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SPEAKERS PANEL (PLANNING)

Day: Wednesday
Date: 17 April 2024
Time: 10.00 am
Place: Guardsman Tony Downes House, Manchester Road,
Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for absence from Members of the Panel.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Panel.	
3.	MINUTES The minutes of the meeting of the Speakers Panel (Planning) held on 20 March 2024, having been circulated, to be signed by the Chair as a correct record.	1 - 6
4.	PLANNING APPLICATIONS To consider the schedule of applications:	
a)	23/01063/FUL - HATTERSLEY DISTRICT CENTRE, ASHWORTH LANE AND STOCKPORT ROAD, HATTERSLEY	7 - 50
b)	21/01325/OUT - MCKENZIES GARAGE, KIRKLEY STREET, HYDE, SK14 1JU	51 - 82
c)	22/01049/OUT - 13-15 MARKET PLACE, HYDE, SK14 2LZ	83 - 114
d)	23/01125/FUL - THE HOLLIES, SPRING STREET, HOLLINGWORTH, SK14 8NQ	115 - 168
5.	APPEAL DECISION NOTICES	
a)	APP/G4240/W/23/3327188 - LAND ON STAMFORD ROAD, MOSSLEY, OL5 0LJ	169 - 172
6.	URGENT ITEMS To consider any other items, which the Chair is of the opinion should be considered as a matter of urgency.	
7.	DATE OF NEXT MEETING To note the next meeting of the Speakers Panel (Planning) will take place on	

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

29 May 2024.

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

SPEAKERS PANEL (PLANNING)

20 March 2024

Commenced: 10:00am

Terminated: 11:20am

Present: **Councillor McNally (Chair)**
Councillors Affleck, Bowerman, Boyle, Dickinson, Mills, Owen, Pearce and Ricci

Apologies: **Councillor Quinn**

39. DECLARATIONS OF INTEREST

There were no declarations of interest from Members of the Panel.

40. MINUTES

The minutes of the proceedings of the meeting held on 14 February 2024, having been circulated, were approved and signed by the Chair as a correct record.

41. OBJECTIONS TO THE TAMESIDE METROPOLITAN BOROUGH (BANK STREET AREA, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING ORDER) 2023

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods outlining the objections received to the Bank Street Area, Ashton-under-Lyne (Prohibition of Waiting Order) 2023.

Details of development at Cavendish Wharf, comprising of 51 new dwellings sited on Bank Street, Ashton-under-Lyne, were provided to the Panel. The development included landscaping, a parking area and new access roads. It was explained that following completion, the developer had approached Tameside Council with regard to a Traffic Regulation Order (TRO) for 'No Waiting at Any Time' restrictions within the entrance to the Cavendish Wharf development.

Members were informed that the restrictions had been requested to facilitate vehicular access to the development and prevent obstructive parking in the turning head. Panel was advised that the Council's Highway Engineers agreed with the rationale for the proposals and also sought to include an extension of the existing 'No Waiting at Any Time' restrictions on the west side of Bentinck Street. The reason for this was to prevent obstructive parking at the footway build out and on the east side of Bentinck Street at its northerly junction with Higher Wharf Street.

The outlined proposals were advertised on 21 December 2023 for a period of 28 days and during the consultation, one objection to the proposed waiting restrictions on the west side of Bentinck Street was received. It was reported that the objection was from a company called Tameside Healthcare Ltd, a mobility aids company whose premises were based on Bentinck Street.

Panel was advised that the grounds for the company's objection was that the proposed location for the waiting restrictions was where their engineers parked whilst loading and

unloading their vehicles. The company also received regular deliveries from HGVs that need to park adjacent to the good entrance whilst making their deliveries. In addition, owing to the nature of their business, disabled customers parked on Bentinck Street adjacent to company premises.

In response to the objections, the reporting officer informed Members that the proposed waiting restrictions would prevent parking on the west side of Bentinck Street, adjacent to Tameside Healthcare Ltd. However, the Traffic Regulation Order contained an exemption for a vehicle to wait on double yellow lines for 'so long as may be necessary for the purpose of enabling goods to be loaded onto or unloaded...' from that vehicle.

Moreover, if parking were left to be unrestricted on the west side of Bentinck Street there was a risk that other vehicles could park there, blocking access to their goods entrance, which could result in failed deliveries for the business.

Regarding accessibility for disabled customers to the business, it was explained that there was an exemption for disabled Blue Badge holders to park for up to three hours on the double yellow lines in the vicinity of Tameside Healthcare Ltd, provided they caused no obstruction. It was also noted that the business had a car park to the rear of the premises.

RESOLVED

That approval be given to make a legal order for the proposed 'No Waiting at Any Time' restrictions as advertised in the first notice attached at Appendix 1 to the submitted report.

42. OBJECTIONS TO THE TRAFFIC REGULATION ORDER TO INTRODUCE WAITING RESTRICTIONS WITHIN THE KING STREET AND OVAL DRIVE AREA, DUKINFIELD

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods, outlining the objections received to the proposed waiting restrictions within the King Street and Oval Drive area of Dukinfield.

Members were informed that King Street in Dukinfield was a classified road (A627), which formed part of the borough's strategic road network. It was reported that in recent years concern had been raised about the inter-visibility between road users at the junction of King Street and the unnamed access road between 196 and 198 King Street. Whilst the latter was unadopted, it provided access to the rear for a number of residential properties on King Street, a business premises and two residential garages.

It was explained that concrete bollards had been installed at the junction in an attempt to deter obstructive parking and prevent vehicles from driving over the unadopted footway but vehicles continued to park on King Street up to both sides of the junction. Vehicles emerging were unable to have a clear view onto the busy road they were joining.

Concerns had also been raised by local residents and a Ward Member with regard to vehicles double parking on the 'S' bend of Silver Close Dukinfield. The road was narrow and double-parked vehicles could make it difficult for motorists to negotiate, as well as restricting access for larger vehicles. In addition, vehicles parking too close to this junction also hindered visibility for vehicles emerging from Silver Close onto Oval Drive. Due to the likely displacement of vehicles due to the proposals, waiting restrictions were also proposed at the junction of Oval Drive and Angel Close.

The outlined proposals to introduce waiting restrictions within the King Street and Oval Drive Area were advertised on 27 April 2023. During the consultation period, the Council received 10 objections to the proposed scheme. These were summarised as follows:

- There was concern that the proposed waiting restrictions within the Oval Drive area would further reduce the availability of on street parking for residents and their visitors. Some residents on King Street had no access to off road parking and currently parked where the restrictions were proposed.
- There was concern regarding neighbour disputes if vehicles which currently parked on Silver Close or Oval Drive were displaced either further into the residential housing estate or onto Boyds Walk.
- Some objectors did not believe there were any problems at the locations and there had been no reports of any accidents to justify the proposed restrictions.
- It was claimed by one objector that the access road off King Street was only used infrequently and the proposed restrictions were disproportionate to the hazards this presented.
- The owner of Spike's Barbershop located at 196 King Street argued that the proposed restrictions would make it awkward for customers to park within the vicinity of their business.

In response, the reporting officer explained that whilst it was desirable for residents to park on the public highway close to their home, there was no legal entitlement to do so. The primary function of the highway was the conveyance of traffic. However, having considered the objections, it was advised that it was proposed to amend the restriction on the east side of Silver Close from 43 metres to 10 metres, which would restrict parking to within 10 metres of the junction but would also allow for parking on the east side of Silver Close.

Regarding the potential for neighbour disputes because of displaced vehicles, residents and visitors were advised to contact the police should they be the victim of criminal activity or vandalism.

Following concerns from residents, councillors and the Council's own onsite observations, it was deemed necessary to introduce the proposed restrictions on Silver Close due to reduced visibility at the named junctions and double parking on the 'S' bend. The Council aimed to take a proactive approach when a safety concern had been brought to its attention.

Concerning the unadopted access road between 196 and 198 King Street, it was noted that this provided vehicular access to a number of residential properties, a business premises and two garages. There had been reports of a number of 'near misses' when exiting onto King Street owing to visibility being severely reduced by parked vehicles.

Noting the objection from the owner of Spike's Barbershop, the reporting officer advised Members that the business had a private forecourt at the front of their shop. In addition, there was parking on the east side of King Street between Boyds Walk and Brownlea Avenue that was unrestricted and in the vicinity of the shop.

RESOLVED

That authority be given for the necessary action to be taken in accordance with the Road Traffic Regulation Act 1984 to introduce the Traffic Regulation Order, as detailed in Section 2.2 of the submitted report, subject to the amendments detailed in Section 6.2 of the submitted report.

43. OBJECTION TO THE TAMESIDE METROPOLITAN BOROUGH (CLARE STREET AND PALATINE STREET AREA, DENTON) (PROHIBITION OF DRIVING) (EXPIREMENTAL) ORDER 2023

Consideration was given to a report of the Assistant Director, Operations and Neighbourhoods, outlining the objection received to the experimental prohibition of driving order within the Clare Street and Palatine Street area of Denton, remaining in force indefinitely.

Members were informed that an Executive Decision Report was approved on 5 December 2022 giving consent to introduce a School Street scheme experimentally for Russell Scott Primary School in Denton. The scheme was implemented in March 2023 and involved the temporary closure of the streets around the school access / egress at opening and closing times.

It was explained that the closure comprised signs and cones along with a representative of the school, positioned at the junction of Palatine Street and the junction of the service road to the rear of the Crown Point North retail area. The features were left in position until the school had started in the morning and after it had finished in the evening. The school was responsible for the day-to-day management of the scheme and had asked that it be made permanent as the effect on the school and surrounding area had been beneficial to the children attending Russell Scott.

Prior to the introduction of the scheme, Panel was advised that a survey was undertaken of residents and businesses in the area that were served by the roads that were potentially being closed. The survey results raised no cause for concern and the scheme was introduced with 'permits' being issued to residents and businesses as required. Disabled drivers were also permitted to drop off and pick up children in the area, as were deliveries. Following observations and discussions with the school, the scheme was said to be running well.

One objection to the proposed scheme was received based on the lack of parking for the school, which the scheme had exacerbated. Whilst the objector recognised the roads around the school were much safer, concern was raised regarding the displaced parking that was widespread and often inconsiderate. The hours of operation of the scheme were also questioned, as was a lack of available parking at Crown Point North as an alternative causing problems when picking children up from school in the evenings.

In response, the reporting officer acknowledged that it was true that parents parked on the roads around the school entrance but the purpose of the scheme was to make that area free from parked and moving cars, or reduce the number of vehicles as much as possible, to help promote active travel to and from school.

Regarding the displacement of vehicles, Members were informed that this would occur over a wider, less condensed area or parents would choose to walk to school where they could. In addition, whilst Crown Point North was a well-used car park, there were often spaces available for short periods.

The hours of operation of the school were limited to the days and times around school opening and closing and were not in force outside of these periods.

RESOLVED

That the experimental prohibition of driving order within the Clare Street and Palatine Street area of Denton be made permanent, as outlined at Appendix 3 to the submitted report.

44. 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:	23/0110/FUL Miss Laura Hopkinson
Proposed Development:	Change of use of the existing dwellinghouse (Class C3) to a children's care home for 2no children (Class C2). 180 Clarendon Road, Hyde, SK14 2JY
Speakers(s)/Late Representations:	Cllr Colbourne, Ward Member, and Jo Cooper, a local resident, addressed the Panel objecting to the application. Mohamed Dawood addressed the Panel on behalf of the applicant.
Decision:	That planning permission be granted, subject to the conditions as detailed within the submitted report.

Name and Application No:	23/01121/FUL VUR Village Trading No 1 Limited
Proposed Development:	Erection of a 48 bedroom extension with link bridge connecting to the existing Village Hotel Ashton including reconfiguration of the existing car park, landscaping and associated works. Village Hotel Ashton, Pamir Drive, Ashton-under-Lyne, OL7 0LY
Speakers(s)/Late Representations:	Kate Roberts addressed the Panel on behalf of the applicant.
Decision:	That planning permission be granted, subject to the conditions detailed within the submitted report and the completion of a Section 106 Agreement to secure off-site highway improvements, following deferral to officers to determine that the highways and parking situation at the site is acceptable following the receipt of an updated Transport Statement and parking survey.

Name and Application No:	23/01124/FUL Ashton Alban (Central) Limited
Proposed Development:	Erection of a three-storey building providing 35 affordable rented residential apartments and associated works. 217 Stamford Street Central, Ashton-under-Lyne, OL6 7QB

Speaker(s)/Late Representations:	Richard King addressed the Panel on behalf of the applicant.
Decision:	That planning permission be granted, subject to the conditions detailed in the submitted report.

45. APPEAL DECISIONS

Application Reference/Address of Property	Description	Appeal/Cost Decision
APP/G4240/D/23/3331645 3 Linksfield Road, Denton, M34 3TE	Proposed first floor front elevation.	Appeal dismissed.
APP/G4240/C/23/3318913 3 Burkitt Street, Hyde, SK14 1QQ	Breach of planning control: the erection of a second storey extension to the rear of the premises in excess of the parameters set out within Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015. (GPDO).	Appeal dismissed.
APP/G4240/D/23/3332202 21 Claremont Gardens, Ashton-under-Lyne, OL6 9RE	Proposed two storey rear extension.	Appeal dismissed.

46. URGENT ITEMS

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

47. DATE OF NEXT MEETING

RESOLVED

That the next meeting of the Panel would take place on 17 April 2024.

CHAIR

Application Number:	23/01063/FUL
Proposal:	The demolition of existing structures and erection of a mixed-use development comprising: a foodstore (Class E); a drive through coffee shop (Class E); a terrace of eight divisible employment units for flexible use within Use Classes E(g), B8 and B2 (vehicle repair garage only); a Use Class Sui Generis electric vehicle charging hub; and associated site works including land re-profiling, vehicular access, car parking, servicing areas, hard and soft landscaping, public realm and two electrical substations.
Site:	Land off Ashworth Lane and Stockport Road, Hattersley
Applicant:	Maple Grove Developments Limited and Onward Homes
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	The application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The planning application relates to the redevelopment of largely vacant land to the east of Stockport Road (A560), Hattersley. The site covers an area of 2.26ha and is roughly square in shape. The site is bounded by Stockport Road, Ashworth Lane (north) and to the south is Chain Bar Lane. To the east of the site is an area of undeveloped land which now falls within the updated Green Belt boundary.
- 1.2 The site was historically occupied by a residential estate served by access from Chain Bar Lane which forms a junction with Ashworth Lane. The site has now been largely cleared of all former structures albeit for areas of hardstanding, a substation and remnants of retaining structures. There are several notable piles of spoil throughout site, these along with other areas support dense scattered scrub and self-set trees.
- 1.3 National Grid pylons cross the site along a north / south axis. There are established commercial uses directly to the north of the site on the opposite side of Ashworth Lane. This includes The Hub, Hattersley Library and Tesco food store and petrol station. Several further commercial uses are located around 300 metres to the north west of the site, including a McDonald's drive through, a Premier Inn hotel, and pub. To the west of the site beyond the A560 is the location of the former District Centre. This is currently being comprehensively redeveloped for residential purposes by Onward Homes.
- 1.4 Bus services are provided along Ashworth Lane and Stockport Road. The TransPennine Trail is located to the south of the site and is accessible from Chain Bar Lane.

2. PROPOSAL

- 2.1 This application seeks full planning permission for the erection of a mixed-use development comprising a foodstore (Use Class E), a drive through café (Use Class E), a terrace of eight divisible employment units for flexible use within Use Classes E(g), B8 and B2 (vehicle repair garage only); an electric vehicle charging hub (Use Class Sui Generis); and associated site

works including land reprofiling, vehicular access, car parking, servicing areas, hard and soft landscaping, public realm, and two electrical substations.

- 2.2 The site would be accessed from a new entrance onto Stockport Road. The food store would be located to the north of the entrance and the drive through café to the south. Employment units would be provided within a terrace along the eastern boundary with barrier controlled access. The central areas of the site would be laid to parking with an electric vehicle charging hub to the south. Landscaping and would be provided to all boundaries.
- 2.3 The components to the development proposals are identified below.
- 2.4 The proposed food store would be sited adjacent to the Stockport Road frontage. It would have the following features:
- Constructed as a single-storey structure with a raised parapet roof. Predominant materials comprising of cladding with facing brickwork to Ashworth Lane and Stockport Road.
 - Entrance located on the north east corner facing Ashworth Lane
 - Gross External Area (GEA) of 1,931sqm, Gross Internal Area (GIA) of 1,842 sq. m, and a net sales area of 1,344 sqm.
 - Provision of 120 car parking spaces, including 6 accessible spaces and 8 parent and child spaces, 4 dedicated electric charging points and 2 click and collect spaces.
 - 8 short-stay bicycle parking spaces for customer and internal secure cycle storage for staff.
 - Servicing via a dock levelling system at the rear of the building.
 - Opening times to be 08:00hrs to 23:00hrs Mon-Sat and 09:00hrs to 18:00 Sunday.
- 2.5 The proposed drive-through Café would also be sited adjacent to the Stockport Road frontage would have the following attributes:
- Single storey monopitch roofed standalone unit. External materials to include timber cladding, blockwork and glazing.
 - GEA of 180 sqm and a GIA of 167 sqm.
 - Provision of 20 drive-through café parking spaces including 2 accessible spaces.
 - 4 short-stay bicycle parking spaces (2 Sheffield cycle hoops) for customers of the café.
 - External seating area for customers.
 - Opening times 7 days a week 24hrs.
- 2.6 The proposed employment terrace of 8 units would have the following features:
- Single two-storey terrace with a pitched roof set behind a parapet. Facing materials to including cladding, brickwork and glazing.
 - Total GEA of 3,112 sqm and GIA of 2,978 sqm.
 - 39 vehicle parking spaces, including 8 accessible spaces and 10 van spaces.
 - 10 covered bicycle parking spaces (5 Sheffield cycle hoops).
 - Access to be taken by a controlled access barrier to the employment units.
 - 24hr operation.
- 2.7 The Electric Charging Hub would have 16 electric vehicle car parking spaces equipped with ultra-rapid Electric Vehicle Charging Points.
- 2.8 The supporting statement identifies that the development would give rise to significant economic benefits including the creation of some 125 full and part-time local jobs as well as various other indirect jobs in construction and the supply chain. It is envisaged that the development would be delivered within 18 months of obtaining planning permission.
- 2.9 The application has been supported by the following reports:
- Air Quality Assessment

- Arboricultural Impact Assessment (including Arboricultural Constraints Assessment)
- Crime Impact Statement
- Design and Access Statement
- Ecological Impact Assessment (including Biodiversity Net Gain Assessment)
- Environmental Standards Statement
- External Lighting Plan
- Flood Risk Assessment
- Geo-Environmental Assessment Phase 1 Desk Study and Preliminary Contamination Assessment
- Geo-Environmental Assessment Report
- Supplementary Ground Investigation Remediation and Enabling Works Strategy
- Noise Impact Assessment
- Planning Statement
- Statement of Community Involvement
- Surface Water Management Report
- Transport Statement (including Framework Travel Plan)

3. PLANNING HISTORY

- 3.1 14/00903/OUT – Comprehensive redevelopment for a new district centre comprising class A1 foodstore, retail units (Class A1-A5), Drive-Through Cafe/Restaurant (Class A3/A5) with associated means of access (All other matters reserved), including the demolition of existing buildings and structures – Approved
- 3.2 17/00668/MATCH – Non material amendment in relation to planning application no. 14/00903/OUT to increase the gross external area of the foodstore to 1,867 square metres – approved.
- 3.3 18/00015/REM – Approval of reserved matters (appearance, landscaping, layout and scale) for a retail development on the site following grant of outline planning permission 14/00903/OUT – Approved.

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions

that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 **Development Plan**

The adopted development plan is the Tameside Unitary Development Plan (2004), Greater Manchester Joint Waste Development Plan Document (2012), Places for Everyone (2024).

Allocation: Ashton Town Centre / Conservation Area

Tameside Unitary Development Plan (2004)

4.5 **Part 1 Policies**

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.7: Supporting the Role of Town Centres.
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 **Part 2 Policies**

- S1 Town Centre Improvement
- S2 New Retail Developments in Town Centres
- S3 New Retail Developments Outside Town Centres
- S9 Detailed Design of Retail and Leisure Developments
- E6: Detailed Design of Employment Developments
- C1: Townscape and Urban Form
- C10 Development Affecting Archaeological Sites
- C12 Art in the Environment
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone

- JP-S2 Carbon & Energy
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 Supporting Long-Term Economic Growth
- JP-J2 Employment Sites and Premises
- JP-P4 New Retail and Leisure Uses in Town Centres

- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling
- JP-D2 Developer Contributions

4.7 Other Policies

- Tameside Retail and Leisure Study 2018
- National Design Guide (2021)
- Planning Practice Guidance (PPG)
- Tameside Inclusive Growth Plan 2021-2026

5. PUBLICITY CARRIED OUT

5.1 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 the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 There have been three letters of representation received in support of the proposals, these are summarised as follows:

- This needs to be built, locals need an alternative to Tesco.
- The development will be positive to the area.

7. RESPONSES FROM CONSULTEES (summarised)

7.1 Active Travel England – Confirm that they do not wish to comment on the proposals.

7.2 Coal Authority – No objections, the site is outside of a high risk coal mining referral area.

7.3 Cadent Gas – No Objection

7.4 Contaminated Land – Based on the information currently known about the site, they have no objection to the development proposal from a contaminated land perspective. Recommend conditions are applied relevant to further site investigations being undertaken.

7.5 Economic Growth – Support the application. Comment that the application is the second phase of the District Centre. The first phase was Tesco, the petrol station, The Hub, the library and community rooms. This application will complete the District Centre. It has taken many years for a viable scheme to be put forward and this scheme is the result of considerable effort on behalf of all concerned. This scheme will see an unused site become economically active and add to the local economy. This scheme aligns with the Council's Corporate Plan and the Inclusive Growth Strategy.

7.6 Environment Agency – No objections, confirm that permit would be needed for any works within 8m of the culvert/bank of Hurstclough Brook.

- 7.7 Environmental Health – No objections. Recommend conditions relevant to waste storage, construction hours, trading times and details of all plant.
- 7.8 GMAAS – raises no heritage concerns. The DBA has identified that mid to later 20th century development of the site as a council estate, and activity associated with its subsequent demolition, is likely to have severely truncated or removed any significant archaeological remains.
- 7.9 Identify that it is possible that fragmentary survival of nineteenth century fabric could have survived, but identification and analysis of this could, at best, offer just a marginal contribution towards our understanding of the period. On this basis there is no reason to seek to impose any further archaeological requirements upon the applicant
- 7.10 GMEU – No objections. Confirm that the site has a relatively low ecological value which has historically been cleared. The landscaping proposals identify that a biodiversity net gain can be achieved although this is below 10%. Recommend conditions are applied relevant to landscaping and the protection of nesting birds.
- 7.11 High Peak – Confirm no objections.
- 7.12 Highways – No objections subject to conditions. The LHA comment that they are satisfied that the proposed access/egress from the development onto Stockport Road is satisfactory and meets requirements for maximum gradients and visibility splay standards have been met. The LHA are satisfied that the vehicle trips generated by the development are acceptable and the cumulative impact on the road network would not be severe.
- Accept the provision of site vehicle and cycle parking and welcome the addition of dedicated EV charging points. Recommend that a Toucan Crossing is provided on Stockport Road and bus stop upgrade/layby created to promote active travel.
- 7.13 LLFA – No objections, a condition should be applied requiring the site to be drained in accordance with the drainage hierarchy.
- 7.14 National Highways – Confirm that they do not consider that the proposed development would have an adverse impact on the safety of, or queueing on, a trunk road.
- 7.15 TfGM – No objections, the LHA should comment on the parking provision.
- 7.16 Trees Officer – Proposals are acceptable from an Arboricultural perspective. The trees to be removed to facilitate the development are predominately low value self-seeded scrub vegetation that would not be considered a constraint to development. The landscape proposal sufficiently mitigates for the losses, provides adequate screening and will enhance the visual amenity of the area
- 7.18 United Utilities – Object to current proposals commenting that the development may encroach upon United Utilities assets. Recommend that any approval is subject to a condition relevant to detailed drainage design.
- 7.18 Waste Services – No objections, the site would be served under a trade waste contract not administered by TMBC Waste Services.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

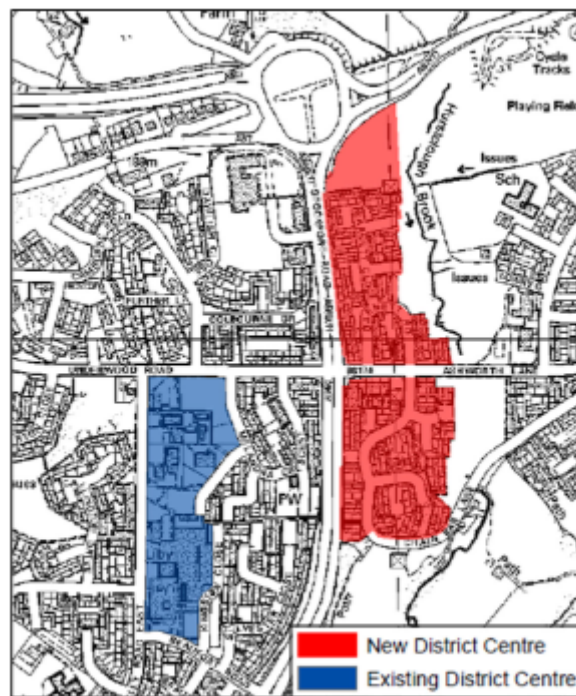
- 8.2 The current position is that the Development Plan consists of the policies and proposals maps of the Unitary Development Plan and the Greater Manchester Joint Waste Plan Development Document, Places for Everyone which was formally adopted by the Council on the 21st March 2024.
- 8.3 The National 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:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 The site is unallocated on the UDP proposals maps. There are two key elements to the proposals, that of the retail Uses (Class E) and that of the employment uses. For planning purposes retail developments are identified as town centre uses. Both the NPPF and NPPG advocate that local planning authorities should adopt a 'town centre first' approach when assessing applications for 'main town centre uses'. This is in order that town centres remain the focus of retail, commercial and leisure activity and to ensure their continued vitality and viability. It is well documented that changes to retailing habits have had an adverse impact upon high streets with an increase in vacancies. The need to protect and enhance established centres carries significant weight to the planning assessment. Retail Development (Class E) is defined as a main town centre use within the glossary to the NPPF. The NPPF advises that proposals for such uses which are not in an existing centre and not in accordance with an up-to-date development plan should be subject to a sequential test (paragraph 91) and where the floor space is over 2,500sqm an impact assessment should be undertaken (paragraph 90). UDP Policy S3 and PfE (JP-P4) also supports the 'town-centre' first approach and the need to direct town centre uses to designated centres.
- 9.2 The principle of redevelopment of the site for retail purposes has been previously established with the granting of outline and subsequent reserved matters applications for retail/commercial development totalling 5,677sqm of floor space in 2018 i.e. much larger than that currently proposed. The applicant states that this development was not deliverable due to changes in market conditions. Within the supporting statements the applicant references that these permissions are extant having been lawfully implemented, they identify this as a 'fall-back' position of significant relevance to the planning assessment. The justification on the status of the previous planning consents is not explained or presented in any great detail and any claimed fall-back position is therefore given limited weight by officers in this planning assessment.
- 9.3 Despite any questions on the validity of the previous consents, the positive planning history is a material consideration. It is also acknowledged that the Council has had long-term aspirations for a replacement district centre on Stockport Road to replace the original Hattersley district centre, which is now at an advanced stage of redevelopment for new housing. The identification of the site as the location of the new district centre was established within the draft Hattersley and Mottram SPG (2004). This identified the new Hattersley District centre to include both the site and the land to the north of Ashworth Lane (which has since been developed to support a Tesco food store and Hub community centre). The need for an improved retention of localised convenience goods spending within

Hattersley is also identified within the Tameside Leisure and Retail Study (2018). Development of the site would be mutually beneficial to the performance of commercial uses to the north of Ashworth Lane.

Figure 1: Location of the former and proposed district centre boundaries (Mottram and Hattersley SPG)



Source: Hattersley and Mottram SPG, Tameside MBC, April 2004

- 9.4 Notwithstanding the Council's aspirations to relocate the district centre and the guidance within the SPG, the location of the 'new' District Centre was never designated and therefore has no formal policy support. The applicant considers that the site is an edge of centre location given its proximity to the boundary of the allocated Hattersley District Centre on the UDP proposals map. The applicant's interpretation of the site as an 'edge of centre' location is reasonable insofar as the relationship of the Ashworth Lane site to that of the district centre boundary shown on the UDP proposals map. However, given that the former centre has been physically replaced with new homes it no longer functions as a centre. For this reason, the application site is considered to be an 'out of centre' site, as defined in Annex 2 of NPPF: "A location which is not in or on the edge of a centre but not necessarily outside of the urban area."

The Sequential test

- 9.5 The purpose of the sequential test is to take a thorough assessment of the suitability, viability and availability of locations for main town centre uses within established town and edge of centre sites. In the application site's circumstances, this would include Hyde, Stalybridge and Glossop. The applicant identifies that there are specific market and locational reasons as to why the proposed development can only be located in Hattersley. The applicant undertook a sequential test based on the nearest local centres, rather than town centres. They have not therefore demonstrated whether or not there is a sequentially preferable site in or on the edge of the towns of Hyde, Stalybridge and Glossop. The applicants have however provided a robust justification as to why market and locational reasons exist for the development, based upon the guidance within the PPG (Town Centre and Retail), Paragraph 012. This justification is summarised as follows;

- The key objective of the store/cafe is to serve Hattersley residents; this is in line with Council strategies, programmes and is supported in the Retail and Leisure Study

2018. This will improve local consumer choice, reduce need for residents to travel to access discount foodstore provision; meeting the Council's long term strategic objective for the site;

- The store is located directly South of the existing functioning 'district centre' (Tesco and Hub) and within the emerging district centre, as recommended within the Retail and Leisure Study 2018; so is in line with emerging local policy;
- The fallback position allows for a greater quantum of main town centre use floorspace to be delivered in any case, including the foodstore and drive-through uses.
- The proposed main town centre uses represent a comprehensive redevelopment of the site as envisaged as part of the Hattersley Regeneration and has lain vacant for 14 years.

9.6 Whilst the weight which can be given to the fall-back position is questioned, the applicant has provided a compelling case. Firstly, the loss of the former district centre reaffirms the need for further convenience facilities within the Hattersley Catchment area. There are considered to be specific locational requirements unique to Hattersley and surrounding villages which justify the location of a discount food retailer at the site, the emerging policy position related to the 'replacement' Hattersley district centre (supported by the Retail Study 2018); the high levels of multiple deprivation in the area (including low car ownership); low levels of convenience goods retention in the area (Hattersley residents travel to Hyde for discount convenience shopping) and the economic and regenerative benefits of the scheme.

9.7 On the basis of the above, although the requirements of the sequential test; that there are no alternative town centre or edge of centre sites suitable and available for the development, have not been demonstrated, it can be accepted that the specific 'locational' reasons for the foodstore and coffee outlet to be provided within the 'emerging' Hattersley District Centre are in line with paragraphs 91 and 92 of the NPPF.

The Impact Test

9.8 The size of the proposal falls slightly below the nationally set threshold of 2,500sqm gross floorspace in size (at 1991 sq m). UDP policy S3 sets a lower threshold of 1,400sqm and the applicant has undertaken a robust impact assessment on this basis. The purpose of the impact test as set out in national planning guidance is to consider the impact over time of out of centre proposals on town centre vitality and viability and investment. The impact test methodology applied appears robust and consideration has been made to all town centres and not just those closest to the proposal.

9.9 NPPF Paragraph 94 sets out the following criteria for what should be considered in a retail impact assessment as follows:

- a) the impact of the proposal on existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment (as applicable to the scale and nature of the scheme).

9.10 Key assumptions raised within the applicant's assessment are as follows:

- By the test year – 2026 – the convenience turnover of the store will be £11.5M.
- Most shoppers are likely to come from Hattersley, 5% are considered to be passing trade, or car travellers on the way to the M67.
- Total turnover will be £14.2M by 2026 (of which £13.5M from residents in study area).

9.11 In relation to potential trade diversion, at present Hattersley's convenience offer is restricted to the Tesco store. Consequently the trade draw from Hattersley to surrounding centres is

relatively high requiring local residents to travel to meet their needs. The applicant identifies within their assessment, that the main impacts of the proposals would likely centre upon the existing Aldi Store at Hyde and the existing Tesco store at Hattersley, and to a much lesser extent outlets at Denton, Stalybridge and Glossop would experience some impact. In terms of the highest anticipated trade diversion this would be -2.7% from Hyde Town Centre. This is not viewed as significant.

- 9.12 The applicant's impact assessment is aligned with the findings of the Tameside's Retail Study 2018 which highlights that Hattersley residents (and those of nearby villages) spend a higher proportion of their convenience goods expenditure within Hyde than they do within Hattersley itself. This of course has social, economic and environmental implications associated with the reliance on the need of residents to travel.
- 9.13 The impact assessment has demonstrated that the proposed store will not have a significant adverse impact on Hyde or surrounding towns and will likely improve the retention of localised convenience goods spending in Hattersley. With regard to Hyde, and NPPF para 94 (a), the Council has recently progressed the Hyde Masterplan. This should provide a catalyst for investment and planned growth targeted and strengthening Hyde's vitality and viability as a centre. The development would not have an adverse impact upon the long-term aspiration of Hyde, which is consistent with previous conclusions on similar (but larger) developments on this site.
- 9.14 The impact upon Hattersley would be positive. The applicant's assessment has identified that the area would retain an additional £9.8m of resident spend in the area, reducing the need for residents to travel as a direct result of the increased local choice in convenience offer. In the context of Hattersley, as an area of high multiple deprivation and low car ownership, the proposals would help to address current social and economic inequalities, including the provisions of much needed local job opportunities, all of which are important to the social inclusion agenda and the overall planning balance.
- 9.15 With reference to paragraph 94 (b) of the NPPF the applicant states that Hyde town centre currently serves an important role within the local retail hierarchy in meeting the needs of its surrounding catchment population, with John Kennedy Road local shopping centre/parade providing a limited neighbourhood offer to residents within a highly localised catchment. It is agreed that these roles would continue irrespective of the application proposals. No conflict is therefore anticipated against the provisions Paragraph 90 (b) of the NPPF and saved Policy S3 of the Tameside UDP.
- 9.16 Therefore, in concluding on the retail elements of the proposals, the development meets the requirements of the sequential and impact tests as set out within the NPPF. Crucially it has been demonstrated that there would be no significant adverse impacts arising from the proposals. The development will address a local identified need for convenience shopping within the Hattersley Catchment area. This is in line with Council's long-term aspirations for the site and principles established on previous planning consents.

Employment Uses & Charging Hub

- 9.17 The proposals include the provision of an employment terrace of 8 units which would be located along the eastern boundary of the site. This element of the development is speculative with no operators identified. Permission is sought for flexible uses that could potentially include office/light industrial (Class E3(g)), B8 (storage and distribution) and B2 (vehicle repair only). These uses can be secured by a condition. The application identifies that the overall employment potential across these and the retail uses proposed in the application could be in the region of 125 full and part time positions. There would of course be further employment generated during the construction period which is envisaged to be approximately 18 months.

- 9.18 The site is not allocated within the UDP so there no immediate land use conflicts raised by this element of the proposals. The site is well served, with direct access to the strategic highway and motorway network and this will hopefully be attractive to potential employment occupiers. More generally, employment premises and opportunities within Hattersley, Mottram and Broadbottom are limited. So the potential to provide local opportunities is welcomed, particularly given the documented social and economic inequalities which are prevalent within Hattersley.
- 9.19 The comprehensive redevelopment of a brownfield site to support employment opportunities is a significant positive factor of the proposals. The provision of the employment terrace would complement the intended retail uses. The charging hub would also provide local convenience and serve a strategic function given its proximity to the motorway network. Subject to the assessment of technical matters, there are no in-principle land use issues raised. The employment uses would represent a welcome addition to the site within an accessible location. Their inclusion within the proposals are aligned to the economic development principles laid out in the NPPF which support economic growth and sustainable development.
- 9.20 There can be no guarantee that the development would give jobs or provide training opportunities to those in the highest areas of deprivation. The Aldi Store itself could potentially support up to 50 staff and they commit to recruitment within the local area. To maximise the economic benefits, it is proposed that a condition requiring labour and training agreements will help to maximise employment opportunities for local residents, in line with economic and social objectives of UDP Policy E7, PfE Policies JP-Strat 6 and JP-J1 and the aspirations of the Inclusive Growth Strategy.

10. DESIGN AND LAYOUT

- 10.1 Historically the site supported housing. This has long since been demolished with only remnants of former accesses, retaining infrastructure and debris remaining. There are no current site or landscaping features of significant merit which would warrant retention. Wholesale site clearance works and redevelopment are therefore acceptable.
- 10.2 The site is highly prominent, given its central location within the Hattersley estate and relationship to the Ashworth Lane / Stockport Road junction. The aspiration was that the site would been developed previously as a local centre for Hattersley residents, but market conditions have not seen the previous approval come to fruition. The legacy of this is a neglected site that reflects poorly on local environmental quality. The lack of development also attracts antisocial behaviour and incidences of fly-tipping.
- 10.3 The NPPF places a firm emphasis on the need to secure good quality design. Paragraph 131 states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. In addition it also states that; 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. Paragraph 135 states that developments should be visually attractive, as a result of good architecture, layout and appropriate and effective landscaping, should be sympathetic to local character and history and should establish or maintain a strong sense of place, using the arrangements of street, spaces and buildings to create attractive, welcoming places.
- 10.4 UDP Policy S9 'Detailed Design of Retail and Leisure Developments' sets out a total of 5 design based criteria to be applied in the consideration of new retail development. In summary the criteria is as follows;
- a) the need to provide suitable and safe provision for parking and servicing;
 - b) the need for the design to relate well to local features and enhance the character of the local area

- c) the need for suitable landscaping and screening and requirement to minimise the visual impact of plant, storage and service areas;
 - d) the need not to impact adversely on residential amenity; and,
 - e) the minimisation of opportunities for crime and anti-social behaviour.
- 10.5 Prior to the submission of the application, the applicant had engaged in pre application discussions and the proposals were also presented at local community forums where the development was well received. The proposals are broadly reflective of these discussions and the advice provided in terms of the form, layout and landscaping of the buildings within the site.
- 10.6 Clearly the principle of the site being developed and supporting a discount food store has been established. The current proposals not only differ in terms of development type, mix and quantum but also in terms of design and building hierarchy. In short, the proposals now presented offer a more welcoming and considered response to the site and local context.
- 10.7 The presence of a National Grid power lines along a central north/south axis has implications on the site layout. Ultimately this requires a central parking area flanked by the retail uses to the west and employment terrace to the east. A single point of access would be created off Stockport Road and there would be significant areas of landscaping to site boundaries, complemented by structured central landscaping to break up the internal hard surfaced areas.
- 10.8 There would be a clear hierarchy to the buildings, with the Aldi food store occupying most prominent location alongside Stockport Road, with the entrance facing Ashworth Lane/The Hub to reinforce the connection of the two sites forming part of the New District Centre and the associated uses integrating with one another. Substantial glazing across the store's northern and western elevations provides strong active frontages which would frame the highway successfully and provide desirable animation to the setting of the building. This would also be reinforced by an enhanced area of public realm/pedestrian entrance on the north-west boundary. In the main, servicing and plant areas required to serve the units are located within less prominent locations to the buildings they serve.
- 10.9 The food store would be the most dominant building within the development. The building itself would be designed with a mono-pitch roof with a parapet across the northern end to add height and prominence to the building against The Hub and Stockport Road / Ashworth Lane elevation. A mix of glazing set within vertical and horizontal cladding and feature brickwork is proposed, the materials are intending to align with the character of surrounding structures as well as providing detail to visually break up the principal elevations. These materials would also feature on the employment terrace which is of a similar scale. The materials and form would provide unity in appearance. The coffee shop would be more bespoke in terms of its design and materials. Its position would frame the site entrance and provide animation to the street scene. The provision of dedicated outside seating and landscaping would provide enhancements to the setting.
- 10.10 A comprehensive landscaping scheme has been provided which includes planting specification and boundary treatments. Significant tree planting can be achieved to the north and east (rear) boundaries of the employment terrace. This would soften their appearance and transition to the Green Belt boundary located outside the site, to the east. Hard-surfacing would comprise tarmac road surfaces, with block paved entrance paths. A comprehensive approach would be taken to the final design and finish of the boundary treatments. This would be achieved through the imposition of a condition. This can also extend to the provision of street furniture and public art within the site.
- 10.11 The design and access statement provides a thorough assessment of the design concept and overall evolution. Conditions will be applied relevant to the materials and landscaping specification but the submitted plans and accompanying CGI imagery demonstrate that a

high quality development would be achieved which accords with the provisions of the NPPF and policy S9 of the UDP.

11. RESIDENTIAL AMENITY

- 11.1 The central location within the Hattersley Estate dictates that the site is highly accessible to existing residents. Previous planning consents have established the principle of the site's development and the acceptability of such proposals to existing residents. There have been no significant changes to site conditions since the last approvals, with the proposals being broadly similar to that of the previous schemes.
- 11.2 The nearest residential properties are located approximately 40m away on the opposite side of Stockport Road. The relationship of the development would be largely similar to that of properties located further north along Stockport Road, that face onto the Hub and Tesco food store. The buildings would be no greater than 2 storeys in height which, taken with separation distance (across highway), prevents any unreasonable impact in terms of overshadowing or loss of privacy on those properties. The separation distance to properties on Chain Bar Lane and Ashworth Lane is even greater. This further confirms no adverse impacts are likely to arise.
- 11.3 The Noise Impact Assessment has identified no issues arising from the development. It states that noise from deliveries, at any time of the day or night, is predicted to have a negligible impact upon the nearest noise sensitive receptors. Locally there are precedents for 24hr operations of commercial uses, including that associated with the nearby McDonalds restaurant. The applicant has requested flexibility on the operational and delivery hours to be as follows:

Aldi

- Opening hours: 08:00 hours to 23:00 hours – Mondays to Saturdays; and 09:00 hours to 18:00 hours – Sundays (retail can only trade for 6 consecutive hours on a Sunday)
- Delivery/servicing hours: 06:00 hours to 23:00 hours – Mondays to Saturdays; and 08:00 hours to 18:00 hours – Sundays.

Costa

- Opening hours: Unrestricted opening hours.
- Delivery/servicing hours: Unrestricted delivery hours.

Employment Terrace

- Operational hours: Unrestricted operational hours.
- Delivery/servicing hours: Unrestricted delivery hours.

- 11.4 In response to the applicant's request to flexible arrangements there are no objections, this on the basis of the proposed uses, the site's relative isolation to residential properties and the findings of the noise assessment. However, it is considered prudent to request a condition requiring the details of any fixed plant to be approved prior to installation.
- 11.5 An appropriate Air Quality Assessment has been prepared in support of the planning application. The assessment considers the impacts of the development both during the operational and construction phase of the proposed development, including consideration of odour emissions from the coffee shop use and the effect of vehicles associated with the proposed development on local pollution levels. The assessment identifies that the residual effect of the proposed development during both the construction and operational phases on air quality is not significant. Having reviewed the submitted reports and the site conditions, it is not anticipated that there will be any significant impact upon existing residents.

- 11.6 Furthermore, in terms of residential amenity, a lighting scheme has been prepared to limit any light spill from the development. Subject to its implementation this will ensure that nearby properties are not unduly impacted.
- 11.7 On the basis of the above assessment, the relationship of the development to local residential properties would be acceptable and conditions will ensure that the site operates within acceptable environmental standards with regard to residential amenity.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. The NPPF identifies that where development would have a significant impact upon the transport network, or highway safety, such impacts should be appropriately mitigated. UDP policy T1 (Highway Improvement and Traffic Management) provides the main framework for assessing highway impacts relevant to capacity, safety and design, policy S3 (New retail development outside Town Centres) states that development should not result in an unacceptable increase in congestion on the surrounding highway network. Paragraph 115 of the NPPF states that; 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 12.2 One of the significant benefits associated with the proposals relate to its central and accessible location. This has formed part of the rationale behind the Council's long-term aspirations of creating a new District Centre at the site. As identified within the Tameside Retail and Leisure Study, residents within the Hattersley catchment are currently having to travel outside of the area to meet their convenience needs. As well as being conveniently located close to a large number of properties, the site has good cycle connections and is directly on a bus route served with frequent services. As such, the site falls within a highly accessible location and the construction of the food store along with employment uses will address local deficiencies which will in turn reduce the need to travel for residents of Hattersley, Mottram and Broadbottom to travel, reducing demands on the existing highway network.
- 12.3 A new vehicle access to serve the whole of the development would be created onto Stockport Road. From within the site, access to the retail uses would be unrestricted and vehicle access to the employment units would be controlled via a barrier controlled entrance which would be in use outside of trading hours.
- 12.4 The LHA are satisfied that the proposed access/egress arrangements from the development onto Stockport Rd is satisfactory and would achieve a suitable gradient and visibility splay. All vehicles entering the site can manoeuvre within the site and leave in a forward gear. Further to this dedicated pedestrian entrances will be created on the northern boundary to Ashworth Lane which will provide direct access to existing bus stops and crossing points.
- 12.5 At the request of the LHA the applicant has provided updated analysis on the trip rates and trip distribution and further commented on the methodology behind the predicted outcomes. It is therefore considered by the LHA that the analysis contained within the Transport Statement provides a robust consideration of the potential impact of the proposals. It anticipates two way vehicle movements to be 40 (28 arrival/12 depart) during the weekday AM peak, 167 (77 arrival/90depart) in the PM peak and 463 (232 arrival/231 depart) in the Saturday Peak. These figures are considered robust and lower than the previously consented schemes. The impact that these flows will have on the local network would be acceptable as identified by LHA, TfGM and National Highways.
- 12.6 A total of 193 parking spaces would be provided across the site to the satisfaction of the LHA. The parking provision would be broken down as follows:

- Food store 118 spaces (including 6 disabled, 5 parent & child 4 EV)
- Employment Terrace 39 spaces (including 6 disabled) & 10 Covered cycling
- Costa 20 spaces (including 2 disabled)
- EV HUB 16 spaces

- 12.7 The LHA has requested improvements to crossing facilities and a Bus Stop on Stockport Road to promote active travel and in the interest of safety. The crossing facility would be in the form of a Toucan Crossing (cycle & pedestrian) located within the vicinity of the former underpass and the link to the former district centre (now being developed by Onward Homes). The crossing would serve as a link for a considerable number of properties located to the west and south west of Stockport Road. The crossing would also provide a link/improved connectivity to the TransPennine Trail (NCN62) route. The Bus stop improvement would include the provision of a dedicated layby on the eastern (site side) of Stockport Road. These provisions would be secured by a condition with infrastructure provided prior to opening of the site or within a timeframe to be agreed between the developer and LPA/LHA.
- 12.8 With regard to servicing and waste management matters, commercial sites are managed privately. The plans show that all of the units would have appropriate levels of dedicated storage. The provision of waste bins along with a site management strategy can be conditioned.
- 12.9 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such, in the absence of any demonstrable adverse impacts and subject to recommended conditions, the development is considered to adhere to the provisions of UDP policies T1, T7, T8 and T10 and PfE policies JP-C6 and JP-C8 by providing safe, secure and convenient access for all road users.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The site has historically been developed for housing with remnants of the former use still remaining. Hurstclough Brook is located to the east of the site but is culverted for significant sections before re-surfacing to the south east of the site.
- 13.2 The submitted Surface Water Management Report details how surface water runoff from the redeveloped site can be sustainably managed. It is proposed to drain the site through an attenuation system which includes a swale and retention pond located to the south of the site. Connections would be made to the existing watercourse with flows controlled at greenfield rates. Foul drainage would be addressed under a separate system and this will be addressed as part of a condition. Taking all of the above into account, it is considered that the site can be suitably drained in accordance with PfE policy JP-S5 and UDP policy U4.

