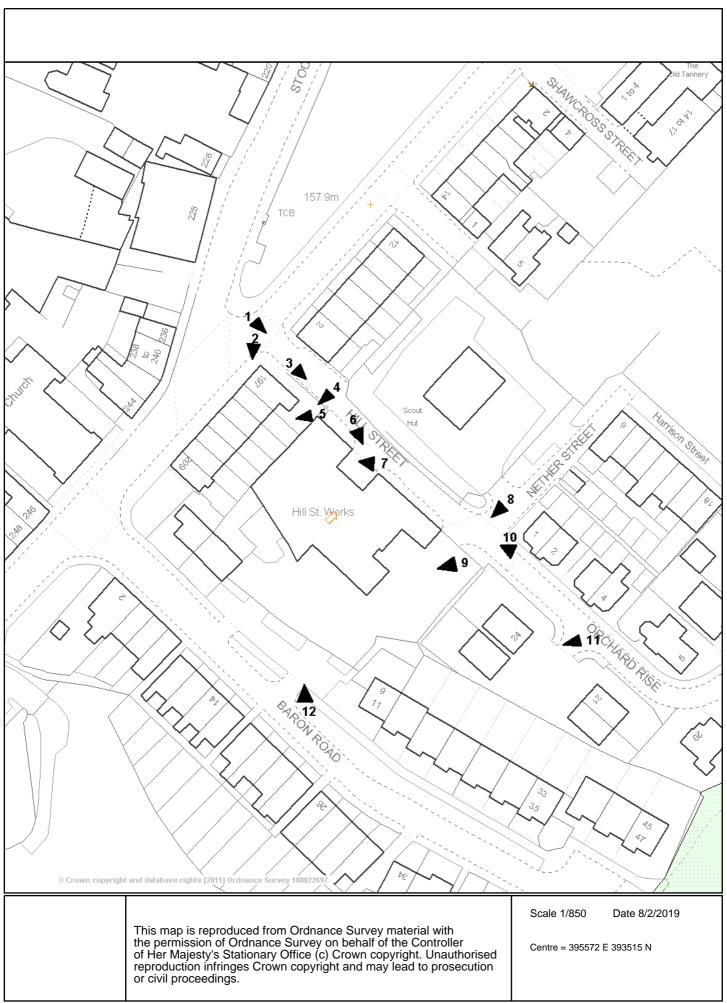


Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



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Photo 7



Photo 8



Photo 9



Photo 10



Photo11

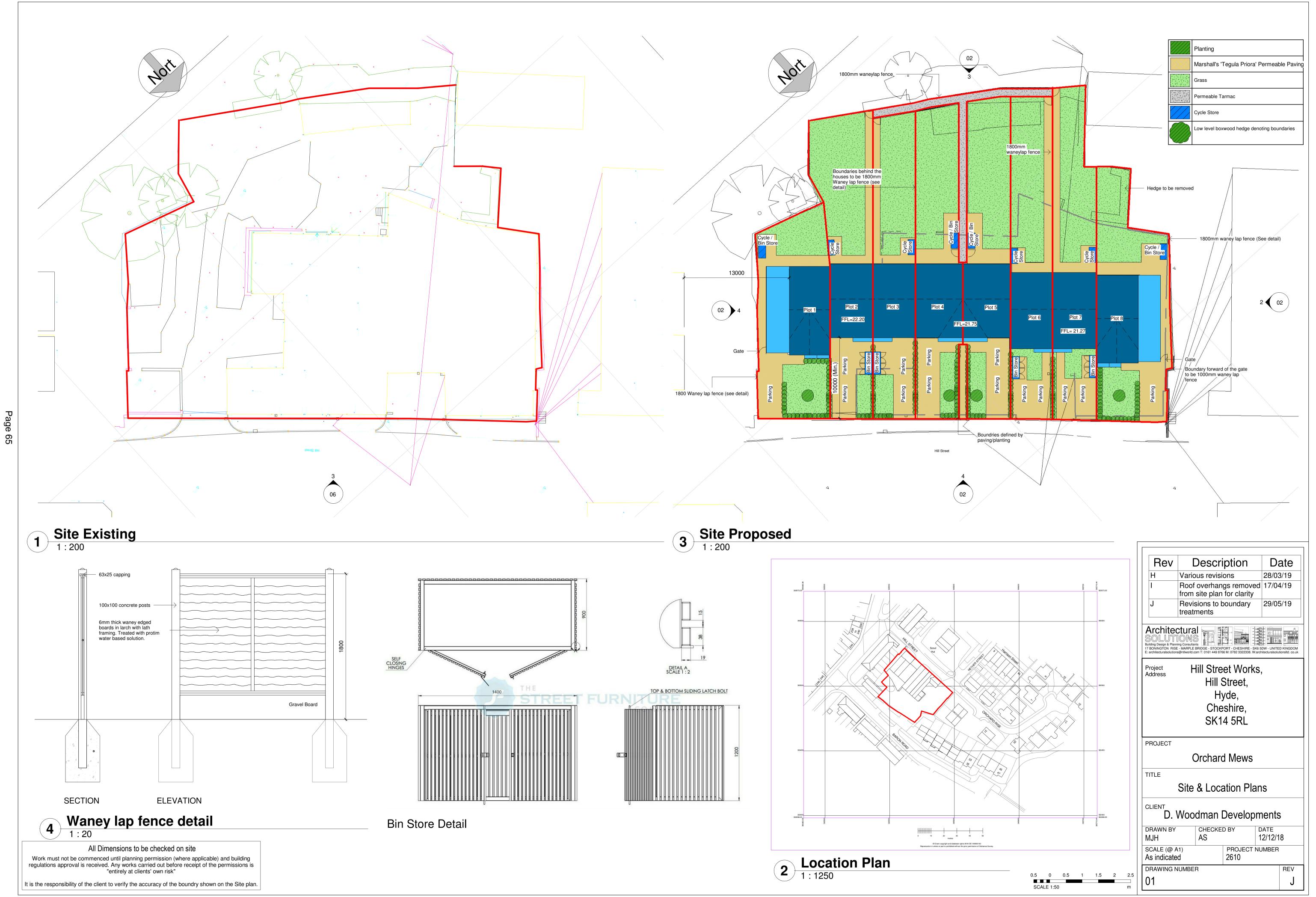


Photo 12

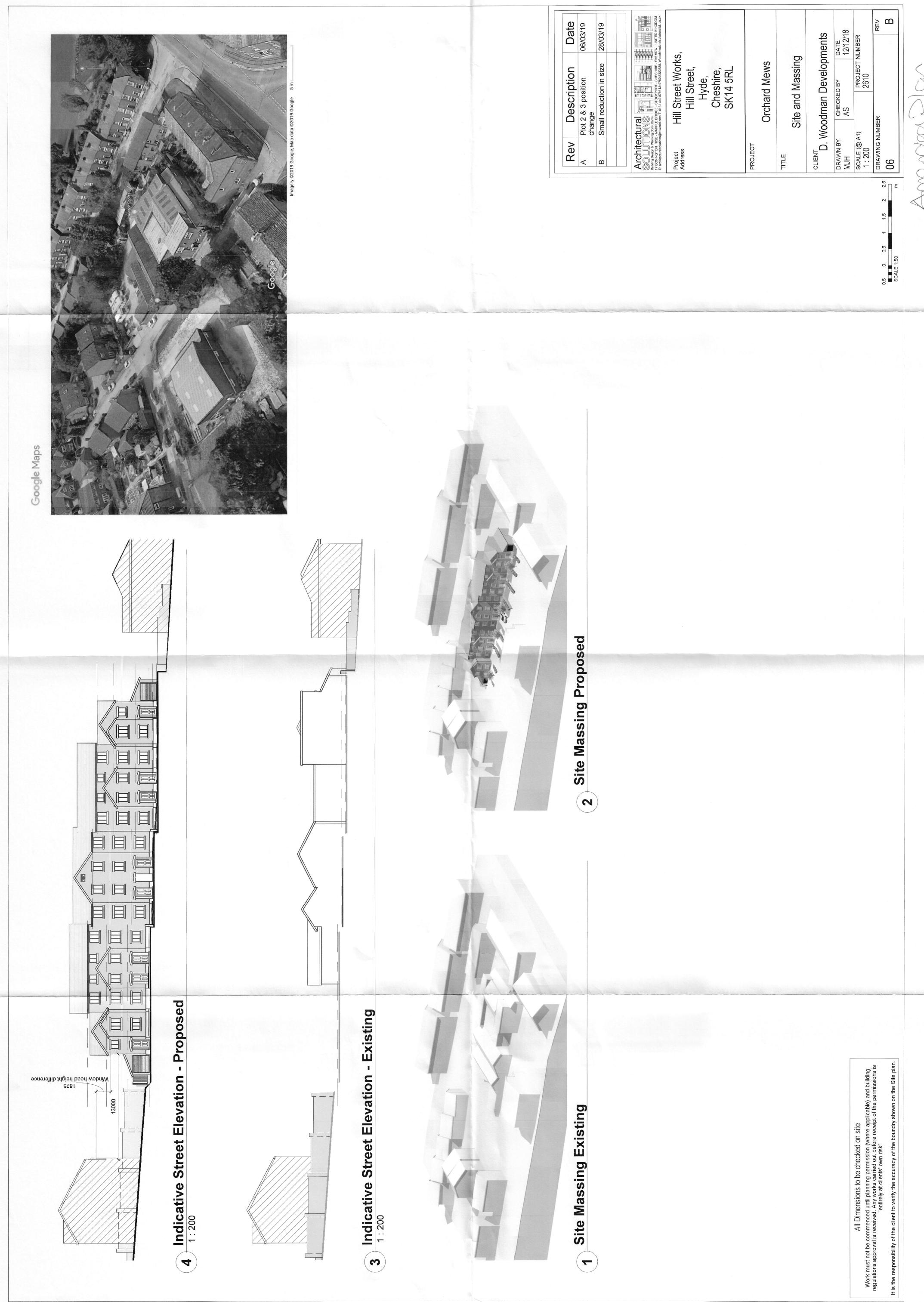


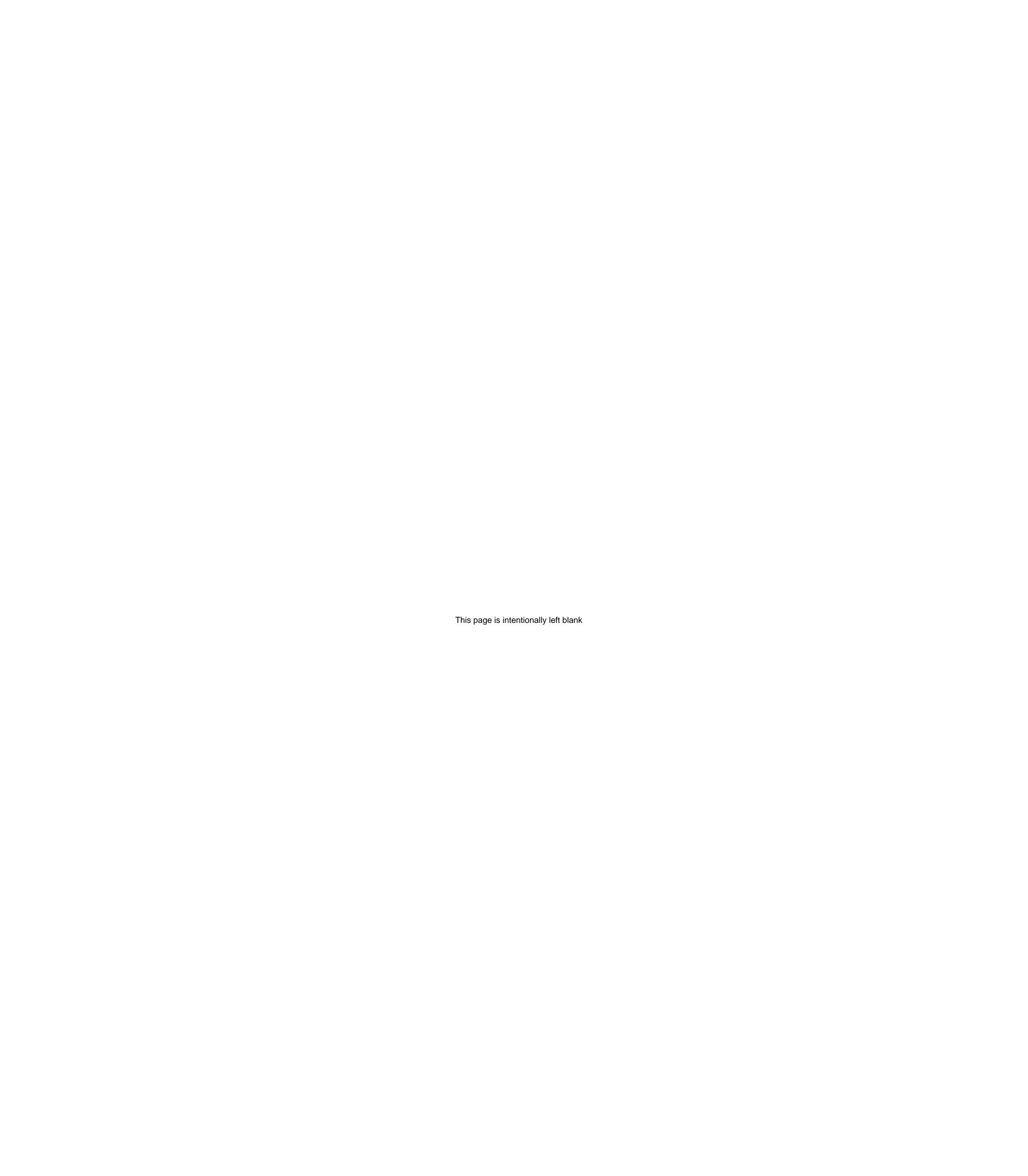


Google Earth Satellite Image of the site.



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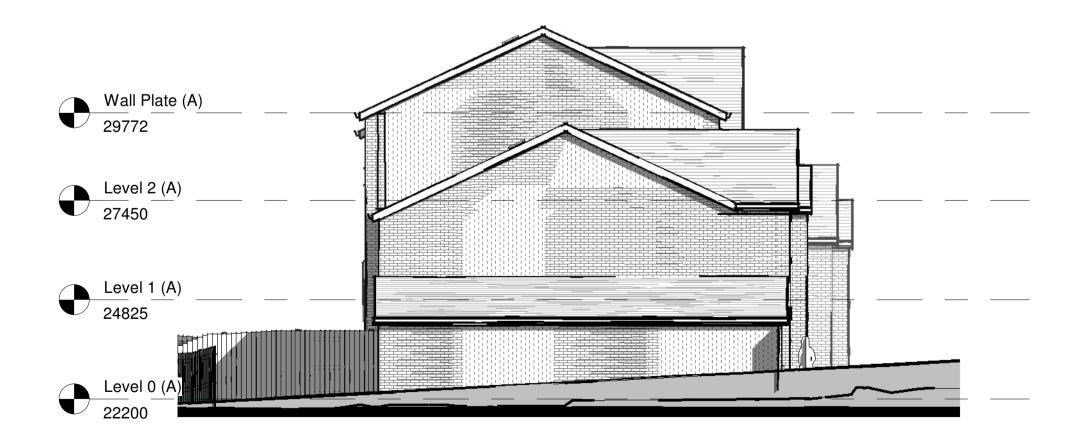






Wall Plate (C) 28582 Level 2 (C) 26520 Level 1 (C) 23895

Elevation Rear



4 Elevation Side 1

All Dimonsions to be checked on site Work must r regulations ap

It is the responsibility of the client to verify the accuracy of the boundry shown on the Site plan.