14. LANDSCAPING & ECOLOGY

- 14.1 Section 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. PfE policy JP-G7 (Trees and Woodland) seeks for the replacement of any removed trees on a 2 to 1 basis or other measures which result in a net enhancement in the quality and character of tree cover. Policy JP-G8 also seeks a net enhancement of biodiversity and geodiversity.
- 14.2 There are no protected trees within the site. The Arboricultural impact Assessment has identified a total of 71 individual and groups of trees across the site. The majority of these trees are of a low quality self-set specimen (category C). There are however a total of 13 category B and a single category A tree which have been surveyed. To facilitate the

development the majority (60) trees would need to be removed of which 58 are of a Category C. The majority of the higher quality specimens can be retained and these would be enhanced by approximately 51 new trees to be planted across the site. The applicant highlights that retained and proposed trees will be suitably managed to allow them to mature and with this there will be a long-term qualitative enhancement of tree cover within the site. This position is supported by the arboricultural officer who agrees that the landscape proposals sufficiently mitigate for proposed tree losses and would provide adequate screening that will enhance the visual amenity of the area in the long-term.

- 14.3 The Ecological Impact Assessment establishes that the proximity of the site to three nature conservation designations is a constraint. This includes Hurst Clough Local Nature Reserve/Site of Biological Importance (SBI), which is located 40m south west of the site, Clough at Hattersley SBI located 51m west, and Great Wood SBI located 69m south of the site. Potential impacts on these non-priority sites during the construction phase can be mitigated through the implementation of an appropriate CEMP in line with best practice to limit dust and pollution run-off to avoid potential impacts to retained site and offsite habitats. No adverse impacts are expected on any other designated sites.
- 14.4 The assessment has identified the presence of no protected species within the site boundary. The current biodiversity value of the site is relatively low comprising of largely scattered scrub, semi improved grass land and trees of varying maturity. The sites ecology value has established as a matter of consequence of the site being left derelict/undeveloped for so long. The application was submitted before BNG (10%) became mandatory. GMEU agree that the landscaping proposals would result in an overall net gain being achieved at the site although this would not equate to 10%. Subject to landscaping proposals being conditioned and further enhanced with dedicated bird and bat box provision, there are no objections raised. Subject to this requirement, the proposals are considered to be in accordance with the requirements of UDP policies N4, N5 and PfE policy JP-G7.

15. GROUND CONDITIONS & ARCHAEOLOGY

- 15.1 The site falls within the Coal Authority's defined Development Low Risk Area and no objections have been raised by the Coal Authority within their consultation response.
- 15.2 The Environmental Protection Unit (EPU) has identified that there is on site contamination as a result of historic uses of the site. Subject to a condition requiring further site investigations and remediation (if necessary), there are no objections raised to the development of the site.
- 15.3 GMAAS have confirmed their support to the assessment which has been undertaken. They confirm that the potential for finding anything of archaeological significance is low due to disturbance associated with the construction of the Hattersley Estate. On this basis, there seems no reason to seek to impose further archaeological requirements on the applicant.

16. SUSTAINABILITY

- 16.1 PfE policy JP-S2 (Carbon and Energy) ultimately seeks to reduce the carbon footprint of development via reducing energy demand and maximising efficiency. The development of a brownfield site, within an accessible location, that is designed to reduce the need to travel is considered to be inherently sustainable. The provision of dedicated EV charging points both within the hub and food store car parks is also welcomed in terms of promoting clean travel and reducing air quality impacts.
- 16.2 In terms of energy efficiency in the construction and operation of the development this is addressed within the accompanying energy statement. The statement demonstrates that the scheme will deliver a high-quality energy-efficient and sustainable development. Both the

food store and employment terrace will be constructed with PV panels within their roofscapes to reduce energy requirements. Overall the key conclusions include that the scheme is expected to achieve a BREEAM 'Very Good' Rating as a minimum (food store & coffee shop), with an aspiration for BREEAM 'Excellent' for the employment units.

- 16.3 There are no issues raised on sustainability grounds, the proposals being deemed an efficient and appropriate development of the site with proposals aspiring to the objectives of PfE policy JP-S2.

17. OTHER MATTERS

- 17.1 The application has been accompanied with a Crime Impact Statement. This identifies that the proposed development has been well designed with good levels of passive surveillance to public areas and overall levels of security throughout the site, for example store entrances are within prominent and highly visible locations and boundaries and entrances would be suitably secure. The principal recommendations of the CIS are as follows:

- Appointment on a security guard in the foodstore;
- Inclusion of suitable boundary fencing and secure gate;
- Installing security rated entrance and escape doors, glazing and shutters;
- Securing the staff welfare area and manager's office; and,
- Installing appropriate lighting, CCTV and intruder alarm systems.

- 17.2 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and pedestrian connections to public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points.

- 17.3 Digital connectivity is a requirement of PfE policy JP-C2 which strives to ensure that all new development is served with full fibre access. This would be clearly be advantageous to the marketing and operation of the employment units. No details have been provided on this matter but compliance can be secured by a planning condition.

18. CONCLUSION

- 18.1 The development of the site for largely retail purposes has been a long-term aspiration of the Council. The proposals form part of the on-going regeneration initiatives across the Hattersley estate aimed at addressing inequalities and improving economic, social and environmental conditions of the area. Whilst located outside of a designated centre there are considered to be specific locational factors for the development to be located at the site in line with paragraphs 91 and 92 of the NPPF.

- 18.2 The proposal would result in the positive re-use of previously developed land resulting in significant environmental improvements to the area. The retail development is within an area the Council has historically earmarked as a replacement district centre to serve the Hattersley community. Given the subsequent redevelopment of the former centre the need for additional retail development to serve the community is demonstrable.

- 18.3 The principle of development has been established under previous consents. The proposals are broadly consistent with these approvals. The combined uses would create jobs resulting in direct economic benefits within the locality and employment opportunities for local residents. The proposed employment uses would add to the diversity of the local economy.

- 18.4 The location of the store within a central and highly accessible location will help to reduce vehicle trips, with residents no-longer dependent on travelling outside Hattersley to meet their convenience retail needs.
- 18.5 The development would not cause undue impacts to highway safety and it can be safely accessed and serviced from the established highway network and overall levels of parking would be appropriate for the intended use.
- 18.6 The relationship between the site and its proposed uses to that of existing residential properties would be acceptable.
- 18.7 Assessments have identified that there are no significant constraints at the site. There are no drainage or ecological issues of note and the development can be delivered within a sustainable manner with minimal environmental impact.
- 18.8 There are no objections from statutory consultees in relation to the proposals which are considered to be an efficient use of the site.
- 18.9 When considering the proposal against the policies of the NPPF as a whole, the collective benefits associated with the proposal are positive. The development would accord with the main aims and objectives and policies of the development plan and represent sustainable development. There have been no negative economic, social, or environmental impacts identified from the development. The proposal would therefore result in sustainable development in accordance with the development plan and the NPPF.

RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.

PLANS:

Dwg Ref: 17870-XX-XX-DR-A-1090_P02 - Site Location Plan
 Dwg Ref: 17870-XX-XX-DR-A-1091_P02 - Existing Site Plan
 Dwg Ref: 17870-XX-XX-DR-A-1092_P02 - Existing Site Sections
 Dwg Ref: 17870-XX-XX-DR-A-1093_P02 - Demolition Plan
 Dwg Ref: 17870-XX-XX-DR-A-1100_P08 – Proposed Site Plan
 Dwg Ref: 17870-XX-XX-DR-A-1101_P06 - Proposed Site Plan - Tree Survey Overlay
 Dwg Ref: 17870-XX-XX-DR-A-1102_P03 - Proposed Site Sections
 Dwg Ref: 17870-XX-XX-DR-A-1103_P06 - Boundary Treatment Plan
 Dwg Ref: 17870-XX-XX-DR-A-1104_P05 - Cycle & Bin Store Details
 Dwg Ref: 17870-XX-XX-DR-A-1110_P04 - Unit A GA Plan
 Dwg Ref: 17870-XX-XX-DR-A-1111_P04 - Unit A Elevations
 Dwg Ref: 17870-XX-XX-DR-A-1112_P02 - Unit A Roof Plan
 Dwg Ref: 17870-XX-XX-DR-A-1120_P02 - Unit B GA Plan
 Dwg Ref: 17870-XX-XX-DR-A-1121_P02 - Unit B Roof Plan
 Dwg Ref: 17870-XX-XX-DR-A-1122_P02 - Unit B Elevations
 Dwg Ref: 17870-XX-XX-DR-A-1130_P06 - Unit C Proposed Plans
 Dwg ref: 17870-XX-XX-DR-A-1131_P04 - Unit C Proposed Sections
 Dwg Ref: 17870-XX-XX-DR-A-1132_P05 – Unit C Proposed Elevations

Dwg Ref: 17870-XX-XX-DR-A-1133_P05 - Unit C Proposed Detail Elevations
Dwg Ref: 17870-VL_L01 Rev H - Landscape Plan_A0 [PLANNING]

REPORTS:

Air Quality Assessment prepared by Hilson Moran Partnership Limited (22 Sept 2023)
Arboricultural Impact Assessment (including Arboricultural Constraints Assessment) prepared by Tyler Grange Group Limited (28 Nov 2023)
Archaeological Desk-Based Assessment prepared by Orion Heritage Limited (January 2024)
Crime Impact Statement prepared by Greater Manchester Police (24 July 2023)
Design and Access Statement prepared by The Harris Partnership (24 Nov 2023) ;
Ecological Impact Assessment (including Biodiversity Net Gain Assessment) by Tyler Grange Group Limited (29 Nov 2023)
Environmental Standards Statement by Element Sustainability Limited (29 Nov 2023)
External Lighting Plan prepared by Crookes Walker Consulting (2813-CWC-XX-00-DR-EX-6301 P4 - Lighting Plan (27 Nov 23))
Flood Risk Assessment prepared by ICIS Design Limited (Sept 2023)
Geo-Environmental Assessment Phase 1 Desk Study and Preliminary Contamination Assessment prepared by Waterman Energy, Environmental and Design Limited (September 2014)
Geo-Environmental Assessment Report prepared by Brownfield Solutions Limited (July 2016)
Supplementary Ground Investigation Remediation and Enabling Works Strategy by E3P (November 2023)
Noise Impact Assessment prepared by Noise Solutions Limited (24 November 2023)
Planning and Retail Statement by Avison Young (UK) Limited (November 2023)
Statement of Community Involvement prepared by Cavendish Consulting (Oct 2023);
Surface Water Management Report prepared by ICIS Design Limited (24 Nov 2023)
Transport Statement (including Framework Travel Plan) prepared by Eddisons Commercial Limited (Sept 2023)

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted PfE and TMBC UDP.

- 3) Notwithstanding any description of materials in the application, samples and/or full specification of materials to be used: externally on the building; in the construction of all boundary walls, fences and railings; and, the finishes to all external hard-surfaces are required to have been submitted to, and approved in writing by, the local planning authority prior to their construction/use on site. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) The net sales area of the Class E food store hereby approved shall not exceed 1,842 square metres in floor area, as per drawing no.17870-XX-XX-DR-A-1110_P04 - Unit A GA Plan and the area for the sale of non-food goods within the food store shall not exceed 20% of the net sales area (368 square metres).

Reason: In the interests of retail policy to ensure no undue impact upon the vitality and viability of existing centres in accordance with UDP policy S3

- 5) Prior to the commencement of use/first occupation of any of the uses hereby approved full proposals of the design and location of all onsite street furniture, to include, but not limited to; signage, lighting columns, benches, public art work, bollards and litter bins shall be

submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented prior to any of the uses trading to the general public or in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality, in accordance with polices H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 6) Upon completion of any approved remediation scheme(s), and prior to use, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site 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 use of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 7) With the exception of site clearance work, demolition, compound construction and initial ground works no construction on any of the approved buildings shall take place until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with PFE policy JP-S4.

- 8) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management.

- 9) No work shall take place in respect to the construction of the approved highway to the development, as indicated on the approved 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, parking areas and footways.
3. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
4. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
5. Details of carriageway markings and signage.
6. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways 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.

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 and the development shall be retained as such thereafter.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

- 10) Prior to the first occupation of the development hereby approved, a scheme and programme of implementation relevant to the provision of a Toucan Crossing at the agreed location on Stockport Road to the south west of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- General arrangements, based on topographical surveys, demonstrating the existing and proposed roads, all pedestrian and cycle facilities, verges and visibility splays, together with existing and proposed levels;
- Details of how the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations, typical highway cross-sections, showing a specification for each type of carriageway, footway, footpath and cycle track;
- Full details of the surface water drainage proposals;
- Full signing and lighting details;
- Details of traffic signals and traffic signal information;
- Details of Traffic Regulation Orders;
- Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards);

- An independent Stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.

The approved scheme and highway works shall be implemented in full accordance with the approved details and an agreed timetable, and shall be retained as such thereafter.

Reason: In the interest of highway safety to promote active travel to the site in accordance with Policy T1 of the adopted Tameside Unitary Development Plan and the National Planning Policy Framework.

11) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:

- Hours of construction work and deliveries;
- Phasing of the development;
- Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
- Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored (off ground), contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
- Wheel washing facilities;
- Measures to control the emission of dust and dirt during construction;
- Measures to control noise levels during construction;
- Measures to control run-off and protect nearby watercourses (Hurst Clough);
- Include measures to locate, clear, remediate and permanently seal any existing drains within the application site that may discharge into the Hurst Clough or be hydrologically connected;
- Details of any public relations measures e.g. Considerate Constructors Scheme;
- Risk Assessment and Method Statement (RAMS) for the protection of protected species; and
- Arrangements for monitoring compliance with the above requirements.

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

Reason: In the interest of Ecology, highway safety and amenity of local residents, in accordance with UDP Policies T1, H10 and N5.

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

- Long-stay cycle parking (a covered and secure cycle store/s) for a minimum of 11 cycles.

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

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.

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

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans.

- 14) A clear view shall be provided at the junction of the proposed access road into the development with Stockport Road. Its area shall measure 2.4m metres along the centre of the proposed access and 43 metres along the edge of the roadway in Stockport Road. It must be kept clear of anything higher than 0.6 metre/s above the edge of the adjoining roadway or access.

Reason: In the interests of highway safety to allow users of proposed junction to the development and Stockport Road to see each other approaching.

- 15) The development hereby approved, shall not commence until details of a Construction Training and Employment Management Plan (CT&EMP) relevant to the development has been submitted to, and approved in writing by, the Local Planning Authority. The CT&EMP will aim to promote training and employment opportunities for local people and include:

- Measures to ensure the owner and contractors work directly with local employment and training agencies;
- Targets for employing local labour;
- Targets for work experience opportunities;
- Measures to provide training opportunities in respect of any new jobs created; and
- Requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority.

The development shall be carried out in accordance with the agreed CT&EMP and any amendments to the CT&EMP shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that opportunities are provided to residents of Tameside, in accordance with policy E7 of the adopted Tameside Unitary Development Plan (2004).

- 16) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas within the site, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development. The landscape management arrangements plan shall be carried out in accordance with the approved details with maintenance undertaken thereafter.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP policy H10.

- 17) 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.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1 Townscape and Urban form , OL10 Landscape Quality and Character.

- 18) No development shall take place until a method statement detailing the reasonable avoidance measures to be put in place to avoid and/or minimise any impacts on mammals, reptiles and amphibians during the construction period has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in full accordance with the reasonable avoidance measures identified in the approved method statement.

Reason: In the interests of protected species and nature conservation in accordance with in accordance with policy N3 of the adopted Tameside Unitary Development Plan (2004).

- 19) All tree work must be to BS3998 (2010) with any tree or hedgerow removal being in accordance with the details submitted within the Arboricultural Impact Assessment prepared by Tyler Grange Group Limited (28 Nov 2023), with no felling taking place between the period 1st March to 1st September unless a report prepared by a suitably qualified ecologist or ornithologist which demonstrates that there are no breeding birds present in any areas of trees, woodland and scrub has been submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of biodiversity in accordance with policy N7: Protected Species.

- 20) The development hereby approved shall not be brought into use until a Biodiversity Enhancement Plan (BEP) for the development has been submitted to and approved in writing by the Local Planning Authority. The BEP shall be based upon the enhancement measures identified within the landscape plan ref 17870-VL_L01 Rev H and include the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:
- a) The installation of bat boxes.
 - b) The installation of bird boxes.
 - c) The introduction of native tree planting as part of the soft landscaping scheme
 - d) Opportunities for invertebrates.
 - e) Hedgehog friendly development.

The duly approved BEP shall thereafter be implemented in full accordance with the approved details and approved timetable.

Reason: In the interests of biodiversity net gain in accordance with UDP policy N3: Nature Conservation Factors and PfE policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity

- 21) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced off in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To safeguard existing trees, in the interest of visual amenity in accordance with UDP policy N5: Trees within Development Sites

- 22) Prior to any earthworks taking place, a survey for invasive plant species including but not limited to Japanese Knotweed and Himalayan Balsam shall be undertaken, and the findings submitted to and approved in writing by the Local Planning Authority. If any invasive species are present, a method statement detailing avoidance, control and eradication measures shall

also be supplied to and agreed in writing by the Local Planning Authority, prior to any earthworks taking place. The development shall then be carried out in accordance with the method statement.

Reason: In the interests of biodiversity and environmental protection.

- 23) Details of all fixed plant and machinery together with any acoustic treatment / design, shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation in order to demonstrate compliance with the plant noise limits specified in Planning Noise Assessment Report by Noise Solutions Ltd, reference 91539, Revision 02. Plant and machinery shall be installed in accordance with the agreed measures which shall be maintained thereafter.

Reason: To reduce potential noise and safeguard the general amenity of the area in accordance with UDP policy 1.12.

- 24) 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.

Reason: To protect the amenities of occupants of nearby properties / dwelling houses in accordance with UDP policies 1.12 and E6.

- 25) The food store unit hereby approved shall not be open for trade outside of the following hours:
- Monday to Saturday 08:00hrs to 23:00hrs
 - Sundays 10:00hrs to 18:00hrs

Reason: To protect the amenities of occupants of nearby properties in accordance with UDP policies 1.12 and E6.

- 26) Deliveries, servicing and collections, including waste collections, shall not take place outside of the following hours at the food store unit hereby approved:
- Monday to Saturday 06:00hrs to 23:00 hrs
 - Sundays 08:00hrs to 18:00hrs

Reason: To protect the amenities of occupants of nearby properties in accordance with UDP policies 1.12 and E6.

- 27) The development shall not commence until details of a lighting strategy have been submitted for approval in writing the Local Planning Authority. The strategy shall address:
- How and where lighting will be installed to include a isolux contour plan
 - Specify frequency and duration of use.
 - Details of how the lighting will be funded for both electricity supply and future maintenance.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy prior to the occupation of any part of the development.

Reason: In the interests of biodiversity, road safety and personal safety

- 28) Prior to the first opening, a scheme to include, but not limited to, the management of litter picking, provision of waste bins in suitable locations close to pedestrian / cyclist access and egress points, and arrangements for emptying the bins on a regular basis, shall be submitted to and approved in writing by the Local Planning Authority. Any litter bins or other facilities provided pursuant to the requirements of this condition shall be retained and maintained for

the duration of the development and the use shall operate in complete accordance with the approved scheme.

Reason: To minimise pollution in the interests of environmental quality in accordance with UDP policy MW12 Control of Pollution.

- 29) Details of which recommendations contained within the submitted Crime Impact Statement dated (2023/0311/CIS/01 Version A 24/07/23) have been implemented at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the uses approved coming into operation.

Reason: In the interests of security of both future occupants and visitors to the site.

- 30) All units within the development hereby approved shall be serviced with full digital fibre connectivity. A statement confirming this shall be submitted to the Local Planning Authority prior to the first occupation of the development.

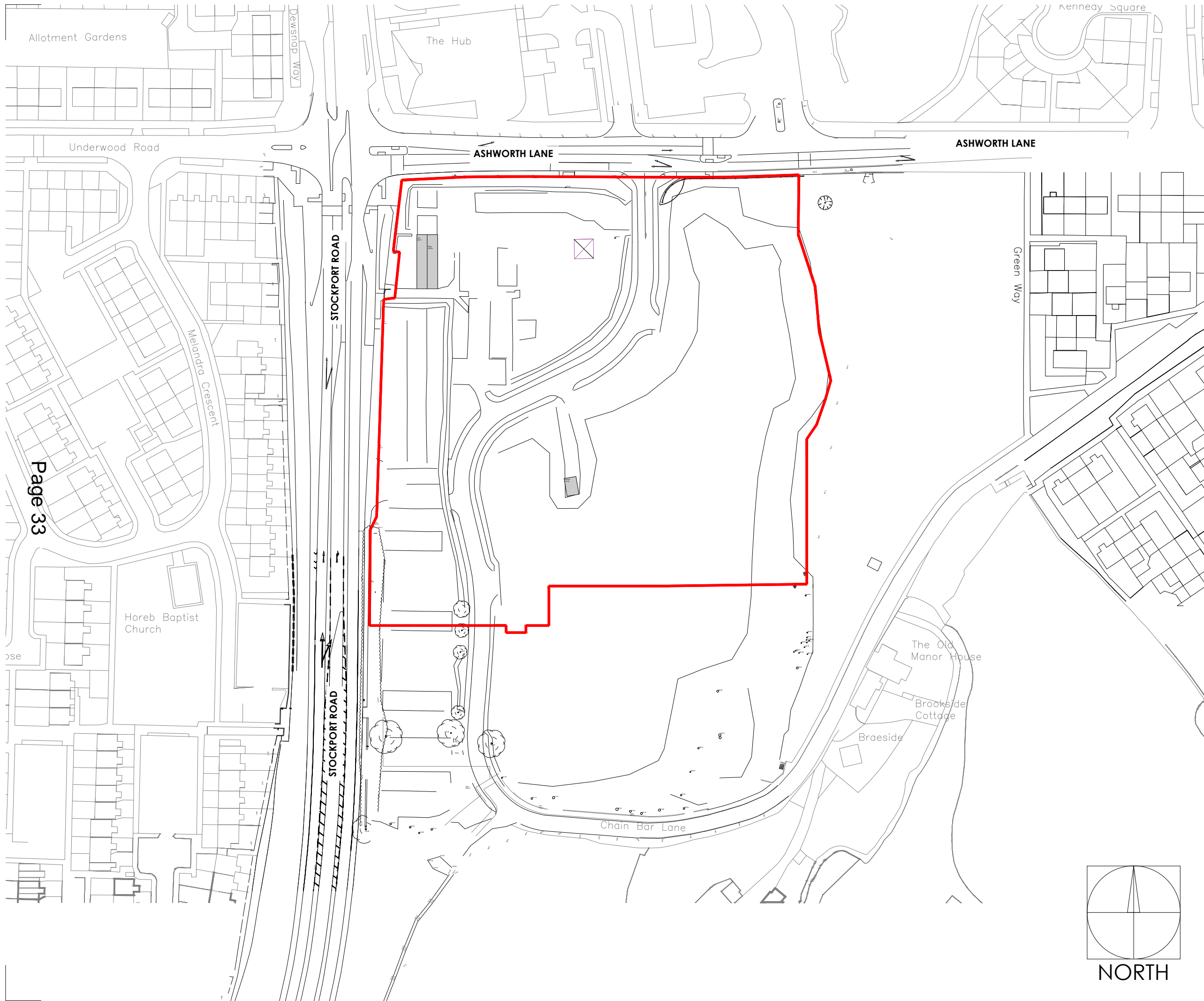
Reason: To ensure that the employment uses are digitally connected in accordance PfE policies JP-C2 (Digital Connectivity).

- 31) The buildings hereby approved shall strive to achieve a BREEAM “excellent standard but be constructed to a “very good standard” as a minimum. Prior to the construction of the buildings, details of measures to secure compliance with this condition shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be constructed in accordance with the approved details.

Reason: in the interests of sustainable development in accordance with PfE policy JP-S2 Carbon and Energy.

- 32) The employment uses hereby approved within Unit C shall be restricted to Use Classes E(g) B8 and B2, whereby any B2 use shall be limited to vehicle repairs/garage only.

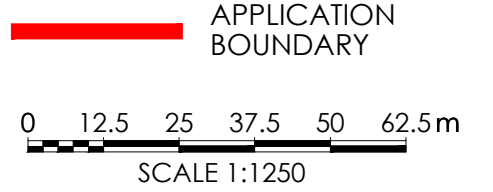
Reason: In the interest of amenity to protect the amenities of occupants of nearby properties in accordance with UDP policies 1.12 and E6.



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Rev	Date	Description	Drawn	Chk'd
P01	14.07.23	DRAFT PLANNING ISSUE	RG	LEEB
P02	09.10.23	ISSUED FOR PLANNING APPLICATION	RG	LEEB



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10 Gees Court, St Christopher's Place, London, W1U 1JJ

www.harrispartnership.com

Client
MAPLE GROVE DEVELOPMENTS



Project Title
PROPOSED DISTRICT CENTRE

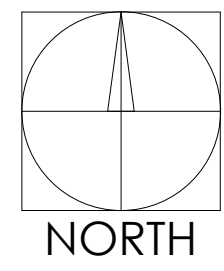
**ASHWORTH LANE
STOCKPORT ROAD
HATTERSLEY**

Drawing Title
SITE LOCATION PLAN

Drawn	Checked	Scale @A3	Status	Date
RG	LEEB	1:1250	SO	05.23

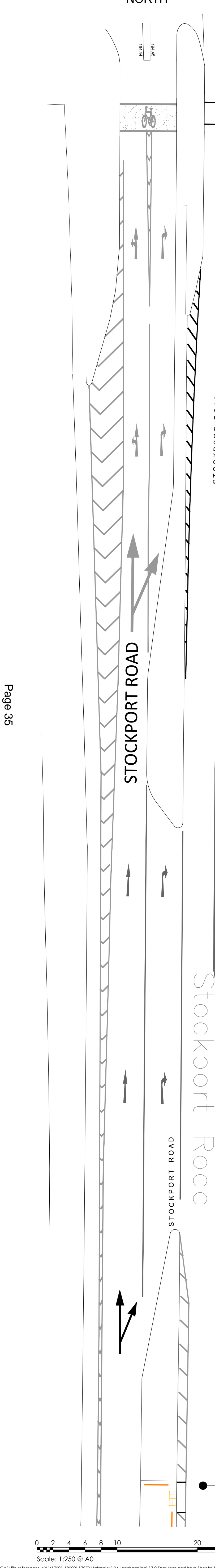
Drawing Status	Rev.	THP Project No
PLANNING	P02	17870

Project No.	Originator	Volume	Level	Type	Role	Number
17870	THPW	XX	XX	DR	A	1090



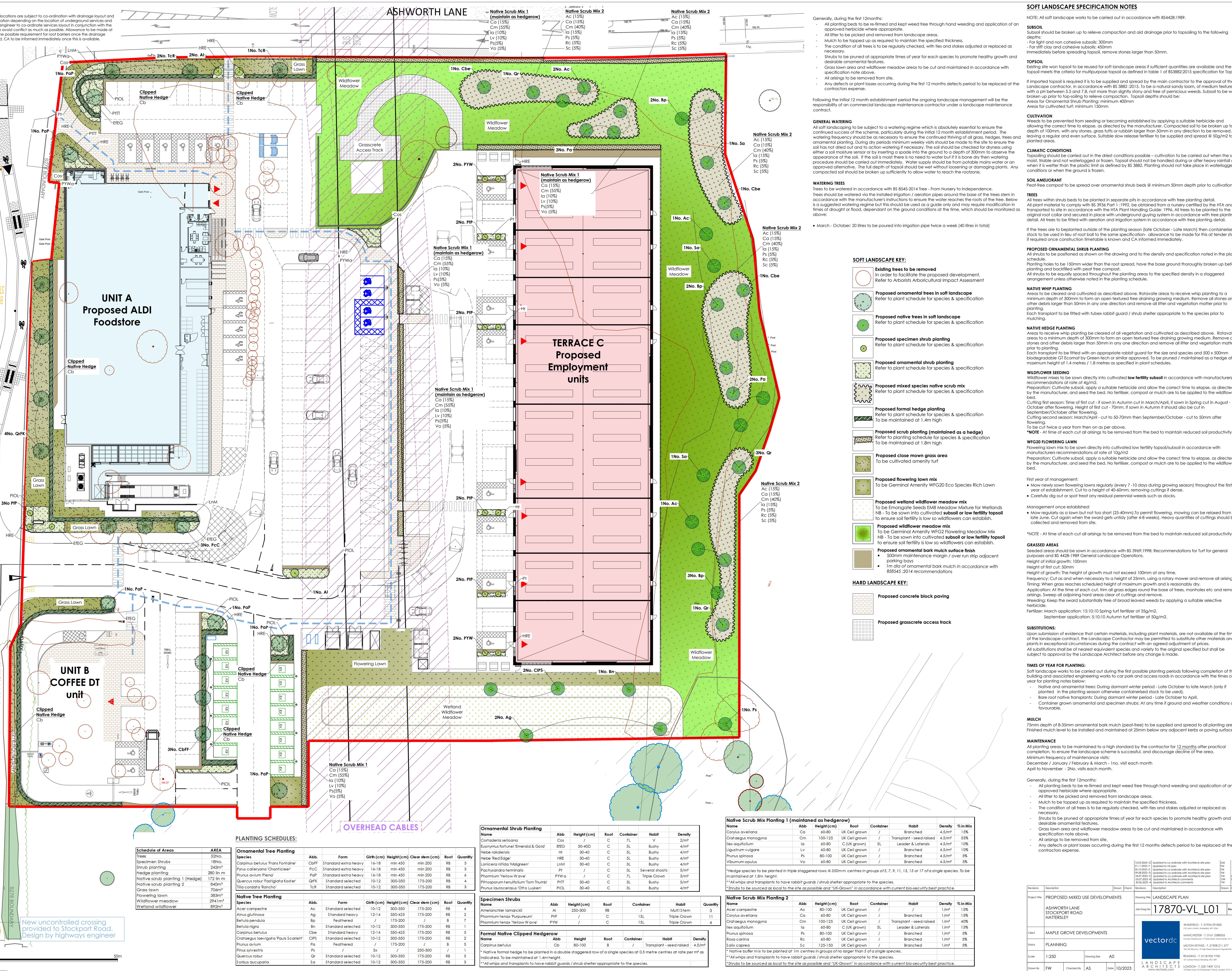
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NOTE: SURROUNDING CONTEXTUAL BUILDINGS AND INFORMATION ARE BASED ON RECEIVED ORDNANCE SURVEY DRAWINGS AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. ASSUMED SITE BOUNDARY IS SUBJECT TO CONFIRMATION.



General Notes: All proposed tree locations are subject to co-ordination with drainage layout and subject to modification depending on the location of underground services and utilities.

NOTE: All proposed tree locations are subject to co-ordination with drainage layout and subject to modification depending on the location of underground services and utilities. Drainage engineer to co-ordinate services layout in conjunction with the landscape plan to avoid conflict as much as possible. Allowance to be made for tender stage for the possible requirement for root barriers once the drainage layout is confirmed. CA to be informed immediately once this is available.



New uncontrolled crossing provided to Stockport Road. Design by highways engineer.

Table with 2 columns: Schedule of Areas and AREA. Lists various landscape elements and their corresponding areas.

Table with 2 columns: Ornamental Tree Planting and Native Tree Planting. Lists tree species, abbreviations, and planting specifications.

Table with 2 columns: Ornamental Shrub Planting and Specimen Shrubs. Lists shrub species, abbreviations, and planting specifications.

Table with 2 columns: Native Scrub Mix Planting 1 and Native Scrub Mix Planting 2. Lists scrub mix species, abbreviations, and planting specifications.

Table with 2 columns: Formal Native Clipped Hedgerow and Native Formal Clipped Hedgerow. Lists hedgerow species, abbreviations, and planting specifications.

Table with 2 columns: Native Scrub Mix Planting 1 and Native Scrub Mix Planting 2. Lists scrub mix species, abbreviations, and planting specifications.

NOTE: All white and transparent to have rabbit guards / shrub shelter appropriate to the species.

SOFT LANDSCAPE SPECIFICATION NOTES: NOTE: All soft landscape works to be carried out in accordance with BS4428:1989.

SOIL AMELIORATION: Finesize compost to be spread over ornamental shrub beds at minimum 50mm depth prior to cultivation.

WATERING: All soft landscaping to be subject to a watering regime which is absolutely essential to ensure the continued success of the scheme, particularly during the initial 12 month establishment period.

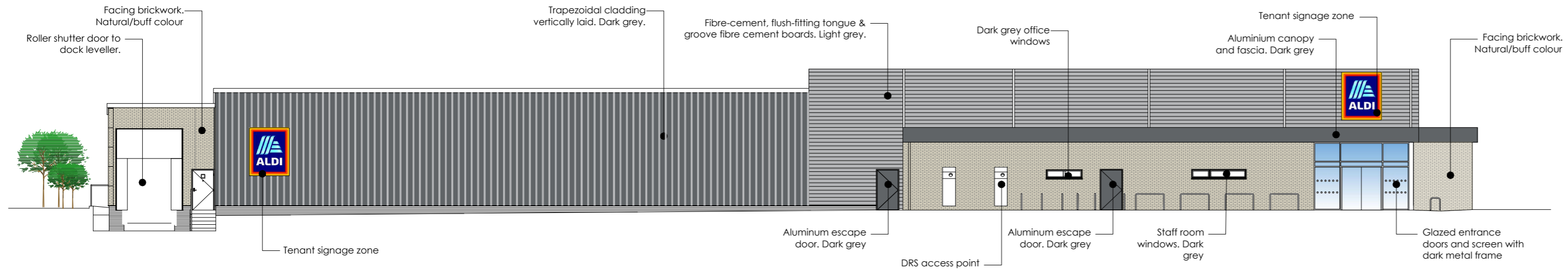
PLANTING SCHEDULES: Table with columns for Species, Abb., Form, Girth (cm), Height (cm), Clear stem (cm), Root, Quantity.

SOFT LANDSCAPE KEY: List of symbols for existing trees to be removed, proposed ornamental trees, native trees, specimen shrubs, etc.

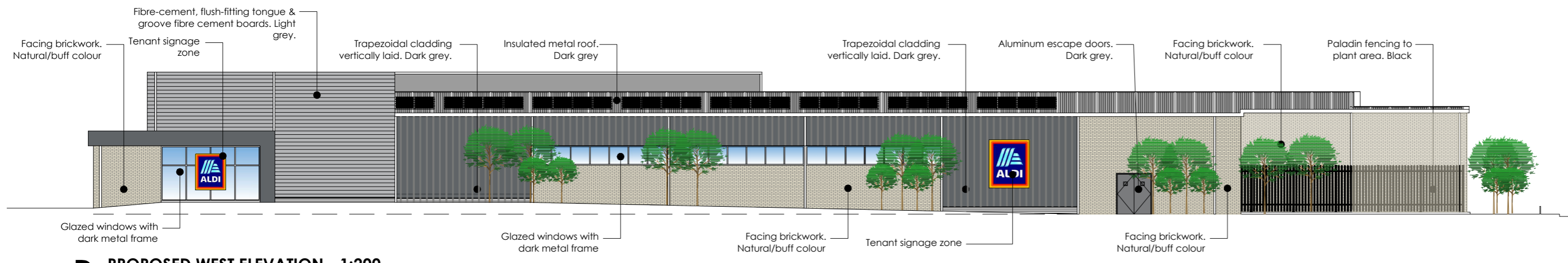
HARD LANDSCAPE KEY: List of symbols for proposed concrete block paving, proposed grasscrete access track, etc.

NOTE: All white and transparent to have rabbit guards / shrub shelter appropriate to the species.

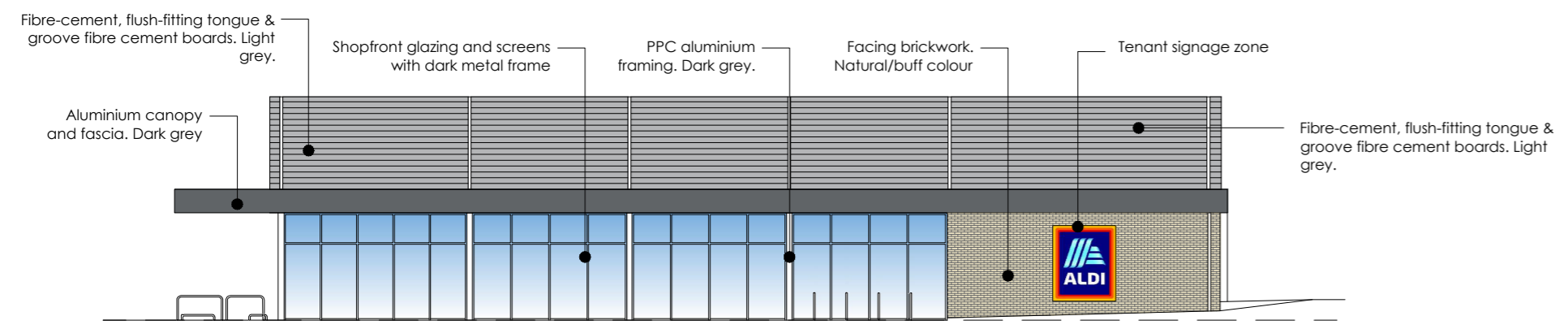
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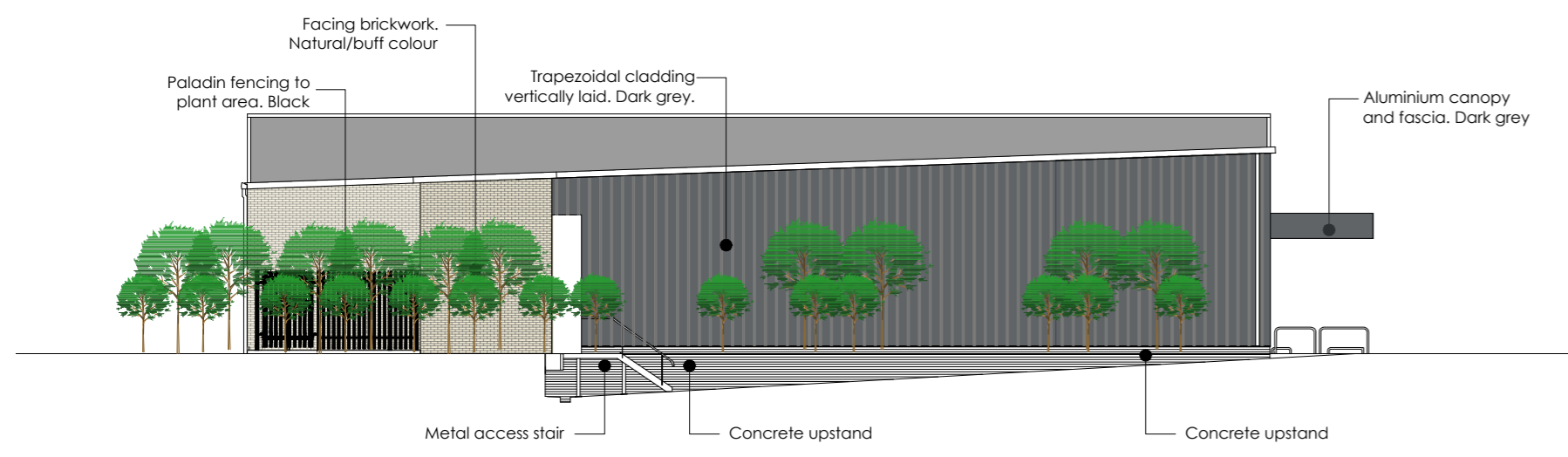
A PROPOSED EAST ELEVATION - 1:200
Facing Customer Car Park & Employment Terrace



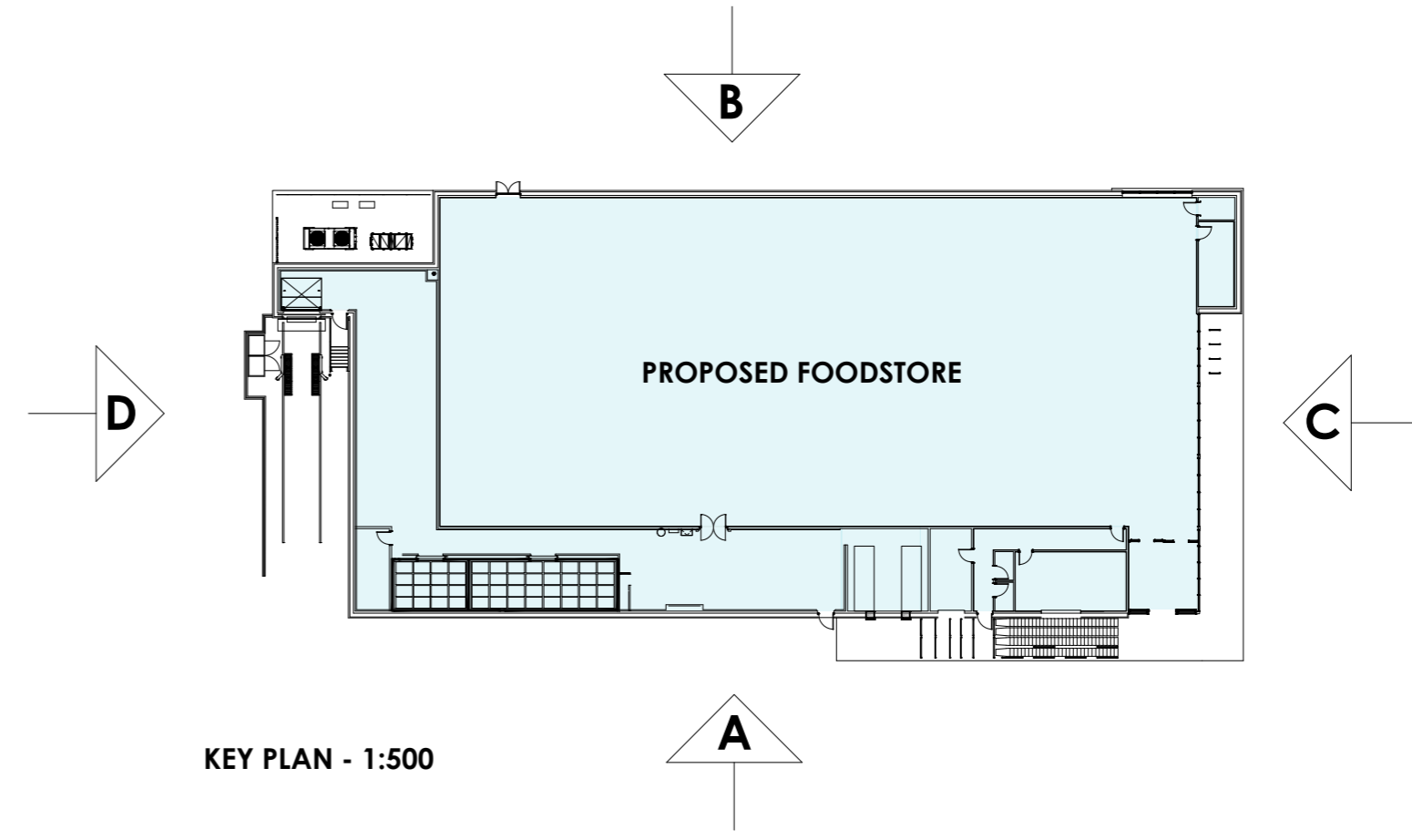
B PROPOSED WEST ELEVATION - 1:200
Facing Stockport Road



C PROPOSED NORTH ELEVATION - 1:200
Facing Ashworth Lane



D PROPOSED SOUTH ELEVATION - 1:200
Facing Drive Thru Plot



KEY PLAN - 1:500

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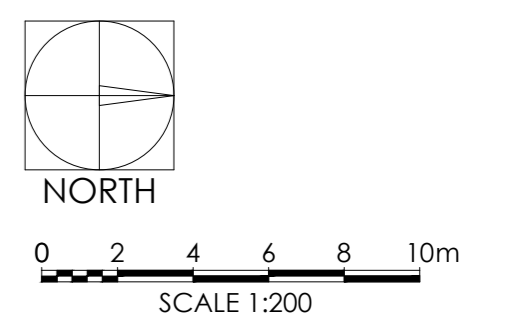
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Rev	Date	Description	Drawn	Chk'd
P01	14.07.23	DRAFT PLANNING ISSUE	RG	LEEB
P02	18.09.23	Glazing updates	JCB	RG
P03	13.10.23	Updated to amended site levels	JCB	RG
P04	28.03.24	Updated to tenant requirements	RG	LEEB

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MAPLE GROVE DEVELOPMENTS

MAPLE GROVE DEVELOPMENTS
PART OF THE BFC WAREHOUSE GROUP

Project Title
PROPOSED MIXED USE DEVELOPMENT

ASHWORTH LANE STOCKPORT ROAD HATTERSLEY

Drawing Title
UNIT A - PROPOSED ELEVATIONS

Drawn: RG, Checked: LEEB, Scale @A2: 1:200, Status: SO, Date: 07.23

Drawing Status: PLANNING, Rev.: P04, THP Project No.: 17870

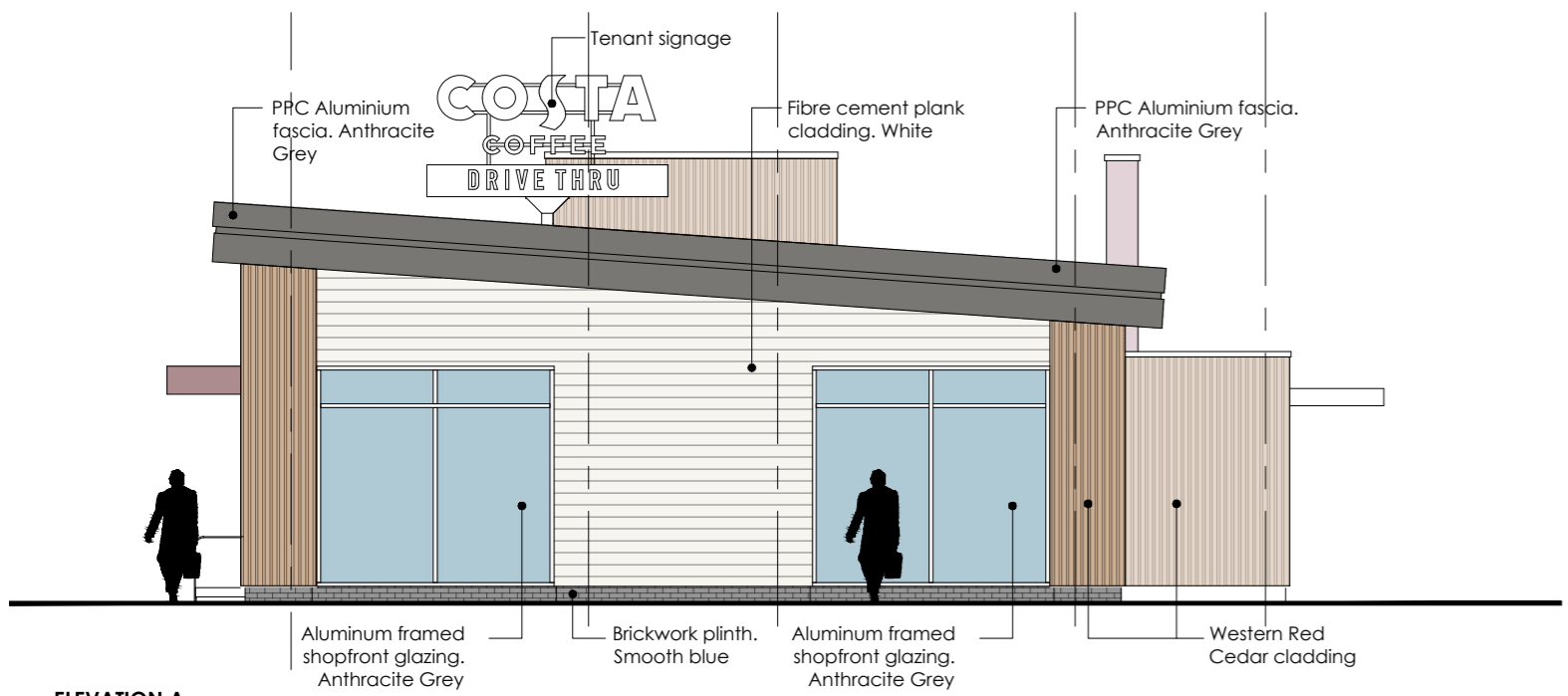
Project No.: 17870, Originator: THPW, Volume: XX, Level: XX, Type: DR, Role: A, Number: 1111

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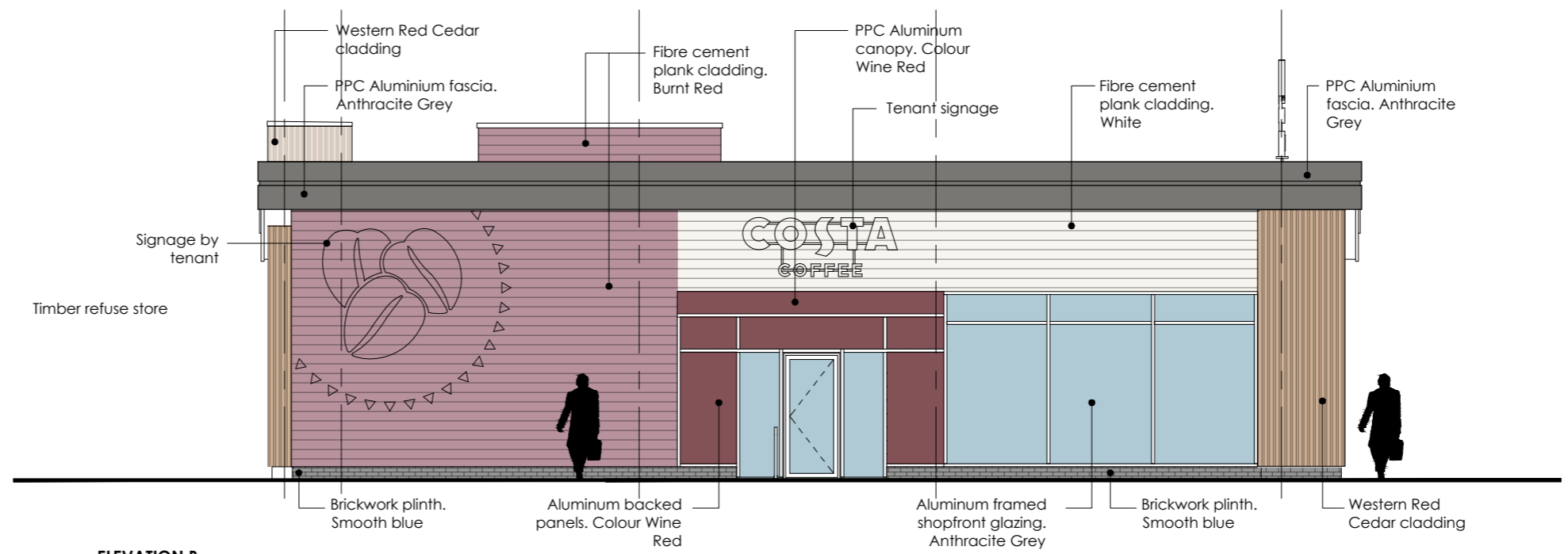
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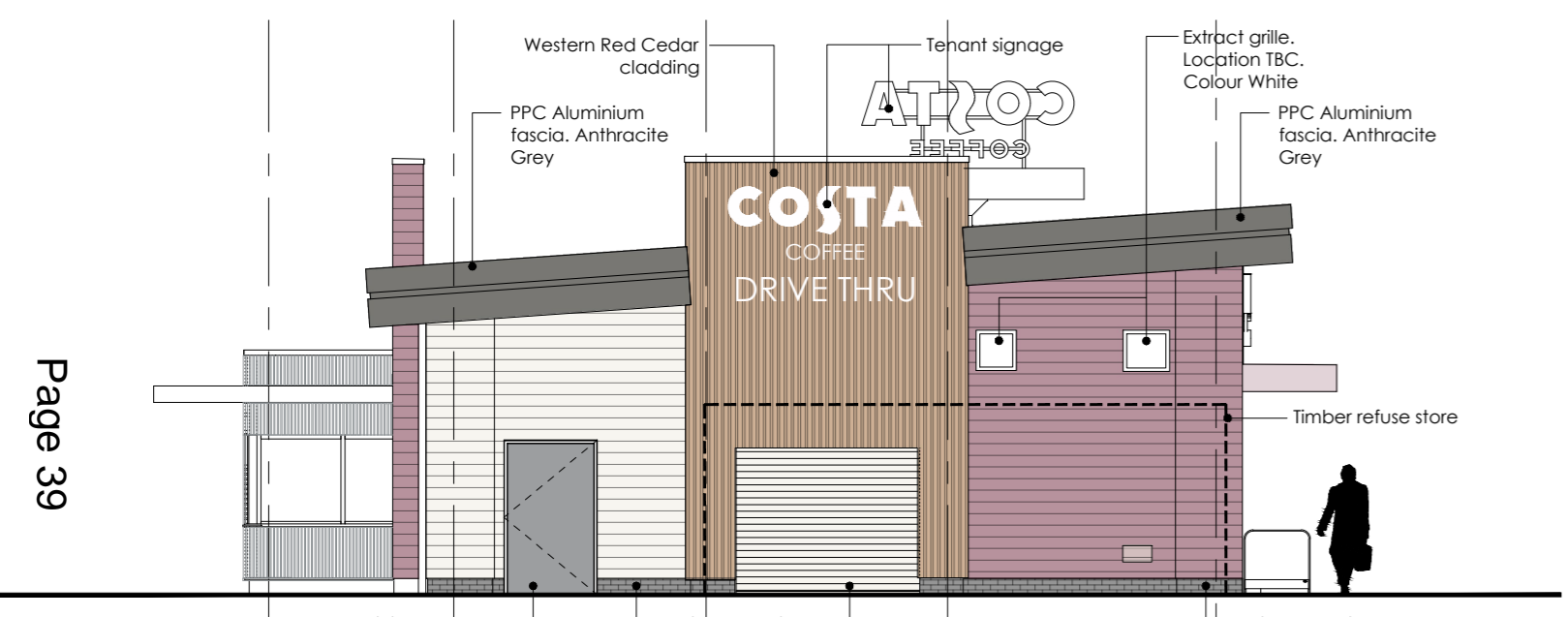
Rev	Date	Description	Drawn	Chk'd
P01	14.07.23	DRAFT PLANNING ISSUE	RG	LEEB
P02	09.10.23	ISSUED FOR PLANNING	RG	LEEB



ELEVATION A
Side elevation onto Lancaster Road



ELEVATION B
Front elevation onto car park, towards ALDI



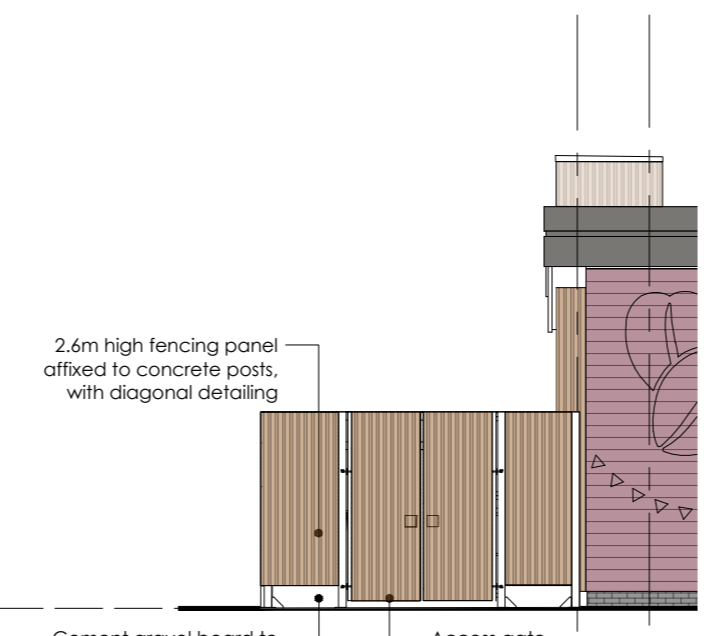
ELEVATION C
Side elevation onto drive thru lane



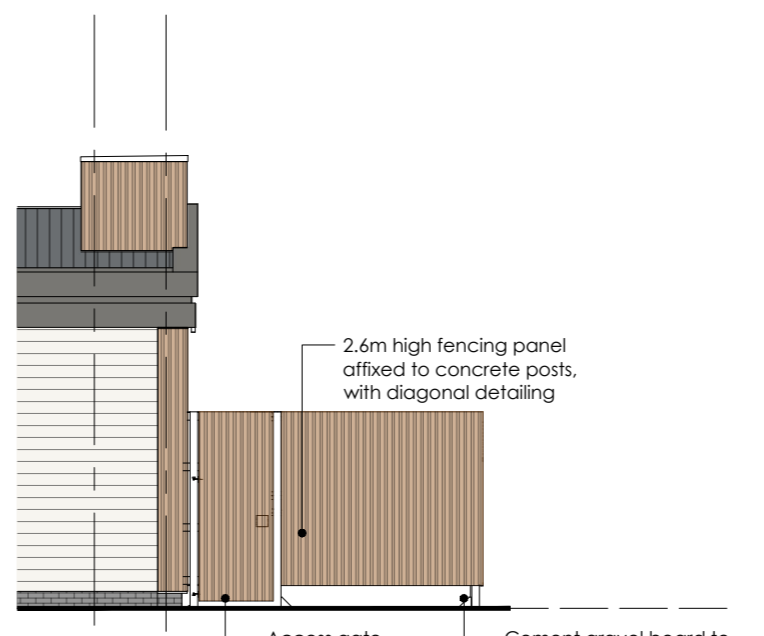
ELEVATION D
Rear elevation onto drive thru lane



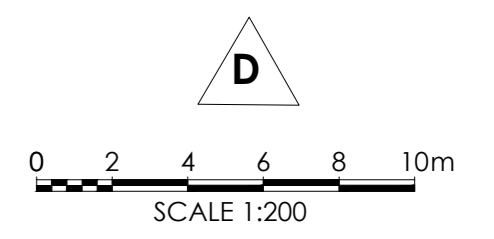
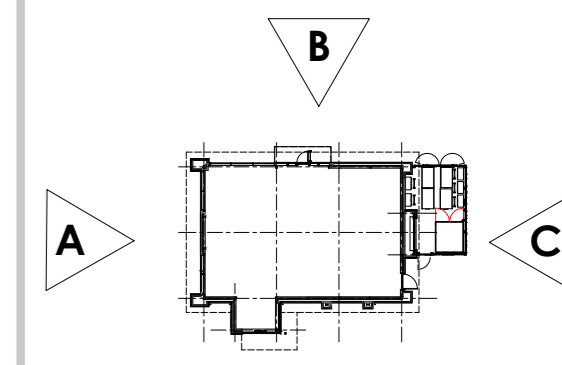
ELEVATION C
Refuse store details



ELEVATION B
Refuse store details



ELEVATION D
Refuse store details



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MIXED USE DEVELOPMENT

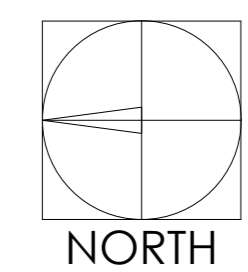
ASHWORTH LANE STOCKPORT ROAD HATTERSLEY

Drawing Title
UNIT C - Proposed Elevations

Drawn	Checked	Scale @A2	Status	Date
RG	LEEB	1:200	SO	07.23

Drawing Status	Rev.	THP Project No
PLANNING	-	17870

Project No.	Originator	Volume	Level	Type	Role	Number
17870	THPW	XX	XX	DR	A	1122



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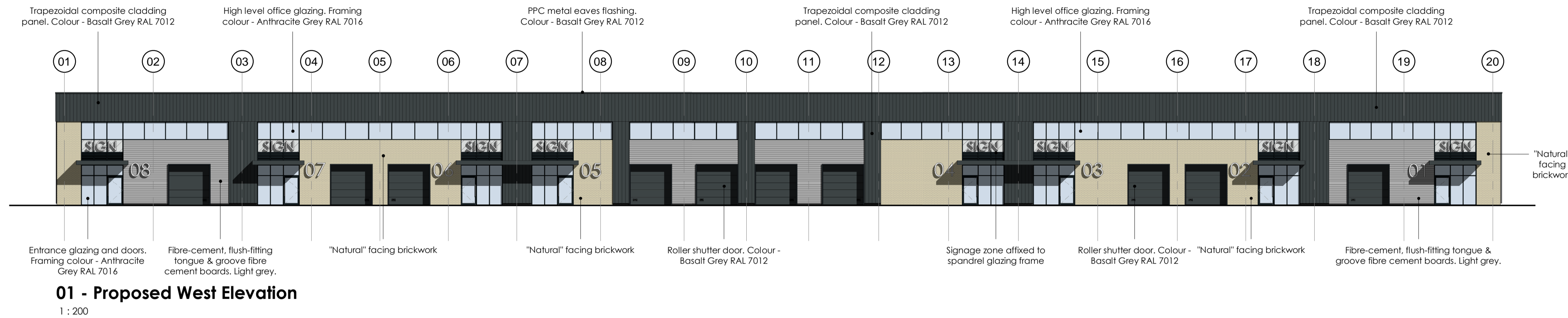
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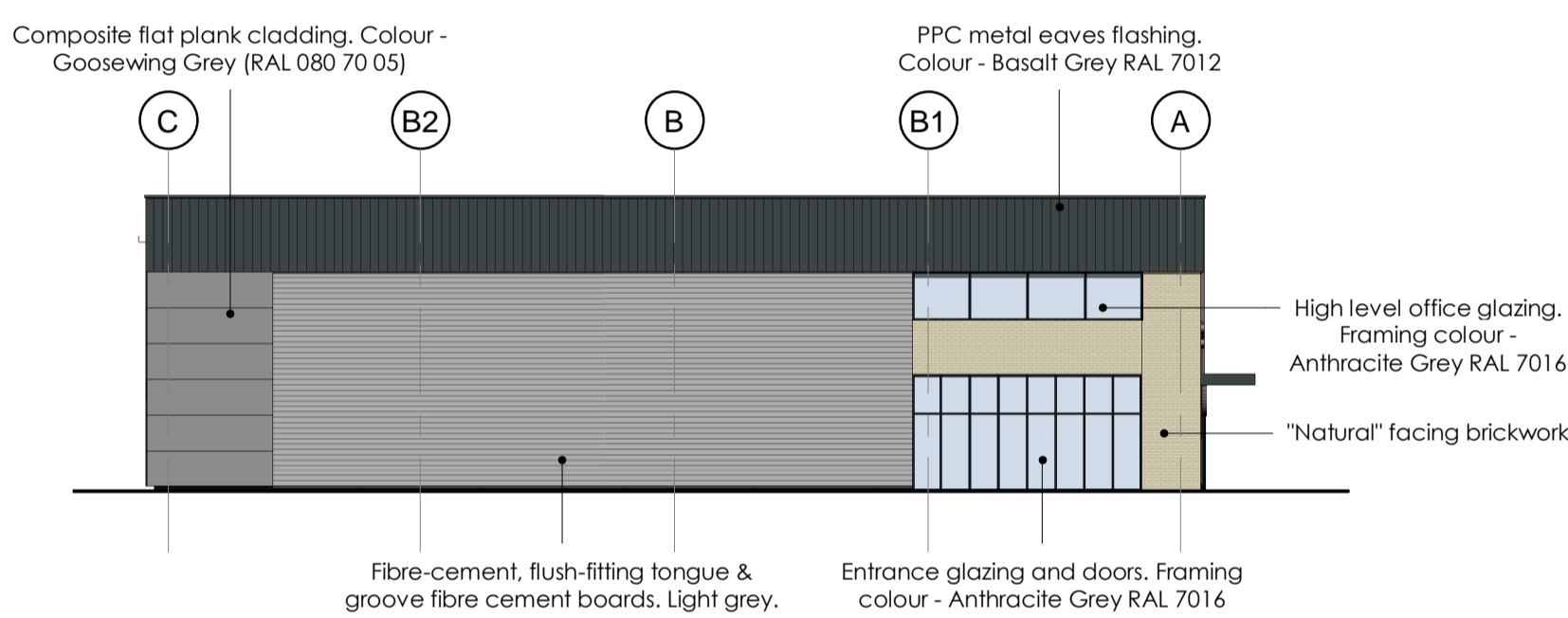
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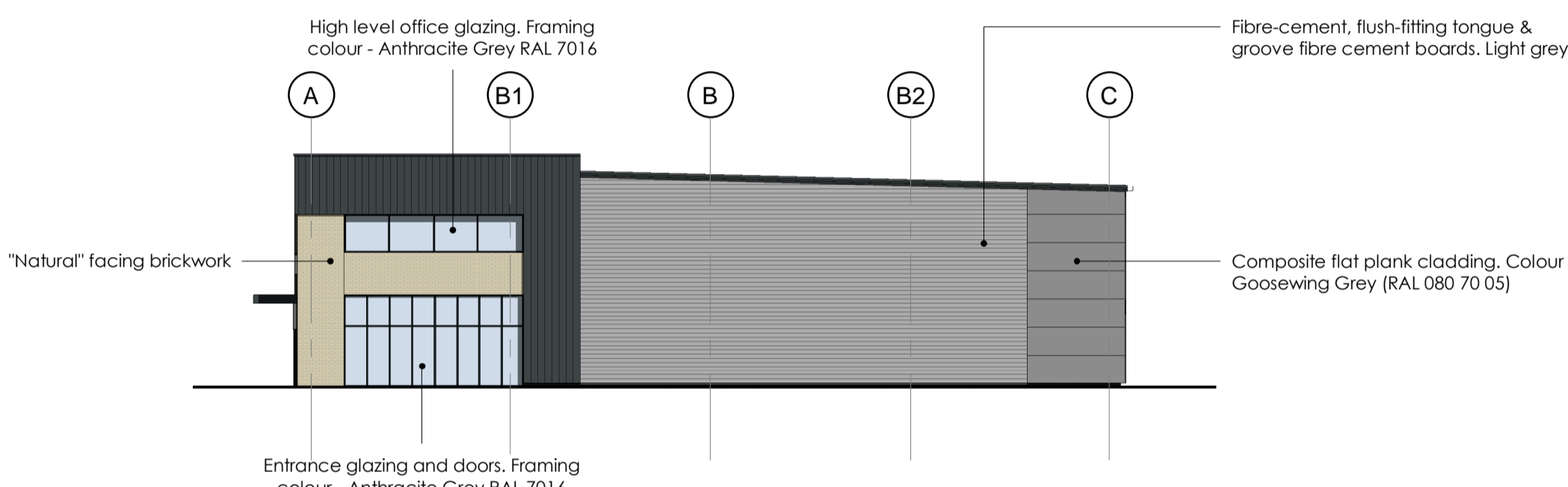
Rev	Date	Description	Drawn	CHK'D By
P01	13.07.23	PLANNING ISSUE	RG	LEEB
P02	21.07.23	UNIT 03/04 SPLIT UPDATED	RG	LEEB
P03	09.10.23	STRUCTURAL WORKS COORDINATED, ISSUED FOR PLANNING SUBMISSION	RG	LEEB
P04	12.10.23	PV ADDED TO ALIGN WITH M&E REQUIREMENTS	RG	LEEB
P05	18.03.24	BUILDING UPDATED TO MID-ROOF DESIGN, ISSUED FOR LOCAL AUTHORITY COMMENT	RG	LEEB



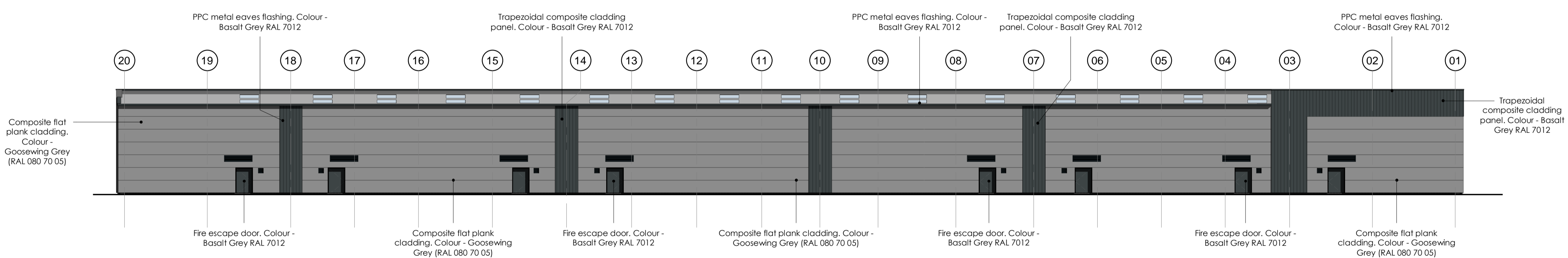
01 - Proposed West Elevation
1 : 200



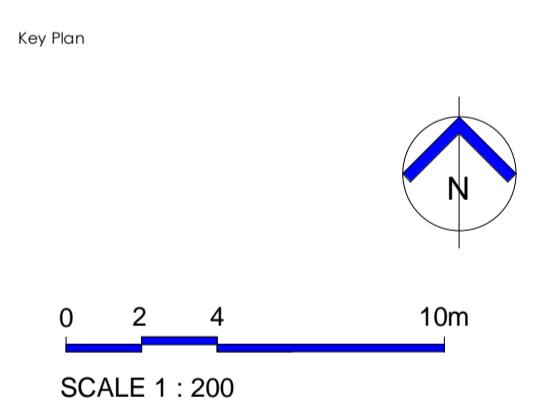
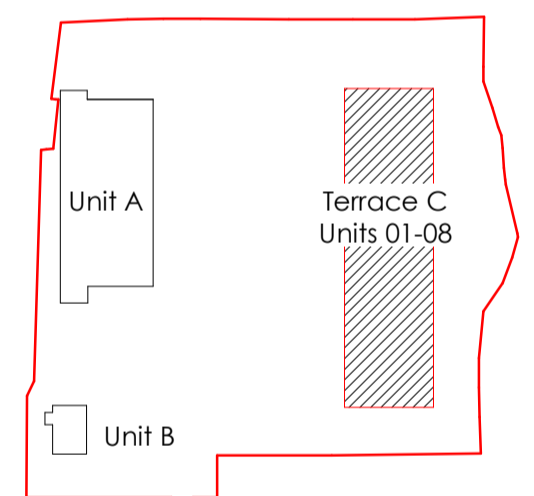
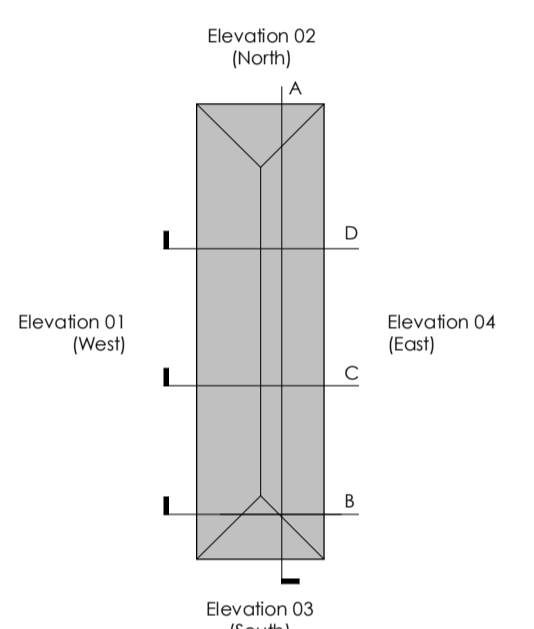
02 - Proposed North Elevation
1 : 200



03 - Proposed South Elevation
1 : 200



04 - Proposed East Elevation
1 : 200



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MAPLE GROVE DEVELOPMENTS
 PROJECT TITLE
PROPOSED MIXED USE DEVELOPMENT
 ASHWORTH LANE
 STOCKPORT ROAD
 HATTERSLEY

Drawn	Checked	Scale	@A1	Status	Date	
RG	LEEB	As indicated	SO		07.23	
Drawing Status	Rev.	THP Project No				
PLANNING	P05	17870				
Project No.	Originator	Volume	Level	Type	Rate	Number
17870	THP	ZZ	ZZ	DR	A	1132

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PLANNING BOUNDARY

+185.650

PROPOSED UNIT C

EV CHARGING BAYS

PROPOSED UNIT B

STOCKPORT ROAD

+193.695

SITE SECTION A:A

PLANNING BOUNDARY

THE HUB

ASHWORTH LANE

PROPOSED UNIT A

PROPOSED UNIT B

PLANNING BOUNDARY

SITE SECTION B:B

PLANNING BOUNDARY

Page 43

+189.180

ASHWORTH LANE

PROPOSED TERRACE C

PLANNING BOUNDARY

+192.950

SITE SECTION C:C

PLANNING BOUNDARY

+184.255
+185.650

PROPOSED UNIT C

PROPOSED UNIT A

PLANNING BOUNDARY

+194.113

STOCKPORT ROAD

SITE SECTION D:D

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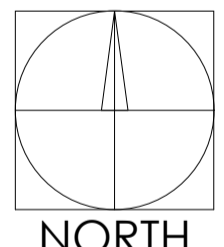
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Rev.	Date	Description	Drawn	CHK'd
P01	14.07.23	PLANNING ISSUE	RG	LEEB
P02	21.07.23	TERRACE C UNIT SPLIT UPDATED	RG	LEEB
P03	09.10.23	UPDATED TO LATEST SITE PLAN	RG	LEEB



0 2.5 5 7.5 10 12.5m
SCALE 1:250

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MAPLE GROVE DEVELOPMENTS

Project Title
PROPOSED MIXED USE DEVELOPMENT

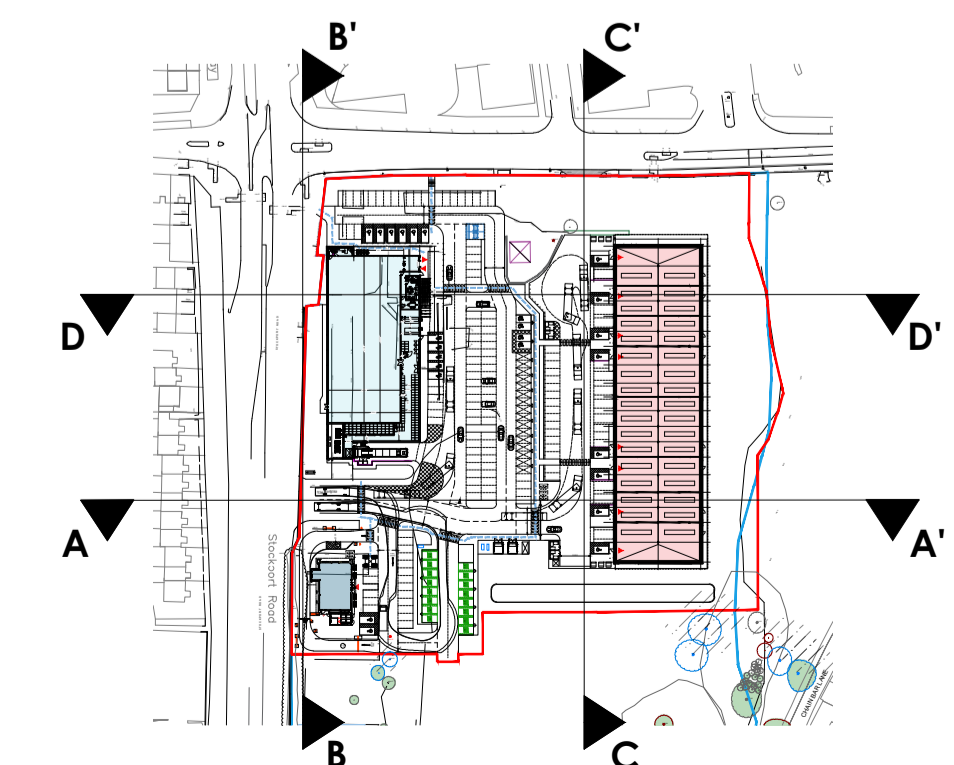
ASHWORTH LANE
STOCKPORT ROAD
HATTERSLEY

Drawing Title
PROPOSED SITE SECTIONS

Drawn	Checked	Scale	#A1	Status	Date
RG	LEEB	1:500	NA	NA	07.23

Drawn	Checked	Scale	#A1	Status	Date
RG	LEEB	1:500	NA	NA	07.23

Project No.	Originator	Volume	Level	Type	Role	Number
017870	THPW	XX	XX	DR	A	1102

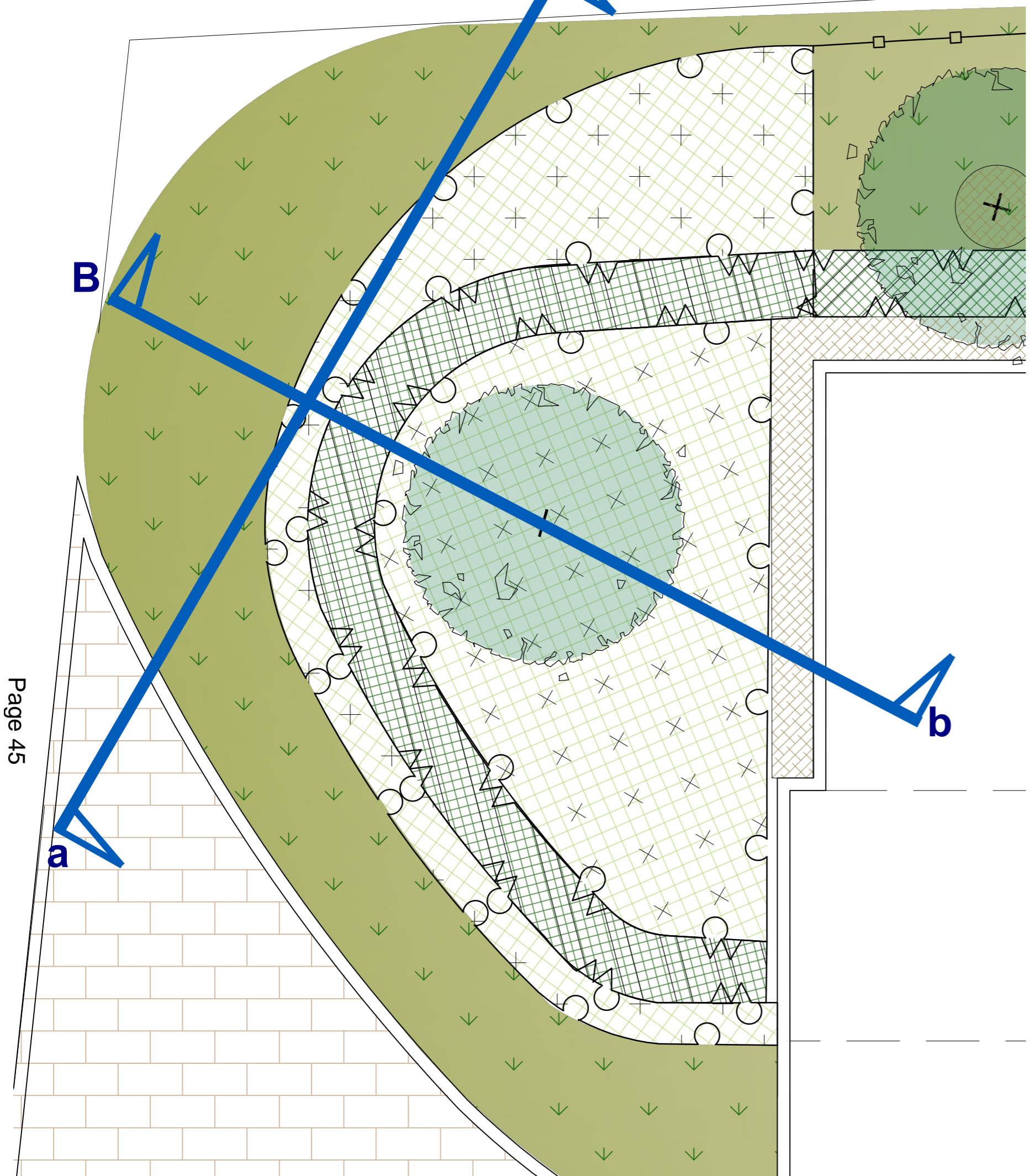


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Rev	Date	Description	Drawn	Chk'd
P01	22.02.24	Updated to remove feature wall	FW	RG

NOTE: SURROUNDING CONTEXTUAL BUILDINGS AND INFORMATION ARE BASED ON RECEIVED ORDINANCE SURVEY DRAWINGS AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. ASSUMED SITE BOUNDARY IS SUBJECT TO CONFIRMATION

General Notes:
All proposed tree locations are subject to co-ordination with drainage layout and subject to modification depending on the location of underground services and utilities. Drainage engineer to co-ordinate services layout in conjunction with the landscape plan to avoid conflict as much as possible. Allowance to be made at tender stage for the possible requirement for root barriers once the drainage layout is confirmed. CA to be informed immediately once this is available.



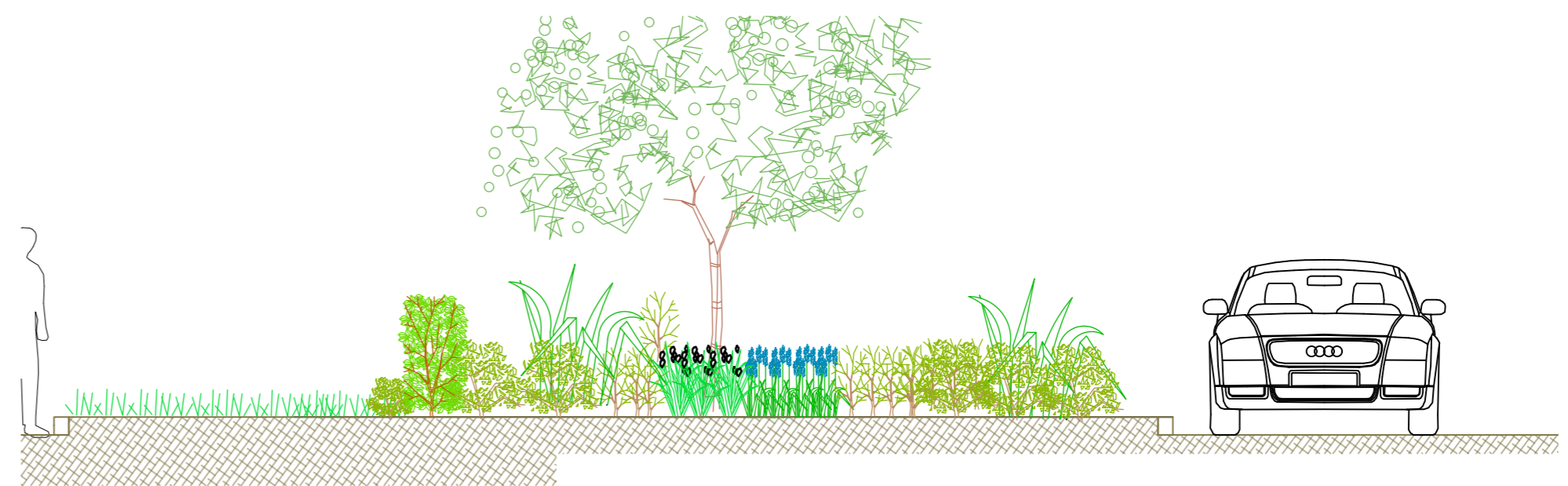
SK02 01 **PLAN - ENTRANCE FEATURE PLAN** 1:50

SOFT LANDSCAPE KEY:

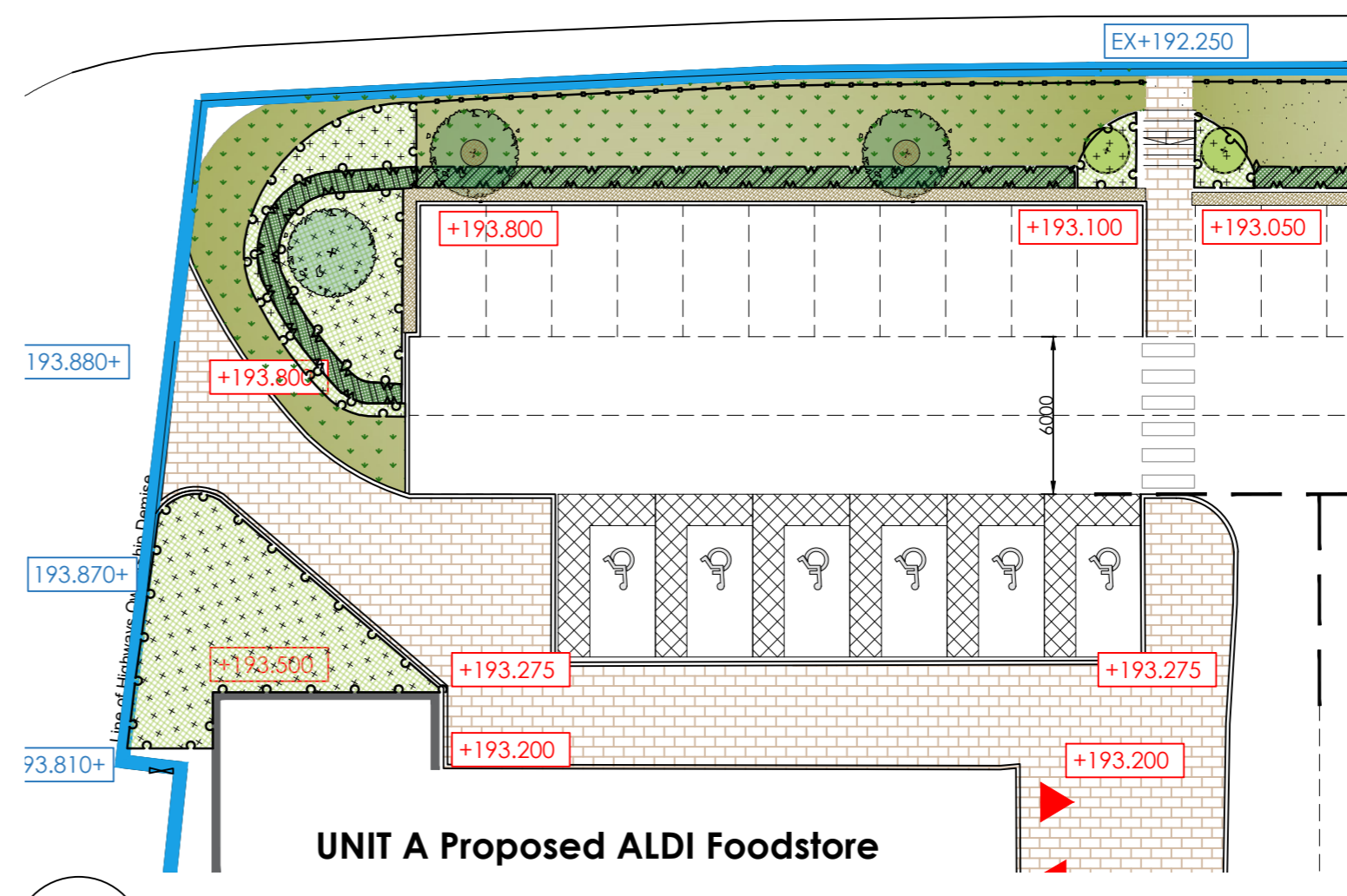
- Proposed ornamental trees in soft landscape**
Refer to plant schedule for species & specification
- Proposed ornamental shrub planting**
Refer to plant schedule for species & specification
- Proposed formal hedge planting**
Refer to plant schedule for species & specification
To be maintained at 0.5-1m high
- Proposed flowering lawn**
To be EL1 flowering lawn mixture by Emorsgate or similar approved
- Proposed ornamental bark mulch surface finish**
• 500mm maintenance margin / over run strip adjacent parking bays
- Proposed concrete block paving**



SK02 02 **ELEVATION - A-a - ENTRANCE FEATURE ELEVATION** 1:50



SK02 03 **SECTION- B-b - TYPICAL SECTION THROUGH ENTRANCE FEATURE** 1:50



SK02 04 **FEATURE ENTRANCE LOCATION PLAN** 1:250

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Project Title
PROPOSED MIXED USE DEVELOPMENTS

**ASHWORTH LANE
STOCKPORT ROAD
HATTERSLEY**

Drawing Title
LANDSCAPE ENTRANCE FEATURE PLAN

Drawn	Checked	Scale @A2	BIM Status	Date
FW	RG	1:50	-	02/24

Drawing Status	Rev.	THP Project No
PLANNING	P01	17870

Project No.	Originator	Volume	Level	Type	Role	Number
17870	VEC	XX	XX	DR	L	SK02

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Application Number 23/01063/FUL

Description: The demolition of existing structures and erection of a mixed-use development comprising: a Foodstore (Class E); a drive through coffee shop (Class E); a terrace of eight divisible employment units for flexible use within Use Classes E(g), B8 and B2 (vehicle repair garage only); a Use Class Sui Generis electric vehicle charging hub; and associated site works including land re-profiling, vehicular access, car parking, servicing areas, hard and soft landscaping, public realm and two electrical substations.