0.5 0 0.5 1 1.5 2 2.5

All Dimensions to be checked on site
not be commenced until planning permission (where applicable) and building approval is received. Any works carried out before receipt of the permissions is "entirely at clients' own risk"

Position change 11/01/19 Planning revisions 14/02/19 Plot 2 & 3 position 06/03/19 change

Description

Design Revisions

Date

11/01/19

Hill Street Works, Project Address Hill Street, Hyde, Cheshire,

PROJECT

TITLE

DRAWN BY Author

SCALE (@ A1) 1:100 DRAWING NUMBER

Agenda Item 5c

Application Number 18/00818/FUL

Proposal Demolition of existing buildings formally occupied by Globe Works and

the construction of 37 dwelling houses and 6 apartments (43 residential units) with associated car parking and landscape works.

Site Former Globe Works, Brook Street, Hyde

Applicant B.A.K Building Contracts Ltd

Recommendation Members resolve to grant planning permission subject to conditions

and completion of a section 106 agreement.

Reason for report A Speakers Panel decision is required because the application

constitutes major development.

1.0 APPLICATION DESCRIPTION

1.1 The application seeks full planning permission for a residential development of 43no. dwellings comprising of 37 dwellings and 6 apartments. The application has been amended during the course of its consideration which has resulted in the loss of 14 units from the development proposals.

- 1.2 The applicant has provided the following documents in support of the planning application:
 - Air quality Assessment;
 - Arboricultural Impact Assessment;
 - Archaeological Report;
 - Coal Mining Risk Assessment;
 - Crime Impact statement;
 - Design and Access Statement;
 - Ecological Assessment (Including protected species);
 - Food risk and drainage assessment;
 - Planning Statement:
 - Phase I and II Ground investigation reports;
 - Statement of Community Involvement; and,
 - Full plans package including street scenes.
- 1.3 The site would take access from the existing turning head onto Brook Street. The layout proposes two roads which would run parallel to Godley Brook and linked by an existing bridge over Godley Brook which would be upgraded as part of a package of highways improvements. Residential properties are proposed on one side of each road with the boundary to Godley Brook on the other. The submitted layout indicates semi-detached and terraced rows of 3 and 4 properties and apartments which would be 2.5 and 3 stories in height. The application also proposes two areas of open space located either side of site entrance. A comprehensive landscaping and biodiversity enhancement strategy is proposed throughout the site and alongside Godley Brook.
- 1.4 The accommodation mix would be as follows:
 - 4 x 1 bed apartment;
 - 2 x 2 bed apartment;
 - 18 x 3 bed townhouse; and,

19 x 4 bed townhouse.

2.0 SITE & SURROUNDINGS

- 2.1 The application relates a parcel of land measuring approximately 1.43 hectares in area. The site is irregular in shape and located within a valley of Godley Brook which runs along a central alignment. The valley side are relatively steep but the central area consists of level plateau.
- 2.2 The site is accessed from the west off Brook Street which a single sided residential street comprising of terraces properties which overlook the Morrison's Supermarket car park. The northern boundary is defined by a footpath which runs along the alignment of the M67 Motorway, properties fronting Mottram Road occupy an elevated position to the south and to the east there are industrial units accessed from Halton Street. These units occupy an elevated level and are separated by established belt of trees.
- 2.3 Historically the site supported a mill complex but this has long since been demolished although significant areas of hardstanding remain. There are two small warehouse structure within the site, one is located central the other on the southern boundary in addition to several shipping containers. The site has a poor environmental quality characterised by the industrial legacy, incidents of fly-tipping and self-set vegetation.

3.0 PLANNING HISTORY

- 3.1 04/00052/OUT Proposed residential development (outline) 22.12.2004
- 3.2 07/01613/REM Proposed 48no. apartments (Reserved Matters) 13.02.2008
- 3.3 13/01025/OUT Erection of 44 dwellinghouses with associated car parking and landscape works Withdrawn 09.12.2016 following lack of completion of the section 106 agreement.

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)
- 4.3 Tameside Unitary Development Plan (UDP) Allocation

Unallocated

4.4 Part 1 Policies:

- 1.3: Creating a Cleaner and Greener Environment;
- 1.4: Providing More Choice and Quality Homes;
- 1.5: Following the Principles of Sustainable Development;
- 1.6 Securing Urban Regeneration;
- 1.10 Protecting and Enhancing the Natural Environment; and,
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.5 Part 2 Policies:

H2: Unallocated sites;

H4: Type, size and affordability of dwellings;

H5: Open Space Provision;

H7: Mixed Use and Density (Density being relevant to this proposal);

H10: Detailed Design of Housing Developments;

OL10: Landscape Quality and Character;

T1: Highway Improvement and Traffic Management;

T10: Parking;

T11: Travel Plans;

C1: Townscape and Urban Form;

N5 Trees Within Development Sites;

N6 Protection and Enhancement of Waterside Areas;

N7: Protected Species;

MW11: Contaminated Land;

U3: Water Services for Developments;

U4 Flood Prevention;

U5 Energy Efficiency; and,

MW14 Air Quality.

4.6 Other Policies

Greater Manchester Spatial Framework - Publication Draft October 2018.

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making polices across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; and, Trees and Landscaping on Development Sites SPD adopted in March 2007; Developer Contributions.

4.7 National Planning Policy Framework (NPPF)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 11: Making efficient use of land

Section 12: Achieving well designed places

Section 15: Conserving and enhancing the Natural Environment

4.8 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

5.1 The application has been advertised a major development with site and press notices. Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Local Highway Authority The development has been amended to reflect earlier concerns and this has in part influenced the loss of several units from the development. The access design and layout meets requirements, the developer will need to undertake structural improvements to the retaining walls located alongside the brook and also fund the replacement of the bridge crossing. After reviewing the information regarding Trip Rates at the Junction of Brook Street/Mottram Rd no objections to the development on Highway matters. To improve traffic flow around the junction it is recommended that section 106 monies are spent on lining and modifications to the kerbs on Brook Street and Mottram Road.
- 6.2 Environment Agency Initially objected to the application on flood risk and ecology grounds. Amendments to the layout have resulted in the loss of units, revised Flood risk Strategy and improvements to onsite surface water management. Significant biodiversity enhancement would be secured inline with the water framework directive. Note that the site requires significant remediation as a result of previous industrial legacy. Confirm that initial issues have been appropriately addressed. No objection subject the requirement of conditions relating to: site investigation/remediation, drainage, protection measures to Godley Brook and securing long-term landscape management of Godley brook and proposed area of Public Open Space.
- 6.3 Environmental Health Have reviewed the proposals and raise no objections. The proximity of the M67 requires consideration to noise and air quality issues. No objection but recommend conditions relevant to ventilation and acoustic treatment.
- 6.4 TFGM Identify that the trip generation falls below the threshold of a junction impact assessment of Brook Street/Mottram Road and refer comments to the Local Highway Authority. Identify that the site is accessible in close proximity of local services and public transport. Recommend a condition relating to the implementation and monitoring of a Full Residential Travel Plan within 6 months of occupation be attached to any planning consent, if not already conditioned at outline stage.
- 6.5 No objection to the approval of the planning application from a contaminated land perspective. The site has however had a significant and prolonged industrial use and initial ground investigations have identified the presence of contamination, including hydrocarbon impacted soils and groundwater. It is recommend that contaminated land conditions are attached to the planning permission in order to ensure all risks posed by contamination are appropriately addressed during the development of the site.
- 6.6 Tree Officer No category A or B trees are identified on the site and therefore the existing category C trees would not be a constraint to development. Also this is a former commercial site that has naturalised but has no public access and relatively low visual amenity value to the surrounding area. Mitigating planting would be

- important in this development and a detailed landscape scheme with appropriate numbers of suitable species trees and shrubs should be agreed.
- 6.7 Natural England Don't wish to comment on the application. Recommend that standing advice with regard to impact on protected species is undertaken.
- 6.8 GMP (Design for Security) Approve the recommendation of the submitted Crime Impact Assessment which should be conditioned.
- 6.9 United Utilities No objections subject to conditions relating to detail design of the drainage.
- 6.10 Coal Authority Site falls within a high risk area. An appropriate investigation has been undertaken of the sites mining legacy. No objection subject to the recommendations of the report being conditioned.
- 6.11 LLFA Details of the sites drainage can be conditioned. Inclusion of SUDS within the layout is supports and subject to the detailed design Godley Brook will be able to support the outfall of surface water drainage.
- 6.12 GMAAS Not that there is archaeological interest in the site. Recommend that a condition be attached to any planning consent requiring that a phased programme of archaeological investigation be undertaken prior to the commencement of any demolition, soft-strip or development groundworks.
- 6.13 GMEU No objections to the proposals, a suitable level of assessment has been undertaken of the site ecological value including protected species. Confirm that the application has demonstrated that suitable level of biodiversity enhancement can be achieved which can be secured by a condition.
- 6.14 Education A development of this size would attract additional pupils that would need to be accommodated in schools in the area. Recommended that section 106 monies are allocated towards additional development of school places at Alder High School.
- 6.15 Highways England Confirm they have no objection.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 7.1 There have been 6no. representations received from the notification process. The comments raised are summarised under common themes as follows:
 - Development would have an adverse ecological impact associated with the loss of trees and vegetation from the site;
 - The site provides important habitat for bats, newts and badger which would be lost:
 - Access should be taken from Halton Street as there is no capacity within Brook Street for further development;
 - Parking on Brook street is already saturated and the development would add ot these issues;
 - Brook Street is a in a poor condition due to existing traffic demands and this will only worsen;

- Mottram Road is gridlocked at peak times and the associated vehicle movement will be a further burden
- Emergency services would not be able to adequately access the site.

8.0 ANAYLSIS

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

9.0 PRINCIPLE

- 9.1 The principle of residential development on the site has been established on previous occasions under several planning applications. It remains that the site is undeveloped and of a poor environmental quality. The last of the applications 13/01025/OUT was minded for approval subject the completion of a section 106 agreement but this was never completed. The application was subsequently written off under Article 40 (13)(a) of the DMPO 2015. The applicant identifies that the failure to complete the agreement was due to the financial viability issues associated with the development.
- 9.2 The sites circumstances would appear to have changed very little since the previous application. Although there is an established 'fall-back' position the site does not at present demonstrate an active employment use. Despite evidence of vegetation succession the intervening years have seen the overall environmental quality degrade. Site security would appear to have been tested and there is evidence of breaches of the boundary treatment, visual indicators are that fly-tipping would appear to be a regular occurrence.
- 9.3 The site falls within the definition of previously developed land. A core principle of the National Planning Practice Guidance (NPPF), set out at chapter 11, is that planning should "encourage the effective use of land by reusing land that has been previously developed (brownfield land). Local Plan Policy H1 and H2 give priority to the development of PDL with the aim of achieving a local target of 80% of new dwellings on such land.

- 9.4 The site is adjacent to Godley Brook and the lower parts of the site lie within Flood Zones 2 and 3 which symbolises a high risk of flooding to certain sections of the site. A Flood Risk Assessment has been submitted with the application which concludes that the flood risk to the proposed development is manageable and development should not be precluded on flood risk grounds. As per the previous planning application agreement has been reached with the Environment Agency and the threat of Flood Risk does not preclude the principle of development, matters of flooding will be addressed later in the report.
- 9.5 Overall the principle of the proposed residential development at the site remains acceptable. It is noted that the site is located within a highly sustainable location recognising the transport links and amenities on hand within Hyde. The Council's current lack of a 5 year housing supply should also be afforded significant weight to the assessment process. The NPPF is clear that the presumption in favour of sustainable development should be applied to determine planning applications in such instances, unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole. On this basis, the principle of much needed residential development on a brownfield site, within an accessible and sustainable location, directly adjacent to a Predominantly Residential Area, is considered acceptable.

10.0 **DEVELOPER CONTRIBUTIONS**

- 10.1 As a major residential development the site qualifies for development contributions. Amendments sought through the process have resulted in the loss of 14 dwellings from the development which equates to 28% reduction from the original submission. In the context of the development this represents a significant loss but this has been a necessity given the site conditions. Based on the current unit split the developer contributions would be £97,349.82 which would be broke down as follows:
 - Green Space £17,154.21 (allocated towards Local Green Space improvements)
 - Education £48,937.40 (allocated toward Alder High School)
 - Highways: £31,258.21 (allocated towards Mottram Road Junction improvements)
- 10.2 In order for this to be adequately addressed payment should be secured through a Section 106 agreement of the Town and Country Planning Act 1990. In the absence of such an agreement being entered the development fails to adequately mitigate its impacts contrary to the requirement of polices H5 'Open Space Provision', H6 'Education and Community Facilities' and T1 'Highway Improvement and traffic Management'.
- 10.3 The NPPF (para 64) states that major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area. The Tameside Housing Needs Assessment was updated in September 2019. The Assessment identifies that all development should seek to secure 15% of units on an affordable basis (As defined in Annex 2: Glossary of the NPPF) which would equate to approximately 6 units in this instance.
- 10.4 The Housing Needs Assessment also identifies a requirement for larger housing within Tameside, and in particular an overriding need for open market housing.

Tameside's Affordable housing is largely met through the housing programmes implemented by the Housing associations. In the context of Hyde consultation with the Housing Growth Officer confirms that in the applications circumstances there would be viability issues presented should a contribution be sought along with that required towards Highways, Green Space and Education. It remains that the site conditions are extremely challenging and this is testament to previous developments not coming to fruition.

10.5 The developer has identified that site abnormals include demolition and removal of industrial structures, remediation of ground contaminates, significance of engineering operations along Godley Brook, raising of site levels to address Flood Risk Assessment requirements and the internal layout dictating additional highway construction above what would usually be required for a development of the proposed scale. The developer has agreed to meet the financial contributions towards Highways, Education and Green Space infrastructure, with this in mind, and in the knowledge of the local housing market it would not be desirable to pursue an affordable housing contribution as this would need to be offset by the other contributions which are necessary to mitigate the impacts of the development. It therefore remains that preference be given to securing open market housing within a recognised period of under supply. An affordable contribution is therefore not sought with priority given to financial contributions to offsite infrastructure as detailed previously.

11.0 DESIGN AND LAYOUT

- 11.1 Policy C1 and H10 in addition to the relevant paragraphs of the NPP require development that is designed and landscaped to the highest standard, paying high regard to the built and/or natural environment, within which it is sited, will be given positive consideration. Proposals should respond to the townscape and landscape character of the local area, reinforcing or creating local identity and distinctiveness in terms of layout, scale and appearance, and should consider the need to deliver low carbon housing. Good standards of amenity, privacy, safety/security and open space should also be provided for the occupants of new housing and good standards of amenity and privacy should be maintained for the occupants of existing housing.
- 11.2 The Design of Residential Development SPD's overall purpose is to achieve high quality design in residential development. The design has responded to the constraints of the site to ensure that relevant spacing standards to existing properties would be observed whilst providing a safe and convenient access.
- 11.3 The layout is informed significantly by the presence of Godley Brook which dissects the site in two. A sense of arrival would be created through the provision of open space which would flank either side of the access road. The constraints of the site dictate single sided development to the highway. This however, provides a strong identity for the Brook. The Brook would become a central feature creating an amenity corridor the central area of the site. The houses respond in a positive manner by virtue to their alignment to the Brook and access roads which would also support structured landscaping. This creates a unique residential environment as well as an opportunity to secure significant environment and biodiversity enhancement.
- 11.4 The houses would effectively be positioned around 2 cul-de-sacs which would provide a traffic calmed environment allowing pedestrians to take priority over vehicles. There would be a housing mix comprising of subtle variations to the 2.5/3 storey townhouse which would create visual interest. The design is and siting of the

properties is also conducive to ensuring suitable protection from Flood Risk. The elevations would be moderately contemporary in appearance, in the main they would be constructed from brick, details are provided to elevations in the form casements to windows and soldier course bands to elevations. Overall there is considered to be sufficient variety within the housing stock, the design and choice of materials would be of a sufficient quality.