Address: Land Off Ashworth Lane And Stockport Road, Hattersley

Images 1: Aerial views

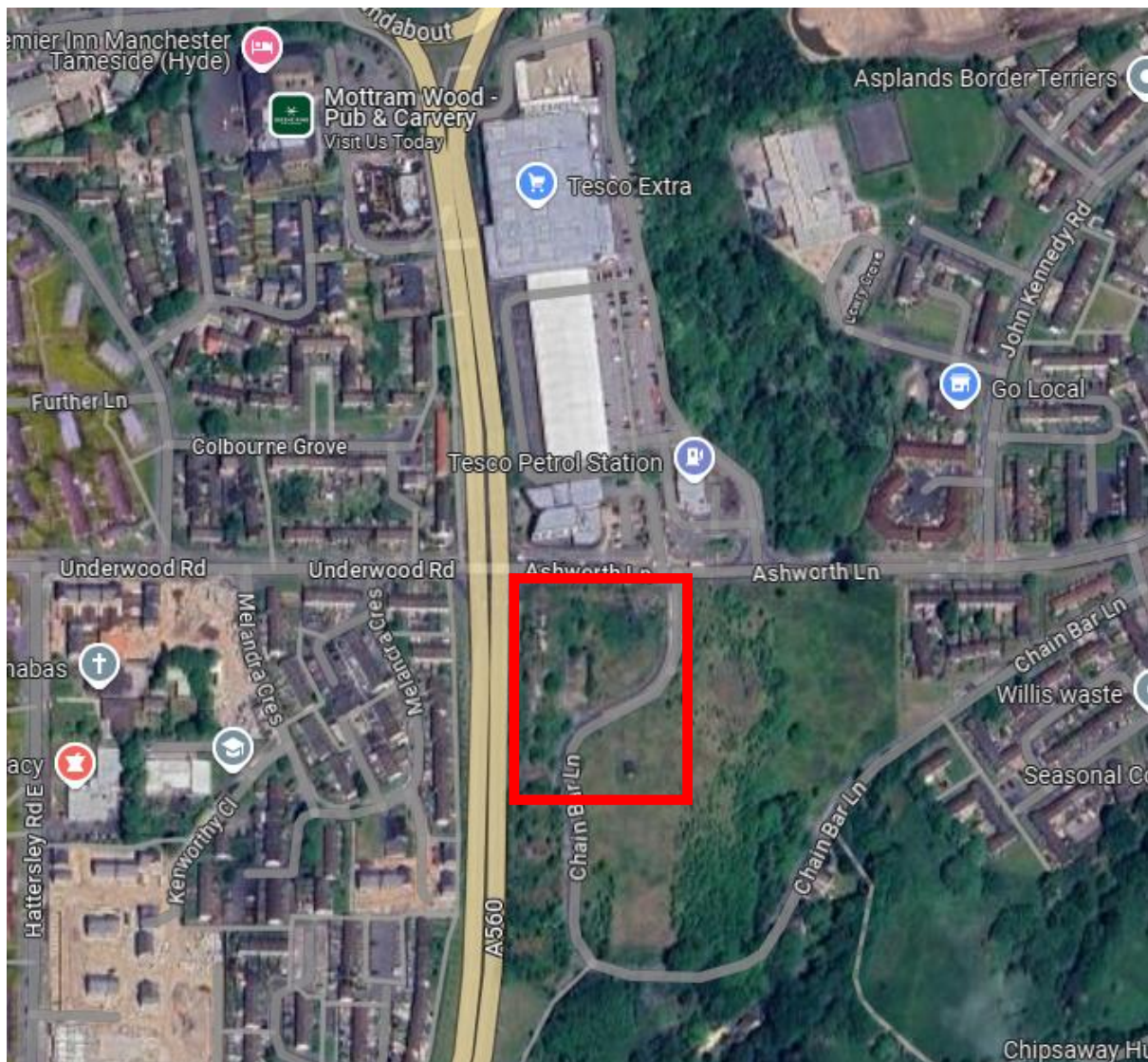


Image 2: Chain Bar Lane Entrance from Ashworth Lane



Image 3: Typical site conditions looknig south within the site



Image 4: View from Ashworth Lane south



Image 5: Google image looking west across the site from Chain Bar Lane



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Application Number:	21/01325/OUT
Proposal:	Outline application for the demolition of existing garages, sheds and office buildings and erection of new residential development of up to 14 apartments (including details of access only).
Site:	Mckenzie's Garage, Kirkley Street, Hyde, SK14 1JU
Applicant:	Mr Mckenzie, McKenzie's Garage
Recommendation:	Grant outline planning permission, subject to conditions.
Reason for Report:	The application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to Mckenzie's Auto Repairs, a motor repair and service facility, and a lock up garage site. The site is accessed from Kirkley Street, off Dowson Road in Hyde. The garage site comprises 32no. flat roof garages fronting onto an open hardstanding which also backs onto an established dense woodland area which falls down to Gower Hey Brook to the west.
- 1.2 The surrounding area is primarily residential, predominantly comprising rows of traditional terraced housing, with the exception of two bungalows which share a common boundary to the east of the site. A Shell petrol station is situated to the south and Enfield Court Retirement Living accommodation is situated around 50m away from the site, on the opposite side of Dowson Road. Hyde town centre, as defined within the Unitary Development Plan Proposals Map, is less than 200m from the site.
- 1.3 A community protected green space, accessed via Gartside Street/ Houghton Street, is located 3 minutes walk away. There are direct pedestrian links to the Sustrans National Route 62 cycle path.
- 1.4 The site is unallocated according to the UDP Proposals Map.

2. PROPOSAL

- 2.1 Outline planning permission, with all matters reserved except for access, is sought for the erection of a new residential development of up to 14 apartments. The scheme would involve the demolition of all existing buildings on site.
- 2.2 Indicative drawings show that the residential building would be three storeys in height with additional accommodation in the central roof space. An indicative site plan suggests that the building would occupy a position to the west of the site with dedicated parking areas to the north and south of the site.
- 2.3 Access would be taken via Kirkley Street off Dowson Road to the east.
- 2.4 The application has been supported by the following reports:
 - Location Plan

- Existing site plan
- Indicative Floor plans, elevations and site plan
- Planning Statement: Policy E3 Assessment
- Design and Access Statement
- Highway technical note statement – traffic impact
- Flood map information
- Ecology Survey
- Phase 1 site investigation report

3. PLANNING HISTORY

3.1 No recent relevant planning history.

4. PLANNING POLICY

National Planning Policy Framework

4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.

4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004) (UDP), Greater Manchester Joint Waste Development Plan Document (2012) and Places for Everyone Joint Development plan (2024) (PfE).

Allocation: Unallocated.

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;

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

4.6 **Part 2 Policies**

- C1: Townscape and Urban Form
- E3: Established Employment Areas
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans
- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone (2024)

- JP-S2 Carbon & Energy
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 Supporting Long-Term Economic Growth
- JP-H1 Scale, Distribution and Phasing of New Housing Development
- JP-H2 Affordability of New Housing
- JP-H3 Type, Size and Design of New Housing
- JP-H4 Density Of New Housing
- JP-G7 Trees and Woodland
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling
- JP-D2 Developer Contributions

4.7 **Other**

The following Supplementary Planning Documents (SPD) are also relevant:

- Tameside Residential Design Guide SPD;
- Tameside Employment Land SPD; and,
- Trees and Landscaping on Development Sites SPD.

4.8 Also of relevance are:

- National Design Guide (2019) (Ministry of Housing, Communities and Local Government);
- Planning Practice Guidance; and,
- Department for Communities and Local Government – Technical housing standards - nationally described space standard.

5. **PUBLICITY CARRIED OUT**

- 5.1 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 the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 Six letters have been received from five persons, five of which object to the development and one neither objecting to nor supporting the proposed development. The comments received have been summarised as follows:

- Conflict with land use policy;
- Loss of sun/ day lighting/ overshadowing;
- Noise/ hours of operation;
- Visual amenity;
- More information required as to what is proposed along the common boundaries, in particular the height of the retaining wall with concerns of loss of privacy; (NOTE: details of boundary treatment and any retaining structures conditions)
- Development too big;
- Obscenity of a construction
- Blockage of views of trees
- Increased traffic caused;
- Queries over land ownership;
- There are private rights of way along Kirkley Street;
- Concerns over development affecting existing parking arrangements;
- Building is too tall being higher than existing rooflines of surrounding properties; and
- Loss of privacy.

- 6.2 In response to some of the matters raised above, the following comments can be made:

- Blockage of views is not a material planning consideration and holds no weight in the consideration of this application for outline planning permission.
- Queries over land ownership were raised with the applicant and the red line boundary was subsequently amended/reduced to make correct.
- The application seeks outline planning permission with all matters reserved except for access, therefore details concerning boundary treatment will be required at reserved matters stage and a condition will be recommended on this basis in order to ensure adequate privacy levels will be retained.

7. RESPONSES FROM CONSULTEES (summarised)

- 7.1 Contaminated Land – no objection - recommend conditions are applied relevant to further site investigations being undertaken.
- 7.2 Environmental Health – No objections - recommend conditions relevant to waste storage, construction hours and the submission of an electrical vehicle charging strategy for the approval of the Local Planning Authority.
- 7.3 GMEU – No objections subject to conditions including the submission of an updated bat survey and a condition preventing demolition works during nesting bird season.
- 7.4 Greater Manchester Police (GMP) Designing out Crime Officer – recommended that a Crime Impact Statement is submitted.

- 7.5 Highways – No objections subject to conditions. A Section 278 agreement and section 106 contributions are required for this development to address defects to surrounding footways and lighting to the site.
- 7.6 Housing Growth – Supportive of the proposals on the basis that a housing contribution is made, as a commuted sum, in lieu of affordable housing being made on site.
- 7.7 Arboricultural Officer – No objection to the proposal – the scheme is broadly acceptable from an Arboricultural perspective but a full application should be accompanied by an Arboricultural Survey, Impact Assessment and Method Statement.
- 7.8 United Utilities – Request that a condition is applied requiring the submission of details of a sustainable surface water strategy scheme and foul water drainage scheme be submitted for approval prior to commencement of development.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of Places for Everyone, 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:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.
- 8.4 The application is made in outline and seeks approval for the details of access only. The other matters of detail, namely the scale, layout, design, appearance and landscaping being held in reserve. The effect of the grant of planning permission would then be to establish that the principle of the development, together with the means of access is acceptable. These then are the issues to be considered in the determination of the application.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Amongst other things, the NPPF promotes developments for new housing and strongly advocates the efficient reuse of brownfield sites within central sustainable locations. Policy H2 states that unless other considerations take precedence in a particular case, the Council will permit the redevelopment of previously developed land for residential use and the conversion of existing buildings to such use, where these are not specifically allocated for this purpose in the plan.
- 9.2 Whilst this brownfield site is unallocated according to the UDP Proposals map, it does currently serve an employment purpose owing to the presence and function of McKenzie's

Auto Repair Garage - which offers vehicle repairs and servicing. The provisions of policy E3 therefore apply.

- 9.3 UDP Policy E3 states that proposals for residential or mixed use development in "established employment areas" or at individual or small groups of existing employment premises not shown on the proposals map, will not be permitted unless, after assessment of the following factors, it is considered that the Borough's housing requirements and the regeneration benefits of the development outweigh the potential of the site in its present form for further employment use:
- a) the quantity and type of employment sites and premises available in the area, and
 - b) evidence of demand for employment sites and premises in the area, and
 - 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.
- 9.4 This policy serves a dual purpose, firstly to identify areas where employment development will be acceptable in principle, and secondly to set criteria by which proposals for non-employment uses on existing employment sites (including ones not shown on the proposals map) will be determined. As well as the major strategic sites, there is a need to maintain a range of types, and a geographical spread, of other sites to facilitate retention and expansion of employment over a wide area of the Borough.
- 9.5 In support of the application, the applicant has provided an assessment against UDP Policy E3 and highlighted the availability of alternative sites within proximity of Kirkley Street where many units are currently available for leasing. It details that demand is generally well catered for within and around Hyde, and provided examples of such other employment sites, supporting the release of this site for alternative uses including residential.
- 9.6 Although the car repair garage is an established, long-standing use on part of this site, the suitability of the same site for a future/alternative employment use is questionable at this stage. Officers consider that given the site's size, accessibility constraints, proximity to residential dwellings and location close to Hyde Town Centre and busy road junctions, the site lends itself better to a residential use. This is in consideration of the fact that employment uses which could be accommodated within the existing buildings on site may have associated accessibility issues due to their size/positioning and also with HGVs accessing/egressing the site and restricted opening hours. Alternative employment uses may also bring to rise general noise and disturbance issues.
- 9.7 On balance, following the above assessment, it is considered that the harm arising from the loss of the employment site is outweighed by the benefits of boosting the supply of housing in the Borough on a brownfield site, in a sustainable location, for which Policy H4 of the UDP provides support. H4 encourages the provision of a range of dwelling types, sizes and affordability to meet the needs of all sections of the community and to help create better balanced communities for the future.
- 9.8 In this instance the proposed development would provide up to 14no self-contained residential units. Indicative plans suggest that the building could accommodate up to: 6no 3 bedroom apartments, 4no. 2 bedroom apartments and 4no. 1 bedroom apartments.
- 9.9 In relation to the density of development, paragraph 128 of the NPPF states that 'planning policies and decisions should make efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land for accommodating it;
 - b) local market conditions and viability;

- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

- 9.10 Place for Everyone (PfE) Policy JP-H4 states that new housing development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. For new housing within 400 metres of a designated town centre (Hyde) such as this site, a minimum net residential density of 70 dwellings per hectare should be sought.
- 9.11 The site area is approximately 0.2 hectares and the proposed development equates to a density of approximately 70 dwellings per hectare, meeting the aspirations of JP-H4. Whilst only indicative, the floor plans indicate provision of varied apartment sizes, both 1, 2 and 3 bed, supporting the needs of a wider proportion of the local community, including small families which is considered sustainable.
- 9.12 Overall, the site lies within a predominantly residential area and the proposed use would not be out of keeping with the existing and surrounding uses. The proposal would represent an effective use of land within the urban boundary which is very well serviced with access to local facilities, amenities, employment and transport. The principle of development is therefore considered acceptable, subject to all other material planning considerations being satisfied.
- 9.13 Maximising the use of urban sites is of further importance given that the Council cannot currently demonstrate a 5 year supply of deliverable housing sites. This along with the associated regeneration benefits should carry significant weight in the determination of this application.

10. LAYOUT, DESIGN, LANDSCAPING AND VISUAL IMPACT

- 10.1 The current application seeks only to establish the principle of residential development being accessed from Kirkley Street. The indicative plan which has been submitted is not for approval and exact details of design, scale, layout and landscaping would need to be submitted under a subsequent Reserved Matters application should outline planning permission be approved. The design, layout and number of units (up to 14) would therefore be assessed with full consideration to the adopted Residential Design Guide as well as relevant design provisions of the NPPF, UDP and PfE .

11. AMENITY

- 11.1 An assessment of residential amenity is limited recognising the outline nature of the proposals. The indicative layout does however allow for the general impact of the development to be considered and some conclusions drawn.
- 11.2 An indicative site plan has been provided indicating finished floor levels, position of windows and distances to neighbouring properties, all of which at this stage appear to achieve the minimum requirements set out in Policy RD5 of the Residential Design Supplementary Planning Document. Whilst residents have commented on the likely impact of the development on neighbouring properties, the indicative layout plans demonstrate that it will be possible to maintain good separation distances between buildings. However, ultimately, the position of habitable rooms will require closer examination at reserved matter stage with

regard to the detailed relationship between existing principal windows and the position of the proposed apartments. As approval is not sought for layout at this stage this detail is not currently for consideration.

- 11.3 Comments have also been received from neighbours regarding the potential for disruption from construction traffic / activities. Some level of disruption is an inevitable consequence of development and would arise wherever new housing was delivered. As such this cannot be used as a reason to resist planning proposals. Conditions are suggested to mitigate some of the impacts in terms of the hours in which works can take place.
- 11.4 As above, the proposed development would offer provision for up to 14no self-contained residential units. Indicative plans suggest that the building could accommodate up to: 6no 3 bedroom apartments, 4no. 2 bedroom apartments and 4no. 1 bedroom apartments – all meeting the required gross internal floor area requirements set out within the nationally described space standards, (NDSS) ensuring an acceptable level of amenity for future occupiers.
- 11.5 In light of the above, officers are satisfied that the site is capable of accommodating a residential development of up to 14 units, in a manner that would not be unduly detrimental to the amenities of occupants of the proposed development or neighbouring dwellings, subject to the imposition of appropriate conditions and the required further detailed assessment at reserved matters stage.

12. ACCESS

- 12.1 Situated on the outskirts of Hyde town centre the site is very sustainable and is easily accessed by public transport, foot or bicycle. Hyde Town Centre is served with bus and train connections across the Greater Manchester region. It is also apparent that a host of amenities and employment opportunities are immediately on hand, it is reasonable to assume that future residents would undertake journeys by sustainable means.
- 12.2 The proposed access route to the site is from Dowson Road via Kirkley Street. This is reflective of the current access to McKenzie's Auto Repair garage and the existing garage site.
- 12.3 In support of the application, at the request of the Local Highway Authority (LHA), the applicant provided a Traffic Assessment (TA) indicating predicted vehicle trips associated with the proposed development. After reviewing the supplied TA information the LHA is satisfied that the vehicle trips generated by the proposed development of the site is expected to generate 4 vehicular trips in the AM peak and 5 trips in the PM peak. Over the course of a 12-hour day, the flats would be likely to generate around 41 two-way vehicular movements based on comparable developments in the TRIC's database (which would be a reduction in vehicle trips from the sites current use). Therefore in the LHA's opinion the additional traffic generated by the proposed residential development should be accommodated on the local highway network without any significant detrimental impact.
- 12.4 The LHA is satisfied proposed modifications to the existing access/egress from the development onto Dowson Road is satisfactory and meets the LHA requirements for max gradients of 1 in 14 and the visibility splays comply with Manual for Streets/LHA requirements. All types of vehicles can safely manoeuvre within the site using the turning heads and egress the development in a forward gear.
- 12.5 The development proposes a minimum of 29 off-street vehicle parking spaces for the scheme, which is broadly in line with TMBC SPD requirements. Along with proposals for secure/covered cycles storage and the development location being within close proximity to

sustainable transport facilities, the LHA is satisfied this will supply adequate off street parking spaces for this type of development.

- 12.6 Accident data for Dowson Road over a 5 year period shows 1 no. 'slight accident' within the vicinity of the development. To support appropriate detail for the proposed access arrangements for the reserved matters scheme, a road safety audit would be required and this can be included as part of a planning condition at this outline stage.
- 12.7 Conditions requiring the laying out of the car parking spaces prior to the occupation of the development, the retention of pedestrian visibility splays and the approval of a Construction Environment Management Plan are considered reasonable and can be attached to the outline permission.
- 12.8 In overall terms therefore, officers are satisfied that the proposed development is acceptable in terms of access, highway safety and parking provision and the development complies with UDP Policies T1, T7, T10 and T11 as well as Section 9 of the NPPF.

13. GROUND CONDITIONS

- 13.1 The Council's Environmental Protection Unit (EPU) have been consulted on the application and have identified the historical mapping of the site and its former uses and ground conditions over the last 100 years or so. In considering the potential contamination issues associated with the site, the application is supported by a contaminated land phase 1 site investigation report: Wesson Environmental Phase 1 Site Investigation, McKenzies Garage, Kirkley Street, Hyde. Dated July 2021. Reference: 001SMMCP1.
- 13.2 Wesson Environmental have identified potential contamination sources based on their historical data. This includes fuels/petroleum hydrocarbons, heavy metals, polycyclic aromatic hydrocarbons, volatile organic compounds/semi volatile organic compounds, asbestos and ground gasses. They appear to have identified the potential contamination sources although, they will need to ensure that they have included any potential sources from the former engineering stores depot.
- 13.3 EPU have no objection to the development proposal from a contaminated land perspective. However, it is recommended that further information is still required prior to the commencement of any development on site in order to ensure that any unacceptable risks posed by contamination are appropriately addressed and to ensure that site is suitable for its proposed use in accordance with paragraph 189 of the NPPF.
- 13.4 In consideration of the above, subject to conditions, the development is acceptable in accordance with UDP Policy MW11: Contaminated Land.

14. ECOLOGY

- 14.1 The application has been supported by a bat survey carried out by a suitably qualified consultant. Following dusk and dawn surveys one soprano pipistrelle was identified as roosting in one of the buildings. On this basis, a further bat survey is recommended to be carried out. As this is an application for outline planning permission, an updated survey at this stage is unnecessary and can instead be provided as part of reserved matters.
- 14.2 Paragraph 180 of section 15 of the National Planning Policy Framework, Conserving and Enhancing the Natural Environment, states that planning policies and decisions should contribute to and enhance the natural and local environment. The application has been considered by GMEU which confirms that the site appears to have no vegetated habitats, and so any form of soft landscaping would enhance the biodiversity value of the site.

Mitigation will be required for loss of bat roosting habitat, the level determined most likely by Natural England and bird nesting habitat. Once an updated bat assessment has been provided the detail can be likely be conditioned i.e. bird and bat boxes or bricks integrated in to the new build. This will be considered at reserved matters stage in consideration of UDP policy N7: Protected Species.

15. TREES

- 15.1 The development is to take place within the footprint of existing hard standing with no existing trees on site. However there are mature and semi mature trees adjacent to the site within a Council owned woodland. These trees connect directly to an area of protected woodland to the rear.
- 15.2 The Council's tree officer has been consulted and raises no objections to the proposals commenting that the scheme is broadly acceptable from an arboricultural perspective but a full application should be accompanied by an Arboricultural Survey, Impact Assessment and Method Statement. Whilst no trees are proposed to be removed by the proposed development, these should detail any potentially negative impacts on the trees and woodland, how they will be mitigated and tree protection measures that will be incorporated into the plans. A condition is therefore recommended on this basis.
- 15.3 A suitable condition is therefore recommended on the basis of the above. It is considered that subject to conditions, the development accords with the requirements of UDP policies N4 and N5.

16. DRAINAGE / FLOOD RISK

- 16.1 The application site is located in Environment Agency flood zone 1, the area with the lowest probability of fluvial (river) flooding.
- 16.2 United Utilities have been consulted on the proposed development and state they have no objection to the proposed development subject to conditions requiring details of foul and surface water drainage. Subject to a recommended condition on this basis, the proposal is considered to accord with UDP Policy U3.

17. DEVELOPER OBLIGATIONS

- 17.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 17.2 The scale of the development constitutes a major development, as such there is a requirement to meet Affordable Housing (15%, as set out by the Housing Needs Assessment), Green Space and Highways contributions as per the requirements of policies H4 (affordable housing) , H5(open Space) and T13 (highways) of the Development Plan.
- 17.3 Paragraph 65 of the NPPF identifies that all major residential developments (those of 10 units and above) should include the provision of affordable housing. This is below the threshold identified by policy H5 which set a threshold of 25 units. The Housing Needs Assessment identifies an expectation of provision of 15% of units on an affordable basis. The glossary of the NPPF provides a definition of affordable housing.

- 17.4 The default position under policy H4 is for affordable housing to be delivered onsite by the developer. However, in exceptional circumstances, it may be acceptable for the element of affordable housing to be located off-site. In these instances the Council will require the developer to provide an appropriate financial contribution towards such provision, as a commuted sum. In this instance, in consultation with housing officers, an approximate commuted sum of £200,000.00, in lieu of on-site affordable housing is suggested in this case. This would be required to be paid by the developer if 15% cannot be achieved on site. Provision will be secured by condition should the application be approved.
- 17.5 With regard to open space facilities, the site is situated in close walking proximity to protected open green space for use by future occupiers and with ease of access to the existing Sustrans cycle route. The demand from the development is unlikely to generate a demand which would lead to undue pressure on existing open space in the local area. The site also appears to have capacity to accommodate private outdoor space for sole use of future occupiers. Outdoor open space contributions would therefore not be considered reasonable in this instance.
- 17.6 The Local Highway Authority have requested a contribution for improvements to local footways, namely the link between Gower Road and Church View to promote walking and cycling within the immediate vicinity. However this specific request is considered unreasonable given the alternative existing provision available near to the site, as discussed above. The proposed link does not meet an identified need or directly relate to the development to promote active travel.
- 17.6 A section 278/38 agreement would also be required to include white lining on Dowson Road, tactile paving and the access road to be brought up to an adoptable standards, including street lighting and drainage. This is to be secured by condition.

18. SUSTAINABILITY

- 18.1 The application stresses that the redevelopment of a brownfield site within an accessible urban environment is highly sustainable. The apartments would be constructed to efficient standards including enhanced insulation and low energy fixtures to reduce overall energy usage. There are no issues raised on sustainability grounds, the proposals being deemed as an efficient and appropriate development of the site.

19. OTHER MATTERS

- 19.1 Due to the size and nature of this proposal, it is recommended by the Greater Manchester Police Designing out Crime officer, that a full Crime Impact Statement (CIS) should be submitted to show how crime has been considered for the proposal and the surrounding area. Matters relating to the detailed design of the development are not for consideration at this stage. Given that this application is for outline planning permission it is recommended that a condition is attached requiring a CIS to be submitted at reserved matters stage. The report should be completed by a suitably qualified security assessor, and identify, predict, evaluate and mitigate the site-specific crime and disorder effects of a development and should be produced by a professional individual/organisation independent of the design process.
- 19.2 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and pedestrian connection to public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points and a condition requiring details of these facilities is attached to the recommendation.

- 19.3 In order to ensure that the development is supported by appropriate refuse storage, a condition requiring the details of the means of storage and collection of refuse generated by the development shall be 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 applicant is advised to contact the Waste Management & Fleet Services Department of the Council to confirm the exact bin requirements for this development.
- 19.4 Given the proximity of the application site to surrounding residential uses, in order to protect the amenities of the neighbouring occupants, a condition controlling the demolition/construction hours is to be attached in line with the recommendation of the environmental health officer.
- 19.5 PfE policy JP-C2 Digital Connectivity supports the provision of affordable, high quality, digital infrastructure within Greater Manchester. JP-C2 requires all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple ducting compliant with telecoms standards, to facilitate future-proof gigabit capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into new properties. On this basis, it is recommended that the approved development should be serviced with full digital fibre connections, to fulfil the aims and aspirations of PfE in creating a more integrated network with high quality digital infrastructure. This is recommended to be secured by condition.

20. PLANNING BALANCE AND CONCLUSION

- 20.1 The site is previously developed, brownfield land, and is not allocated for other purposes. As such a decision as to whether or not it is suitable for development must be made balancing the social, economic and environmental benefits of the proposal.
- 20.2 The redevelopment of the site would bring about a number of benefits including: the reuse of the site to a more appropriate/sensitive use within a residential area; visual amenity improvements; additional planting/ecological improvements; contributions to housing need in the borough; economic contributions by future occupants.
- 20.3 In terms of dis-benefits the development would involve some short-term noise and disruption during construction. The scheme would also affect the outlook from neighbouring properties and new privacy distances may also be affected but this is not unusual with new residential development, and appropriate residential separation distances will be required to be retained when considering the design of the scheme in more detail at reserved matters stage.
- 20.4 The development would not cause undue impacts to highway safety. It can be safely accessed and serviced from the established highway network and overall levels of parking would be appropriate to the scale of development within an accessible location in close proximity to the town centre.
- 20.5 There are no objections to the proposals from the statutory consultees in relation to the proposals and they are considered to be an efficient use of an existing urban site.
- 20.6 Overall, when considering the proposal against the policies of the NPPF as a whole the collective benefits associated with the proposal are positive. The development would accord with the main aims and objectives of the development plan and represent sustainable development. There have been no negative economic, social, or environmental impacts identified from the development. The proposal would therefore result in sustainable

development in accordance with the development plan and the NPPF. It is therefore considered that the benefits of the scheme clearly outweigh any disbenefits and outline planning permission should therefore be granted subject to appropriate conditions.

RECOMMENDATION

Grant outline planning permission, subject to the following conditions:

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

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

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

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

- 3) The outline planning permission hereby approved relates to the erection of up to 14 residential units. The application for reserved matters shall not exceed 14 residential units.

Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans the 1:1250 location plan received 01.11.2022, in so far as it relates to access to the site only drawing ref. 02B site plan 'plans proposed scheme A'.

Reason: For the avoidance of doubt to clarify the site boundary and ensure that a safe access can be achieved.

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

- a. hard - existing and proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (e.g.: furniture, play equipment, refuse or other storage units, signs, lighting etc.), proposed and existing functional services above and below ground (e.g.; drainage, power, communications cables, pipelines etc indicating lines, manholes, supports etc.);
- b. soft - planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedule of plants (noting species, plant sizes and proposed numbers/densities where appropriate), implementation programme).
- c. details of bin storage areas
- d. details of the type, height, position and materials to be used in the construction of any boundary treatments
- e. details of the pedestrian and cycling environment within the proposed site.

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

- 6) Prior to the commencement of development, a full structural survey of any buildings and retaining walls to be demolished shall be carried out by a suitably qualified professional. Where required, full details of any retaining structures and replacement boundary treatments to be included as part of the proposed development of the site and a programme for their installation shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance with the approved programme.

Reason: To safeguard the character and appearance of the area, ensure the stability of the site, and ensure appropriate boundary treatment is in place to protect residential amenity

- 7) Detailed plans shall accompany the reserved matters submission for any phase of the development indicating existing ground levels, finished floor levels of the development and associated structures, road levels and any proposed alterations to ground levels. Thereafter the development shall proceed in accordance with the approved details.

Reason: To enable the impact arising from need for any changes in level to be assessed and in accordance with UDP Policy H10: Detailed Design of Housing Layouts.

- 8) No development or works of site preparation shall take place until all trees that are to be retained within or adjacent to the site including those in the woodland to the west have been enclosed with temporary protective fencing in accordance with BS:5837:2012 Trees in relation to design, demolition and construction. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To ensure the long-term retention of trees in accordance with UDP Policy N5.

- 9) An Arboricultural Survey, Impact Assessment and Method Statement shall accompany the reserved matters submission. These should detail any potential negative impacts on the trees and woodland, how they will be mitigated and tree protection measures that will be incorporated into the plans.

Reason: To ensure the long-term retention of trees in accordance with UDP Policy N5.

- 10) Prior to bringing the development into use the car parking, servicing and turning facilities indicated on the approved plan shall be provided to the full satisfaction of the LPA and thereafter kept unobstructed and shall be retained as such thereafter. Vehicles must be able to enter and leave the site in forward gear at all times.

Reason: In the interests of highway safety and convenience.

- 11) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP Policy T1: Highway Improvement and Traffic Management.

- 12) As part of any reserved matters application and prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme

shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- a. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- b. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- c. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- d. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- e. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 13) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:

- a. Hours of construction work and deliveries;
- b. Phasing of the development;
- c. Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
- d. Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
- e. Measures to control the emission of dust and dirt during construction;
- f. Wheel wash facilities for construction vehicles; and
- g. Measures to control noise levels during construction.

Development of the site shall not proceed except in accordance with the approved method statement which shall be adhered to at all times.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.

- 14) No work shall take place in respect to the construction of the approved highway, as indicated on the approved 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:-

- a. Phasing plan of highway works
- b. Stage 1 Safety Audit – ‘Completion of preliminary design’ and subsequent Stages 2-4 based on the Design Manual for Roads and Bridges document GG 119 – Road Safety Audit.

- c. Surface and drainage details of all carriageways and footways.
- d. Details of the works to the reinstatement of redundant vehicle access points as continuous footway to adoptable standards following the completion of the construction phase.
- e. Details of the areas of the highway network within the site to be constructed to adoptable standards and the specification of the construction of these areas.
- f. Details of carriageway markings and signage.
- g. Details of a lighting scheme to provide street lighting (to an adoptable standard), to the shared private driveway and pedestrian/cycle pathways 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.

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 and the development shall be retained as such thereafter.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.

- 15) Prior to the commencement of the development hereby approved, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established. The new estate road/access shall be constructed in accordance with the Tameside MBC Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.

- 16) No part of the development hereby approved shall be occupied until details of the secured cycle storage provision to serve the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of storage and details of the means of enclosure. The secured cycle storage arrangements shall be implemented in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.

- 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.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 18) None of the dwellings hereby approved shall be occupied until details of the means of storage and collection of refuse generated by the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include scaled plans showing the location of the required number of bins to be stored within each plot and any communal bin storage areas and scaled plans of the means of enclosure of all bin stores, including materials

and finish. The bin storage arrangements for each dwelling shall be implemented in accordance with the approved details prior to the occupation of that dwelling and shall be retained as such thereafter.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

- 19) No groundbreaking works shall commence until details of an electric vehicle charging strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the number of charging points to be installed, their location within the development and details of the management and maintenance of these facilities. The electric vehicle charging infrastructure shall be installed in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and shall be retained as such thereafter.

Reason: To ensure that the impact of the development in relation to air quality is adequately mitigated.

- 20) The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to secure the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written confirmation of those measures is to be provided to the Local Planning Authority prior to the occupation of any building.

Reason: In the interests of creating sustainable places, designing out crime and reducing opportunities for anti-social behaviour in accordance with PfE policy JP-P1.

- 21) No demolition works shall commence 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.

Reason: To safeguard protected species.

- 22) Prior to the commencement of development, additional survey work should be undertaken for the inspection of bat roosts within any buildings to be demolished and must be carried out by a suitably licensed and qualified person. If any evidence of roosting activity is found following an updated bat report then a full mitigation and compensation programme will need to be undertaken. All Reports should be submitted in writing and approved in writing by the Local Planning Authority before any works commences, the work shall then be implemented in accordance with such approved details.

Reason: To safeguard protected species.

- 23) A scheme for the Biodiversity Enhancement and Mitigation Measures including the provisions of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

- 24) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority

(LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

- h. A Preliminary Risk Assessment which has identified:
 - i. All previous and current uses of the site and surrounding area.
 - ii. All potential contaminants associated with those uses.
 - iii. A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.
- i. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
- j. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
- k. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
- l. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 25) Upon completion of any approved remediation scheme(s), and prior to occupation, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site 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.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 178 of the National Planning Policy Framework.

- 26) No development shall be commenced unless and until a full Residential Travel Plan together with measures to secure its implementation and monitoring have been submitted to and

agreed in writing with the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details.

Reason: To enhance the provision of or access to sustainable modes of transport in association with the development.

- 27) 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.

Reason: In the interests of the visual amenities of the locality.

- 28) No above ground work shall take place until a scheme relevant to local highway improvements within the vicinity of the development, and a phasing plan or timescale for works to be implemented by, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:-
- a. White lining on Dowson Road;
 - b. Tactile paving; and,
 - c. The access road being brought up to an adoptable standard including street lighting and drainage.

No part of the development hereby approved shall be occupied until the development has been carried out in accordance with the approved details.

Reason: In the interest of highway safety, in accordance with T1: Highway Improvement and Traffic Management and to promote active travel to and from the development in accordance with paragraph 96 of the National Planning Policy Framework.

- 29) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision for 15% of the units being provided on an affordable basis unless an alternative arrangement is first agreed in writing with the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of NPPF or any future guidance that replaces it.

Reason: To meet identified housing need in accordance with UDP policy H5 and paragraph 65 of the NPPF.

- 30) The visibility splay measuring 2.4m back from the existing junction and 44m along the kerb lines of Dowson Road, as shown on 02B site plan, shall be provided in all respects prior to the occupation of development hereby approved.

Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

- 31) All units within the development hereby approved shall be serviced with full digital fibre connections. A statement confirming this shall be submitted to the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure that the employment uses are digitally connected in accordance PFE policies JP-C2 (Digital Connectivity).

INFORMATIVE NOTES

1) STREET NAMES/ POSTAL NUMBERS

The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge regarding the street names/postal numbers for the proposed development. 0161 342 3417

2) SECTION 278 / 38 AGREEMENT

The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge 0161 342 3987 regarding entering into a S278 agreement for the proposed entrance into the site off Audenshaw Road and the adoption of the highway within.

3) HIGHWAYS GUIDANCE NOTES FOR DEVELOPERS

When carrying out building works on property near to a public highway it is important to remember that the highway is not part of the building site. There are various statutory requirements relating to highways which may be helpful to such persons to know in advance

- a. Skip permits are available for certain locations where obstruction is not likely to interfere with free flow along the highway.
- b. Similarly hoarding/scaffolding permits may be issued.
- c. Other obstructions of the highway are not permitted, i.e. storage of materials, deposition of rubble, mixing of materials.
- d. Parking/loading or unloading regulations must be observed.
- e. Any damage to any part of the highway or its furniture, or blocking of gullies will be repaired/cleared at the expense of the person causing such damage/blockage.
- f. Water should not be permitted to discharge over a public highway either temporarily or permanently.
- g. The deposition of mud on a highway is illegal and action may be taken against the person causing such deposition (e.g. the driver and/or the owner of the vehicle).
- h. Applications for sewer connections/vehicle crossings over footways should be made in advance of development commencing.

Any persons requiring further assistance in relation to these items should contact the Engineering Service at Tameside Metropolitan Borough Council (tel. 0161-342-3900).

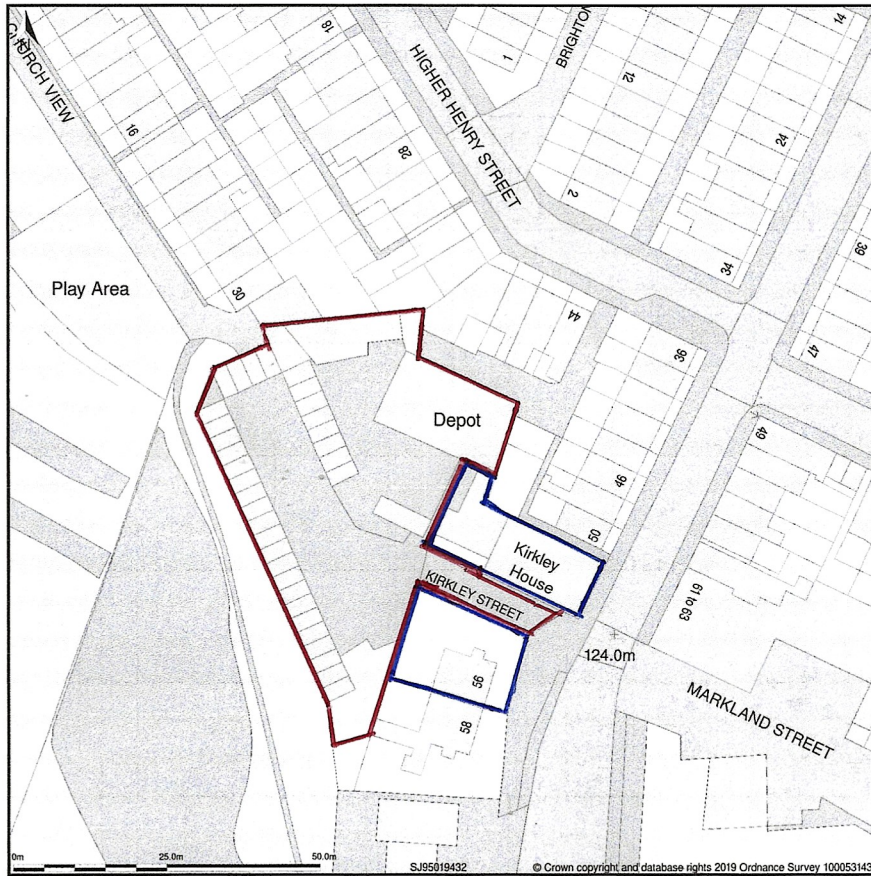
4) WASTE SERVICES

The applicant is advised to contact the Waste Management & Fleet Services Department of the Council to confirm the exact bin requirements for this development.

5) CONTAMINATED LAND

The responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by this Authority, lies with the owner/developer of the site.

Mckenzie's Garage, Kirkley Street, Hyde, Tameside, SK14 1JU



Site Plan shows area bounded by: 394943.31, 394255.26 395084.73, 394396.68 (at a scale of 1:1250), OSGridRef: S.J95019432. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

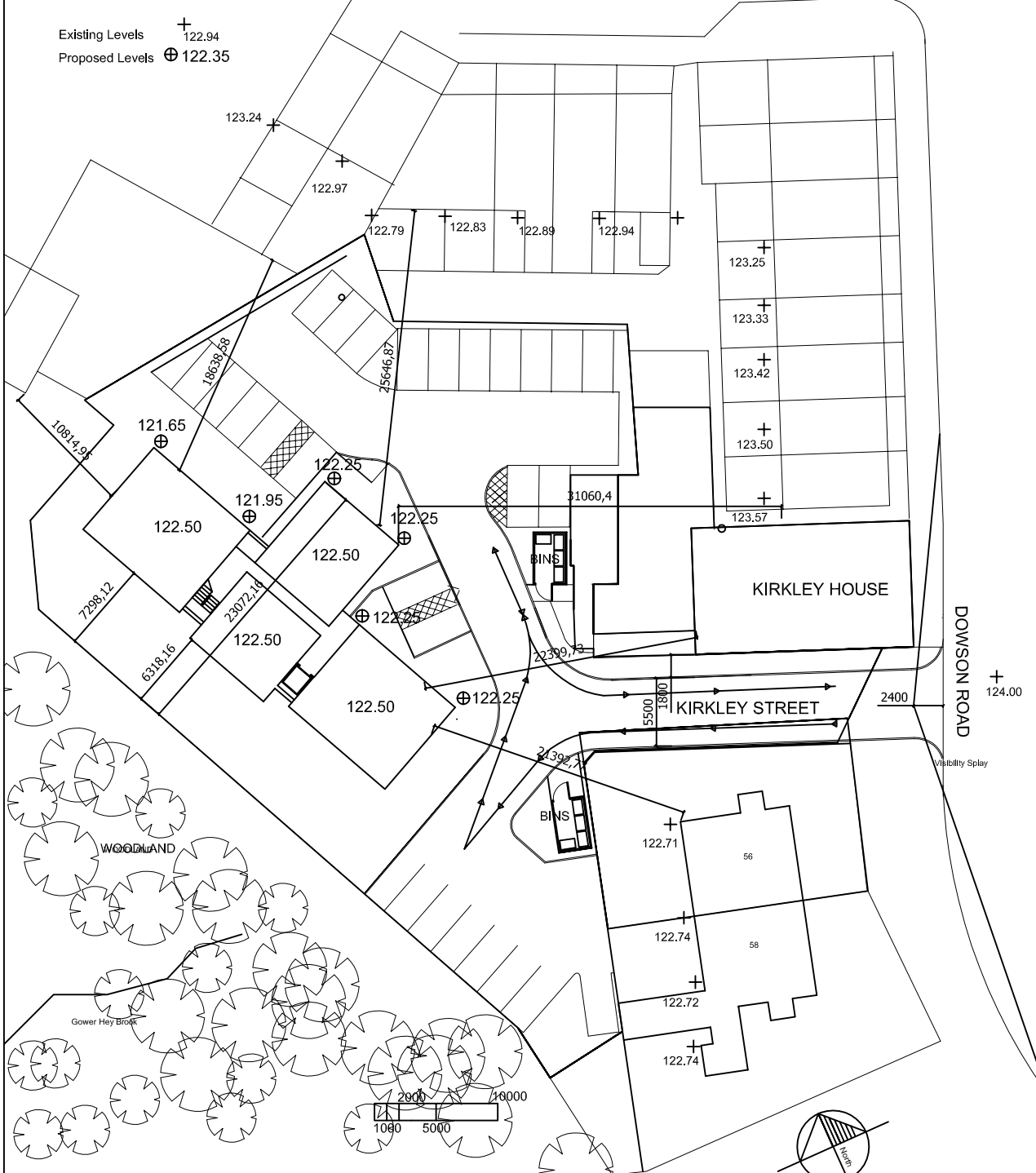
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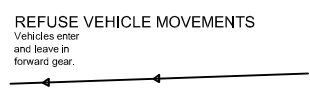
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Existing Levels + 122.94
 Proposed Levels ⊕ 122.35



Area : 2148 m2 [0.215hr.] or 2570 yd2. [0.53 acre]

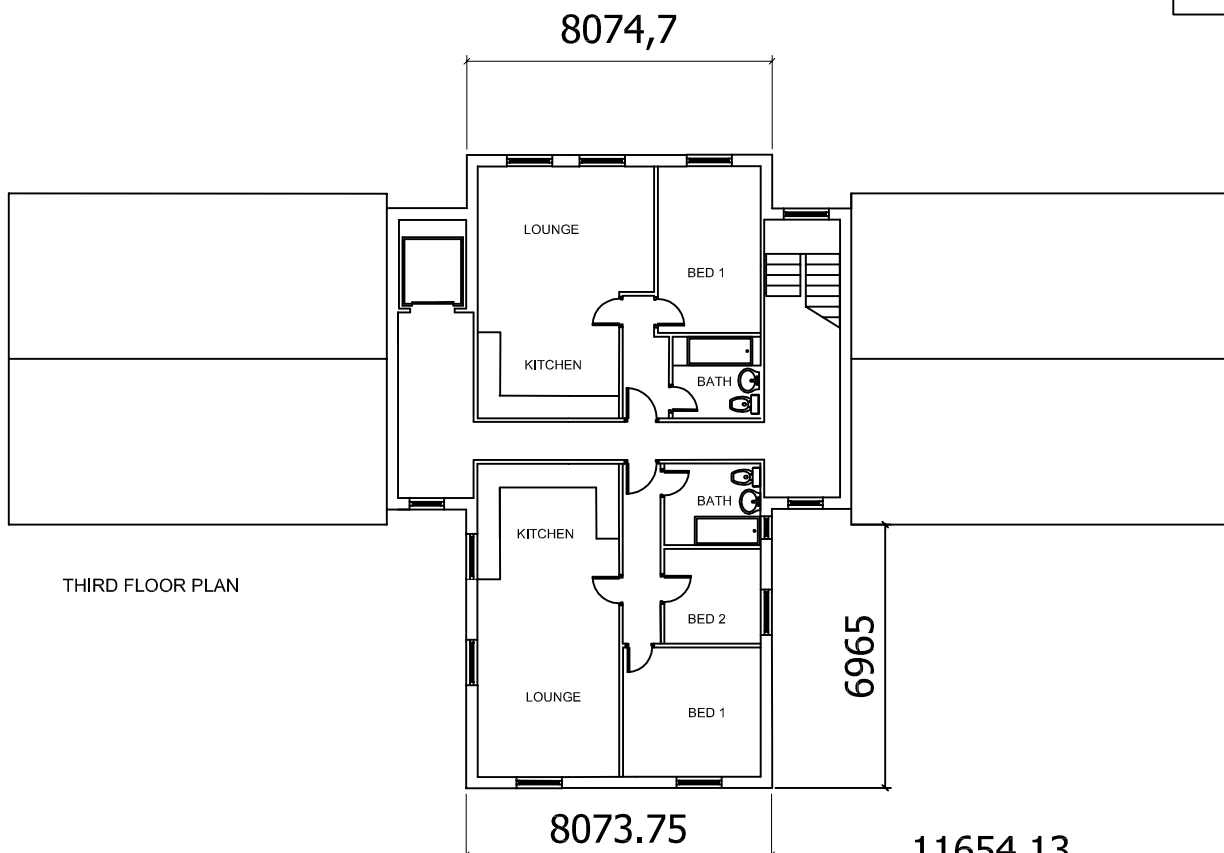


Client : McKenzie Bros.		
Project : Kirkley Street Hyde SK14 1JU	Scale : 1:500@ A4	Contract No. 2230
Drawing : Plans PROPOSED Scheme A.	Date : 11/19	Dwg. No. 02B
PETER SUMMERSGILL MCIAT		Architectural & Design Consultant Technologist

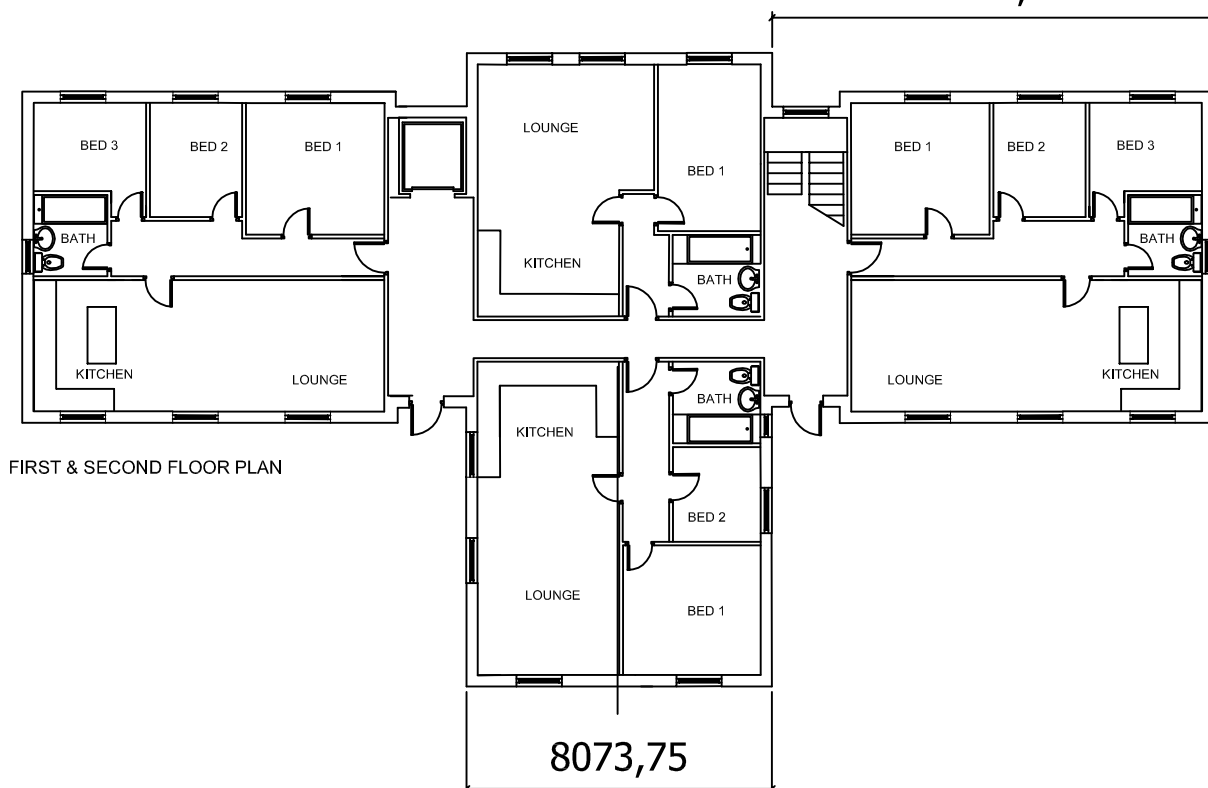
PETER SUMMERSGILL MCIAT
 217 Haller Street Hyde, Cheshire, SK14 3JF
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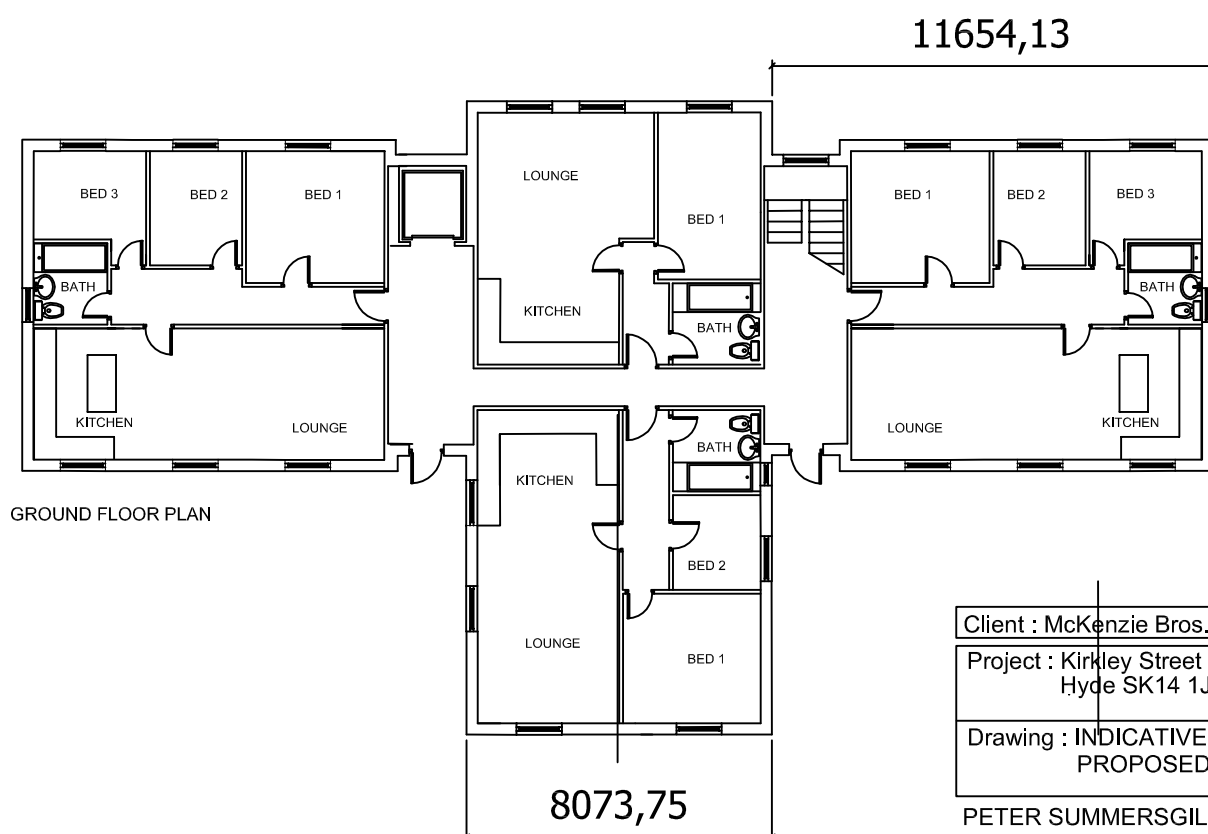
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THIRD FLOOR PLAN



FIRST & SECOND FLOOR PLAN



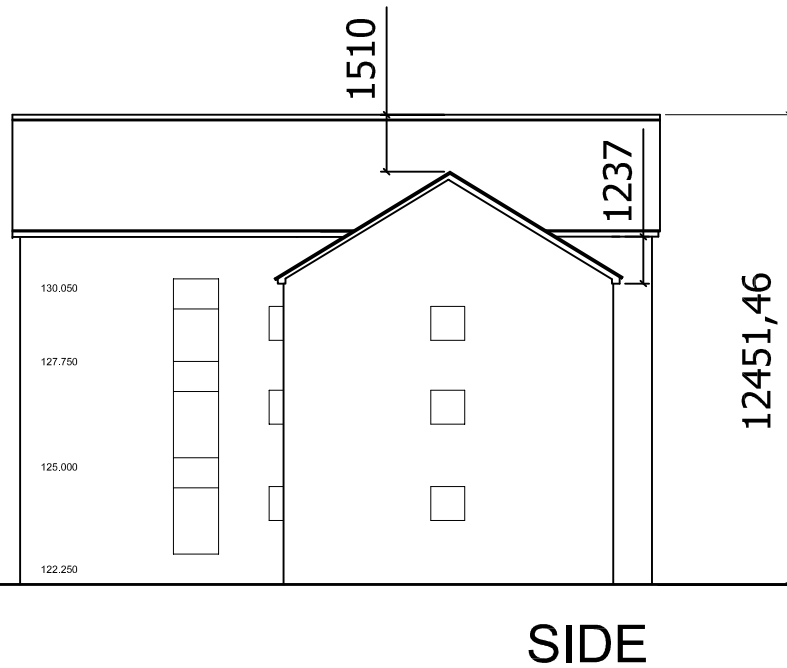
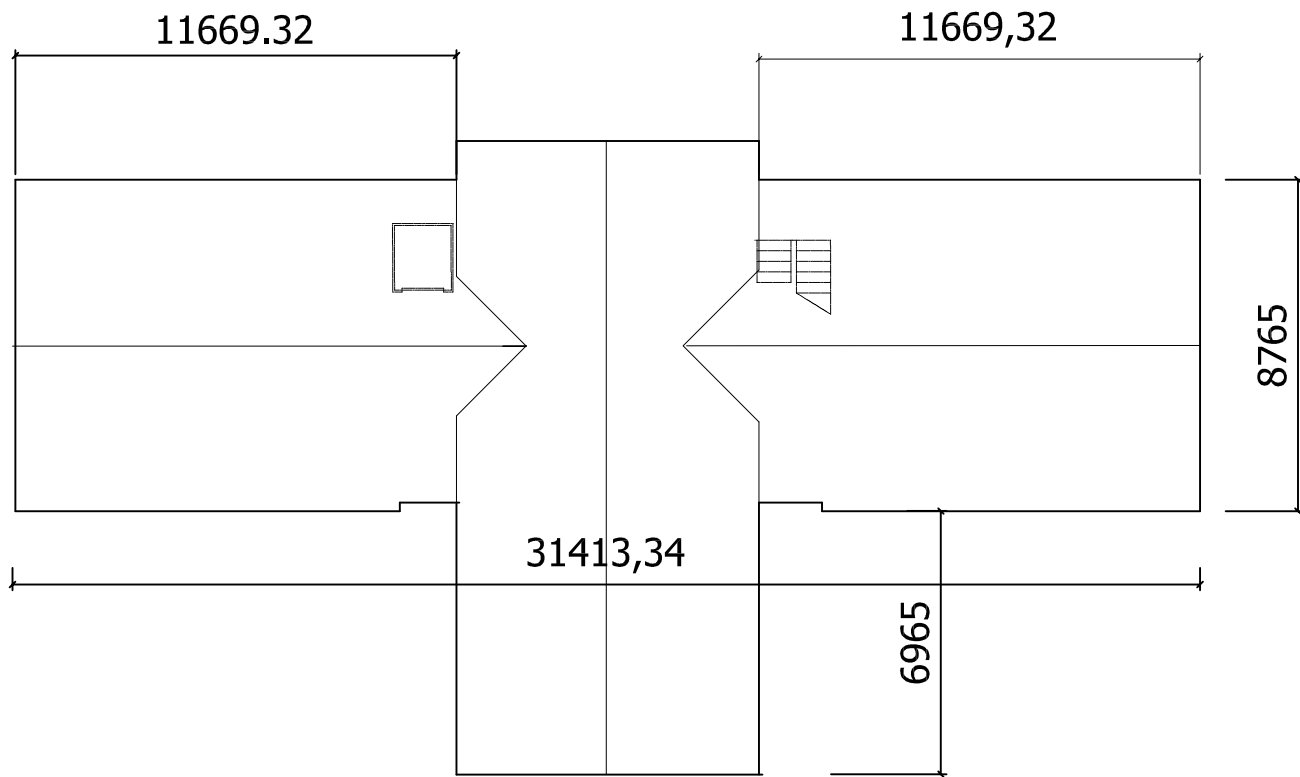
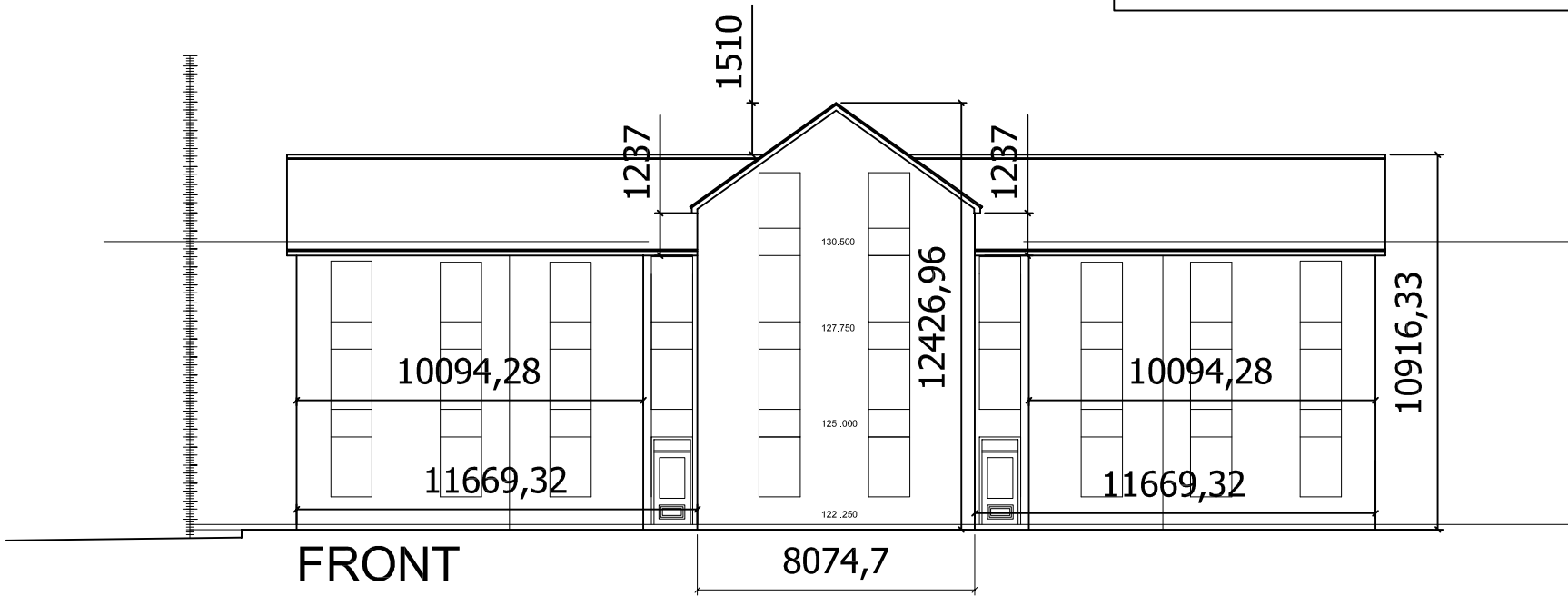
GROUND FLOOR PLAN

Client : McKenzie Bros.		
Project : Kirkley Street Hyde SK14 1JU	Scale: 1:200@ A3	Contract No. 2230
Drawing : INDICATIVE FLOOR PLANS PROPOSED	Date : 06/23	Dwg. No. 04A
PETER SUMMERSGILL MCIAT		Architectural & Design Consultant Technologist

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 Kinderlee Way, Chelworth,
 Chelms, SA13 5JG
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Client : McKenzie Bros.		
Project : Kirkley Street Hyde SK14 1JU	Scale: 1:200@ A3	Contract No. 2230
Drawing : INDICATIVE ELEVATIONS PROPOSED	Date : 11/19	
	Drawn: P.S.	Dwg. No. 03B

PETER SUMMERSGILL MCIAT

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APPLICATION NUMBER: 21/01325/OUT

DESCRIPTION: Outline application for the demolition of existing garages, sheds and office buildings and erection of new residential development of up to 14 apartments (including details of access only)

ADDRESS: Mckenzie's Garage, Kirkley Street, Hyde Tameside SK14 1JU

Image 1: Aerial Photograph



Photo 2: Aerial image



Image 3: view of site entrance down Kirkley Street



Image 4: view of No.56 Dowson Road



Image 5: view of garage site looking north with gable end of No.30 Church View in the background



Image 6: View looking south through the site



Image 7: View looking north east with McKenzie Auto Repair garage in the background



Application Number:	22/01049/OUT
Proposal:	Outline application (all matters reserved) for a change of use of the existing building to a food hall (710 square metres) and ancillary floor space and erection of three-storey building above the existing building to create 21 no. residential apartments with associated works.
Site:	13 - 15 Market Place, Hyde, SK14 2LZ
Applicant:	Copperleaf Group Ltd
Recommendation:	Grant planning permission, subject to conditions.
Reason for Report:	A Speakers Panel decision is required because the application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application relates to retail premises located within the centre of Hyde. The front of the building (13/15) Market Place) is occupied by Poundstretcher, the application relates to the rear aspect only which shares a boundary to Hamnett Street and John Street.
- 1.2 The building stands at 2 storeys in height with a flat roof, it has a utilitarian appearance being constructed from brick with an irregular arrangement of openings. This is in contrast to the front of the building which faces onto Market Place and which has a more detailed historic appearance. To the rear there is small enclosed yard with a pedestrian gated access onto John Street.
- 1.3 The surrounding buildings are a mixture of retail, office and social and vary in size and scale, the largest immediate building being that occupied by the Job Centre to the north west of the site which stands at 4 storeys. The building adjoins The Albion public house and to the North, separated by no. 6 Hamnett Street is a Royal Mail sorting office. The bus station, town hall and shopping precinct are all a short distance away.

2. PROPOSAL

- 2.1 The application seeks outline planning approval with all matters reserved for a mixed use development comprising of a partial change of use of the existing building to a food hall and associated works and the erection of a three-storey building above the existing structure to create 21 residential apartments with associated works.
- 2.2 Given the outline nature of the application details are largely for indicative purposes only. The Design and Access Statement does however provide a design assessment and conceptual images of the accommodation.
- 2.3 The proposals propose the retention of the existing building with the residential accommodation provided above. The residential units would all be 1 bedroom and be of similar size, with varying measurements of 37sqm, 39sqm and 40sqm. It is envisaged that they would be provided within a modular construction across 3 storeys, above existing levels, with a green roof.

- 2.4 The accompanying imagery suggests that the existing building is to have the first floor cut back to create a large mezzanine for diners across two storeys. A separate dedicated resident's entrance would be provided to Hamnett Street.
- 2.5 The food hall would support a variety of small, medium and large stalls arranged around a central seating area. A commercial kitchen and toilet block would be provided on a mezzanine area, in addition to seating which overlooks the main entrance.
- 2.6 The applicants state that it is their hope that the food hall will provide a catalyst for greater social enterprise in the town centre, to draw those who might not otherwise come to Hyde. They state that there is great precedent for this across the country and that Hyde could benefit greatly.

3. PLANNING HISTORY

- 3.1 A search of the site's planning history identifies no previous application of relevance to the proposals.

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Development Plan

- 4.4 The adopted development plan is the Tameside Unitary Development Plan (2004), Places for Everyone (2024) and the Greater Manchester Joint Waste Development Plan Document (2012).

Tameside Unitary Development Plan (2004)

4.5 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;
- 1.7: Supporting the Role of Town Centres;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.11 Conserving Built Heritage and Retaining Local Identity; and
- 1.12: Ensuring an Accessible, Safe and Healthy Environment

4.6 **Part 2 Policies**

- S1: Town Centre Improvements;
- S4 Retail Dominance and Shopping Frontages;
- S7 Food and Drink Establishment and Amusement Centres;
- S9 Detailed Design of Retail and Leisure Development;
- C1: Townscape and Urban Form;
- C2: Conservation Areas;
- H2: Unallocated Sites (for housing);
- H4: Type, size and affordability of dwellings;
- H5: Open Space Provision;
- H7: Mixed Use and Density;
- H10: Detailed Design of Housing Developments;
- MW11: Contaminated Land;
- MW12: Control of Pollution;
- MW14 Air Quality;
- N3: Nature Conservation Factors;
- N7: Protected Species;
- OL10: Landscape Quality and Character;
- T1: Highway Improvement and Traffic Management;
- T7: Cycling;
- T10: Parking;
- T11: Travel Plans;
- U3: Water Services for Developments;
- U4: Flood Prevention; and
- U5: Energy Efficiency

4.7 Places for Everyone (2024)

- JP-S2 Carbon & Energy
- JP-S3 Heat and Energy Network
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 Supporting Long-Term Economic Growth
- JP-H1 Scale, Distribution and Phasing of New Housing Development
- JP-H2 Affordability of New Housing
- JP-H3 Type, Size and Design of New Housing
- JP-H4 Density Of New Housing
- JP-G7 Trees and Woodland
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-P4 New Retail and Leisure Uses in Town Centres
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling

- JP-C8: Transport Requirements of New Development
- JP-D2 Developer Contributions

Other Considerations

4.8 The following Supplementary Planning Documents (SPD) are also relevant:

- Tameside Residential Design Guide SPD

4.9 Also of relevance are:

- National Design Guide (2019) (Ministry of Housing, Communities and Local Government);
- Planning Practice Guidance;
- Department for Communities and Local Government – Technical housing standards - nationally described space standard;
- Hyde Town Centre Masterplan (2024); and
- Tameside Town Centres Framework (2022)

4.10 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a persons rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

4.11 The application has been considered in accordance with the Tameside One Equality Scheme (2018-22), which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

5. PUBLICITY CARRIED OUT

5.1 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 the application has been advertised as a major development by neighbour notification letter, display of a site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

6.1 In response to the publicity, four letters of representation were received with the issues raised are summarised as follows:

- Too many food places within Hyde
- Additional traffic and impact upon level of on-street parking on Hamnett Street
- Concerns about the scale of development and the impact upon residential amenity
- Lack of parking for residents
- Concerns about neighbour notification procedures
- Additional noise and disturbance within the town centre
- Impact upon house prices
- Need to observe residential spacing standards
- Development would be out of character
- Development would suck life out of the remainder of Hyde
- The height of the building as proposed would cause severe overlooking to both domestic and small commercial properties

6.2 A letter of objection on behalf of Royal Mail was withdrawn following the submission and recommendations of a noise report.

7. RESPONSES FROM CONSULTEES

7.1 Coal Authority – site is within a High Risk development area but confirm that the proposal are exempt from the requirement for a Coal Mining Risk Assessment.

7.2 Contaminated Land – Based on the information provided, no objections to the proposed development. However, when considering the potential contamination issues and that no contaminated land information was included with the planning application it is recommended that conditions are applied to address potential legacy issues associated with previous industrial uses at the site.

7.3 Environmental Health – No objections to the proposals, subject to the imposition of conditions covering the following:

- Provision of refuse storage and collection arrangements;
- Limiting the hours of work during the construction phase of the development;
- Details of the appearance, screening and specification of any plant/ventilation equipment to be installed on the exterior of the building;
- Details of a soundproofing scheme to be installed between the food hall and residential accommodation;
- Compliance with the mitigation measures detailed in the Noise Assessment submitted with the planning application; and
- Preparation of an Air Quality Assessment with Reserved Matters.

7.4 GMAAS – The application building seemingly dates to the early decades of the 20th century, built over the former footprints of mid to late-19th century buildings. The later construction is likely to have severely truncated, if not completely removed, former remains of these buildings. Given that the proposal seeks to retain much of the current built form there does not seem to be the potential for significant impacts on any below-ground remains. Having checked the Historic Environment there are no known or potential sites affected by this proposal and therefore in this instance GMAAS consider that no further archaeological mitigation is required. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

7.5 Local Highway Authority – No objections, provision of cycle storage along with town centre location well served by public transport would mitigate against dedicated parking. Recommend conditions covering the following:

- Provision of Traffic Regulation Orders
- Provision of Cycle Storage
- Construction Environment Management Plan
- Travel Plan

7.6 United Utilities – No comments received.

8. ANALYSIS

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

- 1) The principle of development;
- 2) The impact of the proposed design and scale of the development on the character of the site;
- 3) The impact on the amenity of neighbouring properties including commercial uses;
- 4) The impact on highway safety;
- 5) Consideration to ecology;

- 6) The impact on flood risk/drainage;
- 7) Developer contributions; and
- 8) Other matters.

9. PRINCIPLE OF DEVELOPMENT

- 9.1 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.
- 9.2 The National Planning Policy Framework (NPPF) is also an important consideration. The NPPF states that a presumption in favour of sustainable development should be at the heart of every application decision. For planning application decision taking this means:-
 - Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:-
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
- 9.3 There are two elements to the proposals: the food hall and residential use. The food hall represents a commercial use which is fully compatible with a town centre setting. The addition of upper floor residential accommodation is also deemed to be an appropriate town centre use. Both elements would generate footfall, increase local spend and contribute to the overall vibrancy of the area and are deemed to represent appropriate land uses in principle.
- 9.4 In terms of housing development, members will be aware that the Council cannot demonstrate a deliverable five year supply of housing land. It is therefore recognised that the NPPF is a material consideration that carries substantial weight in the decision making process. Assuming the development is considered sustainable, the NPPF is clear that where no five year supply can be demonstrated, the presumption in favour of sustainable development identified at paragraph 11 of the NPPF should be used to determine planning applications. The opportunity for the development to potentially accommodate up to 21 apartments would make a positive contribution to housing land supply and this should be apportioned due weight in the decision making process.
- 9.5 Paragraph 129 states that 'where there is an existing shortage of land for meeting identified housing needs (as is currently the case in Tameside), it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 9.6 The site covers an area of approximately 1000sqm and the proposal would equate to a residential density of 210 dwellings per hectare. Whilst this may appear significant, it demonstrates the high levels of sustainability/efficiency that can be achieved from the development of land or buildings for apartments. Policy H7 of the UDP refers to a range of densities of between 30 and 50 dwellings per hectare as a general target across the borough, with higher densities being appropriate in locations close to public transport links, such as this site. The recently published Strategic Housing and Economic Land Availability Assessment (SHELAA) gives an indicative density of 150 dwellings per hectare for apartment schemes in locations such as this, based on TfGM's Greater Manchester Accessibility Levels dataset. Consequently, from a housing perspective the proposal is supported by the principles of efficient development.

- 9.7 Section 7 of the NPPF is entitled 'Ensuring the vitality of town centres.' Paragraph 90 of the NPPF states that 'planning polices and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.' The same paragraph goes on to state that there is a need to 'recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.' Planning Practice Guidance 'Town Centres and Retail' promotes the diversification of town centres, it states; 'Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services. Given their close proximity to transport networks and local shops and services'. The principle of repurposing commercial buildings is also encouraged within the permitted development, prior approval process, permitting in principle the residential conversion of former retail buildings, subject to certain criteria. Residential development within a central location and the principle of re-purposing buildings is therefore supported by the National Planning Policy Framework.
- 9.8 The addition of up to 21 units of residential accommodation would increase footfall in this part of Hyde. Residents would have access to a range of services and facilities available within walking distance of the site and this includes regular public transport services. The accommodation is likely to appeal to a number of key and other workers who have employment within the town and nearby areas. Having regard to the accessibility of the site it is considered to be an appropriate location for housing as per the provisions of the NPPF.
- 9.9 The site is located within the Hyde Godley Ward, which currently has a predominance of traditional terraced houses (53.8%, Tameside HNA 2017), and flats and apartments represent 17% of the housing stock. Private renting in the ward was 14.5% and affordable accommodation 29.7%. The provision of new build flats for owner-occupation, or private/social rent could be attractive to first time buyers and keyworkers within a central and accessible location.
- 9.10 UDP policies applicable to town centre developments are somewhat out of date given updated guidance within the NPPF and changes to the Town and Country Planning Use Classes Order, the latter of which has reclassified the majority of town centre uses under Use Class E (Commercial, Business and Service). Class E (b) includes the use of a building, either in part, or in full; 'for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises'. A food hall would fall within the definition and should therefore be considered an appropriate town centre use. The recently adopted Hyde Town Centre Masterplan further supports this.
- 9.11 The frontage of the existing building to Market Place is within the boundary of the Primary Shopping Frontage. This element of the building would be unaltered with ground floor retail (Class E) retained, albeit on a reduced footprint. The rear of the building which fronts Hamnett and John Street is outside of the boundary. There would be no conflict arising with policy S4, which is a protection policy for retail uses. Notwithstanding changes to the Use Classes Order, the frontage to Market Place would be unaltered with a ground floor retail unit retained. The addition of the food hall and residential would be complementary to the town centre, the food court having potential to increase the leisure opportunity of the centre considerably. The Hyde Town Centre Masterplan states *"Hyde is now presented with an opportunity to radically rethink the purpose of the town centre and how it will serve the local community. The masterplan will help identify opportunities to improve the area you live, shop and visit with friends and family."*
- 9.12 It is acknowledged that there have been considerable changes to retail habits and this has contributed directly to a rise in vacancy rates across established town centres. The redevelopment of buildings to support residential use is a long-term viable solution to the re-use of existing building stock. This addresses vacancy rates and contributes to housing supply in accordance with the principles of brownfield development. With specific reference to the re-purposing of buildings, the NPPF emphasises that a flexible approach should be

taken. Paragraphs 124(d) and 127(a) recommend that Local Planning Authorities make decisions that support development of under-utilised land and buildings, especially if this would help to meet the identified needs for housing. The applicant confirms that the existing upper floor accommodation of the building is underutilised back office space. The lack of real purpose for this space also contributes negatively to the setting of both Hamnett and John Street which are dominated by the blank building elevations.

- 9.13 There are recognised viability issues surrounding traditional retailing habits. The need to repurpose existing building stock has, and will remain a growing challenge for traditional town centres. Food halls are recognised as a vibrant town centre use, their popularity is growing and there are many examples of where they have led to significant town centre regeneration. A masterplan has been adopted for Hyde that is aimed at promoting its regeneration and improving its retail and leisure offer. Officers would acknowledge that the addition of the food hall, along with complementary residential accommodation, could be a significant driver to achieving positive economic, social and environmental aspirations and consequently the principle of development is considered to be acceptable, subject to all other material planning considerations being satisfied.

10. DESIGN / LAYOUT & SCALE OF THE PROPOSALS

- 10.1 Policies within the UDP, NPPF and the adopted Residential Design Guide SPD are clear in their expectations of achieving high quality development that enhances a locality and contributes to place making objectives. The NPPF emphasises that development should be refused where it fails to take opportunities available to improve the character and quality of an area and the way that it functions (para. 139).
- 10.2 The current application seeks only to establish the principle of mixed use development. Details of design, scale, layout and landscaping would need to be submitted under a subsequent Reserved Matters application, should planning permission be approved. The submitted plans are very notional for the purposes of the planning assessment.
- 10.3 The Design and Access Statement has endorsed a holistic approach to the design which considers the mixed use and environmental setting, although this is for indicative purposes only. Again, it must be stressed that the final layout, scale, design and landscaping would be determined through the Reserved Matters submission(s). What the Design and Access Statement does illustrate is that the site has the potential to support development of the scale proposed and that this could be achieved in a way that would be complimentary to the character of the town centre. Whilst the scope of 5 storey development would be considered as part of the detailed design, there is considered to be capacity within the centre to accommodate a building of this scale. The nearby Job Centre/ DWP building providing a reasonable comparison at 4 storeys. The submitted images suggest that the development would fully engage with Hamnett Street providing a much-desired active frontage. The materials and fenestration would look to frame the highway successfully and represent a significant improvement to local environmental quality.
- 10.4 To heighten the impact of the building entrance, it is suggested that the first floor of the existing building is cut back to create a mezzanine. This would enhance both the entrance and dining environment alike. The Design and Access statement also suggests that the building would include the addition of a green/blue roof. This may offer the potential of a communal roof terrace. It would also be designed to collect and store rainwater. Collected rainwater would be recycled for use in the residential units and food hall. The indicative drawings also show that appropriate levels of service provision, and circulation space could be provided throughout the development to support the food hall and residential units alike.
- 10.5 In terms of existing features, there are few constraints which could affect a comprehensive development such as that proposed. The surrounding area is predominately commercial in

character and a detailed assessment of impacts upon residential properties which do exist would be looked at as part of detailed design. Within a town centre setting there is a recognised capacity for change and the development of taller buildings. The site has the capacity to accommodate development up to the scale that is proposed at this stage.

- 10.6 In summary, assessment of design considerations is limited given the outline nature of the proposals. However, in the context of a central, mixed-use environment, the application is not considered to raise any significant design issues which would justify a refusal of outline consent. It is considered that a high-quality development can be achieved at the site which incorporates sustainable techniques in compliance with policies of the UDP, P/E and the NPPF.

11. RESIDENTIAL AMENITY AND COMMERCIAL USES

- 11.1 The outline nature of the proposals means that there are limitations on the assessment that can be made of the residential environment to be created as well as the potential influence upon existing properties. From the indicative drawing provided it would appear that the part conversion and adaptation of the building could be comfortably achieved. The proposals would seek to introduce a modular system which would be an efficient design response. The orientation of the building suggests that each of the apartments would be served with good levels of outlook, light and ventilation for a town centre location.
- 11.2 The site is primarily commercial in character, the exceptions being first floor residential accommodation above The Albion Public House and nos 1, 6 & 6A Hamnett Street. No.6 is located on the sites northern boundary and no.1 is located on the opposite side of Hamnett Street and is stepped back by a private drive. No.6 had previously been in commercial use, No.6a is in residential occupation with representations submitted by its owner. The design/scale/layout of the development would be defined in detail through the Reserved Matters application whereby a full assessment would be made, with the arrangement and relationship of no.6 & 6A currently influenced by the applicant building. An increase to the building height would influence outlook from the properties side facing windows which are also the primary windows to 6A, but this would be balanced against a visual and overall environmental improvement. The SPD identifies that on infill sites variation of guidelines may be acceptable where existing spacing/relationships are taken into account. The context of a high-density town centre environment would be a significant consideration. Ultimately the Reserved Matters would need to demonstrate that suitable arrangements can be achieved and this may include a review of floor plans.
- 11.3 There are habitable room windows to the neighbouring side elevation (no.6A Hamnet Street). Whilst the proposed development will provide a greater sense of enclosure, revised plans have been submitted following the submission of an objection from a neighbour. The revised plans include the removal of the existing tower element, which the existing windows currently provide views toward. There would be some net benefit as a result of the removal of the tower and a planning judgement is required regarding the impact on the amenity of neighbouring occupiers. One cannot expect the same standards in the town centre as a suburban environment, and flexibility is necessary in order to deliver the change advocated through the Hyde Masterplan. Although the separation distance is below the minimum privacy distance outlined in the council's SPD, the resultant spacing would not be untypical of the locality and the relationship between residential uses within Town Centres. Whilst the comments from the neighbouring property have been carefully assessed, given the removal of the parapet and the setting of the building, the scheme achieves a balance between optimising densities in accordance with planning policy guidance and safeguarding the amenity of the nearby residential occupiers.
- 11.4 The indicative drawings identify that internally the accommodation would be well proportioned with all of the 1 bed apartments exceeding technical standards at 37sqm in size.

The accommodation would have separate, partitioned living, sleeping and kitchen areas in addition to dedicated storage provision. This would be assessed further as part of the detailed design to be submitted at the reserved matters stage.

- 11.5 With respect to private amenity space the submitted images suggest that there would be no balconies providing any private outside space. The suitability of this would be a matter to be looked at as part of the detailed design at the Reserved Matters stage. The building's central location and associated access to services, infrastructure and facilities across Hyde would be a significant benefit for future residents.
- 11.6 Recognising that the site is within a central location where densities are generally higher the, relationship of proposed apartments to one another is not untypical to that found elsewhere within town centres. Ultimately the relationship is reflective of the more niche forms of accommodation that are found in central areas and it would remain at the discretion of prospective purchasers/future occupiers to decide whether the format meets their individual requirements.
- 11.7 Commensurate to the central location, there are many established commercial uses within the vicinity of the site. In addition to the proposed form of the food hall, consideration needs to be given to the overall compatibility with the residential uses. As referenced elsewhere, mixed use developments are common features within town centres, and the planning system does not advocate the need for rigid separation between commercial and residential uses. An objection had originally been submitted on behalf Royal Mail who operate the nearby sorting office. A subsequent noise report has been prepared which concludes that a suitable residential environment can be achieved as a result of sound insulation secured by glazing and ventilation. A review by Environmental Health is supportive of the proposals subject to the recommendations of the noise report being conditioned. This approach has also been supported by Royal Mail representatives. In addition, in the interests of residential amenity, it is recommended that conditions are also applied relevant to ventilation, refuse handling and opening times for the food hall. Such measures are considered reasonable and will ensure that the amenity of residents is suitably protected.
- 11.8 Overall, it is considered that there is both a strong design and regenerative case for the proposals, in accordance with NPPF guidance and development plan policy, seeking to re-develop the building, in part for residential use. Assessment of the amenity standards achieved would be considered in further detail as part of the reserved matters submissions.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1 In a town centre location the site is inherently sustainable and is easily accessed by public transport, foot or bicycle. Hyde town centre is served by bus and train connections across the Greater Manchester region, with connections to these services a very short walk from the site. It is also apparent that various amenities and employment opportunities are close by.
- 12.2 The building is not served with any dedicated parking and its servicing has been taken directly from Hamnett Street. No car parking provision is proposed as this would not be possible given the building's constraints. The lack of dedicated parking is balanced against the sustainable credentials of the location, such an arrangement being typical within a town centre whereby there are many such precedents found. As with other development within the town centre, the access to services and public transport network, in addition to large surface car parks around the town, adequately mitigates for this lack of provision.
- 12.3 With respect to cycle parking, guidance outlines that residential development should have cycle parking facilities that can accommodate a minimum of one secure cycle stand for every unit. The indicative plans suggest that this can be accommodated and this will ultimately be a matter to be determined as part of detailed design at the reserved matters stage.

- 12.4 With regard to servicing, the plans also indicate refuse will be collected from a dedicated bin storage area within the building. This would be accessed in a similar manner to the established commercial use.
- 12.5 The constraints of the town centre site require due consideration to the construction process which could affect the local highway network and neighbouring properties. This could include compromising pedestrian safety, affecting access and damaging footways and carriageways. The provision of a construction method statement by the developer will be essential to minimising disruption. This will also need to include the commissioning of highway condition surveys before and after the work and ensure that any damage caused to the highway is rectified following construction.
- 12.6 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such, in the absence of any demonstrable adverse impacts and subject to recommended conditions, the development is considered to adhere to the provisions of policies T1, T7 and T10 of the UDP and relevant guidance within the NPPF.

13. ECOLOGY

- 13.1 The full extent of demolition works is currently unknown. The indicative plans suggest that this would be limited to that of the creation of the mezzanine floor and necessary/relevant works to construct the modular accommodation. It is recognised that the building has negligible potential for roosting bats. Due to the tight urban grain of the site and wider locality opportunity for biodiversity net gain will be limited. The green roof and associated landscaping will however raise the current biodiversity value of the building above its current position.
- 13.2 Informative notes, outlining the developer's responsibilities with regard to both protected and invasive species, can also be attached to any planning permission granted.

14. FLOOD RISK/DRAINAGE

- 14.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. No drainage strategy has been submitted with the application, given that the development would take place within the buildings established footprint. As such, one is not deemed necessary for the application. Ultimately surface run-off will not be increased by the development and future residents are not considered to be at risk. The redeveloped building would utilise existing connections with surface water likely to be attenuated to the satisfaction of the Building Regulations.

15. DEVELOPER CONTRIBUTIONS

- 15.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 15.2 The development would meet the trigger point for contributions toward affordable housing, green space and potentially highways. Again, owing to the outline nature of the proposals it

is premature to make a full assessment of the extent of any such contributions. It is recommended that these matters are addressed by way of suitably worded conditions to inform any subsequent Reserved Matters submissions.

16. OTHER MATTERS

- 16.1 Environmental Issues –The Environmental Health Officer has not raised any objections to the proposals, subject to the imposition of a number of conditions. Indicative details of an area for communal refuse storage are shown on the proposed ground floor plan. Exact details of the capacity of the bins to be provided along with a strategy for their servicing will be required through a planning condition.
- 16.2 Contamination – The Contaminated Land Officer has reviewed the proposals and raised no objections subject to standard conditions requiring further site investigation prior to the commencement of development.
- 16.3 Air Quality – The application site is not within a designated Air Quality Management Area but the corridor along the alignment of the M67 to the north is. The highly sustainable nature of the location promotes sustainable means of travel via walking, cycling and public transport. The significance of the development in terms of contribution to air quality issues is considered to be slight to negligible. Nonetheless consultation with Environmental Health requests that as a precaution an Air Quality Impact Assessment is submitted with any Reserved Matters.
- 16.4 Heritage – The site is not within a conservation area and there are no designated assets within the locality which would have their setting impacted by the proposals.
- 16.5 Digital connectivity is a requirement of PfE policy JP-C2 which strives to ensure that all new development is served with full fibre access. This would be clearly be advantageous to the marketing and operation of the proposed development. No details have been provided on this matter but compliance can be secured by a planning condition.

17. CONCLUSION

- 17.1 The site is located within a highly sustainable location as demonstrated by its central location and access to transport and services. At present the building is largely an underutilised asset which contributes little to the town centre.
- 17.2 The Council is committed to the delivery of an improved town centre which offers good quality retail and leisure facilities. The proposals would complement these aspirations in meeting with planning policy and relevant material planning considerations. The proposals would make a valued contribution to the regeneration of the centre by providing welcomed investment and employment opportunities. There is a noted absence of a food hall within the Borough. The proposed food hall and accommodation would stimulate activity with additional footfall within the vicinity and should help to raise the profile of the town centre as a destination.
- 17.3 There are associated benefits from the environmental improvements to the refurbishment and redevelopment of the existing building, with its appearance being modernised. The application has adequately demonstrated that the site would be suitable to accommodate the overall scale of development. The final design, scale and form will be assessed as part of subsequent Reserved Matters submissions. The proposal has been assessed against the National Planning Policy Framework and the provisions of the development plan and other relevant material considerations. The proposal represents development in an accessible location and is in accordance with general planning policy principles aimed at promoting sustainable growth and spatial planning.

- 17.4 The proposal would secure economic benefits such as jobs associated with construction and hospitality as well as promote increased spend in the local area. This would have a positive impact on the continued regeneration of the town centre. This development alongside other housing schemes will contribute to a growing housing market and this is considered to meet town centre housing objectives and achieve social benefits, particularly when the Council is in a negative five year housing land supply position.
- 17.5 Taking into account the relevant development plan policies and other material considerations, subject to the identified mitigation measures proposed within the conditions, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with granting planning permission.

RECOMMENDATION

Grant planning permission, subject to the following conditions:

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

Reason: In order to comply with the provision of Section 92 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall not be commenced unless and until approval of the following reserved matters has been obtained in writing from the Local Planning Authority:-
 - (a) the layout of the proposed development.
 - (b) scale of building(s)
 - (c) the design and external appearance of the proposed development.
 - (d) means of access
 - (e) landscaping

Reason: In order to allow the Local Planning Authority to assess the details of the reserved matters with regard to the development plan and other material considerations.

- 3) The development hereby approved shall be carried out strictly in accordance with the plans and specifications as approved unless required by any other conditions in this permission.
 - 1:1250 site location plan – Dwg no : -XX-ZZ-DR-A-00001 Rev : P01

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 4) The development shall be limited to a maximum of 21 dwellings of which a minimum of 15% shall be provided on an affordable basis as defined within annex 2 of the NPPF or any guidance which may supersede it.

Reason: To meet identified housing need in accordance with UDP policy H5 and paragraph 66 of the NPPF.

- 5) The development shall be limited to a maximum total of 21 dwellings and a maximum of 710sqm of commercial floor space.

Reason: In the interests of the visual amenities of the locality and in accordance with UDP Policies and relevant national Planning Guidance.

- 6) The noise mitigation measures recommended in Echo Acoustics Noise Assessment (dated 9 February 2023) shall be implemented in full and shall be retained thereafter. Written proof shall be provided to the Local Planning Authority that all mitigation measures have been implemented in accordance with the agreed details and shall be retained thereafter.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses and to protect the amenity of occupiers of the development in accordance with UDP policy H10.

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

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

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

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12/1.13/H10.

- 9) No hot food preparation equipment shall be brought into use unless and until a scheme for the effective deodorising and degreasing and dispersal of emissions has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented to the satisfaction of the Local Planning Authority and shall be retained and maintained thereafter.

Reason: To safeguard the amenity of the area from the effects of cooking odours in accordance with policy S7 of the UDP.

- 10) Details of all fixed plant and machinery together with any acoustic treatment / design, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Plant and machinery shall be installed in accordance with the agreed measures which shall be retained and maintained thereafter.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.1

- 11) Prior to the food hall coming into commercial operation and trading to the public full details of the opening hours including delivery times shall be submitted to the Local Planning Authority for approval in writing. The development shall be undertaken in accordance with the approved details.

Reason: To protect the amenities of occupants of nearby properties/dwelling houses in accordance with UDP policies 1.12 and E6.

- 12) Prior to occupation of the building/commencement of the use, full details of a lighting strategy including any security lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, orientation, angle and luminance of the lighting. The approved details shall be implemented prior to occupation of the building/commencement of the use and retained as such thereafter.