- 11.5 The development would constitute a density of approximately 30uph, this has been reduced from 40uph as a result in the loss of units to address flood risk issues. The site constraints dictate that it would not be feasible to increase this without the addition of apartments in lieu of townhouses. It is also considered to represent a reasonable threshold development to be accessed from Brook Street. On balance this would be an efficient use of the land, particularly in period of recognised housing undersupply. Overall it is considered the scale of the development, both in terms of the numbers and heights is appropriate to the local context.
- 11.6 With regard to parking arrangements the layout identifies that this would be provided mainly to the front dwellings which is somewhat regrettable. However, the dominance/impact would be offset by soft landscaping within front gardens and boundary treatments. Where space allows the highway would support planting in the form of trees and shrubs, this in turn provides a visual benefit by softening the sites overall appearance. Provision is also made within the layout to accommodate appropriate levels of visitor parking within the street. All of the properties are served with front to rear access which will allow for the storage of bins outside of the public domain.
- 11.7 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 scale and density of the development is reflective to that of housing within the locality, overall it is considered that the design and layout would have a strong identity and provide good quality family housing. It is therefore, considered that the proposal adheres to the objectives of policy C1, H10 and the adopted SPD which stress the importance of residential development being of an appropriate design, scale, density and layout.

12.0 DESIGN AND RESIDENTIAL AMENITY

- 12.1 The Design of Residential Development SPD identifies standards for new residential development. It is important that new residential developments achieve appropriate levels of amenity for proposed residents whilst not adversely affecting existing residents. This is mainly achieved by ensuring that developments adhere to interhouse spacing policy in terms of their position, scale and orientation in relation to existing properties. In this regard the SPD states that a distance of 21 metres should be achieved between private (rear) elevations, 14 metres between a principle and non-principle elevation.
- 12.2 The layout of the proposed houses comply with the Council's guidelines in relation to privacy and overlooking in terms of both distances within the new development and the existing houses surrounding the site on Mottram Road, Brook Street and Steeles Avenue. The proposed development is also situated at a much lower level to surrounding properties having no influence upon their outlook or levels of privacy.
- 12.3 It is considered that the occupants of the dwellings would be served with a good level of amenity. External noise levels from the Motorway would be controlled by boundary

treatments, glazing specification and controlled ventilation. The design of the properties meets technical guidelines for room sizes with good separation between habitable and non-habitable areas. The outside amenity space for the apartment and housing occupants alike is also well proportioned and provides secure and private garden space.

- 12.4 The site is within the urban area, and is in an accessible and sustainable location. It is located within a convenient walking distance of Hyde town centre the amenities of which can serve future residents.
- 12.5 The layout and form of development represents a considered response to its context, and would avoid any undue impact on the amenity of neighbouring properties which overlook the site, and for future occupiers by reason of visual intrusion, overshadowing, loss of daylight, overlooking or loss of privacy and accords with the provisions of policy H10.

13.0 HIGHWAY SAFETY

- 13.1 Highways comment that the access arrangements are suitable to protect all road users. The roads within the development are designed to ensure that vehicle speeds are low on the approach to the site and the access provides adequate visibility splays.
- 13.2 The entrance carriageway would be 5.5m wide with 2m footpaths to accommodate vehicle and pedestrian needs. The access lead as an extension to the existing turning head at the bottom of Brook Street, this extension would improve turning arrangements for all highway users. The presence of Godley Brook through the middle of site dictates highway construction either side of the watercourse. This would also require the provision of a new bridge and improvement to all retaining structures alongside the river. The new road and turning heads would be constructed to adoptable standards including area of highways which are proposed as private driveways. In line with the maximum standards of the adopted SPD on parking all of the properties have off street parking with driveways measuring 6m x 3.1m. The position and orientation of the properties ensures that these parking spaces are accessible and also have good surveillance.
- 13.3 The proximity of the site to Hyde centre, in addition to public transport, employment and community services is noted, and on this basis is considered in highway terms to be a highly appropriate location for a residential development. Further to this the Highway Engineer considers that the proposal should not result in a material increase in vehicle movements on the local highway network in comparison to that which could be generated should the site be in full employment occupation.
- 13.4 Traffic movements to and from the site would be acceptable in terms of local capacity. In response to concerns raised by residents about the safety and access to Brook Street section 106 monies would be directed towards improvements at the Mottram Road junction, including keep clear markings, which will be beneficial to both access and egress access requirements of all road users.

13.5 Overall the site is within a very accessible location. The access and parking arrangements have been designed in conjunction with advice given from the Highways Authority and they have raised no objections. Therefore subject to the recommended conditions, it is considered that the development adheres to the provisions of policies T1 and T10.

14.0 FLOOD RISK

- 14.1 There are localised areas to the south of Godley Brook are located within flood zone 2 and 3 on the Environment Agency's Flood Risk map which dictates that the site is within a high probability of flooding. Godley Brook passes into a culvert on the western boundary, the entrance to this culvert (Headwall) is protected by a steel grate which is prone to blockages. It is such instances which are the main cause of the onsite flooding and this situation has not changed significantly in the intervening years since the previous planning applications.
- 14.2 The application has been supported with a robust Flood Risk Assessment which has been reviewed and accepted by the Environment Agency subject to conditions. To address Flood risk requirements all residential development has been removed from this area with land being handed over as open space designed to accommodate surface water storage. The finished floor levels of the properties have also been raised 600mm above the calculated 1 in 100 year plus 35% climate change levels. To address issues of obstructions to the river channel and improve overall flow rates routine maintenance of the Brook will be undertaken by a management company.
- 14.3 Conditions relating to foul and surface water drainage are proposed which will ensure that the site is drained in accordance with the drainage hierarchy. United Utilities have also not raised any objections to the proposals, subject to compliance with these conditions.

15.0 LANDSCAPING, TREES & ECOLOGY

- 15.1 The applicant has submitted indicative details of the proposed soft landscaping and details of a hard landscaping scheme. The species mix proposed includes a mixture of native species in addition to ornamental shrub and hedge planting. The site includes three large areas of open space which will be planted with amenity grass and wildflower, existing tree planting to valley sides will also be retained and enhanced as part of a comprehensive strategy. Trees would be planted to the front of a number of the dwellings, presenting a structure to the streetscape and enhancing the overall setting of the properties. The landscaping strategy has been designed not only to achieve amenity benefits but also to raise the overall biodiversity value of the site.
- 15.2 The Tree Officer has no objections to the proposals. Subject to a condition requiring specific details of the soft landscaping scheme to be submitted and approved and conditions relating to the implementation of the landscaping scheme prior to occupation of the development and stipulating on-going management requirements, the indicative approach to soft landscaping is considered to be acceptable.
- 15.3 In relation to areas of public open space including the channel of Godley Brook it is the intention for all future maintenance of these areas to be addressed by a private management company.

- 15.4 Local residents have expressed concerns regarding loss of wildlife habitats and the nature conservation value of the site. GMEU confirm that suitable surveys have been undertaken, it has been confirmed that there are no protected species present within the site although there are signs of badger activity just outside of the site boundary. As a safeguard conditions are recommended that further surveys are undertaken prior to any earthworks commencing on the site. The landscaping strategy advises that connectivity across the site should be maintained and GMEU agree with this conclusion.
- 15.5 Three species listed under schedule 9 part 2 of the Wildlife and Countryside Act 1981 (as amended) were found on the site, Japanese knotweed, Himalayan balsam and Gunnera. The removal of these species will be secured by condition require the submission of a method statement for their eradication prior to any works commencing.
- 15.6 Paragraph 170 of NPPF advises that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of around 1.4ha of semi-natural habitat, primarily moderate value habitat in the former of dense scrub but also higher value habitats in the form of broadleaved woodland. The ecological report notes that mitigation should be provided, the proposed site has been amended to include further areas of open space and consultation with GMEU and the EA confirms that a suitable level of land is being set aside secures a suitable level of mitigation. In addition to tree, hedge and wildflower planting Godley Brook will also form part of the overall mitigation strategy and it is proposed to undertake improvement to the channel and embankments to improve connectivity. The proposals as detailed have been fully endorsed by the EA who recommend the submitted details are conditioned.

16.0 CONTAMINATION

A Phase I Desk Study and Phase II Ground investigation into possible contamination on the site has been carried out and submitted with the application. These reports have been reviewed by the Contaminated Land Officer. The initial ground investigations have identified the presence of contamination, including hydrocarbon impacted soils and groundwater. Once the existing buildings have been removed and site clearance works undertaken, a more comprehensive investigation can be carried out to understand the exact levels of onsite contamination. Once this is accurately understood a full remediation strategy will need to be undertaken which will include the treatment of existing soils and importation a suitable capping layer. A condition would require the submission of a final validation report on completion of the works to ensure that the ground conditions are suitable to residential use.

17.0 **NOISE**

- 17.1 The majority of noise is transport based. The M67 Motorway to north of the site is the main receptor. Other main noise sources would be from the employment uses located to the north east of the site.
- 17.2 The application has been assessed in line with recognised guidelines, the noise report proposes mitigation measures. The mitigation measures consists of acoustic fence to boundary and specific glazing specifications to different elevations in

addition to passive ventilation. The EHO is satisfied with this approach and recommends a condition that secures the identified mitigation.

18.0 HERITAGE

18.1 There are no recorded as assets within the vicinity of the site which could be in anyway affected by the proposals. The application has been submitted with a desk-based archaeological assessment (DBA) which ahs been reviewed and accepted by GMAAS. It is recommended by GMAAS that condition be attached to any planning consent requiring that a phased programme of archaeological investigation be undertaken prior to the commencement of any demolition, soft-strip or development groundworks to ensure that industrial heritage is properly recorded. Upon evaluation of the findings it may be desirable to request that information board is erected at the site detailing the sites historical use.

19.0 CONCLUSION

- 19.1 The application concerns the development of a longstanding brownfield site within a highly accessible location. The redevelopment of such sites adheres to the spatial strategy of the Development Plan, NPPF and the emerging GMSF. Previous applications have established the acceptability of the proposals and it remains that redevelopment for residential purposes would be wholly compatible with the sites land use allocation, it would also be readily compatible with the residential nature of adjoining uses and would add to and contribute to much needed, good quality housing in a period of under supply.
- 19.2 In recognition of the sites constraints the overall viability of the development is challenging. The benefits associated with the development and remediation of a longstanding brownfield site, supply of open market housing in a period of undersupply, financial contribution towards off site infrastructure outweigh the omission of affordable housing.
- 19.3 The design has evolved in a response that is positive to creating a welcoming residential environment. The high quality design would make a positive contribution to the local housing stock, in accordance with core principles of the NPPF and compliance of the Unitary Development Plan.
- 19.4 There are no objections to the proposals from the statutory consultees in relation to flood risk/drainage, landscaping, ecology, contaminated land or any of the other material considerations.
- 19.5 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission. The proposals represent a highly efficient re-use of a brownfield site that would meet sustainability requirements, and contribute positively to the Boroughs housing supply.

20.0 RECOMMENDATION

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

- (i) To complete a suitable legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure off Highways Improvements, Open Space and Education Contribution to the satisfaction of the Borough Solicitor:
- (ii) To have discretion to refuse the application appropriately in the circumstances where a S106 agreement has not been completed within six months of the resolution to grant planning permission; and,
- (iii) That upon satisfactory completion of the above legal agreement that planning permission be GRANTED 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:

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T758 P001 - Location Plan
T758 P002 - Existing Site Plan
T758 P003B - Proposed Site Plan
T758 P007D - Block B Proposed Floor Plans
T758_P008C - Block B Proposed Floor Plans
T758 P009C - Block B Proposed Elevations
T758 P010B - Block C Proposed Floor Plans
T758 P011A - Block C Proposed Floor Plans
T758 P012A - Block C Proposed Elevations
T758 P013B - Block D Proposed Floor Plans
T758 P014A - Block D Proposed Floor Plans
T758 P015A - Block D Proposed Elevations
T758_P016A - Block E Proposed Floor Plans
T758 P017A - Block E Proposed Floor Plans
T758 P018A - Block E Proposed Elevations
T758 P019A - Block F Proposed Floor Plans
T758 P020A - Block F Proposed Floor Plans
T758 P021A - Block F Proposed Elevations
T758 P022A - Block G Proposed Floor Plans
T758 P023A - Block G Proposed Floor Plans
T758_P024A - Block G Proposed Elevations
T758 P025B - Block H Proposed Floor Plans
T758 P026B - Block H Proposed Floor Plans
T758 P027A - Block H Proposed Elevations
T758 P028A - Block J Proposed Floor Plans
T758 P029A - Block J Proposed Floor Plans
T758 P030A - Block J Proposed Elevations
T758 P031A - Block K Proposed Floor Plans
T758 P032A - Block K Proposed Floor Plans
T758 P033A - Block K Proposed Elevations
T758 P034A - Block L Proposed Floor Plans
T758 P035A - Block L Proposed Floor Plans
T758 P036A - Block L Proposed Elevations
T758 P037A - Block M Proposed Floor Plans
T758 P038A - Block M Proposed Floor Plans
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T758_P039A - Block M Proposed Elevations
T758_P042A - Proposed Street Scenes and Site Sections
Site sections drawing no.1 June 2019
Site Section 1-1 drawing no. 02 Rev A June 2019
Site Section 2-2 drawing no. 03 Rev A June 2019
BETOATLAS RETAINING WALL DETAILS drawing no.04
Plan on Public Open Space and Sections drawing no. 05 Rev A July 2019

- 3. No development, other than site clearance (including the demolition of existing buildings) and set up, shall commence on site until a remediation strategy, detailing the works and measures required to address all unacceptable risks posed by contamination to human health, buildings and the environment (including groundwater / controlled waters) has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The remedial scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispense with any such requirement specifically in writing:
 - 1. Supplementary site investigation (including further ground gas monitoring) and detailed risk assessments undertaken in line with the recommendations detailed in Delta Simon Environmental Consultants Limited Geo-Environmental Assessment report dated March 2019 (Ref: 18-1910.1) and requirements set out in the Councils Environmental Protection Units letter dated 3rd July 2019 (Ref: 1800818FUL/JG/030719). The proposed scope of investigation shall be submitted to, and agreed in writing by, the LPA prior to the works being undertaken.
 - 2. The findings of the supplementary investigation and detailed risk assessments referred to in point (1) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 - 3. Based on all site investigations and detailed risk assessments, an options appraisal and remediation strategy setting out full details of all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas and how they are to be implemented.
 - 4. A verification plan detailing the information that will be obtained in order to demonstrate the remedial works and measures set out in the remediation strategy in (3) have been fully implemented including any requirements for long term monitoring and maintenance.
- 4. Prior to occupation, a verification / completion report demonstrating all remedial works and measures required to address all unacceptable risks posed by contamination and ground gas have been fully implemented in accordance with the approved remediation strategy shall be submitted to, and approved in writing by the Local Planning Authority (LPA).

If during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed with the LPA), shall be undertaken until a remediation strategy detailing how this contamination will be appropriately addressed and the remedial works verified has been submitted to, and approved in writing by the LPA. The remediation strategy shall be fully implemented and verified as approved.

The discharge of this planning condition will be given in writing by the LPA on completion of the development and once all information specified within this condition and any other requested information has been provided to the satisfaction of the LPA and occupation of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

- 5. 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.
- 6. The car parking indicated on the approved plan ref T758_P003B Proposed Site Plan shall be provided to the full satisfaction of the Local Planning Authority and thereafter kept unobstructed and available for its intended purpose. Parking areas or driveways must be at least 3.1 metres wide and 6 metres long where in front of house doors or 5.5 metres long where in front of a garage. The areas shall be maintained and kept available for the parking of vehicles at all times.
- 7. Prior to commencement of work on site the applicant shall undertake a condition and dilapidations survey of the highway fronting the site and giving access to the site and prepare and submit a report to the Engineering Operations Manager. The developer will be responsible for making good any damage caused to the highway by the development works or by persons working on or delivering to the development. Any damage caused to the street during the development period shall be reinstated to the full satisfaction of the Highway Authority prior to the occupation of any part of the development.
- 8. The development shall not commence until details of a lighting scheme to provide street lighting (to an adoptable standard), to any shared private driveway or parking court have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the lighting will be funded for both electricity supply and future maintenance. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.
- 9. Vehicular and pedestrian gradients within the site shall not exceed 1:15
- 10. 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.
- 11. Foul and surface water shall be drained on separate systems unless otherwise agreed in writing with the Local Planning Authority.
- 12. No infiltration of surface water drainage into the ground where contamination is suspected is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 13. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either

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

- 14. Prior to commencement of earthworks a reasonable avoidance method statement for badgers will be supplied to and agreed in writing by the LPA. The method statement will include:
 - a re-survey of the site and within 30m of the site where possible for badger setts;
 - details of temporary closure measures for the existing sett, including timing and works that cannot occur within 30m of the sett when not closed;
 - methodologies for clearance of dense areas of vegetation under the supervision of an ecological clerk of works;
 - identification of derelict structures and areas of rubble with the potential to be used as setts by the clerk of works and the methodology for clearing such areas under the supervision of the clerk of works;
 - procedures if a badger sett is found in other areas in the absence of the clerk of works;
 - procedures on-site during construction to prevent accidental harm to badgers that may venture on to the site at night; and,
 - a landscape design that accommodates as far as possible movement across the site for badger on completion.