Reason: To protect the amenity of existing and future occupiers from glare and/or nuisance light in accordance with UDP policies 1.12 and E6.

- 13) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:
1. A Preliminary Risk Assessment which has identified: - All previous and current uses of the site and surrounding area. - All potential contaminants associated with those uses. - A conceptual site model identifying all potential sources, pathways, receptors and pollutant linkages.
 2. A site investigation strategy, based on the Preliminary Risk Assessment in (1) detailing all investigations including sampling, analysis and monitoring that will be undertaken at the site in order to enable the nature and extent of any contamination to be determined and a detailed assessment of the risks posed to be carried out. The strategy shall be approved in writing by the LPA prior to any investigation works commencing at the site.
 3. The findings of the site investigation and detailed risk assessments referred to in point (2) including all relevant soil / water analysis and ground gas / groundwater monitoring data.
 4. Based on the site investigation and detailed risk assessment referred to in point (3) an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.
 5. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (4) have been fully implemented including any requirements for long term monitoring and maintenance. Reason:

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 189 of the National Planning Policy Framework.

- 14) Upon completion of any approved remediation scheme(s), and prior to occupation/use, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.
- If, during development, contamination not previously identified is encountered, then the Local Planning Authority (LPA) shall be informed and no further development (unless otherwise agreed in writing with the LPA, shall be undertaken at the site 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/use of the development shall not commence until this time unless otherwise agreed in writing by the LPA.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 189 of the National Planning Policy Framework.

- 15) Secure and weather proof cycle storage to LPCB LPS1175 Security Rating 2, or similar approved, shall be provided for residents and staff prior to the first occupation of the

development hereby approved and thereafter kept available for its intended purposes at all times.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.

- 16) 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:

- Phasing of the development;
- Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
- Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
- Measures to control the emission of dust and dirt during construction; and
- Measures to control noise levels during construction

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

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies 1.12, H10 and T1.

- 17) No external construction or alteration to the external appearance of the building shall take place until a detailed schedule of all of the proposed materials of external construction or repair of the building has been submitted to and approved in writing by the local planning authority, and samples have been made available for inspection on site. The development shall not be occupied until it has been completed in accordance with the approved schedule and materials.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 18) Full details of all new and/or replacement windows and door openings shall be submitted to and approved in writing by the local planning authority prior to any such works taking place. Details shall include plans drawn to at a scale of 1:20 of all new and replacement window and door openings (including details of the surrounding cladding) to be installed on the elevations of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a section plan showing the thickness of the frames and the depth of the recess of the frames from the outer face of the host elevation. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form.

- 19) All ground floor doors and windows on the sides of the building fronting the highway shall be constructed to open into the building only and not out into the highway.

Reason: To ensure that the development does not adversely affect use of the adjacent highway, notably by pedestrians, in accordance with UDP policy T1.

- 20) The building shall not be occupied until a scheme showing the location, design and screening of a single satellite television reception aerial/dish capable of distributing a signal to each apartment within the development has been submitted to and approved in writing by the local planning authority. Any aerial/dish must be located so as to minimise its effect on the appearance of the building and all distribution cables must be routed internally. The aerial/dish shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the development in accordance with UDP Policy C1 Townscape and Urban Form.

- 21) No installation of any externally mounted plant equipment (including utility meter boxes, flues, ventilation extracts, soil pipe vents, roof vents, lighting, security cameras, alarm boxes) shall take place until details (including the location, design, method of support, materials and finishes) have been submitted to and approved in writing by the local planning authority. Such plant and other equipment shall not be installed other than in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of the character and appearance of the Ashton Conservation Area in accordance with UDP Policy C1 Townscape and Urban Form and C4 Development in Conservation Areas.

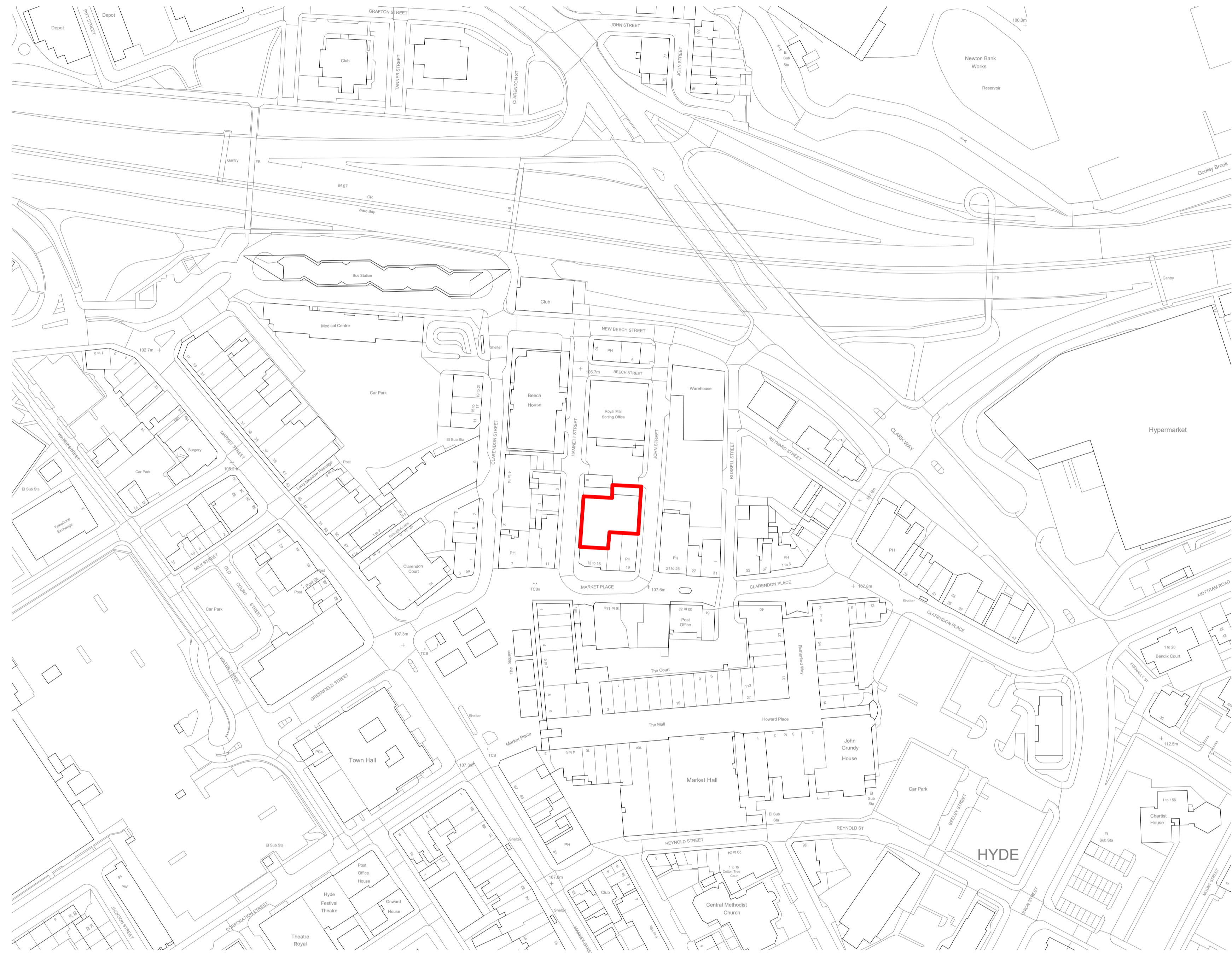
- 22) A scheme for the Biodiversity Enhancement and Mitigation Measures including any soft landscaping and the provision of bird and bat boxes shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

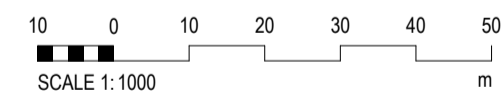
- 23) All units within the development hereby approved shall be serviced with full digital fibre connectivity. A statement confirming this shall be submitted to the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure that the employment uses are digitally connected in accordance PfE policies JP-C2 (Digital Connectivity).

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Site Location Plan
1 : 1250



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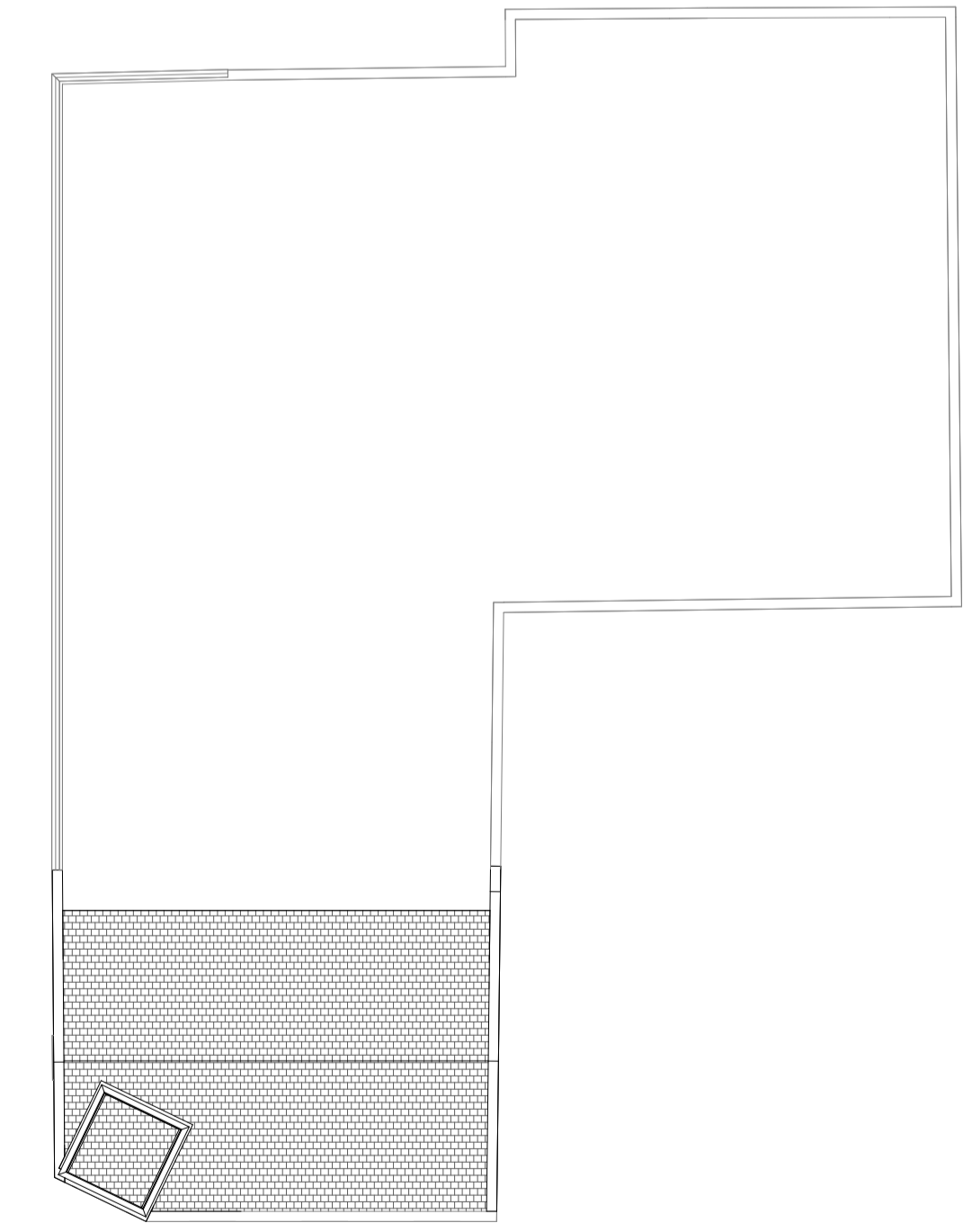
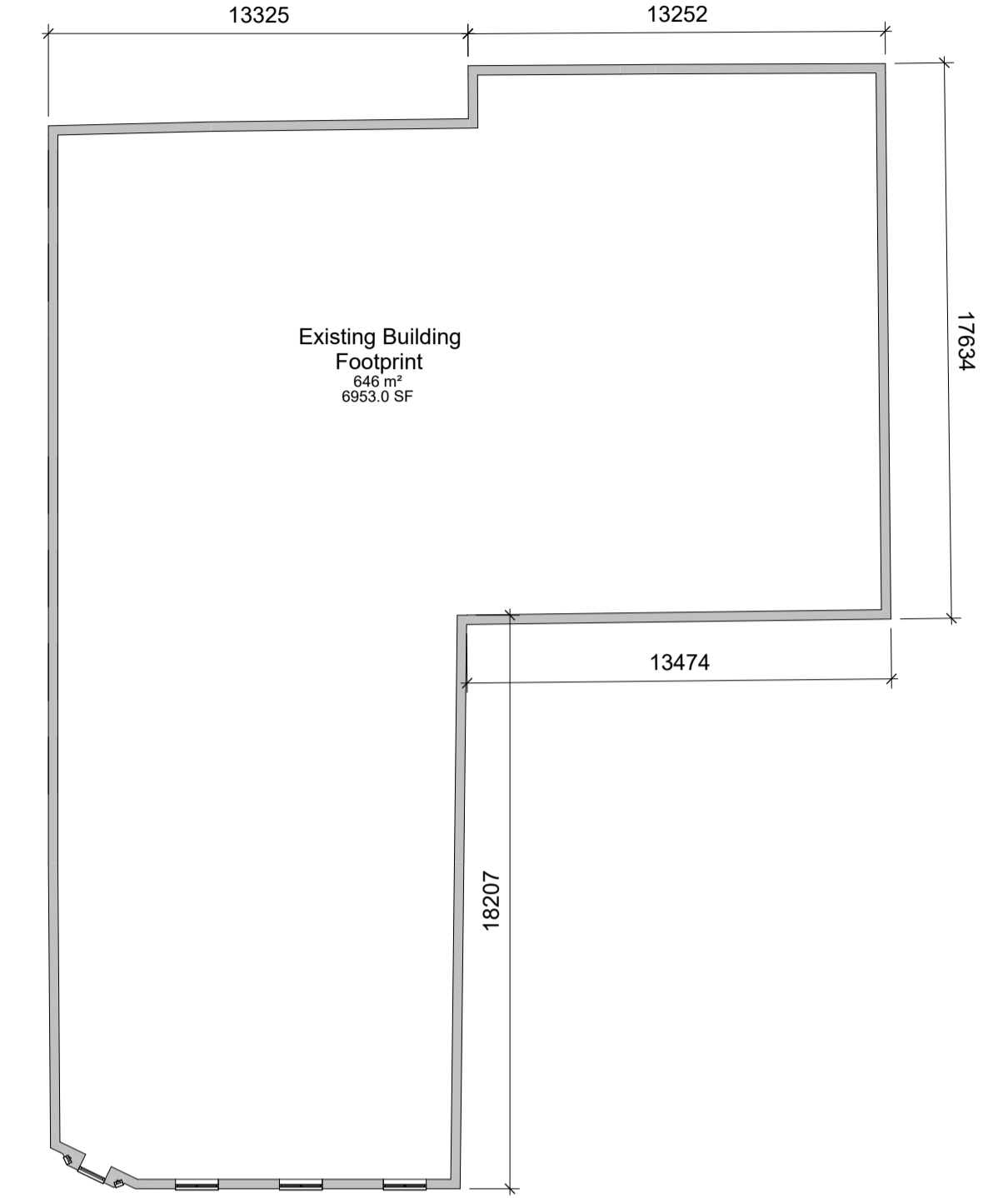
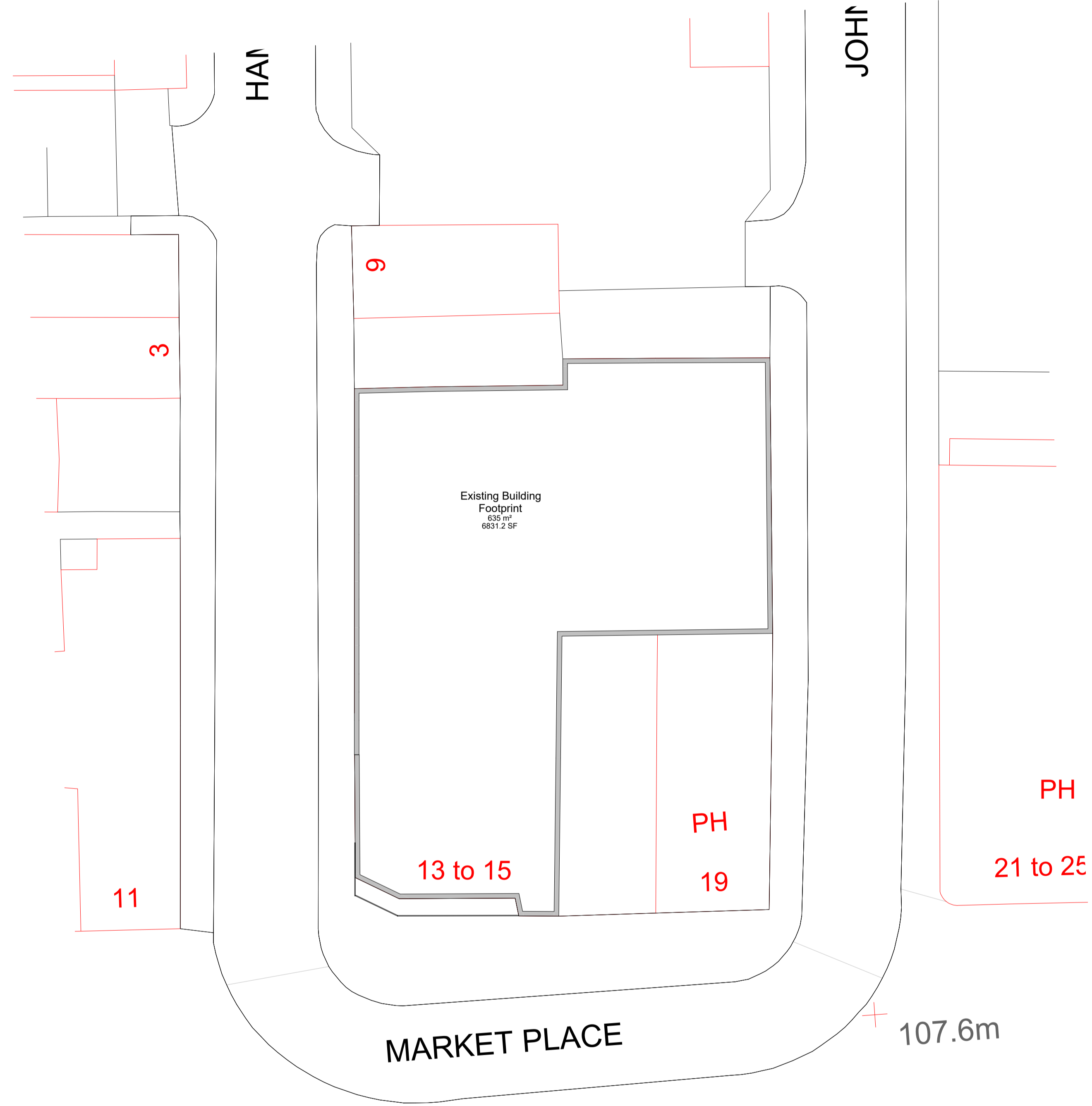


CLIENT



PROJECT TITLE	Market Street - Hyde
CLIENT NUMBER	0018-W00
DRAWING TITLE	Site Location Plan
SCALE	@ A1
DATE FIRST ISSUED	13/10/22
REVISION	P01
DRAWING NUMBER	-XX-ZZ-DR-A-00001

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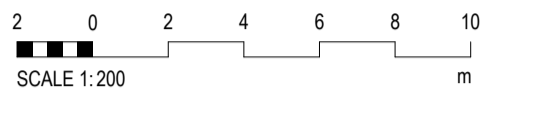
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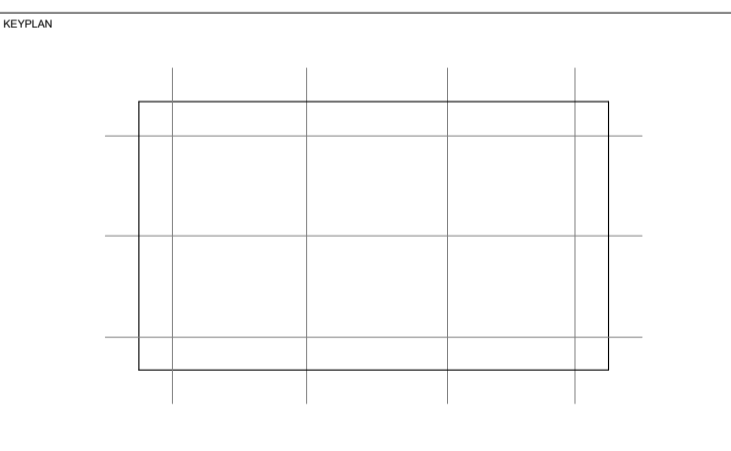
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0018-WOO



CLIENT



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Market Street - Hyde

0018-WOO

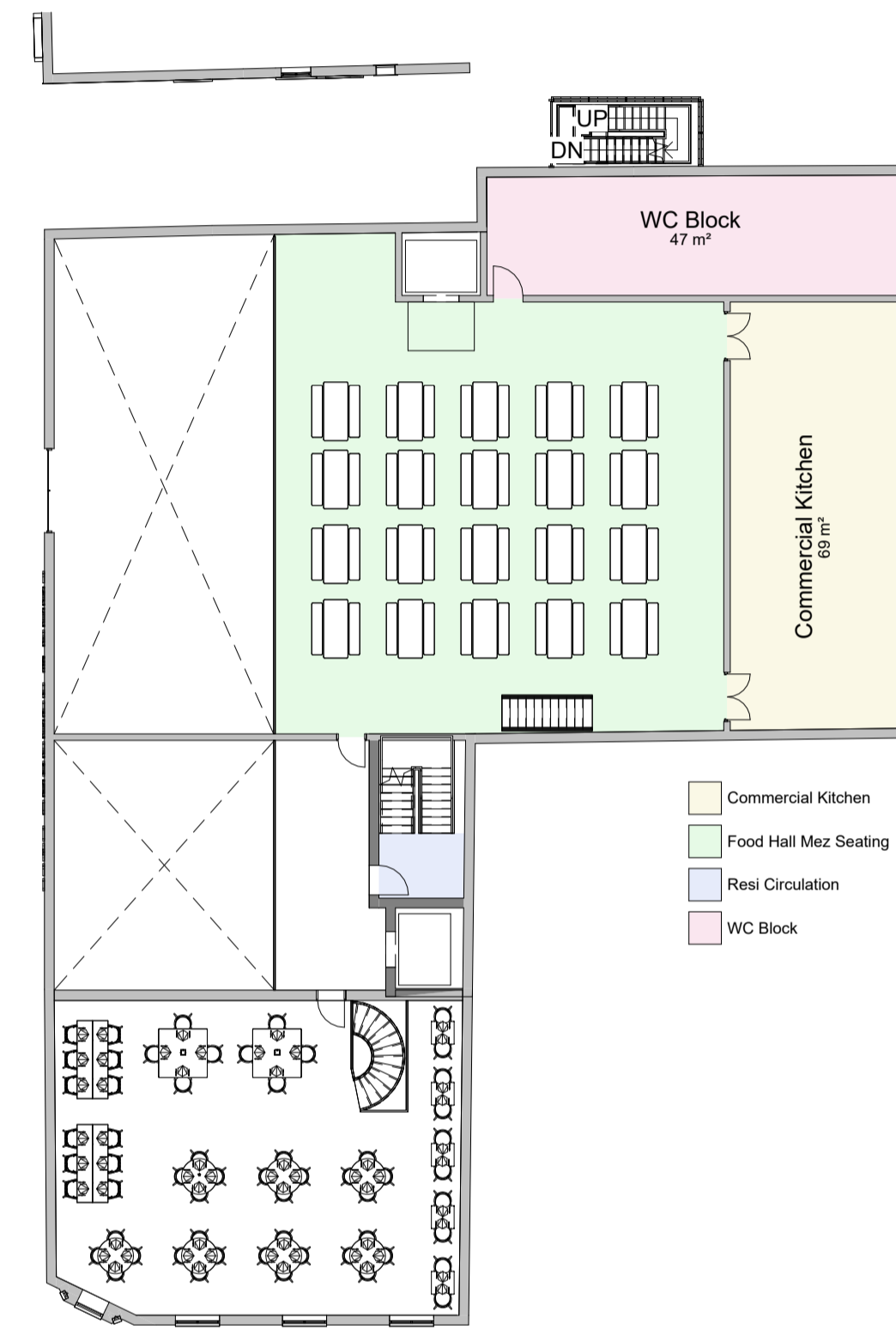
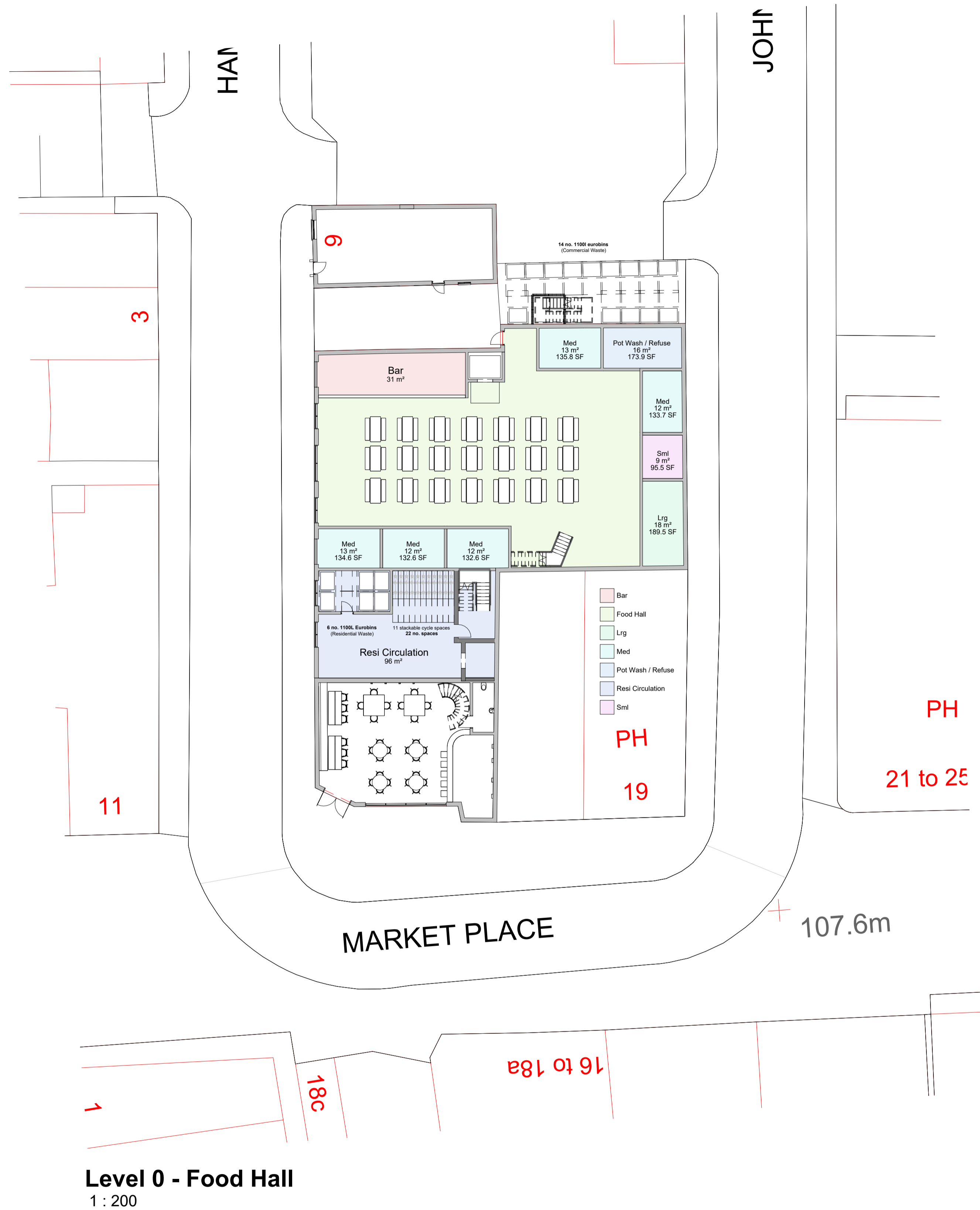
Existing GA Plans

SCALE @ 1:200 A1

DATE FIRST ISSUED 27/02/23

-XX-ZZ-DR-A-00010 P01

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Room Schedule

Department	Level	Area	Name	Seated Occupancy	Tables
Level 0					
Food Hall	Level 0	267 m ²	Food Hall	126	21
Pot Wash / Refuse	Level 0	16 m ²	Pot Wash / Refuse		
Resi Circulation	Level 0	96 m ²	Resi Circulation		
Med	Level 0	13 m ²	Med		
Med	Level 0	12 m ²	Med		
Med	Level 0	12 m ²	Med		
Med	Level 0	12 m ²	Med		
Med	Level 0	13 m ²	Med		
Sml	Level 0	9 m ²	Sml		
Lrg	Level 0	18 m ²	Lrg		
Bar	Level 0	31 m ²	Bar		
		499 m ²			
Level 1					
WC Block	Level 1	47 m ²	WC Block		
Commercial Kitchen	Level 1	69 m ²	Commercial Kitchen		
Food Hall Mez Seating	Level 1	191 m ²	Food Hall Mez Seating 120		20
Resi Circulation	Level 1	5 m ²	Resi Circulation		
		312 m ²			
Level 2					
Residential	Level 2	37 m ²	1B1P		
Residential	Level 2	37 m ²	1B1P		
Residential	Level 2	39 m ²	1B1P		
Residential	Level 2	39 m ²	1B1P		
Residential	Level 2	37 m ²	1B1P		
Circulation	Level 2	51 m ²	Resi Circulation		
Resi Circulation	Level 2	5 m ²	Resi Circulation		
Residential	Level 2	37 m ²	1B1P		
Residential	Level 2	40 m ²	1B1P		
		322 m ²			
Level 3					
Resi Circulation	Level 3	5 m ²	Resi Circulation		
Residential	Level 3	37 m ²	1B1P		
Residential	Level 3	37 m ²	1B1P		
Residential	Level 3	39 m ²	1B1P		
Residential	Level 3	39 m ²	1B1P		
Residential	Level 3	37 m ²	1B1P		
Circulation	Level 3	51 m ²	Resi Circulation		
Residential	Level 3	37 m ²	1B1P		
Residential	Level 3	40 m ²	1B1P		
		322 m ²			
Level 4					
Resi Circulation	Level 4	5 m ²	Resi Circulation		
Residential	Level 4	37 m ²	1B1P		
Residential	Level 4	37 m ²	1B1P		
Residential	Level 4	39 m ²	1B1P		
Residential	Level 4	39 m ²	1B1P		
Residential	Level 4	37 m ²	1B1P		
Circulation	Level 4	51 m ²	Resi Circulation		
Residential	Level 4	37 m ²	1B1P		
Residential	Level 4	40 m ²	1B1P		
		322 m ²			
		1778 m ²			

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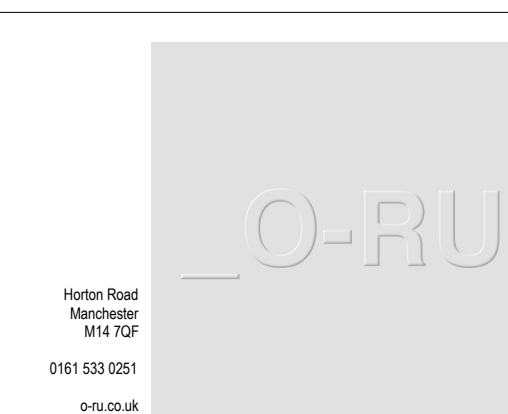
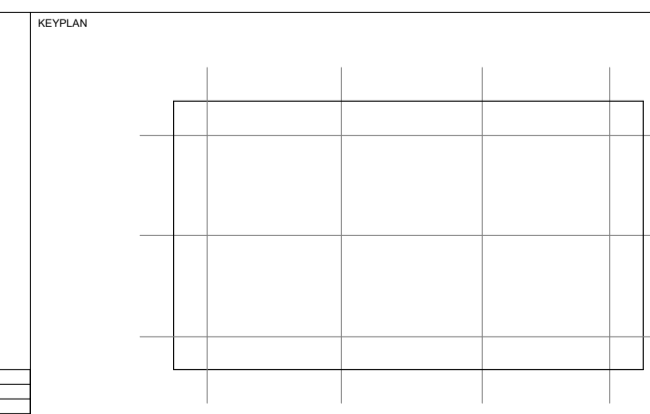
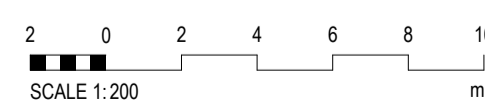
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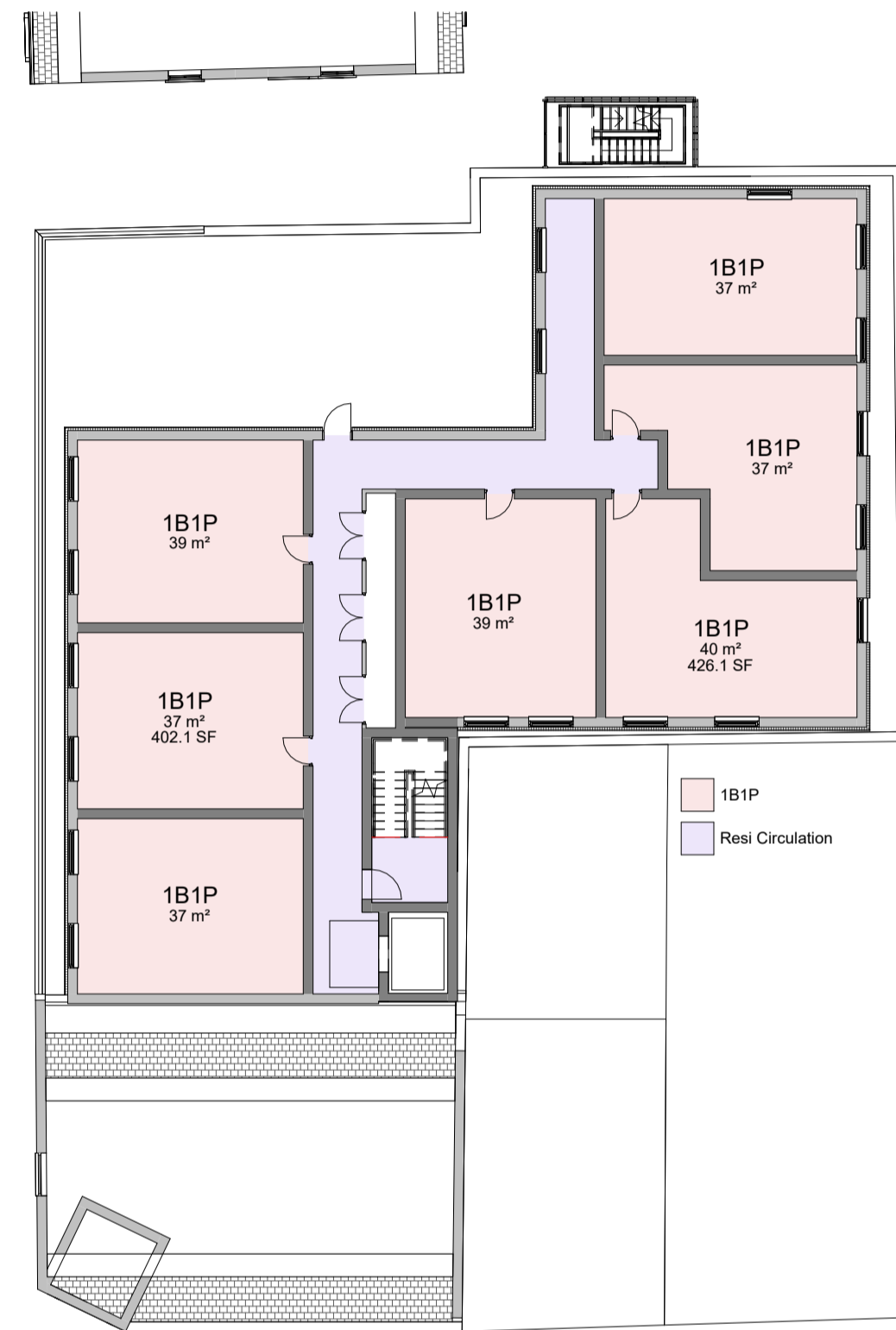
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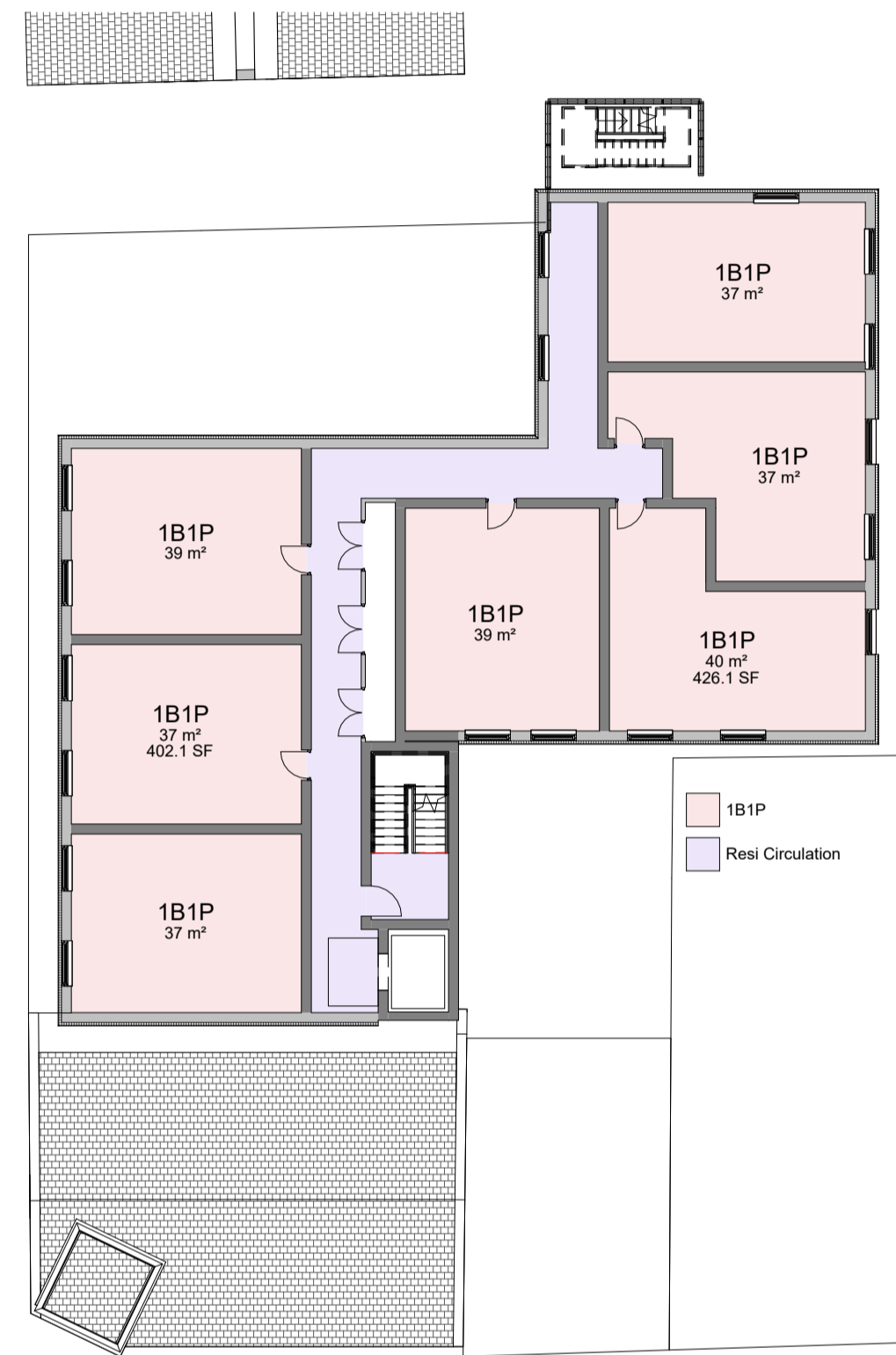


PROJECT TITLE Market Street - Hyde	
CLIENT 0018-WOO	SCALE @A1 1 : 200
DRAWING TITLE Proposed GA Plan - Level 00	DATE FIRST ISSUED 17/10/22
DRAWING NO. -XX-00-DR-A-20200	REVISION P04

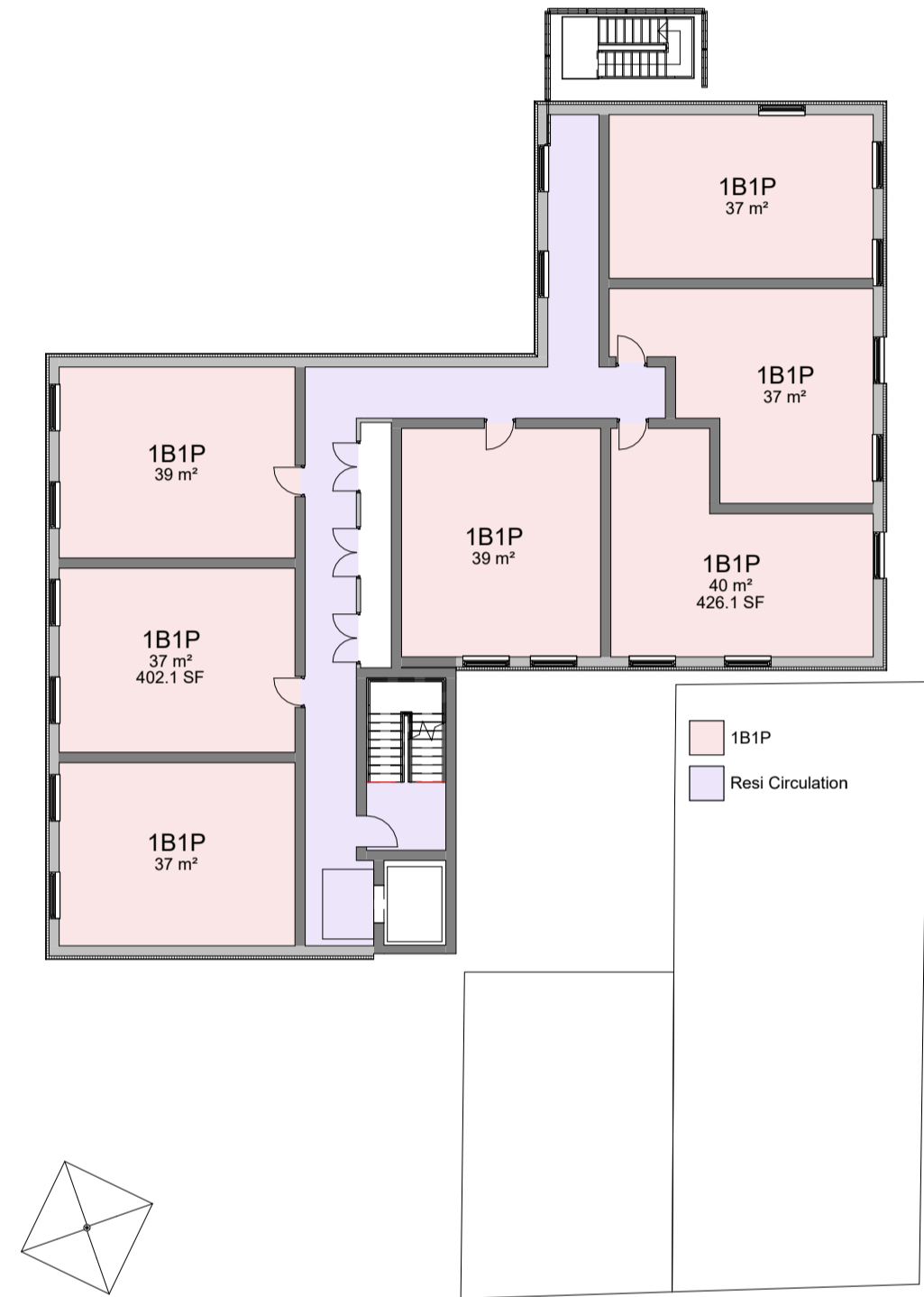
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Level 2
1 : 200



Level 3
1 : 200



Level 4
1 : 200

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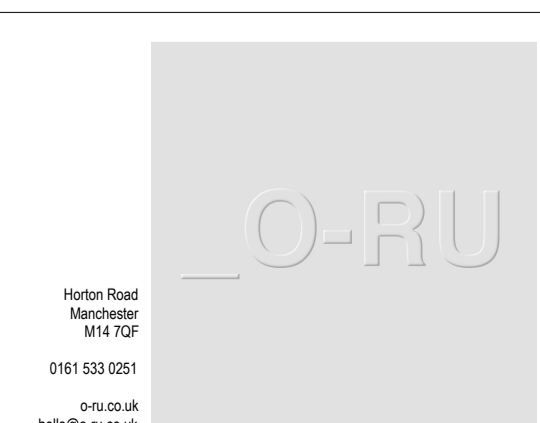
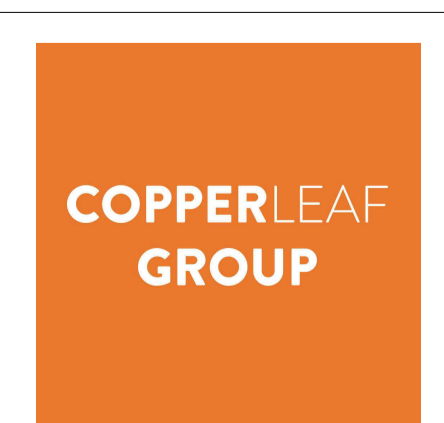
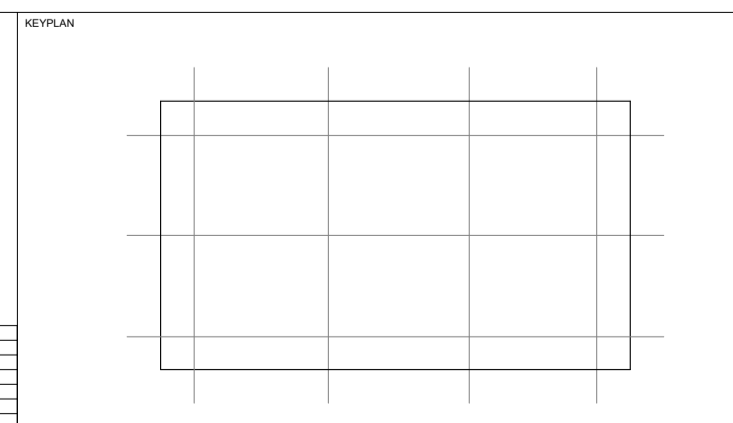
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REV	DESCRIPTION	DATE	BY
001	Issue for Information	17/10/22	hnl
002	Issue for Information	17/10/22	hnl
003	Issue for Information	17/10/22	hnl
004	Issue for Information	17/10/22	hnl
005	Issue for Information	17/10/22	hnl
006	Issue for Information	17/10/22	hnl
007	Issue for Information	17/10/22	hnl
008	Issue for Information	17/10/22	hnl
009	Issue for Information	17/10/22	hnl
010	Issue for Information	17/10/22	hnl



PROJECT TITLE Market Street - Hyde	
CLIENT NAME 0018-WOO	
DRAWING TITLE Proposed GA Plan - Upper Residential Levels	SCALE @ A1 1 : 200
DRAWING NO. -XX-01-DR-A-20201	DATE FIRST ISSUED 17/10/22
REVISION P07	

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Fig 3.4 Massing CGI showing the arrangement of apartments to create terraces and greenspace. Atop the retained brick building.

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Application Ref: 22/01049/OUT

Description: Outline application (all matters reserved) Change of use of the existing building to a Food Hall (710sqm) and ancillary floorspace and erection of three-storey building above the existing building to create 21 no. residential apartments with associated works.

Photo 1: Aerial view of the site.



Photo 2: 3D View looking across the building to the east

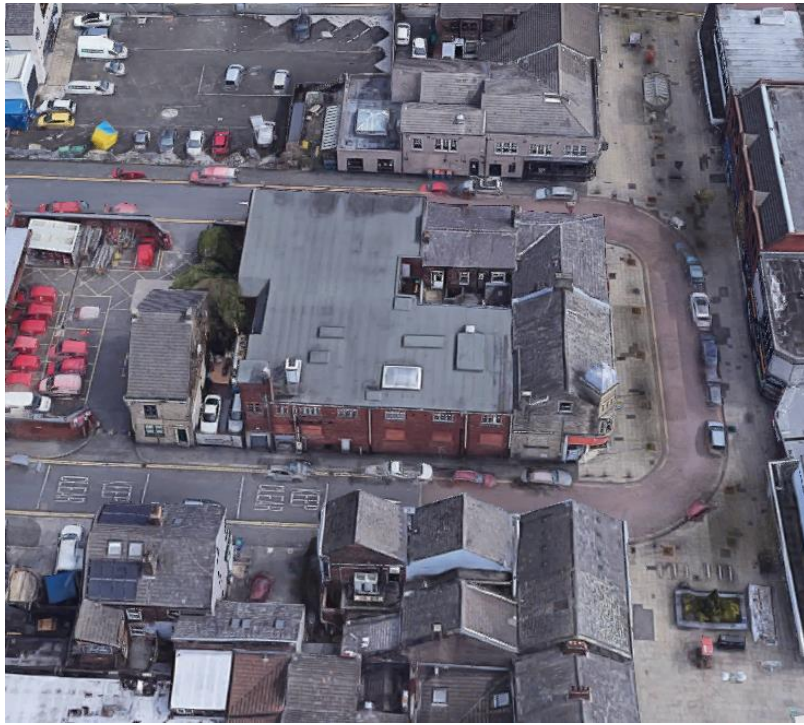


Photo 3: View from Hamnett Street



Photo 4: View of the rear of the building from John Street



Photo 5: View looking down John Street



Photo 6: Side Elvation from Hamnett Street



Photo 7: Relationship to 6 & 6a Hamnett Street



Application Number:	23/01125/FUL
Proposal:	Erection of part one - part two storey class C3b residential development of 12 no 1bed units, staff area, communal lounges with associated landscaping and car parking.
Site:	The Hollies, Spring Street, Hollingworth, SK14 8NQ
Applicant:	Jigsaw Homes Tameside
Recommendation:	Grant planning permission subject to conditions.
Reason for Report:	The application constitutes a major development.
Background Papers:	The planning application documents are background papers to the report. They are open to inspection in accordance with Section 100D of the Local Government Act 1972.

1. SITE & SURROUNDINGS

- 1.1 The application site comprises a large two storey detached building, known as the Hollies, which formerly offered supported housing for vulnerable people. The site also includes a detached garage. An application has recently been processed for the relevant demolition of this building under Class B of Part 11 of Schedule 2 of The Town and Country Planning General Permitted Development Order 2015 (As Amended).
- 1.2 The current building is primarily of red brick construction under a pitched tiled roof. There is evidence to suggest that the property has previously been extended with the addition of a mono-pitched, rendered gable-end extension and single storey conservatory to the rear elevation. As was evident from the site visit, both the inside and outside of the property are in very poor condition.
- 1.3 The ground levels across the site do vary, particularly to the rear garden area – increasing in height moving in a north-westerly direction. No.5 Spring Street, which shares the common boundary to the north west, is situated at a notably higher ground level supported by a retaining wall and boundary fencing. Additionally, Nos 1-3 Spring Court Mews to the south are situated at a notably lower ground level, with sunken gardens at the rear (around 3m/1 storey lower).
- 1.4 Longdendale High School is located some 200m in distance away at the head of Spring Street, otherwise the site lies within a predominately residential area and is unallocated according to the Tameside Unitary Development Plan (UDP) proposals map.

2. PROPOSAL

- 2.1 This application seeks full planning permission for the erection of a part two storey, part single storey building offering supported housing on an affordable basis as part of a managed residential development scheme comprising 12no. 1 bed units, with a dedicated staff area, communal lounges and associated landscaping and car parking.
- 2.2 The residential development would front Spring Street to the west and take vehicular access at the southern part of the site leading to an existing small area of hardstanding for dedicated parking to the southeast of the building. A private courtyard garden with dedicated bin storage and cycle storage would be located to the rear of the plot.

- 2.3 The proposed detached building, which would primarily be constructed from brick, would support a dual pitch roof with a part two storey, part single storey flat roof overhang to the rear elevation. Areas of the building to the front and side are to be detailed with timber-effect cladding. All windows would be arranged with a vertical emphasis with art stone lintels and sill detailing.
- 2.4 Landscaped green areas would form the site frontage along Spring Street, set behind new boundary treatment (railings).
- 2.5 An affordable housing statement confirms that the development would be owned and managed by Jigsaw Homes who are a Registered Provider partnered with Tameside MBC. The proposed tenure would be 100% affordable on a Social Rent (Supported) tenure.
- 2.6 Jigsaw Homes Tameside will retain ownership of the properties and will therefore be responsible for repairs and maintenance throughout the lifetime of the development. They will manage rental income, tenancy matters and letting the properties at first and subsequent lets, ensuring all s106 requirements and local lettings policies are adhered to.
- 2.7 Housing Growth at Tameside MBC have confirmed their support in principle of 12 x 1B1P supported living apartments for social rent. The accommodation is specifically targeted at addressing a requirement for 1 bedroom accommodation, and the development would form part of an approach to deliver a mixed affordable housing offer by Jigsaw in Tameside. The properties will meet the standards prescribed by Homes England. The accommodation would be allocated through Tameside Homes Choice in accordance with the Council's nomination agreement.
- 2.8 The application has been supported by the following reports:
- Full Plans Package including section and montages
 - Transport Statement and Travel Plan
 - Phase 1 SI, Geotechnical and Geo- Environmental Preliminary Risk Assessment (Desk Study)
 - Coal Mining Report
 - Phase 2 Site Investigation
 - Proposed Drainage Layout and Standard Construction details
 - Exceedance Flow Paths
 - Proposed Permeable and Impermeable Area Plan
 - Drainage Strategy and Maintenance Statement
 - Crime Impact Statement
 - Noise Impact Assessment
 - Ecological Assessments
 - Arboricultural Assessments
 - Landscape Management and Biodiversity Improvement Plan
 - Planning Statement
 - Affordable Housing Statement

3. PLANNING HISTORY

- 3.1 23/01115/NDM - Large 2 story building and detached garage which formerly operated as supported housing for vulnerable people. – Prior Approval not required 24 January 2024 (demolition)

4. PLANNING POLICY

National Planning Policy Framework

- 4.1 Paragraph 9 of the National Planning Policy Framework (NPPF) states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.
- 4.2 Paragraph 11 states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay (as per section 38(6) of the Planning and Compulsory Purchase Act 2004). However, where the development plan is absent, silent or out of date, planning permission should be granted unless the application of policies in the NPPF that protects areas or assets of particular importance, provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.3 Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

4.4 Development Plan

The adopted development plan is the Tameside Unitary Development Plan (2004), Greater Manchester Joint Waste Development Plan Document (2012) and Places for Everyone (2024).

Allocation: Unallocated.

Tameside Unitary Development Plan (2004)

4.5 Part 1 Policies

- 1.1: Capturing Quality Jobs for Tameside People;
- 1.3: Creating a Cleaner and Greener Environment;
- 1.5: Following the Principles of Sustainable Development;
- 1.6: Securing Urban Regeneration;
- 1.9: Maintaining Local Access to Employment and Services;
- 1.10: Protecting and Enhancing the Natural Environment;
- 1.12: Ensuring an Accessible, Safe and Healthy Environment.

4.6 Part 2 Policies

- C1: Townscape and Urban Form
- H2: Unallocated Sites
- MW11: Contaminated Land
- MW12: Control of Pollution
- N3: Nature Conservation Factors
- N4: Trees and Woodland
- N5: Trees within Development Sites
- N7: Protected Species
- OL10: Landscape Quality and Character
- T1: Highway Improvement and Traffic Management
- T7: Cycling
- T8: Walking
- T10: Parking
- T11: Travel Plans

- U3: Water Services for Developments
- U4: Flood Prevention
- U5: Energy Efficiency

Places for Everyone (2024)

- JP-S2 Carbon & Energy
- JP-S5 Flood Risk
- JP-S6 Clean Air
- JP-S7 Resource Efficiency
- JP-J1 Supporting Long-Term Economic Growth
- JP-H1 Scale, Distribution and Phasing of New Housing Development
- JP-H2 Affordability of New Housing
- JP-H3 Type, Size and Design of New Housing
- JP-H4 Density Of New Housing
- JP-G7 Trees and Woodland
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-P1 Sustainable Places
- JP-P7 Sport and Recreation
- JP-C2 Digital Connectivity
- JP-C3 Public Transport
- JP-C4 The Strategic Road Network
- JP-C5 Street for All
- JP-C6 Walking and Cycling
- JP-D2 Developer Contributions

5. PUBLICITY CARRIED OUT

- 5.1 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 the application has been advertised as a major development by neighbour notification letters, display of site notice; and advertisement in the local press.

6. SUMMARY OF THIRD PARTY RESPONSES

- 6.1 One letter has been received from a third party, neither clearly objecting to nor supporting the proposal. The comments received have been summarised below:
- The plans do not provide adequate parking spaces to serve the proposed development without exacerbating the existing dangerous parking problems on Spring Street;
 - Spring Street serves as a parking area by visitors of Market Street and an overflow carpark for Longdendale High School. It is also busy in its own right providing access to the school, a nursery, farm and Hollingworth Cricket Club. At such times, it's often impossible for traffic to flow in both directions simultaneously.
 - Broadly supportive of cycle storage but not relevant to the proposed development given that the site is not within proximity of any cycle paths and roads with cycle lanes. The notion that any visitor to the building might arrive other than by car is unrealistic.
 - Stress that they are in no way opposed to the objectives set out in the planning application and indeed would welcome the development of the site for a useful purpose.

7. RESPONSES FROM CONSULTEES (summarised)

- 7.1 Active Travel England – Confirm that they do not wish to comment on the proposals.

- 7.2 Coal Authority – Confirm the site falls within the Coal Authority’s defined Development Low Risk Area and therefore have no specific comments to make.
- 7.3 Contaminated Land – No objection - Recommend conditions are applied relevant to further site investigations being undertaken.
- 7.4 Environmental Health – No objection - Recommend conditions relevant to construction hours, waste storage, and compliance with the noise limits specified in e3p’s Noise Impact Assessment.
- 7.5 Greater Manchester Archaeology Advice Service (GMAAS) – No concerns. The proposed development does not threaten the known or suspected archaeological heritage. Therefore there is no reason to seek to impose any archaeological requirements on the applicant.
- 7.6 Greater Manchester Ecology Unit (GMEU) – No objections subject to recommended conditions. Confirms that the site has been adequately assessed following best practice guidelines by a suitably experienced ecologist and no further ecological surveys are required.
- 7.7 Greater Manchester Police (Secured by Design team) – Reviewed the Crime Impact Statement and submitted drawings and recommends that the development is built to the Secured by Design Gold Award standards.
- 7.8 Local Highway Authority (LHA) – No objections subject to conditions.
- 7.9 Housing Growth – Already aware of the proposal and fully support it as crucial part of the housing offer in Tameside.
- 7.10 Lead Local Flood Authority (LLFA) – No objections, a condition should be applied requiring the site to be drained in accordance with the drainage hierarchy.
- 7.11 Transport for Greater Manchester (TfGM) – The quantum of development would not trigger the requirement for a highway impact review by TfGM.
- 7.12 United Utilities (UU) – No comments received.
- 7.13 Waste Services – No objections, recommend that secure bin storage is provided as per TMBC standards, as per the submitted plans.

8. ANALYSIS

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.2 The current position is that the Development Plan consists of Places for Everyone (PfE), the policies and proposals maps of the Unitary Development Plan (UDP) 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:-

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

9. PRINCIPLE OF DEVELOPMENT

9.1 Amongst other things, the NPPF promotes developments for new housing, it also strongly advocates the efficient reuse of brownfield sites within central sustainable locations. Paragraph 128 of the NPPF states that planning policies and decisions should make efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

9.2 This brownfield site is unallocated according to the Tameside Unitary Development Plan Proposals Map and currently in a residential use given that the existing building offers supported housing for vulnerable members of the community. Policy H2 states that unless other considerations take precedence in a particular case, the Council will permit the redevelopment of previously developed land for residential use and the conversion of existing buildings to such use, where these are not specifically allocated for this purpose in the plan. Policy H4 states that the overall provision of new housing in the Borough should incorporate a range of dwelling types, sizes and affordability to meet the needs of all sections of the community and to help create better balanced communities for the future.

9.3 The current proposal will offer supported housing with the proposed inclusion of 12no. 1 bedroom units within a managed residential development. The site lies within a predominately residential area and the proposed use would not be out of keeping with the existing and surrounding uses. The proposal would represent an effective use of land within the urban area which is reasonably well serviced with access to local amenities, employment and transport. The principle of development is therefore considered acceptable, subject to all other material planning considerations being satisfied.

9.4 Maximising the use of urban sites is of further importance given the Council cannot currently demonstrate a 5 year supply of deliverable housing sites. The proposals would also see all the accommodation provided on an affordable basis. This would therefore make a valued contribution to meeting affordable housing needs. This, along with the associated regeneration benefits should carry significant weight in the determination of this application.

10. DESIGN

10.1 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Amongst other matters, paragraph 135 of the Framework requires new development to: function well and add to the overall quality of the area; be visually attractive as a result of good architecture, layout, appropriate and effective landscaping; be sympathetic to local character and history and establish and maintain a strong sense of place.

- 10.2 Policies 1.3, H10 and C1 of the Tameside Unitary Development Plan (UDP) are also relevant which cumulatively seek to ensure that such developments are acceptable in terms of integration with the wider area, in terms of residential amenity, and in terms of highway safety and crime, noting:
- a) a design which meets the needs of the potential occupiers, provides an attractive, convenient and safe environment for the local community, and complements or enhances the character and appearance of the surrounding area, and
 - b) suitable arrangements for parking, access to and from the highway, and delivery, refuse and emergency vehicles, including access by pedestrians, cyclists and disabled people, and for convenient access to public transport where appropriate, with no unacceptable impact on the surrounding highway network, and
 - c) suitable landscaping and fencing, including retention of existing features such as trees and hedges where practical, which enhance the appearance of the development, ensure privacy and security where necessary, enable discrete storage of wheelie bins and minimise the visual impact on surrounding areas, and
 - d) no unacceptable impact on the amenity
 - e) of neighbouring properties through noise, loss of privacy, overshadowing, or traffic, and
 - f) minimisation of the opportunities for crime and anti-social behaviour.
- 10.3 The Council will also encourage and permit new and innovative design solutions wherever this can be achieved without adverse effects on existing character.
- 10.4 The Tameside Residential Design Supplementary Planning Document (SPD) provides more specific design guidance on new residential development and makes clear that proposals for new development should be drafted with an understanding of a place's character and identity, acknowledging the elements (buildings, features and spaces) that have shaped it and applying a respectful design that complements or enhances it. In particular Policy RD2 of the SPD raises important design cues to consider/respond to in designing a new scheme for development, in respect of: proportions, building lines, street patterns, materials etc. Policy RD20 and RD21 are also important in considering the detailing of buildings/ design of boundary treatments.
- 10.5 With reference to RD2, the scale and proportions of the proposed development is comparable to the existing building on site and retains a similar footprint. The consistent windows, with a strong vertical emphasis at ground and upper floors, break up the perceived mass of the building. The projecting brickwork at ground floor level creates an extended flat archway feature which also adds depth to the façade and the return side elevation creates design interest, whilst also breaking up the large expanse of brickwork.
- 10.6 The existing building lacks any strong architectural detailing and does not contribute significantly to the visual quality of the street scene. The proposed building design will provide interest and positive design features, such as varied roof heights with a combination of both pitched and flat roof styles, as well as increased areas of glazing. When considering the aims and aspirations of Policy H10 of the UDP, officers consider that the new replacement building would enhance and complement the appearance of the wider street scene.
- 10.7 There are a variety of materials used in the construction of neighbouring buildings, including red/buff brick, artificial stone and white render. There is not therefore a predominant material that the proposed building would need to conform with to integrate successfully in its context. The proposed plans indicate the use of a buff brick to the external elevations with white mortar, slate effect roof tiles and Artstone lintels and sills. This light brick material, combined with the partial use of wood effect composite slatted panels at ground floor level, is considered appropriate to the locality and would enhance the wider character of the street scene.

- 10.8 Noting the proposed site arrangement, it is considered that the proposed building follows the established pattern of development along Spring Street and has been orientated on the site to best integrate with the existing grain, building interfaces and street frontages. The scheme also includes soft landscaping along the front of the plot, with new vegetation and boundary treatment, retaining a positive relationship with Spring Street to the west.
- 10.9 Overall, following the above assessment, it is considered that the proposals accord with the relevant provisions of the NPPF, in particular paragraph 135, and UDP Policies 1.3, C1 and H10 with regard to design.

11. RESIDENTIAL AMENITY

11.1 The National Planning Policy Framework, in particular paragraph 135(f), seeks to secure a high standard of amenity for existing and future users of land and buildings. In order to prevent undue over-looking between dwellinghouses the Council applies minimum spacing distances that should be maintained between new and existing dwellings. These minimum spacing distances are given by policy RD5 of the Residential Design SPD.

11.2 Given that the proposed building is of a similar scale to the existing building, the general impact of the development on the occupiers of neighbouring residential properties would be somewhat similar. However, it is noted that in parts the building height and proximity is greater than existing and, in places, new habitable room windows have been introduced where they do not currently exist. These issues are considered in more detail below.

Nos.1-3 Spring Court Mews

11.3 The proposed replacement building is to be situated in a similar location to the existing therefore having a similar visual impact. Although the depth of the building is greater than the existing, the flat roof design significantly reduces the perceived bulk and mass to the rear of the plot. Officers are therefore satisfied that the replacement building would not result in a significant loss of light or appear unduly overbearing or intrusive to neighbouring occupiers, particularly when considering the established relationship and juxtaposition of buildings.

11.4 Habitable room windows are to be introduced both at ground and upper floor levels to the gable end of the replacement building. At ground floor, due to the oblique angle and natural ground level changes, these windows would be largely obscured from view from Spring Court Mews therefore raising no significant amenity concerns. At first floor, two new bedroom windows are proposed. These have been amended at the request of officers to be fitted with obscure glazing and with a 'tilt only' opening mechanism, restricting outlook when the windows are opened. This detail has now been indicated on the proposed drawings, and as these rooms are also served by other, clear glazed windows to the front/rear of the building, this was found to be an acceptable solution both for the amenity of future occupiers and for adjacent residential occupiers.

11.5 Separate to light, outlook and privacy, it is noted that the scheme involves the main entrance being located to the gable end, opposite the rear of the buildings on Spring Court Mews. In order to mitigate disturbance from the potential increased activity in this location, the scheme proposes the introduction of new planting along the common boundary and the introduction of dedicated parking spaces away from the neighbours' rear gardens. Currently, users of this hardstanding area are free to park anywhere, including immediately along this boundary, giving rise to heightened opportunity and chance of noise and disturbance. The scheme would reduce the potential impact of this identified issue.

No.5 Spring Street

11.6 This split level neighbouring property is situated immediately north of the application site and predominately at a higher ground level. The outlook from this property is not considered to be unduly affected by the proposed development, having a similar visual impact to the

existing, and there would be no unacceptable loss of privacy due to window placement/restrictions which have been amended during the course of the application to further reduce any perceived or potential impact.

No.4 Wood Street

- 11.7 The difference between the existing and proposed development on No.4 Wood Street would not be significant. The proposal would introduce two new first floor habitable rooms in closer proximity to No.4. These have been designed into the scheme with an oriel window design such that the view from these windows is directed away from No.4. This arrangement is considered a bespoke and acceptable solution. Officers are also satisfied that the replacement building would not appear unduly overbearing/ oppressive.

Nos.10-18 Spring Street

- 11.8 The replacement building would be situated in a similar position to the existing development, within its plot. The resultant distance between the proposed building and the existing residential properties opposite would exceed 23m. This relationship is considered to be acceptable, in accordance with H10 of the UDP, with buildings on both sides of the road being situated upon ground which rises up alongside the highway.

Residential Environment Created

- 11.9 Internally, the 1-bedroom accommodation would measure between 34m² and 37m² which would fall below the internal space standards set out by the Technical Housing standards - national described space standards (NDSS) by circa 3m² for some of the units. Each of the residential units is well set out and would allow for separate functional living, sleeping and kitchen areas, with dedicated storage provision. Internal communal areas within the building would also provide additional living accommodation with a separate living room at ground floor level, study area and WC.
- 11.10 Outdoor private amenity space is also provided for within the scheme and includes a secure courtyard area to the rear of the plot with seating and landscaped areas. Dedicated space for bin storage and cycle storage is also provided for to the rear of the plot, but is separated from the main communal amenity area so not to appear imposing. The shortfall against NDSS is noted to be marginal and it is recognised that the scheme incorporates and provides other facilities and space as set out above. It will also provide for much needed affordable housing within a managed residential environment.
- 11.11 On the basis of the above assessment, the proposals are considered to be acceptable.

12. HIGHWAY SAFETY & ACCESSIBILITY

- 12.1. The site is located on Spring Street, just off Market Street which is the main thoroughfare through the village of Hollingworth. Market Street forms the A628 which is a major link road through to the M67 connecting Greater Manchester through to South Yorkshire.
- 12.2 Hollingworth is served by frequent bus services through to other towns within the borough, including Hyde, and outside the borough to Glossop. The village is served by local amenities including a GP Surgery, primary school, secondary school, public house, café and bakery.
- 12.3 The current proposals seek to secure 3no off-street parking spaces, one of which will be accessible, utilising the existing hard-standing area to the south east of the plot. The concerns received from a third party in relation to the lack of on-site parking (to support the proposed development) are acknowledged. However the Local Highway Authority (LHA) found that the 3no spaces is broadly in line with the requirements of the TMBC UDP parking standards. Additionally, the LHA is satisfied with the provision of the proposed cycle storage and the actions proposed in the approved travel plan to promote the modal shift to more

sustainable modes of travel which would further mitigate, in the LHA's opinion, the parking provision proposed.

- 12.4 The proposed access/egress from the off street parking spaces onto Spring Street are satisfactory and meets the LHA requirements for max gradients. The LHA notes that the existing access from the development has a slightly reduced visibility splay achieved to the north of the site, which equates to a speed of 20mph for vehicles approaching the junction of Market Street. The reduced visibility is considered acceptable to the LHA, due to the proximity of the access to the junction and the lowered vehicle speed at this point and that there has been no recorded accidents at the location over a 5 year period.
- 12.5 The LHA is satisfied that the vehicle trips generated by the development would be minimal and that based on the information provided the residual cumulative impact on the road network would not be severe, in considering paragraph 115 of the NPPF.
- 12.6 In considering sustainable travel by foot, there are numerous Public Rights of Way located within the vicinity of the development which require upgrades to their existing surfacing, along with way finder signage to promote active travel to and from the development, namely LON/26/10 and LONG/27/20. This is considered in more detail in section 16 of this report.
- 12.7 A travel plan was submitted as part of the proposal with the objective of reducing reliance on the private car, particularly single occupancy use, and generally promoting public transport and reducing environmental impacts. The LHA is satisfied with the initiatives included within the submission document and recommend that the development shall be carried out in accordance with the measures proposed to promote active travel within, in accordance with UDP Policies T1 and T11. A condition on this basis is therefore considered reasonable and relevant to the proposal.
- 12.8 With regard to servicing and waste management matters, the apartments would be serviced from dedicated bin stores accommodated to the rear of the plot. The position and capacities of which have been pre-agreed to be acceptable from the borough's waste management team, and would not create any offsite problems.
- 12.9 Due to the high traffic nature of Spring Street in providing vehicular access to Longdendale High School, and other public amenities, the strict adherence to the provision of a Construction Method Statement (to be conditioned) to ensure that the interests of highways traffic and pedestrians are not unduly prejudiced, is considered necessary in this instance.
- 12.10 To conclude, the access and parking arrangements have been assessed as being acceptable. The site is within a sustainable location which benefits from immediate access to services and transport options. As such, in the absence of any demonstrable adverse impacts, and subject to recommended conditions, the development is considered to adhere to the provisions of policies T1, T7, T8 and T10 of the UDP by providing safe, secure and convenient access for all road users.

13. DRAINAGE AND FLOOD RISK

- 13.1 The site is in Flood Zone 1 and is therefore considered to be at a lower risk of flooding. The site has historically been developed. Surface run-off will not be increased by the development and future residents are not considered to be at risk.
- 13.2 However all developments should include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish.

13.3 National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

13.4 It is therefore recommended that any future drainage plans be carried out in accordance with the drainage hierarchy above. In the interests of securing sustainable drainage systems, it is recommended that this be secured by condition.

14. GROUND CONDITIONS & ARCHAEOLOGY

14.1 The site falls within the Coal Authority's defined Development Low Risk Area, confirmed by the site location plan provided. The Coal Authority have therefore no specific comments to the make on the development but request in the interest of public safety, the applicant's attention should be drawn to the Coal Authority's Standing Advice.

14.2 The Environmental Protection Unit (EPU) have reviewed the submitted documents produced by CRCE and have no objections to the development subject to conditions requiring further site investigations and remediation (if necessary).

14.3 GMAAS have no objection to the proposal and are satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there seems no reason to seek to impose further archaeological requirements on the applicant.

15. LANDSCAPING & ECOLOGY

15.1 Section 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. The application has been accompanied by a Preliminary Bat Roost Assessment, a Bat Survey Report and an Ecological Enhancement Drawing. These assessments were undertaken following best practice guidelines by a suitably experienced ecologist and as such no further ecological surveys were deemed necessary by Greater Manchester Ecology Unit (GMEU). The application was also supported by a Tree Survey and Constraints Report.

15.2 As part of the proposals, 5no. trees are proposed to be removed, including T1, T2, T3 and T5 which have been assessed as Category C trees and would not be considered a constraint to the development. T4 Silver Birch however appeared initially to be of good amenity value by the Council's arboricultural officer. It has been expressed by the applicant that both T4 and T5 are causing damage to the neighbouring property boundary, and due to its elevated position on the site and the relationship between the trees, the proposed building and the proposed retaining wall strategy, the tree would cause significant impact on both the buildability and the future retention of the tree against the building. Hence, without changing the design considerably and thereby losing accommodation which is essential to the Jigsaw management strategy, T4 would be extremely difficult to retain.

15.3 After seeking further justification for the removal of T4, an updated report was commissioned by the applicant. The report confirms that T4 is approaching over-maturity and therefore offers little long term contribution; it is largely obscured from the street scene and therefore offers only limited visual amenity to the public realm; and consequently provides only a limited benefit. The loss of this T4 has been factored into the replanting scheme whereby new replacement planting is proposed to the front of the building. This will contribute positively to

an improved street scene, which will provide substantially better long term public amenity from the replacement tree. The Council's arboricultural officer is satisfied with this approach as the new tree planting will provide adequate compensation and mitigation for the loss.

- 15.4 In considering ecology merits, the building on the site was judged to have moderate potential to support roosting bats, and bat droppings were recorded on the external windowsill of the building, which could have been as a result of foraging bats. Two bat activity surveys were carried out in July 2023 and no evidence of roosting bats was observed. Separately, as originally submitted, no assessment of the potential of the trees on the site to support roosting bats appeared to have been carried out. As trees on site are proposed to be felled as part of the proposals, an additional assessment was carried out. The conclusion of the additional assessment was that the trees on site have negligible potential to support roosting bats. GMEU is therefore satisfied with this conclusion.
- 15.5 Overall, GMEU has recommended a number of conditions to protect and enhance the ecological value of the site, including: protection of all trees to be retained during the construction period; no removal of trees within bat roosting season (March – August inclusive) unless otherwise agreed in writing; installation of biodiversity enhancement measures as per the submitted ecological enhancement plan drawing; and controlled lighting levels in accordance with best practice guidelines. These are all considered reasonable to the development proposed.

16. DEVELOPER CONTRIBUTIONS

- 16.1 In relation to developer contributions, any requirements in this regard must satisfy the following tests (as stated in paragraph 57 of the NPPF):
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 16.2 The scale of the development constitutes a major development, as such there would normally be a requirement to meet Affordable Housing (15%), Green Space and Highways contributions as per the requirements of policies H4 (affordable housing) , H5(open Space) and T13 (highways) of the Development Plan.
- 16.3 In this instance, the affordable housing requirement would be exceeded through the applicant's intention to provide all of the apartments on an affordable basis which would be secured by condition. The delivery of 12 apartments on an affordable (social rent) basis is a significant benefit in the planning assessment.
- 16.4 In addition to the outdoor amenity space provided within the site, with regard to open space facilities, the site is situated in close walking proximity to protected open green space for use by future occupiers, including Hollingworth playground. Given the location of the site, and there being no identified need having regard to the existing/former use of the site, outdoor open space contributions are not considered reasonable in this instance.
- 16.5 Highways requirements include identified improvements to the local Public Rights of Way Network to encourage active travel and sustainable modes of transport. A contribution to support the upgrade of PRow LON/109/10 would support the aims and aspirations of paragraph 96(c) of the NPPF and would enable and support healthy lifestyles. This also conforms to the aspirations of policies JP-P7 and JP-C6 of PFE.

17. NOISE & DISTURBANCE

- 17.1 A noise impact assessment has been carried out and reviewed by TMBC Environmental Health. To safeguard the general amenity of the area in accordance with UDP policy 1.12, it is recommended that all fixed plant and machinery shall meet the noise limits specified in e3p's Noise Impact Assessment, reference 50-997-R1-3.

18. SUSTAINABILITY

- 18.1 The application stresses that the redevelopment of a brownfield site within an accessible urban environment is highly sustainable. There are no issues raised on sustainability grounds, the proposals being deemed as an efficient and appropriate development of the site.

19. OTHER MATTERS

- 19.1 The application has been accompanied with a Crime Impact Statement. This has been reviewed by the Greater Manchester Police Designing out Crime Officer, who has concluded that the contents of the statement are sufficient. The design and layout of the development itself would ensure that good levels of surveillance are achieved across public areas. It is anticipated that the applicant will deliver against the contents of the Crime Impact Statement and this will be secured by a suitably worded planning condition.
- 19.2 The application site is not within a designated Air Quality Management Area. The highly sustainable nature of the location ensures that it is realistic to assume that a significant proportion of trips generated by the development would be via cycle and public transport. Further mitigation would be provided via the inclusion of electrical vehicle charging points and a planning condition requiring details of these facilities.
- 19.3 PfE policy JP-C2 *Digital Connectivity* supports the provision of affordable, high quality, digital infrastructure within Greater Manchester. JP-C2 requires all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple ducting compliant with telecoms standards, to facilitate future-proof gigabit capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into new properties. On this basis, it is recommended that the approved development should be serviced with full digital fibre connections, to fulfil the aims and aspirations of PfE in creating a more integrated network with high quality digital infrastructure. This is recommended to be secured by condition.

20. CONCLUSION

- 20.1 The site is previously developed, brownfield land, and is not allocated for other purposes. The provision of affordable housing within a supported and managed residential environment would be a valuable contribution to Tameside's housing stock.
- 20.2 The design and scale of the development is considered to be acceptable and would be respectful to the established development pattern along Spring Street.
- 20.3 The proposal is considered not to be detrimental to residential amenity, with the relationship between the building and nearby properties being found to be acceptable.
- 20.4 The development would not cause undue impacts to highway safety, it can be safely accessed and serviced from the established highway network and overall levels of parking would be appropriate to the scale of development within an accessible town centre location.

- 20.5 There are no objections to the proposals from the statutory consultees in relation to the proposals which is considered to be an efficient use of an existing urban site.
- 20.6 Overall, when considering the proposal against the policies of the NPPF as a whole the collective benefits associated with the proposal are positive. The development would accord with the main aims and objectives of the development plan and represent sustainable development. There have been no negative economic, social, or environmental impacts identified from the development. The proposal would therefore result in sustainable development in accordance with the relevant policy provisions of the development plan and the NPPF.

RECOMMENDATION

Grant planning permission subject to the following conditions:

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

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

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

PLANS:

- 1321-001-Site Location Plan received 28.12.2023
- 1321-100E-Proposed Site Plan received 27.02.2024
- 1321-101L-Proposed Ground Floor Plan received 27.02.2024
- 1321-102L-Proposed First Floor Plan received 27.02.2024
- 1321-103F-Proposed Roof Plan received 27.02.2024
- 1321-104B-Proposed Unit Type received
- 1321-105F-Proposed Boundary Treatments Plan received 27.02.2024
- 1321-108E-Proposed Landscaping Plan received 27.02.2024
- 1321-200H-Proposed Elevations received 27.02.2024
- 1321-201D-Proposed Elevations received 27.02.2024
- 1321-202B-Proposed Street Scenes received 27.02.2024
- 1321-203D-Proposed Site Sections received 27.02.2024
- 1321-204D-Proposed Building Sections received 27.02.2024
- TR-01-V5-Ecological Enhancement Plan received 27.02.2024

REPORTS:

Transport Statement and Travel Plans:

- 14107-CRH-XX-XX-RP-D-6502_P5_TP- Travel Plan dated December 2023 produced by Campbell Reith consulting engineers received 20.02.2024;
- 14107-CRH-XX-XX-RP-D-6000_P2_TS- Transport Statement dated December 2023 received 28.12.2023

Phase 1 SI, Geotechnical and Geo- Environmental Preliminary Risk Assessment (Desk Study):

- 14107-CRH-XX-XX-RP-LQ-0001 dated September 2023 received 28.12.2023

Coal Mining Report

- Coal Authority Site Location Plan
- CAR1-ZUA-MUI-FIB-8R2 consultants coal mining report

Phase 2 Site Investigation:

- 14107-CRH-XX-XX-RP-LQ-0003_P02 – Land Quality Statement dated December 2023 received 28.12.2023

Crime Impact Statement:

- CIS-The Hollies Spring St 0261023 v1.3 produced by Dobson Owens Security Consultants

Noise Impact Assessment:

- 50-997-R1-3 - Noise Impact Assessment - The Hollies, Hollingworth produced by e3p dated 01.11.2023 received 28.12.2023

Ecological Assessments:

- Bat emergence report 11237-04.09.2023-Version1-SB produced by Amenity Tree Environmental Planning Consultants received 28.12.2023
- 11878 Preliminary Bat Roost Assessment Report-The Hollies, Hollingworth - 20.02.24-sb-V1- dated 20.02.2024 produced by Amenity Tree Environmental Planning Consultants received 15.03.2024;
- 11111 PEA - SB – V1– 31.05.2023 - Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) produced by Amenity Tree Environmental Planning Consultants received 28.12.2023.

Arboricultural Assessments:

- Tree Constraints Report-11111-31.05.2023-SS-V1 produced by Amenity Tree Environmental Planning Consultants received 20.02.2024

Landscape Management and Biodiversity Improvement Plan:

- Tree Survey and Constraints Report produced by Amenity Tree Environmental Planning Consultants received 20.02.2024

Reason: In the interests of the visual amenities of the locality and in accordance with policies of the adopted TMBC UDP.

- 3) Notwithstanding any description of materials in the application, samples and/or full specification of materials to be used: externally on the building; in the construction of all boundary walls and railings; and, in the finishes to all external hard-surfaces have been submitted to, and approved in writing by, the local planning authority prior to their use on site. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the visual amenities of the locality, in accordance with policies H10: Detailed Design of Housing Developments, OL10: Landscape Quality and Character and C1: Townscape and Urban Form

- 4) Prior to the first occupation of any part of the development hereby approved, the general and recycling bin area indicated on the approved site plan reference 1321-100E, shall be provided in accordance with the approved details and shall be thereafter maintained for their intended purpose at all times.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12: Ensuring an Accessible, Safe and Healthy Environment, 1.13: Meeting Obligations on Minerals, Waste and Energy and H10: Detailed Design of Housing Developments.

- 5) All planting, seeding or turfing comprised in the approved details of landscaping, as indicated on drawing reference 1321-108 revision E, 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.

Reason: In the interests of the visual amenities of the locality, in accordance with UDP Policy C1 Townscape and Urban form , OI10 Landscape Quality and Character and H10 Detailed Design of Housing Developments.

- 6) Prior to any works commencing on-site, a condition survey (including structural integrity) of the highways to be used by construction traffic shall be carried out in association with the Local Planning Authority. The methodology of the survey shall be approved in writing by the Local Planning Authority and shall assess the existing state of the highway. On completion of the development a second condition survey shall be carried out and shall be submitted for the written approval of the Local Planning Authority, which shall identify defects attributable to the traffic ensuing from the development. Any necessary remedial works shall be completed at the developer's expense in accordance with a scheme to be approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with UDP PolicyT1: Highway Improvement and Traffic Management

- 7) No development (including demolition or site clearance) shall commence until a construction and environmental management plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP must cover the following issues and any other matters the local planning authority reasonably requires:
 - 1) Hours of construction work and deliveries;
 - 2) Phasing of the development;
 - 3) Location of site compound/offices which shall be located to minimise disturbance to the amenity of existing residents outside of the site;
 - 4) Construction traffic management measures including details of access arrangements, turning and manoeuvring facilities, material deliveries, vehicle routing to and from the site, traffic management, signage, hoardings, scaffolding, where materials will be loaded, unloaded and stored, contractor parking arrangements and measures to prevent the discharge of detritus from the site during construction works;
 - 5) Measures to control the emission of dust and dirt during construction; and
 - 6) Measures to control noise levels during construction.

Development of the site shall not proceed except in accordance with the approved method statement which shall be adhered to at all times.

Reason: In the interests of highway safety, residential amenity and visual amenity, in accordance with UDP Policies H10: Detailed Design of Housing T1 Highway Improvement.

- 8) The approved development shall be carried out in strict accordance with the submitted Travel plan The Hollies, Tameside Travel Plan for Jigsaw Homes Tameside Project No. 14107 Dated December 2023. The approved travel plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with details that shall be outlined in the approved plan. The travel plan and all updates shall be produced in accordance with current national and local best practice guidance and shall include details on the method of operation, appointment of a Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented,

monitoring and review mechanisms, procedures for any remedial action that may be required and a timetable for implementing each element of the plan.

Reason: In the interest of promoting use of public transport and reducing environmental impact, in accordance with UDP Policies T1: Highway Improvement and Traffic Management and T11 Travel Plans

- 9) The secured cycle storage arrangements shown on the approved site plan reference 1321-100E shall be provided in accordance with the approved details prior to the occupation of the development and shall be retained as such thereafter. The cycle store shall provide secure storage for a minimum of 12no. bicycles.

Reason: To ensure that safe and practical cycle parking facilities are provided so as to ensure that the site is fully accessible by all modes of transport in accordance with UDP Policies T1: Highway Improvement and Traffic Management, T7 Cycling and T10 Parking.

- 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. The strategy shall demonstrate that foul water and surface water shall be drained from the site via separate mechanisms and shall detail existing and proposed surface water run-off rates. The strategy shall also include details of on-going management and maintenance arrangements. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 11) The parking/manoeuvring facilities, indicated on the approved site plan reference 1321-100E shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the manoeuvring and parking of motor vehicles prior to the development being brought into use, and shall be retained for that sole purpose at all times.

Reason: In the interests of highway safety in accordance with policy T1 Highway Improvement.

- 12) Prior to the first occupation of the development hereby approved, the electrical vehicle charging infrastructure, as shown on site plan reference 1321-100E shall be installed and retained as such, in working order, thereafter.

Reason: In the interest of sustainability to encourage electric vehicle ownership in the interests of air quality.

- 13) No development, other than site clearance and site compound set up, shall commence until a remediation strategy, detailing the works and measures required to address any unacceptable risks posed by contamination at the site to human health, buildings and the

environment has been submitted to, and approved in writing by, the Local Planning Authority (LPA). The scheme shall be implemented and verified as approved and shall include all of the following components unless the LPA dispenses with any such requirement specifically in writing:

1. Based on the site investigation and detailed risk assessment undertaken in the Campbell Reith Land Quality Statement (dated 13 December 2023), an options appraisal and remediation strategy setting out full details of the remediation works and measures required to address any unacceptable risks posed by contamination and how they are to be implemented.

2. A verification plan detailing the information that will be obtained in order to demonstrate the works and measures set out in the remediation strategy in (1) have been fully implemented including any requirements for long term monitoring and maintenance.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 14) Upon completion of any approved remediation scheme(s), and prior to occupation, a verification / completion report demonstrating all remedial works and measures detailed in the scheme(s) have been fully implemented shall be submitted to, and approved in writing by, the LPA. The report shall also include full details of the arrangements for any long term monitoring and maintenance as identified in the approved verification plan. The long term monitoring and maintenance shall be undertaken as approved.

If, during development, contamination not previously identified is encountered, then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)), shall be undertaken at the site 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.

Reason: To ensure any unacceptable risks posed by contamination are appropriately addressed and the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework.

- 15) No above ground work shall take place until a scheme relevant to the improvement of local footways within the vicinity of the development, namely Public Right of Way route LON/109/10, and a phasing plan or timescale for works to be implemented by, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of:
- 1) Upgrades to existing surfacing and; and,
 - 2) Details of wayfinder signage.

The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety, in accordance with T1: Highway Improvement and Traffic Management and to promote active travel to and from the development in accordance with paragraph 96 of the National Planning Policy Framework.

16) 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.

Reason: To protect the amenities of occupants of nearby properties / dwelling houses in accordance with UDP policies 1.12 and E6.

17) All fixed plant and machinery shall meet the noise limits specified in e3p's Noise Impact Assessment, reference 50-997-R1-3.

Reason: To safeguard the general amenity of the area in accordance with UDP policy 1.12

18) During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standard.

Reason: To safeguard the trees to be retained.

19) 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.

Reason: In accordance with policies N3 and N4 of the Tameside Unitary Development Plan.

20) Prior to the first occupation of the development hereby approved, the biodiversity enhancement measures, as identified within the ecological enhancement plan drawing TR-01 revision V5, shall be installed and shall be retained as such thereafter.

Reason: In the interests of biodiversity to ensure sufficient protection is afforded to wildlife in accordance with policy N7: Protected Species.

21) Any new external lighting must be designed in line with best practice guidelines: 'Bats and Artificial Lighting in the UK' Guidance Note GN 08 / 23 produced by the Institution of Lighting Professionals 2023, to avoid impacts on nocturnal animals such as bats.

Reason: To protect the ecological value of the site in accordance with UDP Policy N3: Nature Conservation Factors.

22) The development hereby approved should be constructed in accordance with the recommendations contained within the submitted Crime Impact Statement, CIS-The Hollies Spring St 0261023 v1.3. The approved works shall be carried out prior to the first residential occupation of the development.

Reason: In the interests of security of both future occupants and visitors to the site.

23) The details of an emergency telephone contact number for the site manager shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason: To prevent detrimental impact on the amenity of nearby residents should any issues relevant to disturbance arise.

24) Details of landscape management and maintenance responsibilities (management plan) of all communal areas and landscaping features shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The management plan shall be carried out in accordance with the approved details.

Reason: In the interests of the general amenity and management of the site.

- 25) All apartments within the approved development shall be provided and occupied on an affordable basis and maintained as such in perpetuity as detailed within the submitted Affordable Housing Statement provided by Jigsaw Homes.

Reason: To meet identified housing need in accordance with UDP policy H5 and paragraph 66 of the NPPF.