The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

- 15. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam, Japanese Knotweed and Gunnera should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full accordance with the approved details.
- 16. No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Godley Brook from accidental spillages, dust and debris has been supplied to and agreed by the Local Planning Authority. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.
- 17. No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological status/potential of the Godley Brook resulting from the disposal of foul water and surface water disposal post-development submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.
- 18. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.
- 19. None of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the completed development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins

to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

- 20. No development shall commence until full design details of the uprated glazing mitigation measures recommended in Hann Tucker Associates Noise Impact Assessment report, reference 25662/NIA1, dated 19th October 2018, have been submitted to and approved in writing by the Local Planning Authority. The design details shall include:
 - the specific glazing configurations to be used in the windows, including roof lights / windows, including sound reduction specifications, identified as requiring mitigation measures;
 - the specifications of the mechanical ventilation, including acoustic performance, to be installed in Block A of the development; and,
 - the specifications of all other window ventilation mitigation measures identified in the report including sound reduction specifications.

The noise mitigation measures shall be implemented in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter. Written proof shall be provided to the Local Planning Authority that all mitigation measures have been installed in accordance with the agreed details.

- 21. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - scaled plans showing the exact location and elevations of the acoustic screening to be installed along the northern boundary of the site, as identified in Section 8 of Hann Tucker Associates Noise Impact Assessment report, reference 25662/NIA1, dated 19th October 2018, and a manufacturers specification of the acoustic screening; and The noise mitigation measures shall be implemented in accordance with the approve details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter. Written proof shall be provided to the Local Planning Authority that the acoustic screening measures have been installed in accordance with the agreed details.
- 22. No development groundworks, soft-strip or demolition shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:
 - 1. A phased programme and methodology of fieldwork investigation and recording to include:
 - a level 1 (Historic England) building survey;
 - targeted evaluation trenching; and,
 - targeted open area excavation.
 - 2. A programme for post fieldwork investigation assessment to include:
 - analysis of the site investigation records and finds; and,
 - production of a final report on the significance of the archaeological and historical interest represented.

- 3. Dissemination of the results commensurate with their significance. This might include a popular publication in the Greater Manchester Past Revealed series, and an academic article dependent on the significance of the results.
- 4. Provision for archive deposition of the report and records of the site investigation.
- 5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.
- 6. Details of an information board on site of the site historical use.
- 23. Piling / investigation boreholes / tunnel shafts / ground source heating and cooling systems using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 24. With exception of site preparation, clearance and demolition works no development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the Local Planning Authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- details of maintenance regimes;
- details of any new habitat created on-site and confirmation that a net gain has be achieved across the site;
- details of treatment of buffers around water bodies; and,
- details of management responsibilities.
- 25. The development hereby permitted must not be commenced until such time as details of the existing and proposed ground levels and compensatory flood storage tanks with associated pipe work adjoining Godley brook has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- 26. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, full details of both hard and soft landscaping works, including details of the species, positions and planted heights of proposed trees and shrubs; together with details of the position and condition of any existing trees and hedgerows to be retained. The approved hard landscaping details shall include all surface treatments and shall be implemented prior to the occupation of the dwellings.
- 27. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which die within a period of 5 years from the completion of the

development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the dwellings which would otherwise be permitted by Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority, and no garages or other outbuildings shall be erected.
- 29. 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.
- 30. 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; and,
 - Details of on-site storage facilities.

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

- 31. The development permitted by this planning permission shall be carried out in full accordance with the approved Flood Risk Assessment (FRA) from RSK (ref: 881509-R1 (-)-FRA Rev 00 18 September 2018) and addendum report RSK (ref: 881509 L01-CW) dated 14th May 2019.
- 32. The development hereby approved should be constructed in accordance with the recommendations contained within section 3.3 of the submitted Crime Impact Statement dated (11/10/2018 URN: 2014/0147/CIS/01 Version A) confirmation that initiatives have been undertaken shall be submitted to and approved in writing by the Local Planning Authority, the approved works shall be carried out prior to the first residential occupation of the development or in accordance with a phasing plan to be agreed in writing with the Local Planning Authority.
- 33. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any part thereof, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out in accordance with the approved plan.
- 34. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to

and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

- 35. The development hereby permitted shall not be commenced until such time as a scheme to provide a two stage debris screen and safe access provision to the downstream culvert has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- 36. No work shall take place in respect to the construction of the approved highway, as indicated on drawing T758_P003B Proposed Site Plan, until a scheme relevant to highway construction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
 - 1. Phasing plan of highway works;
 - 2. Surface and drainage details of all carriageways and footways;
 - 3. Approval in Principle AIP of the construction details of the new bridge crossing and all retaining structures alongside Godley Brook and Detail of any protective barriers alongside Godley Brook;
 - 4. Amendments to the kerb line and construction of new carriageway and footways onto Brook Street;
 - 5. Details of planting specification for all trees within the highway; and,
 - 6. Details of carriageway markings and signage.

No part of the approved development shall be occupied until the approved highways works have been constructed in accordance with the approved details or phasing plan.

37. The area of public open space and works to Godley Brook Embankment shall be laid as detailed on drawing 05rev A (Plan on Public Open Space Sections) prior to occupation of the development.



Application Number: 18/00818/FUL Land off Brook Street, Hyde.

Photo 1: View down Brook Street



Photo 2: View looking west along Godley Brook



Photo 3 View Looking East along Godley Brook



Photo 4: Existing building on the southern boundary Mottram Road properties in the Background.



Photo 5: Headwall of Godley Brook before entering Culvert



Photo 6: View looking east within the site

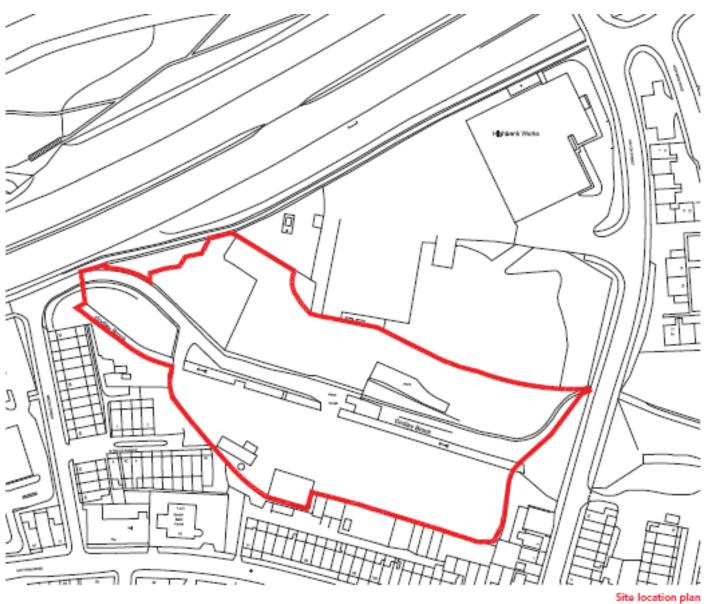


Photo 7 Google View of site entrance





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This drawing should not be scaled unless for planning application purposes. Work to

All dimensions and levels to be checked on

Land registry title and ownership boundaries are produced by Studio KMA using all reasonable endeavours. We cannot be held responsible for scale discrepancy of plans

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Proposed Site Plan

Drawing No. P003 scale 1:500 @ A1

Auth By

AT

Studio KMA Limited The Design Studio Valley Mills Millgate Delph Oldham OL3 5DG www.studiokma.co.uk

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Proposed Front Elevation



Materials:

- Fibre cement tile, red/brown (Marley Modern

or similar to Local Authority approval). - Fibreglass GRP to Flat Roof (or similar to Local Authority approval).

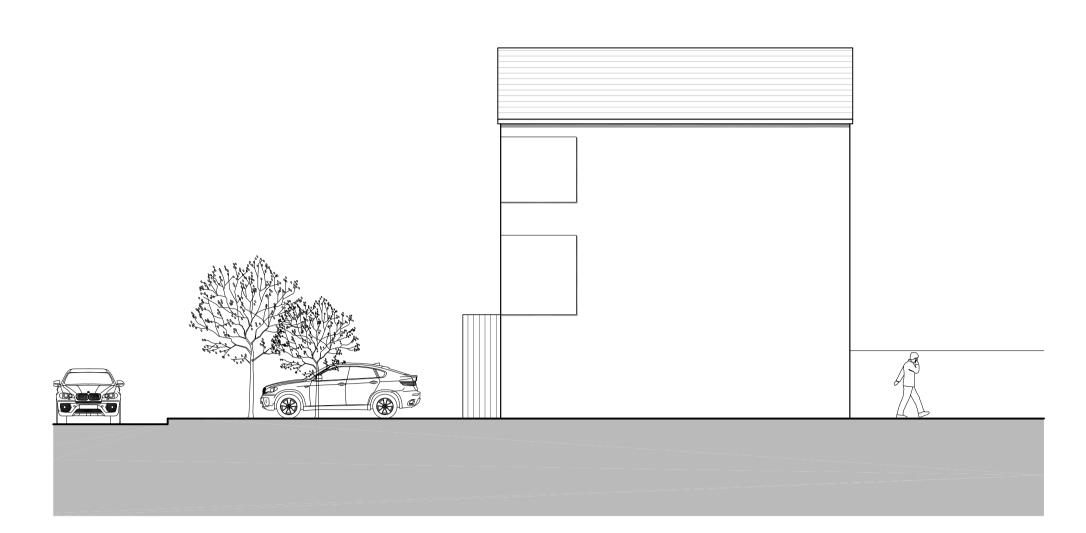
- Render, antique white (Aliva system or similar to Local Authority approval). Facing Brickwork, red/orange (by Terca, or similar to Local Authority approval). -Composite Cladding, timber effect (by Dura, or similar to Local Authority approval).

Double glazed uPVC windows, grey (or similar to Local Authority approval).

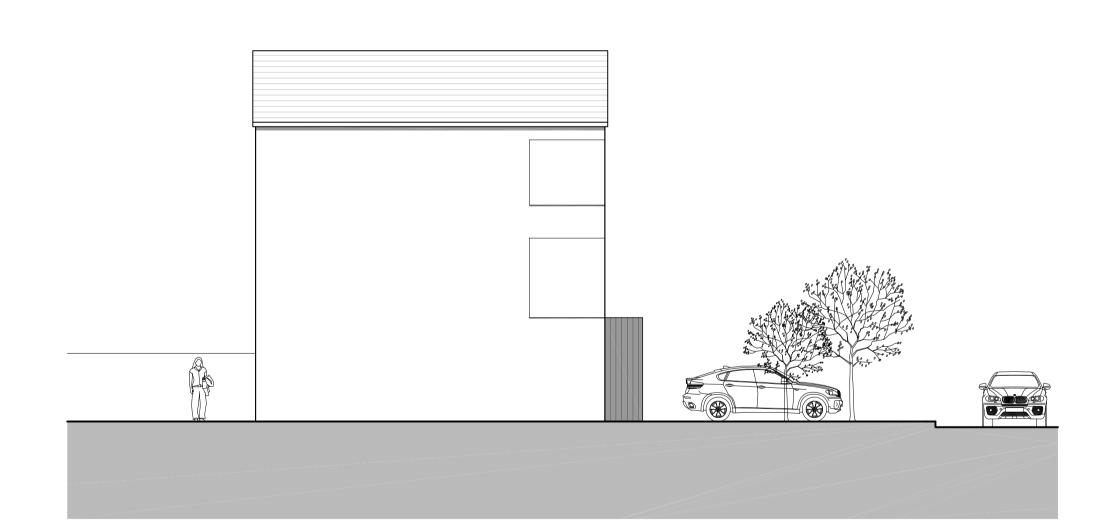
 Double glazed uPVC doors, grey (or similar to Local Authority approval).
 Garage doors, powder coated to match cladding colour (or similar to Local Authority approval).

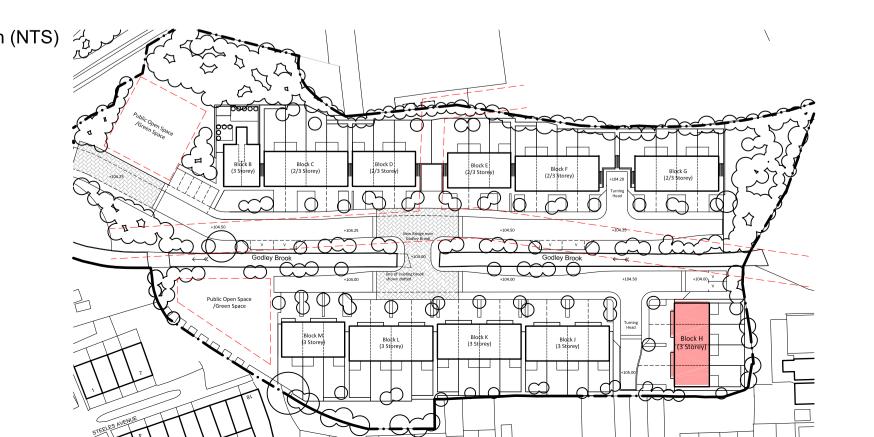
- Timber closed-board perimeter fencing (1.8m

Proposed Side Elevation



Proposed Side Elevation





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All dimensions and levels to be checked on

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Drawin	g Amendment:		
rev	date	drawn	checked
Α	10/07/19	RH	RH
Gener	al Amendment		
	24/08/18	RH	ΔΤ

Scale 1:100 @ A1

Project Title Hyde

Brook Street

Proposed Elevations (Block H)

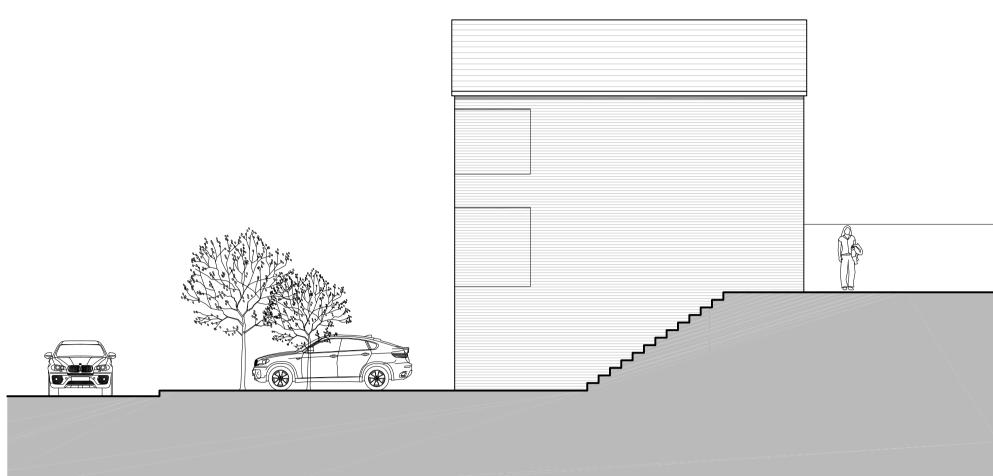
Project No. T758	Drawing No. P027
Date 24/08/2018	Scale 1:100 @ A1
Stage Stage 3	Revision A
Drawn By	Auth By AT

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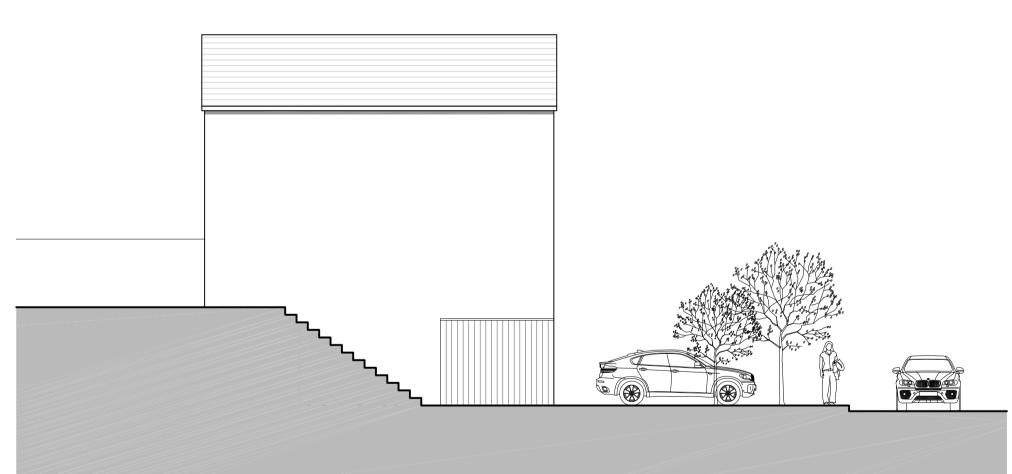


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Proposed Side Elevation



Proposed Side Elevation





Materials:

Proposed Front Elevation

Proposed Rear Elevation

- Fibre cement tile, blue/black (Marley Modern or similar to Local Authority approval).

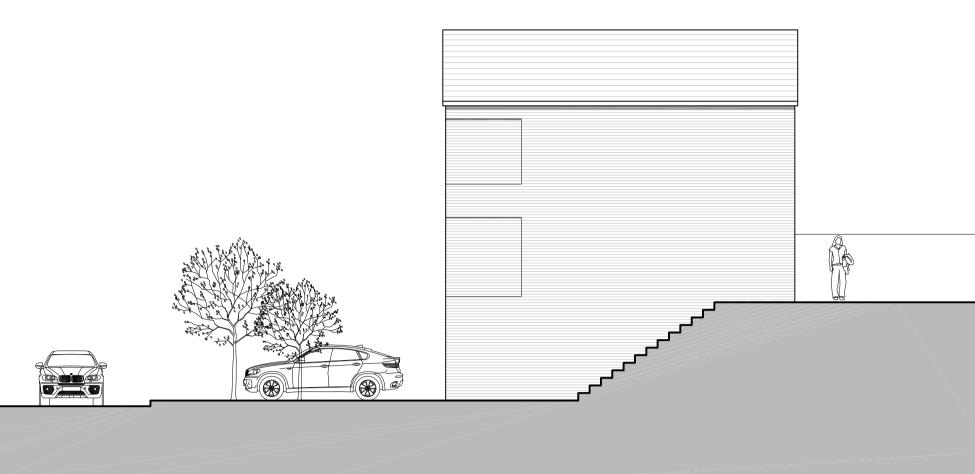
Walls: - Render, white (Aliva system or similar to Local Authority approval).

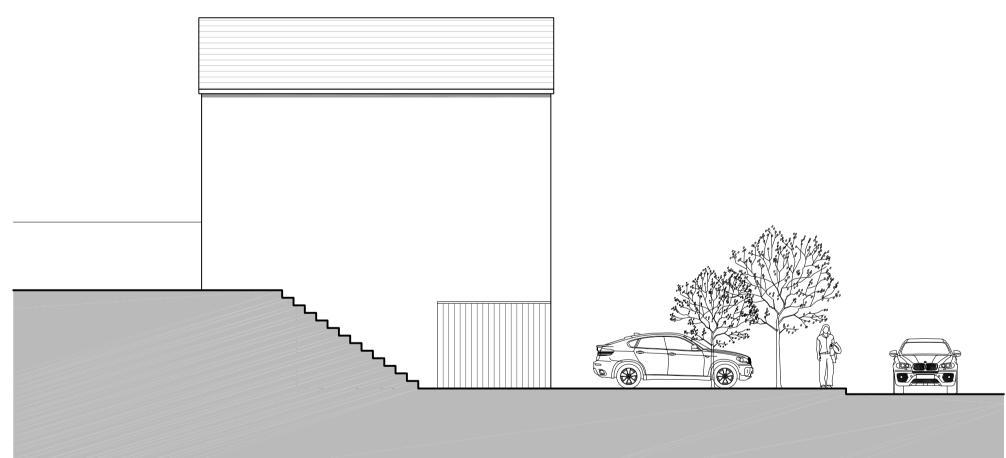
- Facing Brickwork, buff/brown (by Terca, or similar to Local Authority approval).

- Timber closed-board perimeter fencing (1.8m -Composite Cladding, black (by Dura, or similar to Local Authority approval).

Double glazed uPVC doors, black (or similar to Local Authority approval).
Garage doors , powder coated to match cladding colour (or similar to Local Authority approval).

Double glazed uPVC windows, black (or similar to Local Authority approval).





Project Title Hyde

Brook Street

Proposed Elevations (Block E)

This drawing should not be scaled unless for planning application purposes. Work to figured dimensions only.

All dimensions and levels to be checked on

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Initial Issue

Scale 1:100 @ A1

Project No. T758	Drawing No. P018	
Date 24/08/2018	Scale 1:100 @ A1	
Stage 3	Revision A	
Drawn By	Auth By AT	

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Agenda Item 5d

Application Number 19/00245/REM

Proposal Reserved matters approval sought for the mean of access,

appearance, layout, scale and landscaping of a development of 37 dwellings approved under outline planning application 16/00948/OUT.

Site Land to the west of Milverton Avenue, Hattersley

Applicant BDW Trading Ltd (Barratt Manchester)

Recommendation Grant planning permission subject to conditions

Reason for report A Speakers Panel decision is required because the application

constitutes major development.

1.0 APPLICATION DESCRIPTION

1.1 The application seeks reserved matters approval for a scheme for 37 no. dwellings. The outline planning permission was not specific in terms of the number of units and no condition was imposed setting a limit.

- 1.2 The applicant has provided the following documents in support of the planning application:
 - Crime Impact Statement;
 - Design and Access Statement;
 - Ground investigation report
 - Surface and foul water drainage strategy
 - Planning Statement;
 - Flood Risk Assessment
 - Statement of Community Involvement
 - Hard and Soft Landscaping scheme and,
 - Phase I Ecological Assessment
- 1.3 As this is a reserved matters application, the matter of developer contributions is not being revisited as this relates to the principle of development, which was established under the outline planning permission. In this case, the outline permission was not subject to a Section 106 Agreement as this parcel of land represents one part of a wider phase of the original masterplan for the regeneration of Hattersley, for which outline planning permissions originally granted in 2006. Contributions to green space across the masterplan area have since been secured through separate agreements with the Council.

2.0 SITE & SURROUNDINGS

2.1 The application site is a parcel of land to the west of Milverton Avenue in Hattersley. Terraced rows of properties front onto the northern and southern sides of Milverton Avenue. The semi-detached properties at 12 and 14 Milverton Avenue stand separate from the remainder of the street, with the land to the east of that pair of units forming part of the application site. The land to the north, south and west of the site is undeveloped and includes relatively dense areas of tree coverage. The land levels on the site in the eastern portion of the site are relatively flat but begin to fall

away in the western portion and then drop steeply beyond the western boundary of the site down to the railway line.

3.0 PLANNING HISTORY

3.1 16/00948/OUT - Outline application (All matters reserved) for the residential development of 1.07 hectares of land – approved

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)

4.3 Tameside Unitary Development Plan (UDP) Allocation

Not allocated, within the settlement of Hattersley

4.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.6 Securing Urban Regeneration
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.3 Part 2 Policies

H2: Unallocated sites

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H7: Mixed Use and Density (Density being relevant to this proposal)

H10: Detailed Design of Housing Developments

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

T11: Travel Plans.

C1: Townscape and Urban Form

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 2018;

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making polices across the region up to 2038. The document is a material consideration but the weight afforded to it is

limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

Residential Design Supplementary Planning Document; and, Trees and Landscaping on Development Sites SPD adopted in March 2007. Hattersley and Mottram SPG (dated April 2004) (Policy H1 (14) is the broad policy applying to the land of which this site is one parcel)

4.5 National Planning Policy Framework (NPPF)

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 11: Making efficient use of land

Section 12: Achieving well designed places

Section 15: Conserving and enhancing the Natural Environment

4.6 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Local Highway Authority concerns raised initially regarding the vehicular access arrangements to serve the development. Milverton Avenue is a narrow highway and if vehicles are parked either side (a likely scenario given the lack of on-site parking for the existing properties), there would not be sufficient width for moving vehicles to pass each other. Following the submission of a Unilateral Undertaking securing the offer of a driveway to be provided within the front curtilage of the 10 properties on the main section of Milverton Avenue (which has been signed by Onward Homes, who own 6 of these dwellings), the initial objection has been withdrawn.
- 6.2 United Utilities No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.3 Greater Manchester Ecological Unit No objections to the proposals, subject to conditions requiring a precautionary assessment in relation to badger activity on the site, restricting the timing of tree/vegetation removal and the provision of biodiversity enhancement measures within the development.

- 6.4 Borough Contaminated Land Officer No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.5 Borough Environmental Health Officer No objections to the proposals subject to conditions. Relevant conditions were also attached to the outline planning permission.
- 6.6 Borough Tree Officer No objections to the proposals. The proposed landscaping scheme is considered to be appropriate.
- 6.7 Lead Local Flood Risk Authority No objections to the proposals. Relevant conditions were attached to the outline planning permission.
- 6.8 Environment Agency No objections to the proposals. Conditions relating to the means of draining surface water from the development (including a sustainable drainage system) were attached to the outline planning permission.
- 6.9 Greater Manchester Police (Design Out Crime Officer) no objections to the proposals as no communal parking areas or rear alleyways are proposed.
- 6.10 Coal Authority No objections to the proposals as the site is considered to be in a low risk area. Standing advice to the applicant can be attached to the decision notice, informing the applicant of their responsibilities in relation to coal mining legacy during the construction process.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 One representation has been received from a resident but this relates to issues associated with the construction work currently being undertaken by the applicant on sites adjacent to Weavers Place. Complaints regarding noise and the hours of construction on those plots can be investigated but are matters that are separate to the assessment of this planning application, which is located approximately 0.5 miles away, to the west of Hattersley Road West

8.0 ANAYLSIS

- 8.1 The issues to be assessed in the determination of this planning application are:
 - 1) The principle of development;
 - 2) The impact of the design and scale of the development on the character of the site and the surrounding area;
 - 3) The impact upon the residential amenity of neighbouring properties;
 - 4) The impact on highway safety;
 - 5) The impact on flood risk/drainage;
 - 6) The appropriateness of the proposed landscaping scheme; and,
 - 7) Other matters

9.0 PRINCIPLE OF DEVELOPMENT

9.1 The principle of residential development on the site was established at the outline stage, at which point a number of dwellings was not established either in the description of development or by condition. Policy H1(14) of the Hattersley and Mottram SPG and H7 of the UDP indicate that a density between 30 and 50 dwellings per hectare should be achieved to make efficient use of land. This reserved

matters scheme would equate to approximately 35 dwellings per hectare and would therefore fall within the required range. The density of development is therefore considered to be appropriate, subject to all other material considerations being satisfied.

10.0 CHARACTER

- 10.1 The main access road into the development would connect to the western end of Milverton Avenue. The existing pair of semi-detached dwellings encircled by the application site boundary and 3 of the plots within the proposed development would provide active frontage to this access road, providing a sense of activity on entry into the development.
- 10.2 A terrace of 4 properties would front onto Hattersley Road West in the south eastern corner of the site. This would provide an active frontage to the arterial route through this part of Hattersley and this element would therefore contribute positively to the regeneration of the wider area.
- 10.3 The dwellings on the western edge of the development would front onto the western boundary of the site, providing an outward facing development across the open but undevelopable land which drops steeply down towards the railway line which lies further west of the site. Provision of an active frontage to this land is considered to be an important benefit of the scheme in place-making terms, ensuring that the land beyond does not become isolated or enclosed, circumstances in which the risk of crime may become a concern.
- 10.4 The proposed internal access road in the northern portion of the development would be actively surveyed by properties on both sides, as would the internal access road in the southern portion, connecting from the main access road into the development. The orientation of the properties would ensure appropriate definition is given each of the routes through the site, resulting in a permeable layout to the development.
- 10.5 In relation to the proposed house types, the dwellings would be predominantly 2 storey, with taller units including former windows in the front roof plane to be sited in the northern part of the development. The scheme proposes an appropriate mix of semi-detached and short terraces of units which would respond to the layout of the other recent developments across the Hattersley area.
- 10.6 Following the above assessment, it is considered that the proposals would not result in an adverse impact on the character of the area, subject to conditions requiring compliance with the materials, boundary treatments and hard and soft landscaping details submitted with the application.

11.0 RESIDENTIAL AMENITY

11.1 There would be windows at ground and first floor level in the southern elevation of plot 9, which faces the rear elevations of the semi-detached properties at 12-14 Milverton Avenue. Both windows would serve bathrooms and could therefore reasonably be obscurely glazed to prevent unreasonable overlooking into the rear of those neighbouring properties. Such a requirement can be secured by condition. The

separation distance to be retained between the corresponding elevations would be sufficient to avoid any unreasonable overshadowing of those neighbouring properties.

- 11.2 The same house type (Kenley) is also proposed in the south eastern corner of the site, with two terraces of 4 units aligned north-south to be located to the rear of the existing properties which front the southern side of Milverton Avenue. Given that the windows in the northern gable of the two terraces could be obscurely glazed without harming the amenity of the future occupiers, it is considered that no unreasonable overlooking would result into those neighbouring properties due to the separation distance to be retained. This separation distance is also considered to be sufficient to avoid any unreasonable overshadowing of those existing properties.
- 11.3 The terrace of units proposed on plots 7-9 of the development would face across the eastern boundary of the site towards the existing dwellings which back on to dwellings on the northern side of Milverton Avenue. There are windows at ground and first floor level in the western gable of the end terrace of that row of units.
- 11.4 However, the intervening distance between the corresponding elevations would include the location of one of the internal access roads within the development and the 3 bay wide car parking area proposed adjacent to the eastern boundary of the site for use by residents of the existing residents on Milverton Avenue. Given this situation, it is considered that the separation distances to be retained between the corresponding elevations would be sufficient to avoid any harmful overlooking into or overshadowing of that neighbouring property. This conclusion is reached as the distance exceeds the 14 metres distance required by the Residential Design Guide where habitable room windows face each other across an intervening highway.
- 11.5 The eastern side elevation of plot 1 within the development would face the corresponding gable elevation of the end terraced property located beyond the north eastern corner of the application site. The ground floor window in the proposed dwelling would be a secondary window to a habitable room, the first floor window would serve a bathroom. Both of these windows could therefore be obscurely glazed to prevent overlooking into the neighbouring property without harming the amenity of the future occupiers of the development. The existing neighbouring property is set back behind the front building line of the proposed dwelling at plot 1, ensuring that unreasonable overshadowing of that neighbouring property would be avoided.
- 11.6 Adequate separation distances between plots within the development would be achieved to ensure that the residential amenity of future occupants would be preserved.
- 11.7 Following the above assessment, it is considered that the proposed scheme would preserve the residential amenity of neighbouring properties and the future occupants of the development.