- 26) Notwithstanding the submitted details, prior to the commencement of development, details of all retaining structures/ walls within the site and any associated drainage work shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure land stability and to ensure appropriate drainage measures are put in place.

- 27) All units within the development hereby approved shall be serviced with full digital fibre connections. A statement confirming this shall be submitted to the Local Planning Authority prior to the first occupation of the development.

Reason: To ensure that the employment uses are digitally connected in accordance P/E policies JP-C2 (Digital Connectivity).

INFORMATIVE NOTES

1) STREET NAMES/ POSTAL NUMBERS

The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge regarding the street names/postal numbers for the proposed development. 0161 342 3417

2) SECTION 278 / 38 AGREEMENT

The applicant's attention should be drawn to the need to consult the Engineering, Operations and Neighbourhoods, Tame Street Depot, Tame Street, Stalybridge 0161 342 3987 regarding entering into a S278 agreement for the proposed entrance into the site off Audenshaw Road and the adoption of the highway within.

3) HIGHWAYS GUIDANCE NOTES FOR DEVELOPERS

When carrying out building works on property near to a public highway it is important to remember that the highway is not part of the building site. There are various statutory requirements relating to highways which may be helpful to such persons to know in advance

- a. Skip permits are available for certain locations where obstruction is not likely to interfere with free flow along the highway.
- b. Similarly hoarding/scaffolding permits may be issued.
- c. Other obstructions of the highway are not permitted, i.e. storage of materials, deposition of rubble, mixing of materials.
- d. Parking/loading or unloading regulations must be observed.
- e. Any damage to any part of the highway or its furniture, or blocking of gullies will be repaired/cleared at the expense of the person causing such damage/blockage.
- f. Water should not be permitted to discharge over a public highway either temporarily or permanently.
- g. The deposition of mud on a highway is illegal and action may be taken against the person causing such deposition (e.g. the driver and/or the owner of the vehicle).
- h. Applications for sewer connections/vehicle crossings over footways should be made in advance of development commencing.

Any persons requiring further assistance in relation to these items should contact the Engineering Service at Tameside Metropolitan Borough Council (tel. 0161-342-3900).

4) WASTE SERVICES

The applicant is advised to contact the Waste Management & Fleet Services Department of the Council to confirm the exact bin requirements for this development.

5) CONTAMINATED LAND

The responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by this Authority, lies with the owner/developer of the site.

6) GMEU

Please be aware that the granting of planning permission does not negate the need to abide by the laws that are in place to protect wildlife. If at any time any protected species are found or are suspected of being present on the site and adversely affected by the development, work should cease immediately and an ecologist/LPA should be contacted.

7) DEVELOPMENT IN LOW RISK COAL AREAS

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

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Drawing Title: Site Location Plan
Date: 18/10/2022
Drawing no: 1321-001
Scale: 1:1,250 @ A3
Drawn: EC

revision:
revision notes:



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ngdendale
rens Centre

Drawing Title: Proposed Site Plan
Date: 31/03/2023
Drawing no: 1321-100
Scale: 1:500 @ A3
Drawn: EC

revision: E



NOTES:
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Drawing Title: Proposed Ground Floor Plan revision: L
Date: 31/03/2023
Drawing no: 1321-101
Scale: 1:200 @ A3
Drawn: EC



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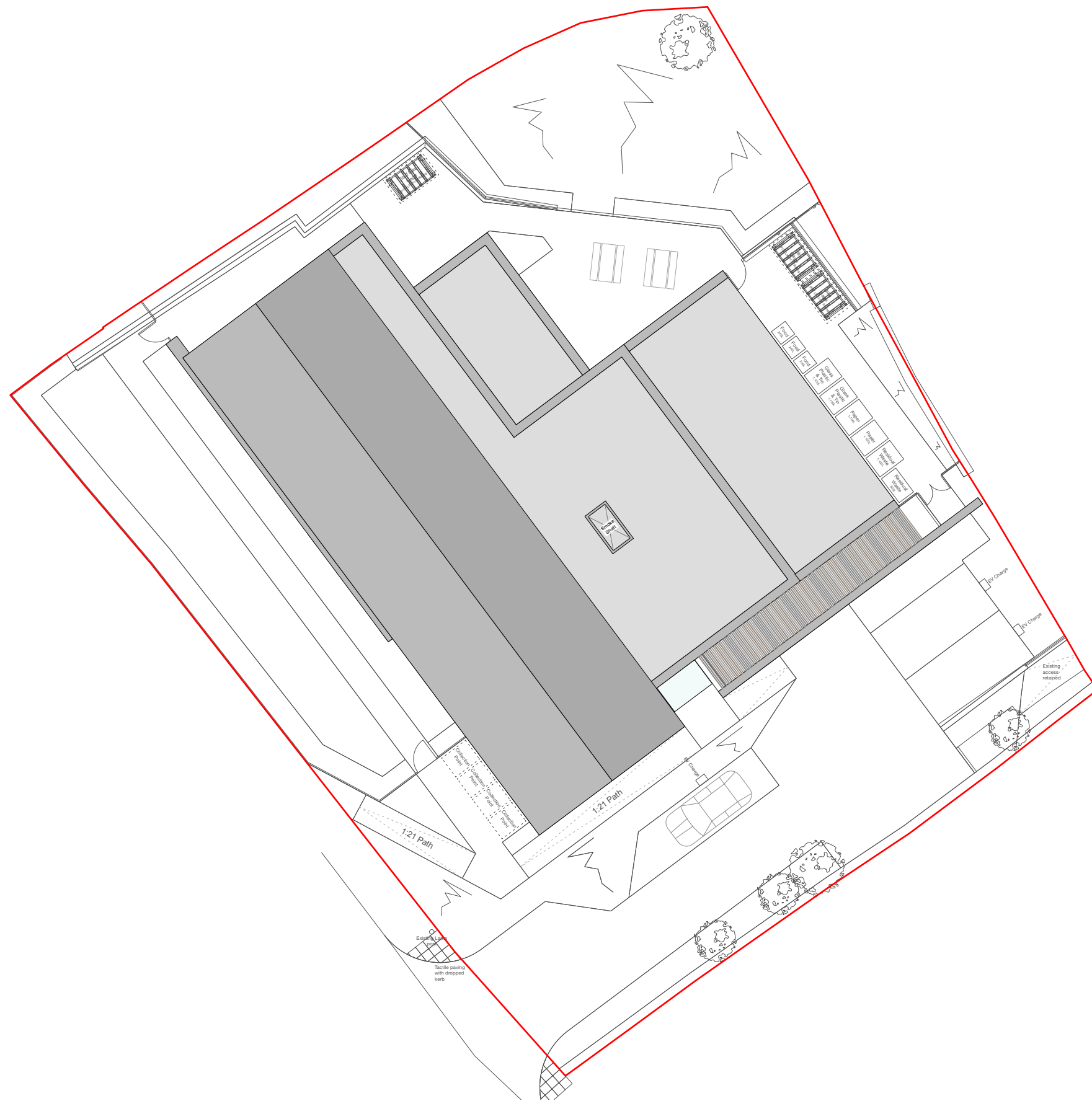
Drawing Title: Proposed First Floor Plan revision: L
Date: 31/03/2023
Drawing no: 1321-102
Scale: 1:200 @ A3
Drawn: EC



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Drawing Title: Proposed Roof Plan
Date: 31/03/2023
Drawing no: 1321-103
Scale: 1:200 @ A3
Drawn: EC

revision: F



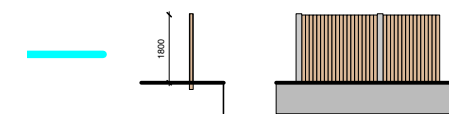
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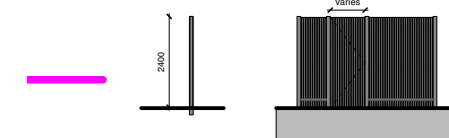
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BOUNDARY TREATMENTS

Existing Closed Boarded Timber Fence with Concrete Posts



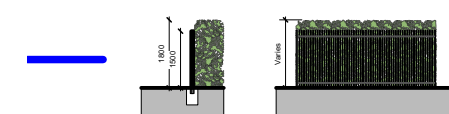
Closed boarded 2400mm timber fence with matching gate (stained to match cladding)



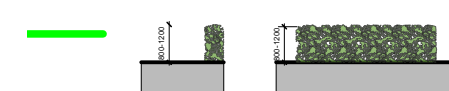
Closed boarded 1800mm timber fence with matching gate (stained to match cladding)



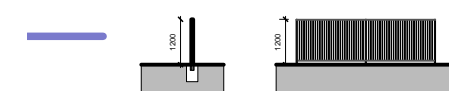
1800mm hedge with 1500mm powder coated black flat bar steel railing.



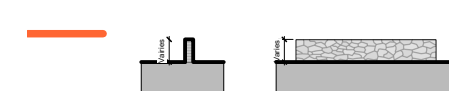
Low hedge (height varies)



Low height protective railing (1200mm)



Existing stone wall (height varies)



Note:

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For landscaping treatments see
1321-108-Proposed Indicative Landscape Plan

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Drawing Title: Proposed Boundary Treatment Plan revision: F
Date: 01/09/2023
Drawing no: 1321-105
Scale: 1:200 @ A3
Drawn: EC

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SOFTWORKS PLAN

-  **New Tree**
Silver Birch 3-4m
-  **New Tree**
Field Maple 3-4m
-  **New Large Shrub**
See table for suggested species
(Exact species mix and locations to specialist design)
-  **Secure Boundary Hedge**
1.8m high Prunus Laurocerasus 'Cherry Laurel' hedge with 1.5m black metal fencing.
-  **Low Hedge**
0.8-1.2m high Prunus Laurocerasus 'Otto Luyken' hedge.
-  **Mixed Shrubbery**
Low and medium shrubbery see table for suggested species (Exact species mix and locations to specialist design).
-  **Natural Grassland**
Grassland to be EM2 80/20 meadow mix containing native grasses and flowers.

HARDWORKS PLAN

-  **Footpaths and Patio Spaces**
450x450 paving slabs Marshalls Saxon Buff or similar.
-  **Side Access Path**
Compact gravel 4-10mm.
Specification TBC by others.
-  **Drive and Parking Area**
Permeable tegular pavers colour TBC
To Enginner's specification.
-  **Gravel Chippings**
Compact gravel 4-10mm.
Specification TBC by others.

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Name	Height	Spread	Description
Small & Medium Shrubs			
Hypericum X Moserianum 'Tricolour'	0.3-0.45m	0.45-0.9m	Low Spreading shrub. Good sized yellow flowers in summer and autumn.
Hebe 'Blue Clouds'	0.5-1.0m	0.5-1.0m	Summer & Autumn flowering with light blue-purple flowers
Hebe Brachysiphon	0.5-1.0m	0.5-1.0m	Summer flowering with small white flowers
Skimmia x Confusa 'Kew Green'	0.5-1.0m	1.0-1.15m	Evergreen shrub. Large clusters of small yellow flowers in spring.
Euonymus Fortunei 'Emerald gaiety'	0.5-1.0m	0.5-1.15m	Evergreen Shrub. Variegated leaves but rarely flowers
Lonicera Ligustrina var. Pileate	0.5-1.0m	1.5-2.5m	Evergreen shrub. Flowering late spring with cream flowers.
Spiraea Japonica	1.0-1.15m	1.0-1.5m	Deciduous shrub. Summer flowering with large pink flowers.
Viburnum Davidii	1.0-1.15m	1.0-1.5m	Evergreen shrub. Spring flowering with small white flowers.
Large Shrubs			
Choisya Ternata	1.5-2.5m	1.5-2.5m	Evergreen shrub. Dark green leaves with large white off season flowers.
Skimmia Laureola	1.5-2.5m	1.0-1.5m	Evergreen shrub. White flowers that become red berries over winter.
Skimmia Laureola	2.5-4.0m	2.4-4.0m	Evergreen shrub. Small clusters of white flowers with autumnal berries.
Pieris 'Froest Flame'	2.5-4.0m	1.5-2.5m	Evergreen shrub. Red young leaves that gradually become green.

NOTES:

Drawing for planning purposes only.

All tree and shrub locations to be confirmed on site.

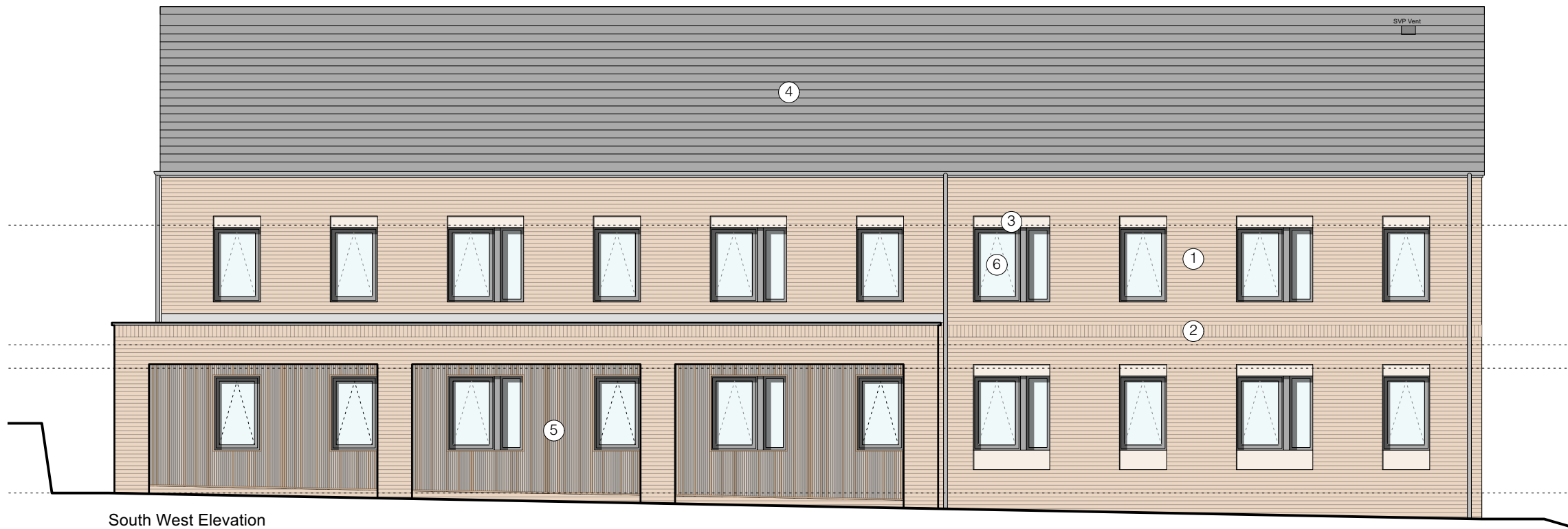
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Drawing Title: Proposed Indicative Landscape Plan revision: E
Date: 18/09/2023
Drawing no: 1321-108
Scale: 1:200 @ A3
Drawn: EC



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South West Elevation

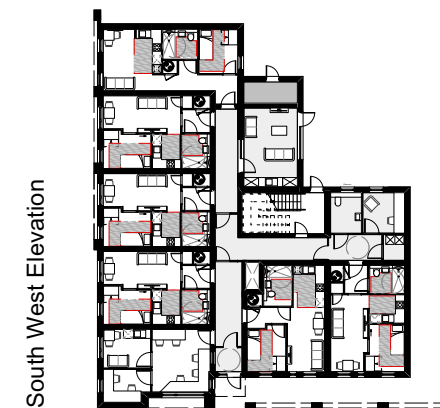
MATERIALS KEY

- ① Wienerberger Con Mosso 65mm buff brick or similar with white mortar.
- ② Soldier coursed Wienerberger Con Mosso 65mm buff brick or similar with white mortar.
- ③ Artstone lintel and/or sill colour TBC.
- ④ Marley-Eternit Fibre Cement Tiles with Marley continuous dry verge trim.
- ⑤ Ecoscape Forma Composite Slatted Board - Silver Birch
- ⑥ REHAU PVCu 'tilt-only' window or similar on 10 degree restrictor.
- ⑦ REHAU PVCu 'fixed' window or similar.
- ⑧ Oriel window angled to improve interfaces.
- ⑨ Pensilina Glass Canopy System.

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South East Elevation



South West Elevation

South East Elevation

NOTES:

Drawing for planning purposes only.

Drawing Title: Proposed Elevations
Date: 04/05/2023
Drawing no: 1321-200
Scale: 1:100 @ A3
Drawn: EC

revision: H



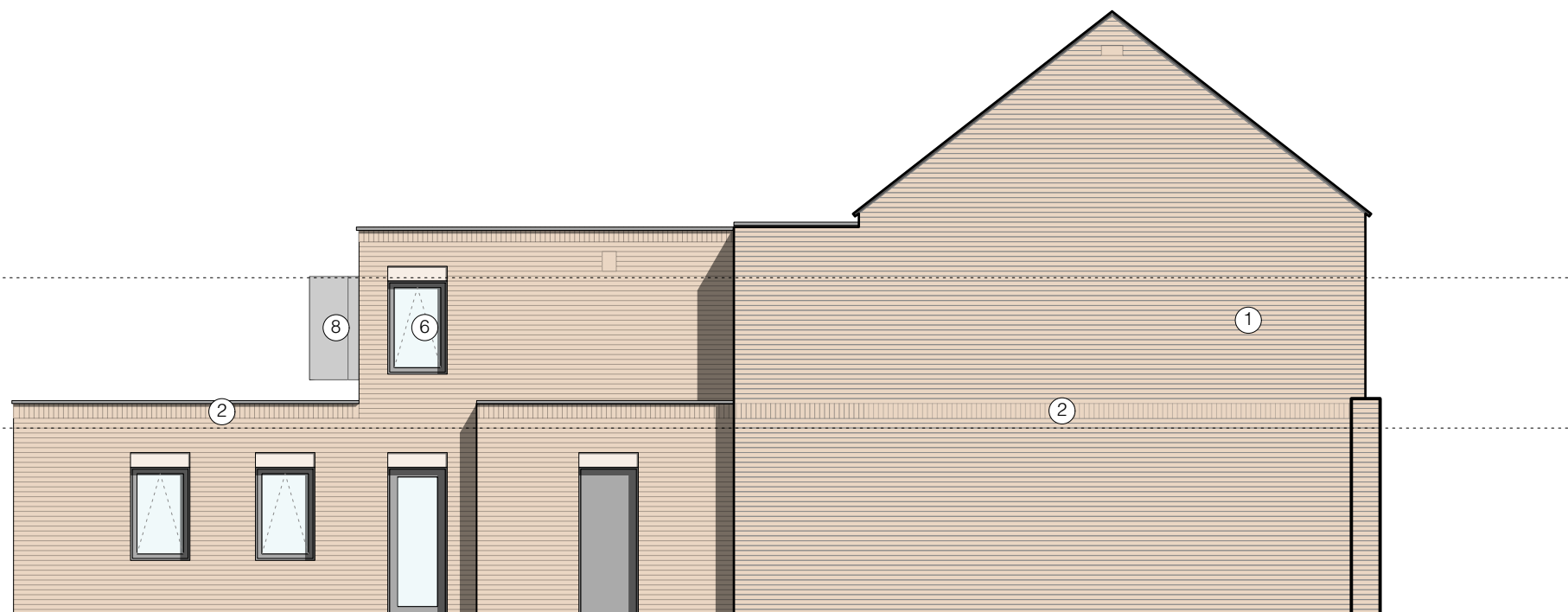
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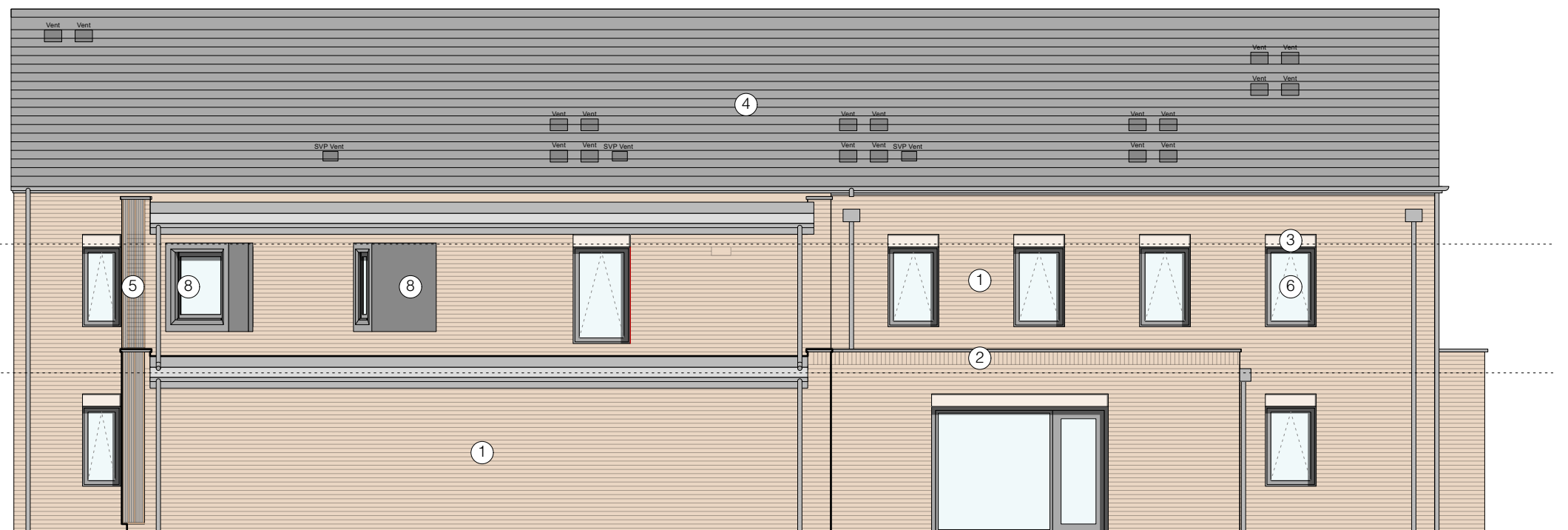
MATERIALS KEY

- ① Wienerberger Con Mosso 65mm buff brick or similar with white mortar.
- ② Soldier coursed Wienerberger Con Mosso 65mm buff brick or similar with white mortar.
- ③ Artstone lintel and/or sill colour TBC.
- ④ Marley-Eternit Fibre Cement Tiles with Marley continuous dry verge trim.
- ⑤ Ecoscape Forma Composite Slatted Board - Silver Birch
- ⑥ REHAU PVCu 'tilt-only' window or similar on 10 degree restrictor.
- ⑦ REHAU PVCu 'fixed' window or similar.
- ⑧ Oriel window angled to improve interfaces.



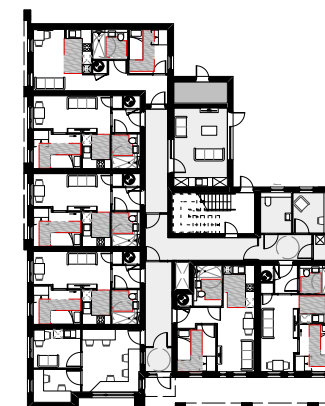
North West Elevation

Page 153



North East Elevation

North West Elevation



North East Elevation

NOTES:

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Drawing Title: Proposed Elevations revision: D
Date: 04/05/2023
Drawing no: 1321-201
Scale: 1:100 @ A3
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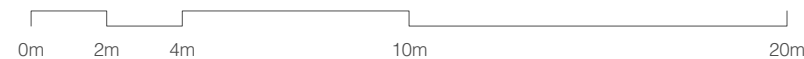


Proposed Spring Street Street Scene

NOTES:

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Drawing Title: Proposed Street Scenes revision: B
Date: 07/09/2023
Drawing no: 1321-202
Scale: 1:200 @ A3
Drawn: EC



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Site Section 01



Site Plan 1:500

KEY

- ① Landscaping buffer to Spring Court Mews
- ② Obscured windows
- ③ Oriel windows to prevent overlooking

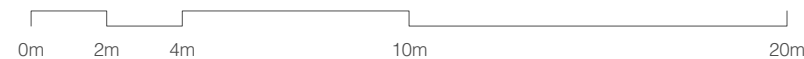


Site Section 02

NOTES:

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Drawing Title: Proposed Site Sections revision: D
 Date: 04/05/2023
 Drawing no: 1321-203
 Scale: 1:200 @ A3
 Drawn: EC



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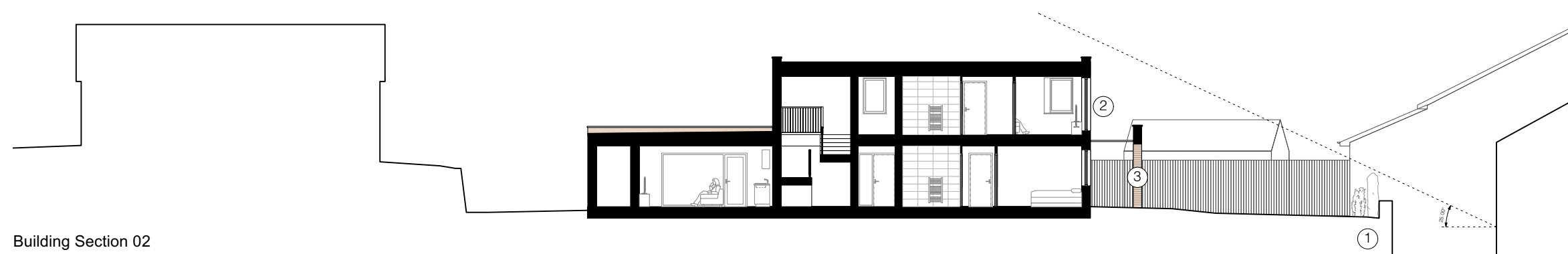
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Site Plan 1:500



Building Section 01

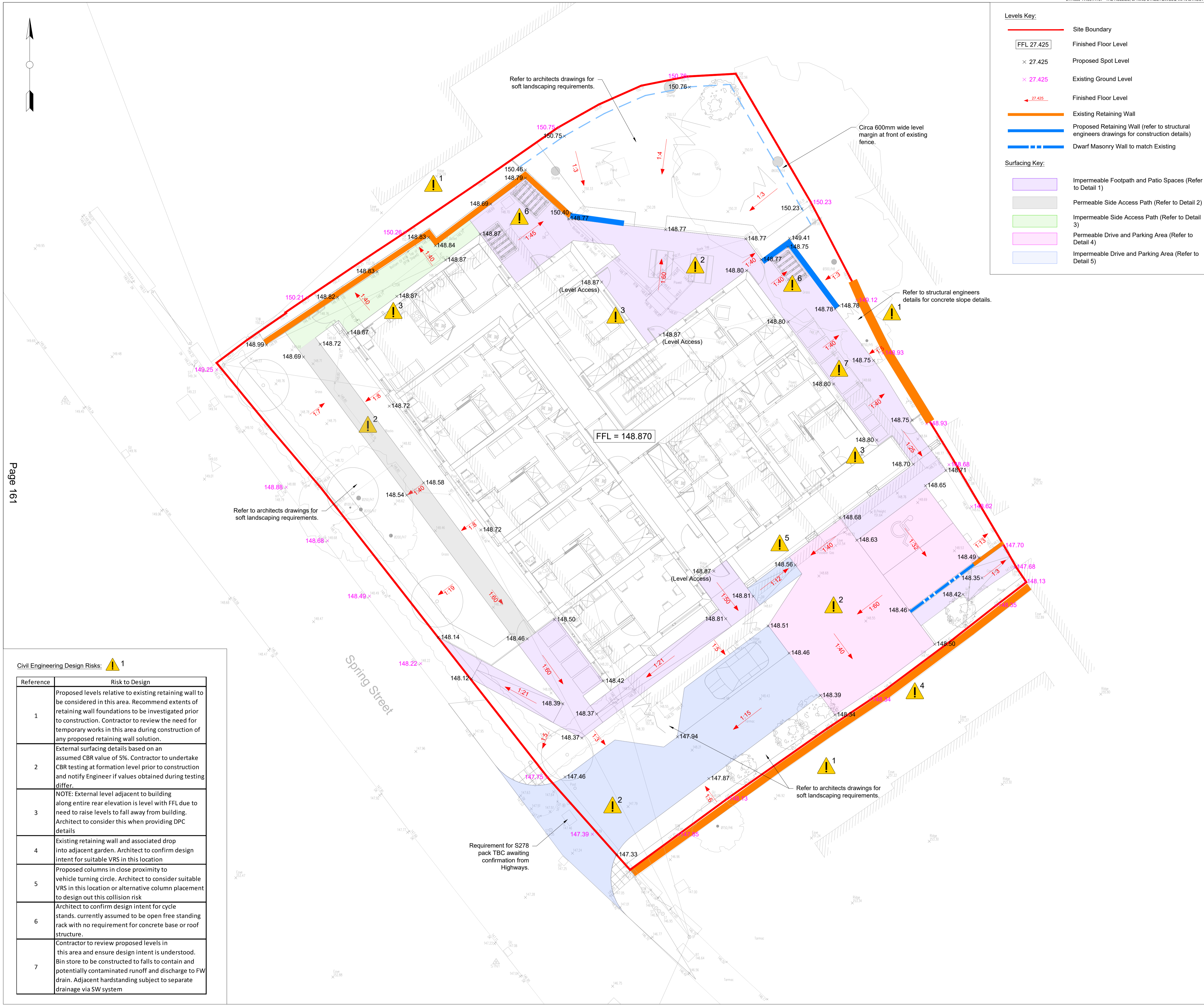


Building Section 02

KEY

- ① Landscaping buffer to Spring Court Mews
- ② Obscured windows
- ③ Colonnade to create defined space

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Levels Key:

- Site Boundary
- FFL 27.425 Finished Floor Level
- x 27.425 Proposed Spot Level
- x 27.425 Existing Ground Level
- 27.425 Finished Floor Level
- Existing Retaining Wall
- Proposed Retaining Wall (refer to structural engineers drawings for construction details)
- Dwarf Masonry Wall to match Existing

Surfacing Key:

- Impermeable Footpath and Patio Spaces (Refer to Detail 1)
- Permeable Side Access Path (Refer to Detail 2)
- Impermeable Side Access Path (Refer to Detail 3)
- Permeable Drive and Parking Area (Refer to Detail 4)
- Impermeable Drive and Parking Area (Refer to Detail 5)

- Notes**
- Do not scale from this drawing on print or electronically. Work from figured dimensions only.
 - No deviation from the details on this drawing is allowed without CampbellReith's prior permission in writing.
 - Read this drawing with all Architect's, Service Engineer's and CampbellReith's relevant details, specifications and drawings.
 - All work is to be done in accordance with the relevant specifications issued by CampbellReith, British Standard Codes of Practice, Statutory Requirements and the Contract Documents.
 - Drawing revision:**
 - P: Preliminary** Evolving drawings for approvals, tenders, billings etc.
 - C: Contractual** Drawings authorized and approved for stage completion.
 - Drawing status:**
 - Work in progress
 - S0** - Initial status
 - Shared (Non-contractual)
 - S1** - Suitable for coordination, **S2** - Suitable for information, **S3** - Suitable for review and comment, **S4** - Suitable for stage approval.
 - Published (For contractors purposes)
 - A1, An** etc - Authorised and accepted ('n' relates to work stages)
 - B1, Bn** etc - Partial sign-off (with comments)
 - CR** - As constructed record document (Final Construction ONLY). Any deviations to that which is on site is not the liability of CampbellReith)
 - Work Stages:**
 - 2** - Concept, **3** - Definition, **4** - Design, **5** - Build & commission, **6** - Handover
 - Only drawings with **revision Cn** and **status A5** to be used for Construction
 - Proposed Masterplan based on 1321-101M-Proposed Ground Floor Plan (Received from DK Architects on 04/03/2024). This Masterplan has been inserted onto the topographical survey and no guarantee as to the accuracy of the layout in relation to the survey is given or implied. Masterplan shown for information only.
 - All existing survey information shown or referred to is based upon topographical survey prepared by WEST COST GEOMATICS, Dwg Ref WCGeo 23-1949 - Topographical Survey, dated September 2023 as supplied to CampbellReith - no warranty as to the accuracy of the information is given or implied.
 - Refer to CRH Drawing Ref: 14107-CRH-ZZ-XX-DR-C-5305 Standard external Works Construction Details for detailed construction build ups.
 - Refer to Civil Engineering Design Risks table for reference. ⚠ 1

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Civil Engineering Design Risks: ⚠ 1

Reference	Risk to Design
1	Proposed levels relative to existing retaining wall to be considered in this area. Recommend extents of retaining wall foundations to be investigated prior to construction. Contractor to review the need for temporary works in this area during construction of any proposed retaining wall solution.
2	External surfacing details based on an assumed CBR value of 5%. Contractor to undertake CBR testing at formation level prior to construction and notify Engineer if values obtained during testing differ.
3	NOTE: External level adjacent to building along entire rear elevation is level with FFL due to need to raise levels to fall away from building. Architect to consider this when providing DPC details
4	Existing retaining wall and associated drop into adjacent garden. Architect to confirm design intent for suitable VRS in this location
5	Proposed columns in close proximity to vehicle turning circle. Architect to consider suitable VRS in this location or alternative column placement to design out this collision risk
6	Architect to confirm design intent for cycle stands, currently assumed to be open free standing rack with no requirement for concrete base or roof structure.
7	Contractor to review proposed levels in this area and ensure design intent is understood. Bin store to be constructed to falls to contain and potentially contaminated runoff and discharge to FW drain. Adjacent hardstanding subject to separate drainage via SW system

P2	Masterplan and Levels Information Updated	07/03/24	IC
P1	Issued for Information	06/12/23	ZA
Rev	Description	Date	By

CampbellReith

consulting engineers

London 020 7340 1700 Manchester 0161 819 3060
 Surrey 01737 784 500 Birmingham 01675 467 484
 Bristol 0117 916 1066 Dubai 00 971 4345 7088
 www.campbellreith.com

Job Title **The Hollies, Spring Street**

Client **Jigsaw Homes Tameside**

Proposed Levels and External Works Plan

Drawn by	Date made	Scale @ A1	Checked by	Suitability	CR Project
IC	10/11/23	1:100	LM	S2	14107

Project No.	Originator	Volume	Lvl/Loc	Type	Role	Number	Rev
14107	CRH	ZZ	XX	DR	C	5000	P2

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APPLICATION NUMBER: 23/01125/FUL

DESCRIPTION: Erection of part one - part two storey class C3b residential development of 12 no 1bed units, staff area, communal lounges with associated landscaping and car parking.

ADDRESS: The Hollies, Spring Street, Hollingworth, Tameside SK14 8NQ

Image 1: Aerial Photograph

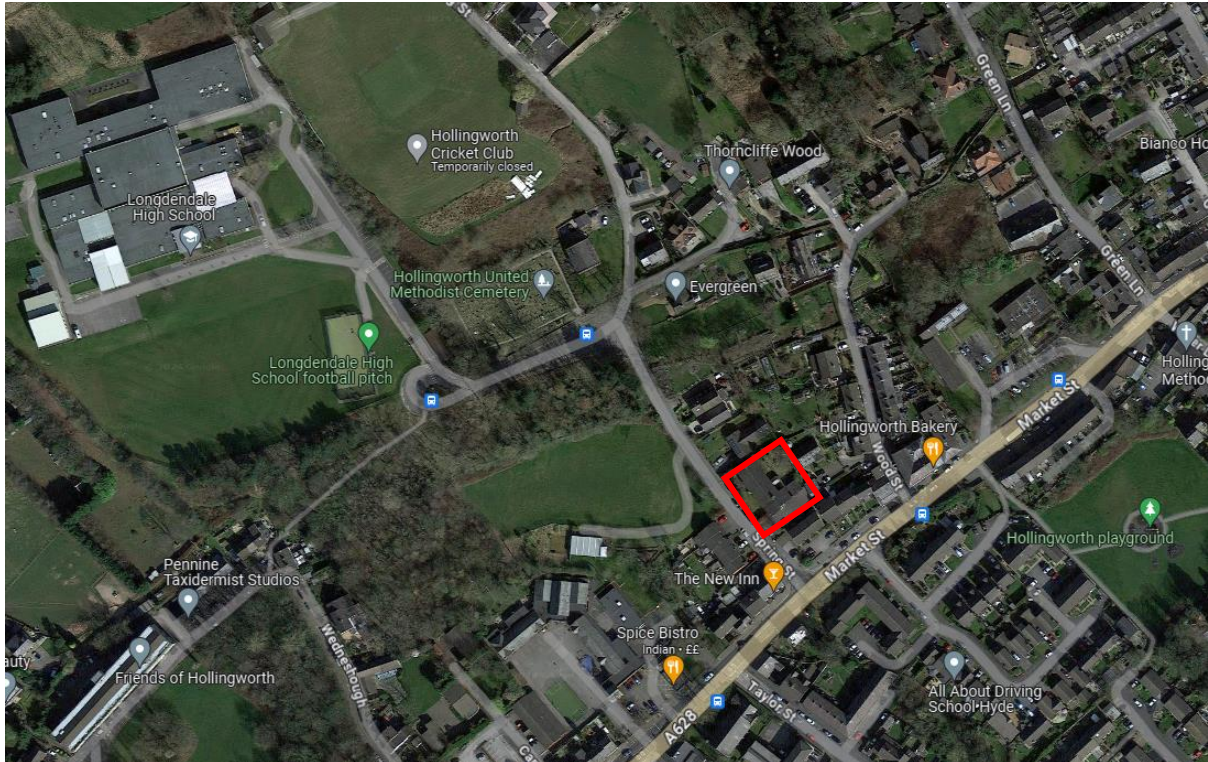


Photo 2: Street scene as viewed from Spring Street with Spring Court Mews to the right (south east)



Image 3: Photo of No.5 Spring Street adjacent to The Hollies on the right.



Image 4: view of Spring Court Mews from existing hardstanding area to south of plot



Image 5: view looking east across Spring Street with The Hollies to the left and Spring Court Mews to the right



Image 6: Existing gable end of The Hollies facing Spring Court Mews



Image 7: Rear elevation of The Hollies



Image 8: Existing Landscaped area with tree to be removed.



Image 9: side elevation of No.5 Spring Street which overlooks the communal garden of The Hollies



Image 10: Houses opposite on Spring Street



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Appeal Decision

Site visit made on 26 March 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th April 2024

Appeal Ref: APP/G4240/W/23/3327188

Land on Stamford Road, Mossley OL5 0LJ Easting: 397096, Northing: 402533

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr D Wilcox (Wickens Estates Ltd) against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 22/00262/FUL.
 - The development proposed is the construction of 3no. 3 bed dwellings and 6no. 2 bed dwellings including ancillary works/excavation.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is evident from the documents submitted that the proposed scheme was amended during the course of the planning application and no longer reflects the description of development given on the planning application form. I have therefore used the description of development that appears on the decision notice and on the appeal form in the banner header above and have made my assessment of the appeal on that basis.
3. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023 and therefore I have referred to that revised document in my determination of this appeal. I am satisfied that the parts of the Framework most relevant to this appeal have not substantively changed from the previous iteration.

Main Issues

4. The main issues are (i) whether the proposed development would provide acceptable living conditions for its future occupants, with particular reference to outlook, and (ii) the effect of the proposed development on the character and appearance of the area.

Reasons

Living conditions

5. The appeal site is for the most part limited in its depth. The land to the rear is at a significantly higher ground level, and the majority of the proposed dwellings would be situated very close to the rock face that would be on that boundary. Along parts of the boundary there is also the existing fencing on the adjacent site which is already substantially elevated above the site. Even

though it is intended that the rock face would be angled and not a sheer face, it would nonetheless be a high and imposing feature. The proposed dwellings would front directly onto Stamford Road, set back at varying distances from the back edge of the pavement.

6. The proposed dwellings on plots 1, 2 and 3 would be both very close to the public highway and to the rear boundary. The vision from their rear ground floor windows would be particularly oppressive due to the high rear boundary, resulting in a poor outlook for their future occupants. There would be little relief to this provided from the windows on the front elevation because of their close proximity to the road onto which they would look. Whilst the dwelling on plot 1 would have a window in its side elevation, this would itself face towards what is a tall building on the land adjacent and would as a result also have a limited outlook.
7. The proposed dwellings on plots 4 to 8 would be set back further from the public highway, which would improve the outlook from their front windows, but they would still be very close to the rear boundary of the site and thus suffer also from a poor outlook from their rear ground floor windows. The rear garden areas of all of the proposed dwellings on plots 2-8 would be sandwiched between the two-storey rear elevation of the properties and the rear of the site. The outlook from those spaces would make the rear garden areas uninviting and oppressive places to spend time. This would not be mitigated against by the fact that some of the dwellings would have front garden areas, as these would be close to the busy Stamford Road and not private, thus meaning that they would also be uninviting areas.
8. It has been suggested that the Council has approved other schemes with smaller gardens and similar outlooks, with specific reference made to a development on land between 85-87 Stockport Road in Mossley. It is said that this is not an unusual occurrence due to the topography of the surrounding area. Whilst I have only been provided with limited details of that development and nothing to show in detail the differences in land levels that might exist or the circumstances that were relevant to its consideration, I am not bound by previous decisions of the Council. What may have previously been granted does not therefore justify the harm that would result from the poor outlook that would be provided in this case.
9. For these reasons, the proposed development would fail to provide acceptable living conditions for its future occupants. Consequently, it would fail to accord with Policies H10 and C1 of the Tameside Unitary Development Plan 2004 (UDP) where they seek to promote good design and ensure that new dwellings provide acceptable living conditions for their future occupants. There would also be a conflict with Policy RD11 of the Tameside Residential Design Supplementary Planning Document (SPD) which seeks to provide suitable private amenity space, and with the Framework where it aims to provide a high standard of amenity for future users.

Character and appearance

10. In the area in the immediate vicinity of the appeal site, Stamford Road is straight in its alignment and is characterised predominantly by terraced dwellings and other buildings which are positioned directly on the back edge of the footpath in a linear arrangement. This creates a visual coherence in particular in views taken up Stamford Road as the land rises towards the

junction with the A670. Whilst there is a greater variation further along the road in terms of both dwelling types, including detached properties and apartments, and in their positions relative to the public highway, those properties do not frame the immediate visual context in which the appeal site is viewed.

11. The eight proposed dwellings that would be terraced would be staggered back from one another in three stages, and considerably so. This would mean that not only would they be at odds with the character and appearance of the existing street scene in that they would be set back from the pavement, but that the differences in layout between what exists and what is proposed would be emphasised substantially by the degree of staggering. This would result in a development which would be notably at variance with its surroundings, causing significant harm to the character and appearance of the area in which it would be seen.
12. My attention has been drawn to staggered dwellings that have recently been built on Cross Street near to the appeal site which I was able to view when I visited the area. However, the context of that road is very different to that in which the appeal site is located, being only a very short road with no particular consistency in the positioning and style of buildings. The presence of those dwellings does not therefore lend support to the allowing of a development that I have found would cause harm to the character and appearance of the specific area in which it would be located.
13. I have been made aware that there was, some time ago, a building of substantial scale on the appeal site. However, that building has not had an impact upon the character and appearance of the area in recent times. But, in any event, it does not appear that it was visually comparable to the appeal proposal in any way. The appellant also makes reference to the terrace opposite the site being staggered at one end. They have not highlighted the feature to which they refer, but it appears to be an extension to an end terrace. That however is an isolated example of a limited set back which does not make any notable impact on the character and appearance of the area.
14. In conclusion, the significant harm that I have found would be caused to the character and appearance of the area means that the proposed development would fail to accord with Policies H10 and C1 of the UDP where they seek to safeguard character and appearance. There would also be a conflict with Policy RD2 of the SPD in the same respect, and with the Framework and the National Design Guide where they seek to achieve well-designed and beautiful places.

Other Considerations

15. The proposal would deliver nine new dwellings, which would make a valuable contribution to the Government's objective of significantly boosting the supply of homes which is set out in the Framework. This, as the appellant highlights, is in the context of recent under-delivery of housing in the borough, as set out in the Housing Delivery Test results, most recently those from 2022.
16. It would do so on a smaller site that is close to the services and facilities in Mossley town centre, making use of land which is currently unused, and which makes no particular positive visual contribution to the street scene. There would also be a time limited benefit to the local economy during the construction phase, and thereafter through spending by the future residents of

the dwellings. Due to the scale of the proposed development, these are considerations which offer moderate weight in favour of the proposed development.

Paragraph 11d)

17. The Council has set out that they are unable to demonstrate a 5 year housing land supply. The absence of a 5 year housing land supply means that paragraph 11d) of the Framework is triggered. This states at paragraph 11d)ii) that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
18. The harm to living conditions would mean that the proposed development would fail to provide a high standard of amenity for future occupiers, which is an aim set out in the Framework. The Framework also seeks to achieve well designed and beautiful places, which the proposal would fail to do. These adverse impacts would be significant and long lasting in their impact, and they would significantly and demonstrably outweigh the benefits associated with the provision of nine new dwellings on the site. As such the presumption in favour of sustainable development set out in paragraph 11d) of the Framework does not apply.

Other Matters

19. It would appear that the proposed development has evolved from previous schemes in order to try and overcome concerns raised at planning application stage and at appeal. Housing development, apparently of a smaller quantum has been approved on the site in the past and it is suggested that at least part of the site has previously been identified as being suitable for housing in planning policy documents. There are also no substantive concerns raised by statutory consultees and no notable constraints such as flood risk. However, these are not considerations that would justify an otherwise harmful development.

Planning Balance & Conclusion

20. The development would fail to provide acceptable living conditions for future occupants of the proposed dwellings, and it would cause significant harm to the character and appearance of the area. Consequently, it would fail to accord with Policies H10 and C1 of the UDP and with the development plan taken as a whole. Balanced against this it would provide the benefits I have outlined which collectively offer moderate weight in its favour. Those benefits do not outweigh the harm that would result and the conflict with the development plan.
21. In conclusion therefore, I find that the other considerations in this case do not indicate that a determination should be made otherwise than in accordance with the development plan. Therefore, the appeal should be dismissed.

Graham Wraight

INSPECTOR