12.0 HIGHWAY SAFETY

- 12.1 The scheme would be accessed via an extension to the western end of Milverton Avenue. The Local Highway Authority initially raised concerns regarding the intensification of the use of Milverton Avenue, highlighting the fact that the street is a narrow highway. If vehicles are parked either side (a likely scenario given the lack of on-site parking for the existing properties), there would not be sufficient width from moving vehicles to pass each other.
- 12.2 In recognition of this concern, officers held discussions with the applicant and as a result, the applicant has submitted a Unilateral Undertaking (UU) to make the offer to each of the occupants of the 10 existing properties on the main section of Milverton Avenue that a private driveway would be constructed within the front part of their curtilage, at the expense of the applicant. Of these 10 dwellings, 6 properties are within the ownership of Onward Homes (Registered Social Landlord) who are also a signatory to the UU. The provision of the driveways within those properties is dependent upon the consent of the tenant and so the UU does not guarantee that these driveways will be provided.
- 12.3 The UU does however require the offer of the installation of a driveway within each of the 6 properties to be made, as well as the 4 privately owned properties. This situation is acceptable to the Local Highway Authority as, if the offer has been made, this would provide evidence that reasonable mitigation has been pursued by the applicant at the point where the Local Highway Authority would be seeking to impose a Traffic Regulation Order (TRO) on Milverton Avenue, restricting the ability to park on sections of that road. This would ensure that vehicles entering and leaving the development could pass each other in a safe manner. Highways Engineers have surveyed the site and are satisfied that there is sufficient space to the front of the existing dwellings to provide adequate driveway space. On the basis of the contents of the UU, the Local Highway Authority has withdrawn its initial objection to the proposals.
- 12.4 The proposal also includes provision of 14 vehicle parking spaces adjacent to the eastern edge of the development, to be used by the occupants of the existing properties on Milverton Avenue, which currently do not benefit from any on plot-provision, replacing the hardstanding areas currently used for parking by some residents, located at the western end of Milverton Avenue.
- 12.5 This is an informal situation at present as the properties do not have allocated spaces within the areas covered by hardstanding and those residents have no control over the use of that land as it is not within their ownership. The proposed development would formalise parking provision for the existing dwellings through the offer to provide a private drive to each property and provide an option for off street parking. A condition relating to the management of these spaces to ensure that they are allocated to the existing residents of Milverton Avenue is attached to the recommendation, to ensure that these spaces do provide mitigation of the impact of the development.

- 12.6 Milverton Avenue is a two lane highway, ensuring that there is sufficient space for vehicles to pass each other when vehicles are not parked within the highway. The provision of dedicated spaces beyond the confines of the highway would reduce demand for on-street parking and the Unilateral Undertaking provided by the applicant would give the residents of Milverton Avenue the option to have a private driveway installed within their plot, at the expense of the applicant.
- 12.7 There are powers available to the Local Highway to introduce parking restrictions within the highway which would be a more realistic proposition with the provision of the proposed dedicated spaces.
- 12.8 Given the two lane nature of the road, such restrictions would not need to apply to the full length of both sides of the highway to avoid a highway safety hazard. It is also the case that the scheme proposes a turning head at the end of the proposed access road, which, along with the formalisation of parking arrangement for existing residents, would result in a safer access arrangement for refuse collection wagons, which currently access Milverton Avenue in reverse.
- 12.9 Within this context, officers consider that the harm arising from the proposed access arrangements in relation to highway would not be sufficient to warrant refusal of the application.
- 12.10 A condition requiring full details (including construction materials, levels and details of drainage infrastructure) of the construction of the new sections of the access road, parking areas and associated highway can be secured by condition to ensure that the proposed means of access preserves highway safety. A condition requiring the submission of an external lighting scheme was imposed at the outline stage and therefore does not need to be re-imposed.
- 12.11 The scheme makes provision for 2 car parking spaces per dwelling, in addition to the 14 spaces to be provided for the existing residents of Milverton Avenue referred to previously, meeting the requirements of the Residential Design Guide.
- 12.12 The applicant has agreed to the principle of establishing temporary access arrangements from Hattersley Road West into the site, during the construction phase of the development. This would minimise the impact of the works on the highway safety of Milverton Avenue, as well as the residential amenity of the properties on that street. Condition 10 of the outline planning permission required the submission and approval of details associated with the construction phase but a more specific condition is recommended to ensure that a suitable phasing approach is adopted
- 12.13 On the basis of the above assessment and given the relatively low density of the scheme, it is considered that the proposals would not result in a severe impact on highway safety. In accordance with the guidance contained within paragraph 109 of the NPPF, planning permission should not be refused on highway safety grounds.

13.0 FLOOD RISK/DRAINAGE

13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. United Utilities have raised no objections to the proposals and condition 8 of

the outline planning permission required the submission and approval of a sustainable system for draining surface water from the site. Condition 9 requires that surface and foul water are drained form the site via different systems. These conditions do not need to be re-applied at this reserved matters stage.

14.0 LANDSCAPING

- 14.1 The applicant has submitted details of the proposed hard and soft landscaping scheme. The species mix on this parcel include Maple and Hornbeam trees and the plans detail the location of shrub and hedge planting and areas to be grassed. Details are also provided in relation to the number of each type of species to be planted, their height on planting and protection of the hedge and tree planting to be installed.
- 14.2 The Tree Officer has no objections to the proposals. The scheme would focus tree planting on the northern and western edges of the development, effectively referencing the undeveloped nature of the land beyond those boundaries of the site. Trees would also be planted adjacent to the internal roads and to break up the mass of the hardstanding in the proposed parking area to be provided for existing residents on Milverton Avenue. Subject to a condition requiring the implementation of the landscaping scheme prior to occupation of the development and stipulating on-going management requirements, the soft landscaping scheme is considered to be acceptable.
- 14.3 In relation to hard landscaping, the plans indicate that the private access roads serving the properties on the western edge of the development would be constructed from Brindle block paviours, with grey paving located around the external edges of the dwellings. In terms of boundary treatments, following revisions to the scheme, those boundaries that would be prominent being treated by either brick/stone walls, metal railings or hedges. Close boarded fencing would be limited to the rear and less visible side boundaries of plots. The proposed hardstanding and boundary treatments are considered to be acceptable.
- 14.4 Following the above assessment, the soft and hard landscaping proposals are considered to be acceptable.

15.0 OTHER MATTERS

- 15.1 A condition requiring an investigation into sources of contamination on the site was attached to the outline planning permission and therefore does not need to be reimposed at the reserved matters stage. The Coal Authority has confirmed that it has no objections to the proposals as the site is considered to be low risk in relation to the legacy of coal mining.
- 15.2 In relation to ecology, the Greater Manchester Ecology Unit has raised no objections to the proposals, subject to the imposition of conditions limiting the timing of tree/vegetation removal and requiring the inclusion of biodiversity enhancements within the scheme. A condition requiring a precautionary survey of the site for badger activity prior to the commencement of development is also recommended and is

- considered to be reasonable given that badgers have been recorded within the vicinity of the site.
- 15.3 Whilst the inclusion of soft landscaping would represent a partial enhancement, given the fact that a large part of the site is currently open grassland, it is considered that further measures to enhance biodiversity are required and that this condition is reasonable, applying the principles stated in paragraph 175 of the NPPF. Condition 15 on the outline planning permission imposed limits on the timing of tree/vegetation removal. This condition does not need to be re-imposed at this reserved matters stage therefore
- 15.3 In relation to designing out crime, Greater Manchester Police have not raised any concerns in relation to the layout of this parcel, which does not include any alleyways providing access to the rear of plots and no communal parking areas are proposed.
- 15.6 In relation to bin storage, there is considered to be sufficient space within each of the plots to ensure adequate provision for each dwelling. The details of the exact location and means of enclosure must be submitted and approved in order to comply with condition 12 of the outline planning permission.

16.0 CONCLUSION

- 16.1 The principle of residential development on the site was established at the outline stage. That the density of development complies with the parameters set out in local policy (which was not prescribed at the outline stage), the quantum of development proposed is considered to be acceptable.
- 16.2 The proposed layout would preserve the character of the site and surrounding area and would positively contribute to the wider regeneration of this part of Hattersley. The development would preserve the residential amenity of neighbouring residents and the proposed soft and hard landscaping schemes are considered to be appropriate.
- 16.3 Following the submission of the UU which includes a commitment by the applicant to offer the provision of driveways to each of the 6 existing properties owned by Onward Homes and the 4 privately owned dwellings on Milverton Avenue, the Local Highway Authority has withdrawn its initial objections to the proposals. The objection has been withdrawn on the basis that even if this offer is not accepted by the tenants of the properties, this offer would provide an evidence base for a future TRO to restrict parking within Milverton Avenue, to ensure safe access and egress into the proposed development.
- 16.4 Given this situation, the fact that the scheme would provide 2 spaces per plot and also 14 spaces to compensate for the loss of the existing informal parking area within the site, it is considered that the proposals would not result in a harmful impact on highway safety.
- 16.5 There are no objections to the proposals from the statutory consultees in relation to flood risk/drainage, landscaping, contaminated land or any of the other material considerations.

16.6 The application is therefore considered to accord with the relevant national and local planning policies listed earlier in this report.

RECOMMENDATION

Grant planning permission, subject the following conditions:

1. The development hereby approved shall be carried out in accordance with the following approved plans received on 2 March 2018:

1:1250 Site location plan (Drawing no. 476-P-LP11-01)

Amended proposed boundary treatments layout plan (Drawing no. 476-P-BLT11-01 Rev. 2)

Amended proposed hard landscaping layout plan (Drawing no. 476-P-HLL11-01 Rev. 1)

Amended proposed materials layout plan (Drawing no. 476-P-ML11-01 Rev. 1)

Amended proposed planning layout plan (Drawing no. 476-P-PL11-01 Rev. 3)

Proposed soft landscaping plan (Drawing no. c-1663-01 Rev. A)

Proposed Ennerdale Classic Detached plans and elevations (Drawing no. 01 Rev. D)

Proposed Kenley Classic (Mid) plans and elevations (Drawing no. 01 Rev. D)

Proposed Kenley Classic (End) plans and elevations (Drawing no. 01 Rev. D)

Proposed Kingsville (Mid) plans and elevations (Drawing no. 01 Rev. E)

Proposed Kingsville (End) plans and elevations (Drawing no. 01 Rev. E)

Proposed Kingsville (Mid - 2nd) plans and elevations (Drawing no. 01 Rev. E)

Proposed Kingsville (End - 2nd) plans and elevations (Drawing no. 01 Rev. E)

Proposed Lutterworth plans and elevations (Drawing no. 01)

Proposed Maidstone Front gable Classic Detached plans and elevations (Drawing no. 01 Rev. D)

Proposed Maidstone Classic (Hipped End Terrace) plans and elevations (Drawing no. 01 Rev. D)

Proposed Maidstone Classic (Mid) plans and elevations (Drawing no. 01 Rev. D)

Proposed Maidstone Classic (Terrace End) plans and elevations (Drawing no. 01 Rev. D)

Proposed Maidstone Classic (Terrace End – 2nd) plans and elevations (Drawing no. 01 Rev. D)

Proposed Maidstone Classic (Terrace - Mid) plans and elevations (Drawing no. 01 Rev. D)

Proposed Moresby Classic (End) plans and elevations (Drawing no. 01 Rev. C)

- 2. No development shall commence until details of the construction of the vehicular and pedestrian access arrangements to serve the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans of the access (including sections and existing and proposed ground levels) indicating the visibility splays to be achieved on either side of the proposed access into the existing highway
- 3. The materials to be used in the construction of the external elevations of the buildings, boundary treatments and hard surfaced areas shall be carried out in accordance with the details shown on the following approved plans:

Amended proposed materials layout plan (Drawing no. 476-P-ML11-01 Rev. 1) Amended proposed hard landscaping layout plan (Drawing no. 476-P-HLL11-01 Rev. 1)

Amended proposed boundary treatments layout plan (Drawing no. 476-P-BLT11-01 Rev. 2)

The development shall be retained as such thereafter.

- 4. No development shall commence until a precautionary survey in relation to badger activity on the site has been undertaken and a method statement detailing any necessary mitigation measures have been submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented on the first commencement of development and shall be retrained as such thereafter.
- 5. The car parking spaces to serve each dwelling as part of the development hereby approved and the 14 car parking spaces to be provided on the eastern edge of the development for the existing residents on Milverton Avenue shall be laid out as shown on the approved site plan (Drawing no. 476-P-PL11-01 Rev. 3) prior to the first occupation of that dwelling and shall be retained free from obstruction for their intended use thereafter. Driveways shall be constructed on a level which prevents displacement of materials or surface water onto the highway and shall be retained as such thereafter.
- 6. The boundary treatments to be installed on each of the plots within the development hereby approved shall be installed in accordance with the details as shown on Drawing no. 476-P-BLT11-01 Rev. 2 (boundary treatments plan) prior to the occupation of that dwelling. The brickwork used in the construction of the boundary walls and piers shall match in colour and external appearance the materials detailed on approved Drawing no. 476-P-ML11-01 Rev. 1 (materials plan). The railings shall be painted black (RAL9005) and shall be retained as such thereafter.
- 7. The approved scheme of soft landscaping scheme detailed on approved Drawing no. c-1663-01 Rev. A shall be implemented in accordance with the approved details before the first occupation of any part of the development or in accordance with a programme agreed previously with the local planning authority. Any newly planted trees or plants forming part of the approved scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species.
- 8. No development above ground level shall commence until details of Biodiversity enhancement measures to be installed as part of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification of the installations and scaled plans showing their location within the development. The approved enhancement measures shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings and shall be retained as such thereafter.
- 9. Prior to the occupation of the dwellings located on plots 1, 9, 33 and 34 of the development hereby approved (as labelled on approved layout plan Drawing no. 476-P-PL11-01 Rev. 3), the windows in the following elevations of those units shall be fitted with obscured glazing (meeting Pilkington Standard Level 3 in obscurity as a

minimum) and shall be non-opening below a height of 1.7 metres above the internal floor level of the room that they serve:

- eastern side elevation of plot 1
- southern elevation of plot 9
- northern elevation of 33 and 34

The development shall be retained as such thereafter.

- 10. Prior to the first occupation of any of the dwellings hereby approved, details of a management plan to ensure that the 14 car parking spaces adjacent to the eastern boundary of the site (as indicated on approved site plan (Drawing no. 476-P-PL11-01 Rev. 3) are retained for the use of the existing properties on Milverton Avenue only shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented in accordance with the approved details on occupation of the fist dwelling and shall be retained as such thereafter.
- 11. No development shall commence until a scaled plan showing the phasing of the construction of the development hereby approved and indicating the location of the temporary access road to be installed during the construction phase (showing a direct connection to Hattersley Road West, south of Milverton Avenue) and a management plan detailing the measures to be employed to enforce the use of this access only by contractors have been submitted to and approved in writing by the Local Planning Authority. The construction phase of the development shall be carried out in accordance with the approved details.



Application Number: 19/00245/REM Milverton Avenue

Photo 1 – view of western end of Milverton Avenue from hardstanding area in the south eastern corner of the site



Photo 2 - view looking eastwards from within the site, towards Milverton Avenue



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Photo 3 – view of western gable elevation of 14 Milverton Avenue



Photo 4 – view of existing properties at 12 and 14 Milverton Avenue which are surrounded by the application site.



Photo 5 – view looking westwards towards the south western corner of the site



Photo 6 – view looking westwards towards the north western corner of the site



Photo 7 – view looking northwards across the eastern portion of the site



Photo 8 – view of the rear elevations of the properties on the southern side of Milverton Avenue





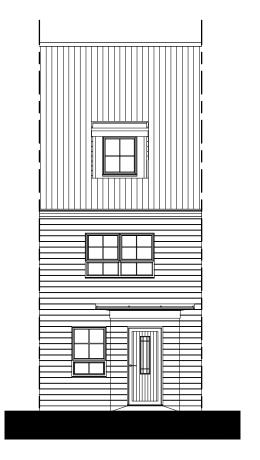


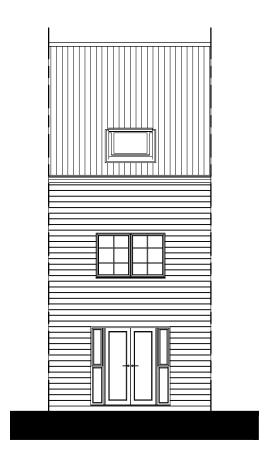


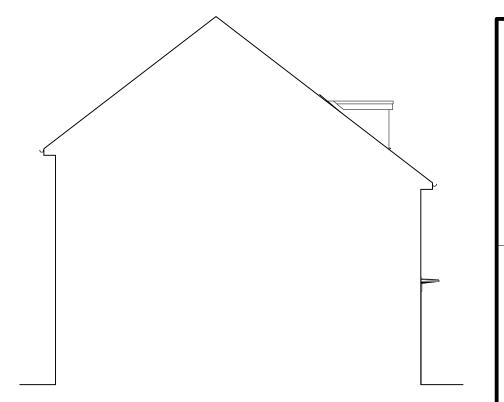








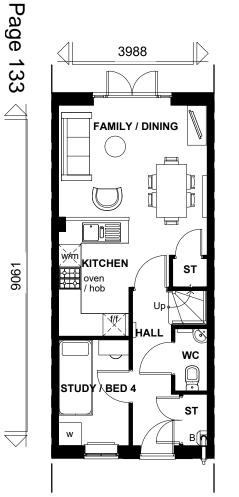


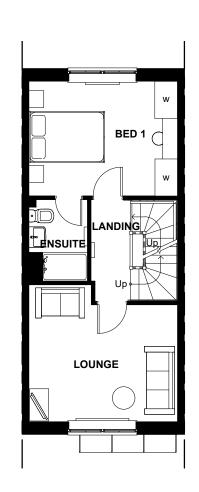


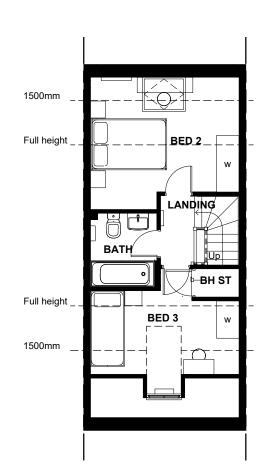
FRONT ELEVATION

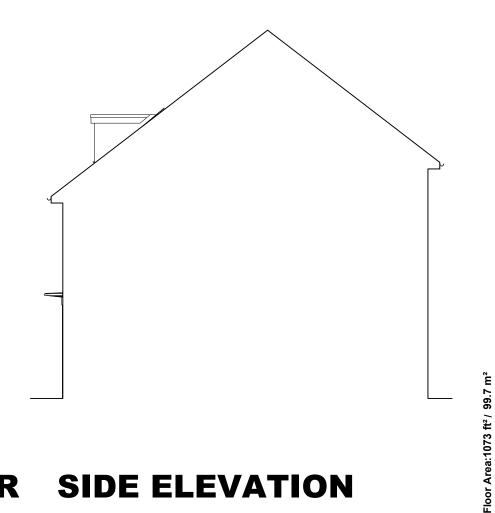
REAR ELEVATION

SIDE ELEVATION









GROUND FLOOR FIRST FLOOR

SECOND FLOOR

SIDE ELEVATION

Date: Mar 2019 Drawing No:01 House Type Code: BKIS 56SI Sales Name: Kingsville (Mid)

Date Jan 2018

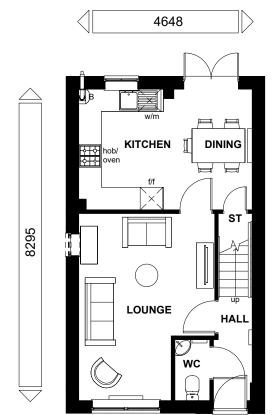
Jun 2018





REAR ELEVATION

SIDE ELEVATION





BED 2

GROUND FLOOR FIRST FLOOR



SIDE ELEVATION

Floor Area:830 ft² /77.1 m²

(Det)		Date: Mar 2019	Scale: 1 : 100@A3
Sales Name: Maidstone Classic (Det)	House Type Code: BMAI 56FG	Spec: AMBASSADOR Drawing No:01	Checked:
Sales Name: I	House Type C	Spec:AMBASSA	Drawn: SC

Date Sep 2017

Mar 2018

Agenda Item 5e

Application Number 19/00545/FUL

Proposal Variation of conditions 3 (car parking arrangements), 4 (boundary

treatments) and 8 (refuse storage) of planning permission

17/00534/REM

Site Site of former Samuel Laycock School, Mere Side, Stalybridge

Applicant Contour Homes

Recommendation Grant planning permission subject to conditions

Reason for report A Speakers Panel decision is required because the application

constitutes major development.

1.0 APPLICATION DESCRIPTION

- 1.1 The applicant seeks full planning permission for the variation of conditions 3 (car parking arrangements), 4 (boundary treatments) and 8 (refuse storage) of planning permission 17/00534/REM.
- 1.2 Condition 3 of planning permission 17/00534/REM states that 'The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drawing number 02 Issue P13), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.'
- 1.3 This application seeks to make a minor alteration to the position of the car parking space at the rear of plot 27, moving the space eastwards from the western boundary of the site and relocating the bin storage area to adjacent to the western boundary of the plot.
- 1.4 Condition 4 of planning permission 17/00534/REM states that 'The boundary treatments shown on the approved proposed boundary treatment elevations plan (Drawing number 03 Issue P2) shall be installed in the locations shown on plan ref. proposed site plan (Drawing number 02 Issue P13), in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved.'
- 1.5 This application seeks to make a minor alteration to the boundary treatment of plot 27 to extend the 1.2 metre high close boarded fencing around the perimeter of the relocated car parking space and pulling the fence line further towards the southern boundary of that plot, with the metal railings at the back edge of the footway being retained in the approved position.
- 1.6 Condition 8 of the planning permission related to the provision of the bin storage arrangements for each plot as identified on the approved plans. Minor re-alignment of the means of enclosure to screen the refuse storage areas are proposed within some of the plots.

2.0 SITE & SURROUNDINGS

2.1 The application site is 1.38 hectares in area and is located to the north of Mere Side and Lake Road, Stalybridge. Existing residential development lies to the south of the site and the area is characterized by a mix of detached, semi-detached and terraced properties. Stamford Park, a Grade II registered park and garden, lies to the west and north of the site. A footpath runs outside of the site along the southern and eastern boundaries. The site is currently being developed out following the grant8ing of the original reserved matters application.

3.0 PLANNING HISTORY

- 3.1 18/00654/MATCH non material amendment to include an additional window at ground floor level in the gable elevation of 2 of the plots (7 and 11) (to be obscurely glazed, as labelled on the submitted plans), the widening of part of the footway in the south western corner of the site and the use of tarmac to treat the road surface in the eastern and north western parts of the development approved
- 3.2 17/00534/REM Approval of the layout, scale, appearance and landscaping for 2 storey residential development comprising 44 new dwellings (following granting of outline planning permission under ref. 16/00856/OUT. approved
- 3.3 16/00856/OUT Outline application for residential development and associated works approved

4.0 RELEVANT PLANNING POLICIES

- 4.1 National Planning Policy Framework (NPPF)
- 4.2 Planning Practice Guidance (PPG)

4.3 Tameside Unitary Development Plan (UDP) Allocation

Not allocated, within the settlement of Stalybridge

4.2 Part 1 Policies

- 1.3: Creating a Cleaner and Greener Environment.
- 1.4: Providing More Choice and Quality Homes.
- 1.5: Following the Principles of Sustainable Development
- 1.6 Securing Urban Regeneration
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.3 Part 2 Policies

H2: Unallocated sites

H4: Type, size and affordability of dwellings

H5: Open Space Provision

H7: Mixed Use and Density (Density being relevant to this proposal)

H10: Detailed Design of Housing Developments

OL10: Landscape Quality and Character

T1: Highway Improvement and Traffic Management.

T10: Parking

T11: Travel Plans.

C1: Townscape and Urban Form

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 2018:

The Greater Manchester Combined Authority (GMCA) has consulted on the draft Greater Manchester Spatial Framework Draft 2019 ("GMSF") which shows possible land use allocations and decision making polices across the region up to 2038. The document is a material consideration but the weight afforded to it is limited by the fact it is at an early stage in its preparation which is subject to unresolved objections

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 5: Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 11: Making efficient use of land

Section 12: Achieving well designed places

Section 15: Conserving and enhancing the Natural Environment

4.6 Planning Practice Guidance (PPG)

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

5.0 PUBLICITY CARRIED OUT

5.1 Neighbour notification letters were issued in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's adopted Statement of Community Involvement.

6.0 RESPONSES FROM CONSULTEES

- 6.1 Local Highway Authority no objections to the proposals.
- 6.2 Borough Environmental Health Officer (EHO) no objections to the proposals.

7.0 SUMMARY OF THIRD PARTY RESPONSES RECEIVED

7.1 No representations have been received.

8.0 ANAYLSIS

- 8.1 National Planning Practice Guidance promotes flexible options for planning permissions. Section 73 of the Town and Country Planning Act 1990 allows for applicants to apply to the Local Planning Authority to amend or vary conditions placed on a planning consent. Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. The only restriction under section 73 is that planning permission cannot be granted to extend the time limit within which a development must be started.
- 8.2 NPPG advises that; 'In deciding an application under section 73, the local planning authority must only consider the disputed condition's that are the subject of the application it is not a complete re-consideration of the application.' The original planning permission will continue to exist.
- 8.3 The principle of development was established through the granting of outline planning permission ref. 16/00856/OUT and reserved matters approval ref. 17/00534/REM determined the scale, layout and landscaping of the development. This application seeks to make minor amendments to the scheme approved at the reserved matters stage in relation to parking layout, boundary treatments and bin storage associated with one of the plots
- 8.4 The issues to be assessed in the determination of this planning application are:
 - The impact of the revisions to the previously approved scheme on the character of the surrounding area.
 - The impact of the revisions to the previously approved scheme on the residential amenity of neighbouring properties
 - The impact of the revisions to the previously approved scheme on highway safety

9.0 CHARACTER

- 9.1 The proposed extension of the 1.2 metre high fencing around the perimeter of the relocated car parking space associated with plot 27 would not result in a detrimental impact in the character of the development and would represent a modest change to the appearance of the extant scheme.
- 9.2 The extant scheme approved 1.5 metre high fencing along the rear boundary of the original parking space and 1.2 metre high fencing along the southern edge of the garden of that plot. The proposed alteration to the alignment of that fence would bring it closer to the 1 metre high railings on the back edge of the footway. However, this revised fence line would not be prominent in views from Mere Side looking into the development and the height of the fencing at the rear of the parking space would be reduced by 300mm in relation to the approved scheme.

- 9.3 The proposed relocated bin store would be screened from public view by a taller fence in this revised scheme than the extant permission and this alteration would therefore not result in an adverse impact on the character of the area.
- 9.4 The proposed re-alignment of the screening to the bin storage areas within some of the plots would not result in an adverse impact on the character of the area, with all storage areas still contained within the curtilage of each of the properties.
- 9.5 Following the above assessment, it is considered that the proposed amendments to the extant scheme would not result in an adverse impact on the character of the site or the surrounding area.

10.0 RESIDENTIAL AMENITY

- 10.1 The proposed alterations would not result in a reduction in the separation distances between any of the buildings within the development or the pre-existing neighbouring properties. The amendment to the location of the fence line on the southern boundary of plot 27 would not be so significant as to result in harm to the amenity of the properties to the south through unreasonable overshadowing over and above the extant position. The same assessment applies to the relocation and minor modification to the bin store and screening. There are no objections on amenity grounds from the Environmental Health Officer. The proposed re-alignment of the screening to the bin storage areas within some of the plots would not result in an adverse impact on the residential amenity of any neighbouring properties.
- 10.2 The amended proposals would therefore not result in a detrimental impact on the residential amenity of any neighbouring properties.

11.0 HIGHWAY SAFETY

11.1 The proposal would result in a modest relocation of the car parking space to the rear of plot 27. The proposals would not result in a reduction in the number of car parking spaces across the development and the driveway would remain of sufficient length. As a result, the proposals would not result in an adverse impact on highway safety. This assessment is corroborated by the lack of objection from the Local Highway Authority to the proposals.

12.0 CONCLUSION

- 12.1 The minor nature of the modifications to the location of the parking space, the boundary treatment associated with plot 27 and the minor re-alignment of the screening to the bin storage areas within some of the plots are considered not to result in a detrimental impact on the character of the area, the residential amenity of neighbouring properties or highway safety.
- 12.2 The proposals are therefore considered to comply with the relevant national and local planning policies quoted above.

RECOMMENDATION

Grant planning permission, subject the following conditions:

- 1. The development hereby approved shall be carried out in accordance with the following approved plans: Proposed site plan (Drawing number 102 Issue R2), proposed street elevations (1 of 2) (Drawing number 09 Issue P2), proposed street elevations (2 of 2) (Drawing number 10 Issue P2), proposed house type plans (Drawing number 05 Issue P5, Drawing number 06 Issue P5, Drawing number 07 Issue P5, Drawing number 08 Issue P4), amended floor plans (Drawing number 04 Issue P8), amended plan entitled Soft landscape Layout produced by Brooklyn Landscapes Ltd (Rev. F), proposed boundary treatment elevations plan (Drawing number 03 Issue P2) and eastern boundary elevation plan (Drawing no. SK01 Issue P1).
- 2. The materials to be used in the construction of the external faces of the buildings hereby approved shall accord with the details shown on drawing no.s 08 Issue P4, 07 Issue P5, 06 Issue P5 and 05 Issue P5 submitted as part of discharge of condition application ref. 18/00040/PLCOND and shall be retained as such thereafter.
- 3. The car parking spaces to serve the development hereby approved shall be laid out as shown on the approved proposed site plan (Drawing number 102 Issue R2), prior to the first occupation of any of the dwellings hereby approved and shall be retained free from obstruction for their intended use thereafter.
- 4. The boundary treatments shown on the approved proposed boundary treatment elevations plan (Drawing number 03 Issue P2) shall be installed in the locations shown on plan ref. proposed site plan (Drawing number 102 Issue R2), in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved.
- 5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the Local Planning Authority prior to the occupation of any part of the development. Any newly planted trees or plants forming part of the approved landscaping scheme which, within a period of 5 years from the completion of the planting, are removed, damaged, destroyed or die shall be replaced in the next appropriate planting season with others of similar size and species by the developer unless the local planning authority gives written consent to any variation.
- 6. The visitor car parking spaces, and the associated landscaping within the development hereby approved shall be managed and maintained in accordance with the details included within the statement produced by Onward approved under discharge of condition application ref. 18/00109/PLCOND and shall be retained as such thereafter.
- 7. Prior to the occupation of any part of the development hereby approved, visibility splays shall be provided on both sides of the site access where it meets the footway. The visibility splays shall measure 2.4metres along the edge of the site access and 2.4 metres along the footway. It must be clear of anything higher than 600mm above ground level. The visibility splays shall be retained as such thereafter.

8.	The bin storage arrangements to serve each plot shall be installed in accordance with the details indicated on approved plan drawing no. 102 Issue R2 prior to the first occupation of that plot and shall be retained as such thereafter.



Application Number: 19/00545/FUL Samuel Laycock

Photo 1 – view looking south westwards along southern boundary of the site



Photo 2 - view looking south westwards along southern boundary from within the site



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Photo 3 – view of entrance to the site on Mere Side

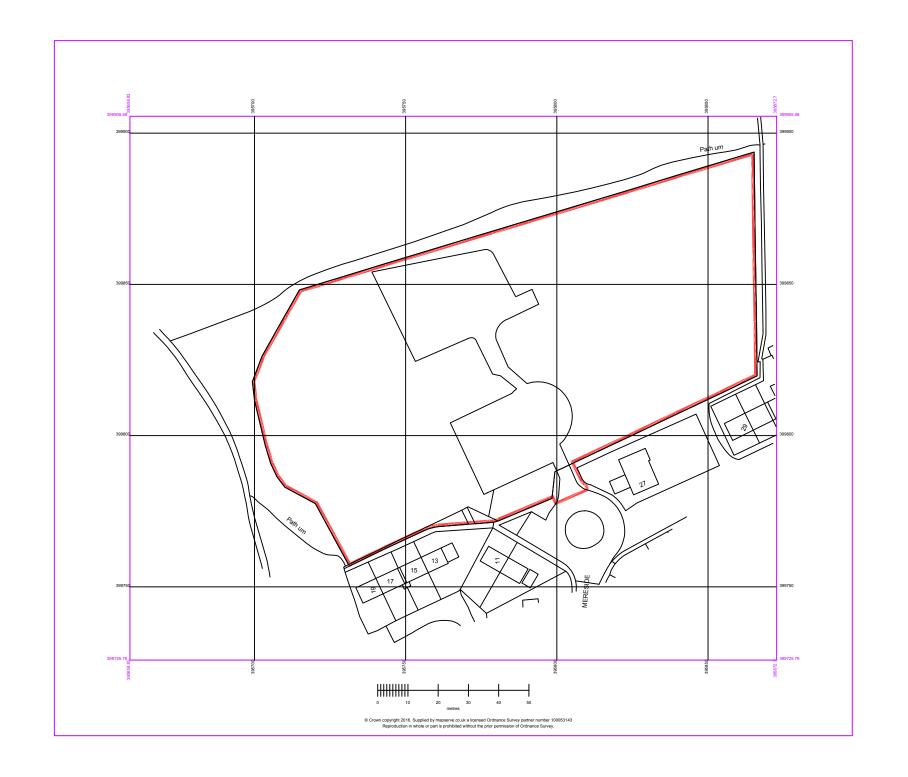


Photo 4 – view of entrance into Mere Side from Junction with Lake Road





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General Notes

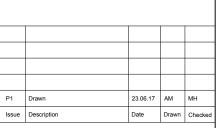
01: Dimensions must not be scaled from this drawing. If in doubt, please ask.

02: All dimensions are in millimetres unless noted otherwise.

03: All dimensions should be verified on site before proceeding with the work.

04: TADW Architects shall be notified in writing of any discrepancies.

05: © TADW Limited (UK) 2015



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

For Approval



Six St. Petersgate Stockport Cheshire SK1 1HD Ph 0161 477 6158 Fx 0161 480 8342 mail@tadw.co.uk www.tadw.co.uk

Client The Casey Group / Contour Homes

Site of Former Samuel Laycock School, Stalybridge

Location Plan

Scale 1:1250 @ A3

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

Job Number 711237 Issue P1 Drawing Number 00

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Appeal Decision

Site visit made on 26 July 2019

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st August 2019

Appeal Ref: APP/G4240/D/19/3230080 18 Hollybank, Droylsden, Tameside, Manchester M43 7SP

- 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 Mrs Julie North against the decision of Tameside Metropolitan Borough Council.
- The application Ref 19/00254/FUL, dated 19 March 2019, was refused by notice dated 20 May 2019.
- The development proposed is a first floor extension to the front.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the street scene.

Reasons

- 3. The appeal relates to No 18 Hollybank (No 18), a two storey house that sits within a short row of three terraced houses linked by a car port to a pair of semi-detached houses. There is an existing porch to the front of the house and it is proposed to extend over this at first floor level to accommodate an en-suite bathroom.
- 4. Nos 8-20 Hollybank are a mixture of semi-detached and terraced houses, but are very uniform in their appearance, notably including front monopitch porches, with gable roof detailing over the first floor window above.
- 5. The extension would not extend further than the existing porch and would be finished in matching external materials. However, the first floor extension would result in a two storey projecting gable which would be very dominant in the street scene and would result in the loss of rhythm and uniformity of houses on this side of Hollybank. Further, although forming part of a terrace of three, Nos 18 and 20 Hollybank are handed so that the porch for No 18 is not centrally located in the elevation of the terrace. The size and scale of the proposed extension would unbalance this composition.
- 6. I have had regard to Nos 12 and 14 Newton Street (Nos 12 and 14) referred to by the appellant which have been extended at first floor in a similar way to the proposals before me. Nos 12 and 14 are a pair of semi-detached houses at the

end of Newton Street adjacent larger detached houses. The extension of both Nos 12 and 14 means that the elevation would not be unbalanced in a similar way to the appeal proposal and they are not therefore directly comparable. In any event, I have considered the appeal proposals on its merits and against the particular street scene within which it would be set.

- 7. For the reasons above, I conclude that the proposed extension would cause harm to the character and appearance of the street scene. It would therefore conflict with paragraph 127 of the National Planning Policy Framework and Policies 1.3, C1 and H10 of the Tameside Unitary Development Plan, 2004, which all promote good design that responds well to local context and surroundings.
- 8. There would also be a conflict with the guidance at Policies RED1 and RED9 of the Tameside Residential Design Supplementary Planning Document, 2010 because the extensions would alter the scale and massing of the house in a way that was not appropriately proportioned, detracting from the character of the street scene.

Conclusion

9. For the reasons above, and taking all other matters into account, I conclude the appeal should be dismissed.

R. Jones

INSPECTOR

Appeal Decision

Site visit made on 9 July 2019

by J M Tweddle BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2019

Appeal Ref: APP/G4240/W/3227157 40 Ardenfield, Denton M34 7LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mrs Melanie Manwaring against the decision of Tameside Metropolitan Borough Council.
- The application Ref 18/00059/OUT, dated 20 January 2018, was refused by notice dated 14 November 2018.
- The development proposed is described as the building of two houses on land to the rear of 40, Ardenfield M34 7LN. Access to the site to be obtained directly from the hammerhead end of Ardenfield (between house numbers 40 and 38) by the removal of a section of hedge and the demolition of a single garage, both owned by the applicant.

Decision

1. The appeal is dismissed.

Procedural Matters

- 2. The full description of development as stated on the application form is set out above. The Council's decision notice has described the development as 'erection of two dwellinghouses'. This is a more accurate and succinct description of what is proposed, and I have therefore considered the appeal on this basis.
- 3. The planning application was submitted in outline with all matters reserved except for access. A proposed block plan and 3D visualisations (Drawing No 1812 01) accompany the proposal and I have had regard to them as indicative, other than the proposed access arrangements, and only in so far as establishing whether it would be possible, in principle, to develop the site for housing.
- 4. A revised version of the National Planning Policy Framework (the Framework) was published on 19 February 2019 and this post-dates the Council's refusal notice. I have had regard to the revised Framework in my decision and I am satisfied that this has not prejudiced either party.

Main Issues

5. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of existing and future occupiers with particular regard to the amount of amenity space and privacy.

Reasons

Character and Appearance

- 6. The appeal site forms part of the rear garden area of a semi-detached house. The property occupies a corner plot and is typical of other housing in this residential estate, the street scene of which is generally characterised by evenly spaced pairs of semis aligned in an orderly manner fronting the highway and benefitting from good sized front and rear gardens. Indeed, the deep and verdant garden of the appeal site and its neighbours, along with a mature band of woodland which borders these gardens, provide a sylvan backdrop to the properties along this part of the street and contribute significantly to the pleasant, verdant and spacious suburban character of the area.
- 7. The indicative plans show a pair of semi-detached bungalows taking up a substantial part of the rear garden area of the host property, thereby introducing a form of backland development that would be at odds with the orderly manner of development described above. The result would be a pair of houses that would not integrate well with their surrounding context.
- 8. Whilst the bungalows would likely be of limited scale, their positioning to the rear of the host dwelling and absence of any positive street frontage would result in a cramped and discordant form of development that fails to reflect the spatial characteristics and prevailing pattern of development of the surrounding area. Furthermore, the loss of a significant area of garden would erode the spacious and verdant character I have mentioned above.
- 9. The appellant suggests that the proposed dwellings would be approximately in line with No 38A Ardenfield, which is set back from the street, and so would respect established building lines. However, 38A is read as a continuation of the existing street scene along the western side of Ardenfield, comprising No's 38, 36, 34, and so on. 38A is to the side of, and generally in line with, these existing properties unlike the appeal proposal that would extend built form to the rear of, and thereby away from, the established street scene.
- 10. It is also suggested that there would be limited views of the appeal proposal, thereby reducing any potential visual harm. Although, during my site visit, I could see clear and extensive views through the site, and to the woodland beyond, from a number of points along the adjacent public highway. Indeed, the removal of the existing garage, to enable access to the site, would increase the site's prominence within the street scene and further emphasise its poor relationship with the existing housing.
- 11. Consequently, I find the proposal would harm the character and appearance of the area. This is contrary to saved Policies H9 and H10 of the Tameside Unitary Development Plan 2004 (the TUDP) and Section 12 of the Framework which together require residential development to be of a high quality design that complements or enhances the character and appearance of the surrounding area.

Living Conditions

12. At present No 40 is served by a garden of ample size which reflects the character of the area and is commensurate with the size of the property. Saved Policy H9 of the TUDP seeks to retain residential garden areas and ensure that privacy is maintained between existing and proposed dwellings and their

gardens. This approach is broadly consistent with the requirements of the Framework which seek to ensure the provision of appropriate levels of amenity for existing and future users and to resist the inappropriate development of residential gardens where such development would cause harm to the local area.

- 13. The appellant states that the remaining garden area of No 40 would be of a significant size to serve the dwelling and that adequate private amenity space has been provided to reflect the limited size and scale of the proposed dwellings. In fact, the proposal would see the loss of the garage to the side of No 40, to gain access to the site, and what appears to be over 50% of the existing rear private garden area. This is a substantial loss of amenity space that would fall significantly short of the generous garden sizes found in this part of the housing estate and what would reasonably be expected by the occupants of the existing property.
- 14. Similarly, I find the private amenity space proposed for the two new dwellings to be particularly small with the usable area likely to be even smaller due to the significant gradient of the site along its south eastern boundary. Consequently, I am of the view that the size of the amenity space for both the existing and proposed dwellings would be inadequate and far less than what could reasonably be expected by future occupants.
- 15. It is suggested that the remaining garden area would be comparable to that of the rear garden area at No 54, at the end of this row of houses. However, I have not been provided with the dimensions of this garden area and therefore am unable to draw any firm conclusions in this regard.
- 16. Turning now to the matter of privacy, the Council are concerned that the minimum 20 metre window to window distance for habitable rooms has not been achieved in accordance with the guidance set out in their Residential Design Supplementary Planning Document (the SPD). Whilst this is a valid concern, I am mindful that matters of layout, scale and appearance are all reserved for consideration at a later stage and therefore, as the appellant suggests, the detailed design of the properties and the positioning of windows could be dealt with at the reserved matters stage to ensure acceptable levels of privacy are maintained between the properties. I also find, in relation to matters of privacy, no conflict between the existing and proposed garden arrangements.
- 17. To conclude on this main issue, whilst there would be no unacceptable loss of privacy, I have found that the provision of amenity space for the proposed dwellings would be inadequate. In combination with the significant loss of private garden space from the existing house, this would be harmful to the living conditions of the occupiers of No 40 and the future occupiers of the proposed dwellings. This would be contrary to saved Policies H9 and H10 of the TUDP and the provisions of the Framework which, amongst other things, seek to resist the inappropriate development of garden areas and ensure high standards of amenity for all existing and future occupiers.

Planning Balance

18. Both parties agree that the Council is unable to demonstrate a five year supply of deliverable housing sites. In accordance with footnote 7 of paragraph 11d of the Framework, the lack of a five year supply of deliverable housing sites

renders the policies which are most important for determining the proposal to be out-of-date. This would indicate that planning permission ought to be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. In this case, from the evidence before me, the proposal does not relate to an asset or area of particular importance and therefore policies which afford protection to such assets and areas do not apply. It is therefore necessary for me to balance the benefits of the proposal against any adverse impacts and in light of the 'tilted balance' set out in paragraph 11d)ii of the Framework.

- 19. In the context of the development plan, I have found that the proposed development would be harmful to the character and appearance of the area and would not provide acceptable living standards to current and future occupants. In these regards, the proposal is contrary to saved Policies H9 and H10 of the TUDP. I have found these policies to be generally consistent with the relevant aims and requirements of the Framework and whilst they can act to restrict development, I attach substantial weight to them and the harm that arises in this case from the conflict I have found with them.
- 20. Turning to the benefits, the proposal would provide two additional dwellings with some economic and social benefits derived from its construction and occupation. These benefits are tempered by the limited amount of development that is proposed, but nevertheless carry modest weight in favour of the development, mindful of the housing land supply shortfall.
- 21. Overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, in the context of paragraph 11 of the Framework, the proposal would not represent sustainable development and I consider that the balance of considerations is against the appeal proposal.

Other Matters

22. My attention has been drawn to an approval for a development of 16 houses on Wordsworth Road where it is suggested that the approved housing does not respond to the prevailing character of the area with the approved properties comprising of relatively small garden areas. I do not have the full details of this scheme before me, however, its scale and locational context appears to differ from that of the appeal and is therefore unlikely to be comparable to the appeal proposal. I have in any case considered the appeal on its own merits and found that it would cause harm.

Conclusion

23. For the reasons I have set out, and having considered all other matters raised, I dismiss the appeal.

Jeff Tweddle

INSPECTOR

Appeal Decision

Site visit made on 19 June 2019

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th August 2019

Appeal Ref: APP/G4240/D/19/3228420 21 Mansfield Road, Hyde, SK14 5PF

- 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 Akik Miah against the decision of Tameside Metropolitan Borough Council.
- The application Ref 18/01002/FUL, dated 14 November 2018 was refused by notice dated 19 February 2019.
- The development proposed is a single storey rear extension with double storey side extension.

Decision

- 1. The appeal is allowed and planning permission is granted for a single storey rear extension with double storey side extension at 21 Mansfield Road, Hyde, SK14 5PF in accordance with the terms of the application, Ref 18/01002/FUL, dated 14 November 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No: AM19418.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers at No. 19 Mansfield Road with reference to daylight, sunlight and outlook.

Reasons

- 3. The appeal property is a two storey semi-detached dwelling which is situated on the northern side of Mansfield Road. The property is located amongst a group of similar semi-detached dwellings whose front elevations face the highway. To the west of the appeal site are a number of bungalows, that are set behind a landscaped area, and are situated at varied angles to the road.
- 4. The proposal seeks a two storey extension to part of the side elevation of the dwelling, with a single storey proposal to the rear of the existing building. The Council do not consider that the two storey proposal would interfere with the

outlook from the rear facing windows of the bungalow at No. 19, but have raised concerns that the development would visually dominate the rear of this neighbouring property, including its rear garden area. The Appellant has identified that the nearest habitable room window to the rear of No. 19 is sited away from the appeal dwelling, and towards No. 17. I was able to see at the time of my visit that a shed was located to the rear of No. 19, close to the boundary with the appeal dwelling, with the main area of this neighbouring property's garden located away from the two storey proposal. As such, and whilst noting the orientation of the appeal building relative to the neighbouring property at No. 19, given the separation with the two storey element of the development, I do not consider that it would create an uncomfortable sense of enclosure. The existing single storey garage would be replaced with a larger two storey development, but given the presence of the existing two storey dwelling to the south east of No. 19, I consider the effect of additional overshadowing would not be unduly harmful relative to the current position, which the Council have identified as a compromised situation.

5. I therefore conclude there would not be any unacceptable adverse effect on the neighbouring occupiers at No. 19 Mansfield Road with regards to daylight, sunlight or outlook and there would therefore be no conflict with Policies 1.3, C1 or H10 of The Tameside Unitary Development Plan, which require, amongst other matters, development to ensure that there is no unacceptable impact on the amenity of neighbouring properties. It would also not conflict with the Tameside Residential Design Supplementary Planning Document, or the National Planning Policy Framework (Paragraph 127), which seeks a high standard of amenity for existing and future users.

Conclusion

6. For the reasons given above and having taken into account all other matters raised, including the Council considering the single storey aspect of the scheme to be acceptable, I conclude the appeal should be allowed.

Conditions

7. The Council have suggested a number of conditions. I consider the standard implementation condition and a condition for the development to be carried out in accordance with the approved plans to be necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring matching materials is also necessary in the interests of the character and appearance of the host dwelling and the area.



INSPECTOR